

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

H.B. 1159  
May 27, 2022  
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH30549-ST-63

Short Title: Access to Voted Ballots. (Public)

Sponsors: Representative Cleveland.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY ACCESS TO VOTED BALLOTS.  
3 The General Assembly of North Carolina enacts:  
4 SECTION 1. G.S. 163-165.1 reads as rewritten:  
5 "§ 163-165.1. Scope and general rules.  
6 (a) Scope. – This Article shall apply to all elections in this State.  
7 (b) Requirements of Official Ballots in Voting. – In any election conducted under this  
8 Article:  
9 (1) All voting shall be by official ballot.  
10 (2) Only votes cast on an official ballot shall be counted.  
11 (c) Compliance With This Article. – All ballots shall comply with the provisions of this  
12 Article.  
13 (d) Other Uses Prohibited. – An official ballot shall not be used for any purpose not  
14 authorized by this Article.  
15 (e) Access to Voted Ballots. – ~~Voted ballots~~ ballots, and any paper and electronic records  
16 ~~of associated with those individual voted ballots~~ ballots, shall be treated as confidential, and no  
17 person other than elections officials performing their duties may have access to ~~voted ballots or~~  
18 ~~paper or electronic records of individual voted ballots~~ those documents except ~~by~~ as follows:  
19 (1) By court order or order.  
20 (2) By order of the appropriate board of elections as part of the resolution of an  
21 election protest or investigation of an alleged election irregularity or violation.  
22 (3) By response to a public records request for all voted ballots of a precinct, ward,  
23 county, or city. Voted ballots ~~ballots~~, and paper and electronic records of  
24 individual voted ~~ballots~~ ballots, shall not be ~~disclosed to members of the~~  
25 ~~public in such a way as to disclose how a particular voter voted, unless a court~~  
26 ~~orders otherwise.~~ voted and shall be redacted of any information identifying  
27 an individual voter.  
28 (f) Violation. – Any person who has access to an official voted ballot or record and  
29 knowingly discloses in violation of subsection (e) of this section how an individual has voted  
30 that ballot is guilty of a Class 1 misdemeanor."  
31 SECTION 2. This act is effective when it becomes law.

