

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

H.B. 613  
Apr 13, 2023  
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH10304-ST-19

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:~~ Article, both of the following shall apply:  
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 official ballots shall comply with the provisions  
12 of this 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 individual associated with those 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 or other election district. Voted ballots-ballots, and any paper and electronic  
24 records of individual associated with those voted ballots-ballots, shall not be  
25 diselosed to members of the public in such a way as to disclose how a  
26 particular voter voted, unless a court orders otherwise. voted and shall be  
27 redacted of all information identifying an individual voter.  
28 (f) Violation. – ~~Any person who has access to an official voted ballot or record a voted~~  
29 ~~ballot, and any paper and electronic records associated with that voted ballot, and knowingly~~  
30 ~~discloses in violation of subsection (e) of this section how an individual has voted that ballot is~~  
31 ~~guilty of a Class 1 misdemeanor."~~  
32 **SECTION 2.** This act is effective when it becomes law.

