

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H

D

HOUSE BILL 605
PROPOSED COMMITTEE SUBSTITUTE H605-PCS30309-BKa-3

Short Title: Voters Right to Know Act.

(Public)

Sponsors:

Referred to:

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 develop the placard as required by this subsection and ensure
31 that it is prominently displayed at the entrance to each voting place during all hours the site is
32 open for voting during one-stop absentee voting and on Election Day. At a minimum, the placard
33 shall be specific to that election and shall contain the following information:

34 (1) The right to vote.

35 (2) Who is eligible to vote in that election.



* H 6 0 5 - P C S 3 0 3 0 9 - B K A - 3 *

- 1 (3) The option for an individual who is not registered to vote in the county to
2 register to vote and cast an absentee ballot in person at a one-stop absentee
3 voting site.
- 4 (4) For a primary election, the right for voters registered with a political party to
5 participate in the primary election for that political party and the right for
6 voters registered as unaffiliated to participate in the primary election for a
7 political party of their choosing if the political party allows unaffiliated voters
8 to participate in its primary.
- 9 (5) For a second primary election, the right for voters who were registered with a
10 political party at the time of the first primary election to participate in the
11 second primary election for that political party and the right for voters
12 registered as unaffiliated to participate in the second primary election for a
13 political party, if the political party allows unaffiliated voters to participate in
14 its primary and 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 toll-free telephone number, website, and quick response
30 (QR) barcode, as required by G.S. 163-22(b), with a statement indicating the
31 voter may access the State Board for more information on voting.
- 32 (d) The State Board of Elections shall conduct training programs for the staff of the
33 county boards of elections on the items described in subsection (c) of this section. This training
34 shall be conducted at least 90 days before the beginning of each voting period and may be
35 conducted virtually."

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

38 "**§ 163-307. Voter education information.**

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

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

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

50 "**§ 163-22. Powers and duties of State Board of Elections.**

51 ...

1 (b) From time to time, the State Board shall publish and furnish to the county boards of
2 elections and other election officials a sufficient number of indexed copies of all election laws
3 and State Board rules and regulations then in force. It shall also publish, issue, and distribute to
4 the electorate such materials explanatory of primary and election laws and procedures as the State
5 Board shall deem necessary. In order to effectively educate the electorate on the primary and
6 election laws and procedures, the State Board shall do all of the following:

7 (1) Establish and maintain a webpage on the State Board's website containing a
8 list of frequently asked questions and answers with information on the right
9 to vote, registering to vote, absentee voting, and voting in person, including
10 any applicable deadline and time frame. The State Board shall review and
11 update this list of frequently asked questions at least 90 days before the
12 beginning of each voting period, and as needed throughout the voting period,
13 to ensure the information is accurate for that election.

14 (2) Establish a toll-free telephone number for citizens of the State to call with
15 questions regarding voting. This telephone shall be staffed by an employee of
16 the State Board and be operated, at a minimum, from the time that voting
17 places must be open through 30 minutes after the polls are closed each day
18 during the period from the first day ballots are available for voting pursuant
19 to G.S. 163-227.10 through Election Day.

20 (3) Establish a quick response (QR) barcode that can be scanned by a mobile
21 phone and links to a webpage on the State Board's website containing the
22 information required in subdivision (1) of this subsection. The State Board of
23 Elections shall ensure that mailings or voter guides produced by the State
24 Board or a county board of elections and sent to voters contains this quick
25 response (QR) barcode.

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

41"

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

43 **"§ 163-82.24. Statewide training and certification for election officials.**

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

49 (1) Once during each odd-numbered year before the municipal election held in
50 the ~~county~~ county.

