

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 605

Short Title: Voters Right to Know Act. (Public)

Sponsors: Representatives Winslow, Dahle, Hawkins, and Mills (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Election Law and Campaign Finance Reform, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House

April 20, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO EQUIP VOTERS WITH RESOURCES AND INFORMATION ABOUT THE
3 VOTING PROCESS PRIOR TO ENTERING THE VOTING PLACE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 163-166.7A reads as rewritten:

6 **"§ 163-166.7A. Voter education and information.**

7 (a) ~~Posting the Information.~~ Voter Education Information. – For each election that
8 involves candidates for federal or State office, each county board of elections shall post at each
9 active voting place the following information in a manner and format approved by the State
10 Board of Elections:

- 11 (1) A sample ballot as required by ~~163-165.2~~ G.S. 163-165.2.
- 12 (2) The date of the election and the hours the voting place will be open.
- 13 (3) Instructions on how to vote, including how to cast a vote or correct a vote on
14 the voting systems available for use in that voting place.
- 15 (4) Instructions on how to cast a provisional ballot.
- 16 (5) Instructions to mail-in registrants and first-time voters on how to comply with
17 the requirements in section 303(b) of the Help America Vote Act of 2002
18 concerning voter identifications.
- 19 (6) General information on voting rights under applicable federal and State law,
20 including information on the right of an individual to cast a provisional ballot
21 and instructions on how to contact the appropriate officials if the voter
22 believes those rights have been violated.
- 23 (7) General information on federal and State laws that prohibit acts of fraud and
24 misrepresentation as to voting and elections.

25 (b) Intent. – The posting required by subsection (a) of this section is intended to meet the
26 mandate of the voting information requirements in section 302(b) of the Help America Vote Act
27 of 2002.

28 (c) Placard Containing Voter Education Information. – In addition to the requirements in
29 subsection (a) of this section, for each election that involves candidates for federal or State office,
30 the State Board of Elections shall ensure that a placard is prominently displayed at the entrance
31 to each voting place, during all hours the site is open for voting during one-stop absentee voting
32 and on Election Day, containing information on the right to vote and how to vote. Such placard
33 shall be specific to that election. At a minimum, the placard shall contain the following
34 information:



- 1 (1) The right to vote.
- 2 (2) Who is eligible to vote in that election.
- 3 (3) The option for an individual who is not registered to vote in the county to
4 register to vote and cast an absentee ballot in person at a one-stop absentee
5 voting site.
- 6 (4) For a primary election, the right for voters registered with a political party to
7 participate in the primary election for that political party and the right for
8 voters registered as unaffiliated to participate in the primary election for a
9 political party of their choosing.
- 10 (5) For a second primary election, the right for voters who were registered with a
11 political party at the time of the first primary election to participate in the
12 second primary election for that political party and the right for voters
13 registered as unaffiliated to participate in the second primary election for a
14 political party if the voter did either of the following:
 - 15 a. Participated in the first primary election for that political party.
 - 16 b. Did not participate in the first primary election.
- 17 (6) For a general election, the right of all registered voters to participate in that
18 election and the right to vote for any candidate appearing on the ballot in that
19 election, regardless of the registered voter's party affiliation or unaffiliated
20 status.
- 21 (7) The right to vote a provisional official ballot under Article 14A of Chapter
22 163 of the General Statutes and how to track the voted provisional ballot.
- 23 (8) A statement indicating that no person may photograph, videotape, or
24 otherwise record the image of a voted official ballot, as provided in
25 G.S. 163-166.3, and that voters may not use a phone or electronic device to
26 electronically communicate with anyone while in the voting place.
- 27 (9) A statement indicating that voters may bring voting guides, notes, and
28 informational materials inside the voting booth.
- 29 (10) The State Board's telephone number, website, and quick response (QR)
30 barcode, as required by G.S. 163-22(b), with a statement indicating the voter
31 may access the State Board for more information on voting."

32 **SECTION 2.** Article 24 of Chapter 163 of the General Statutes is amended by adding
33 a new section to read:

34 **"§ 163-307. Voter education information.**

35 (a) For each election held in and for any municipality, special district, or school
36 administrative unit pursuant to this Subchapter, the respective county board of elections shall
37 post at each active voting place the information described in G.S. 163-166.7A(a) in a manner and
38 format approved by the State Board of Elections.

39 (b) For each election held in and for any municipality, special district, or school
40 administrative unit pursuant to this Subchapter, the State Board of Elections shall ensure that a
41 placard is prominently displayed at the entrance to each active voting place, during all hours the
42 site is open for voting during any one-stop absentee voting and on Election Day, containing
43 information on the right to vote and how to vote. At a minimum, the placard shall contain the
44 information described in G.S. 163-166.7A(c)."

45 **SECTION 3.** G.S. 163-22 reads as rewritten:

46 **"§ 163-22. Powers and duties of State Board of Elections.**

47 ...

48 (b) From time to time, the State Board shall publish and furnish to the county boards of
49 elections and other election officials a sufficient number of indexed copies of all election laws
50 and State Board rules and regulations then in force. It shall also publish, issue, and distribute to
51 the electorate such materials explanatory of primary and election laws and procedures as the State

1 Board shall deem necessary. In order to effectively educate the electorate on the primary and
 2 election laws and procedures, the State Board shall do all of the following:

- 3 (1) Establish and maintain a webpage on the State Board's website containing a
 4 list of frequently asked questions and answers with information on the right
 5 to vote, registering to vote, absentee voting, and voting in person, including
 6 any applicable deadline and time frame. The State Board shall review and
 7 update this list of frequently asked questions at least 90 days before the
 8 beginning of each voting period, and as needed throughout the voting period,
 9 to ensure the information is accurate for that election.
- 10 (2) Establish a toll-free telephone number for citizens of the State to call with
 11 questions regarding voting. This telephone shall be staffed by an employee of
 12 the State Board and be operated, at a minimum, from 7:00 A.M. to 7:00 P.M.
 13 each day during the period from the first day mail-in absentee ballots are sent
 14 to voters through Election Day.
- 15 (3) Establish a quick response (QR) barcode that can be scanned by a mobile
 16 phone and links to a webpage on the State Board's website containing the
 17 information required in subdivision (1) of this subsection. The State Board of
 18 Elections shall ensure that mailings or voter guides produced by the State
 19 Board or a county board of elections and sent to voters contains this quick
 20 response (QR) barcode.

21 (c) The State Board of Elections shall appoint, in the manner provided by law, all
 22 members of the county boards of elections and advise them as to the proper methods of
 23 conducting primaries and ~~elections.~~ elections, including voter education information, as
 24 described in G.S. 163-166.7A. The State Board shall require such reports from the county boards
 25 and election officers as are provided by law, or as are deemed necessary by the State Board, and
 26 shall compel observance of the requirements of the election laws by county boards of elections
 27 and other election officers. In performing these duties, the State Board shall have the right to hear
 28 and act on complaints arising by petition or otherwise, on the failure or neglect of a county board
 29 of elections to comply with any part of the election laws imposing duties upon such a board. The
 30 State Board of Elections shall have power to remove from office any member of a county board
 31 of elections for incompetency, neglect or failure to perform duties, fraud, or for any other
 32 satisfactory cause. Before exercising this power, the State Board shall notify the county board
 33 member affected and give that member an opportunity to be heard. When any county board
 34 member shall be removed by the State Board of Elections, the vacancy occurring shall be filled
 35 by the State Board of Elections.

36"

37 **SECTION 4.** G.S. 163-82.24 reads as rewritten:

38 **"§ 163-82.24. Statewide training and certification for election officials.**

39 (a) Training. – The State Board of Elections shall conduct training programs in election
 40 law and procedures. These training programs shall include voter education information, as
 41 described in G.S. 163-166.7A. Every county elections director shall receive training conducted
 42 by the State Board at least as often as required in the following schedule:

- 43 (1) Once during each odd-numbered year before the municipal election held in
 44 the ~~county;~~ county.
- 45 (2) Once during each even-numbered year before the first partisan ~~primary;~~
 46 ~~and~~ primary.
- 47 (3) Once during each even-numbered year after the partisan primaries but before
 48 the general election.

49 Every member of a county board of elections shall receive training conducted by the State Board
 50 at least once during the six months after the member's initial appointment and at least once again
 51 during the first two years of the member's service. The State Board of Elections shall promulgate

1 rules for the training of precinct officials, which shall be followed by the county boards of
2 elections.

3 (b) Certification. – The State Board of Elections shall conduct a program for certification
4 of election officials. The program shall include training in election law and procedures. The
5 program shall include voter education information, as described in G.S. 163-166.7A. Before
6 issuing certification to an election official, the State Board shall administer an examination
7 designed to determine the proficiency of the official in election law and procedures. The State
8 Board shall set adequate standards for the passage of the examination."

9 **SECTION 5.** This act becomes effective October 1, 2021, and applies to elections
10 held on or after that date.