

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 1 of 54

Amends Title [NO]
Fourth Edition

Date _____, 2023

Senator Chaudhuri

1 moves to amend the bill on page 320, lines 27-30, by deleting those lines;

2
3 and on page 320, lines 30-31, by inserting between those lines the following new sections:

4 **"FREEDOM TO VOTE ACT**

5 **"PART I. INCREASE FUNDING/STATE BOARD OF ELECTIONS**

6 **SECTION 26.4.(a)** Notwithstanding any other provision of this act or the Committee
7 Report described in Section 43.2 of this act, the funds appropriated in this act to the UNC Board
8 of Governors for the Opportunity Scholarship Grant Fund Reserve shall be reduced by the sum
9 of eighteen million nine hundred sixty-one thousand five hundred eighty-seven dollars
10 (\$18,961,587) in recurring funds for each year of the 2023-2025 fiscal biennium and those funds
11 shall instead be appropriated to the State Board of Elections to be used for the purpose of securing
12 election integrity, supporting county boards of elections, and improving voter services.
13

14 **PART II. CLARIFY/PROHIBIT VOTER INTIMIDATION**

15 **SECTION 26.4.(b)** Article 22 of Chapter 163 of the General Statutes is amended by
16 adding the following new sections to read:

17 **'§ 163-275.1. Voter intimidation, threats, or coercion.**

18 (a) As used in this section, the following definitions shall apply:

19 (1) Coerce. – To compel another person's conduct using force or threat of force,
20 whether that force is physical or economic, and is judged not in isolation but
21 in the context and background of contemporaneous events.

22 (2) Intimidate. – To willfully engage in conduct without legal purpose that would
23 cause a reasonable person to fear for the person's safety or the safety of the
24 person's immediate family or close personal associates by placing the person
25 in fear of death, bodily injury, or continued harassment.

26 (3) Threaten. – To express an intention to harm another.

27 (b) Notwithstanding any other provision of law, any person who does any of the
28 following is guilty of a Class H felony:

29 (1) Threatens or attempts to threaten any person:

30 a. For voting or attempting to vote.

31 b. For voting or attempting to vote for or against a particular candidate.

32 c. For registering to vote.



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NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 2 of 54

1 d. For urging or aiding any individuals to vote or attempting to vote, as
2 allowed by law.

3 e. For exercising any lawful powers or duties as an election official or
4 enlisting another person to do the same.

5 For purposes of this section, a person shall be found to have threatened another
6 person if the person knew or reasonably should have known that his or her
7 actions would produce that effect.

8 (2) Knowingly challenges a person's right to vote on fraudulent or spurious
9 grounds.

10 (3) Engages in mass, indiscriminate, and groundless challenging of voters solely
11 for the purpose of preventing voters from voting or to delay the process of
12 voting or the lawful and orderly administration of an election.

13 (4) Fraudulently advises any person that the person is not eligible to vote or is not
14 registered to vote when in fact that person is eligible or registered to vote.

15 (c) Notwithstanding any other provision of law, an employer, whether a corporation or
16 natural person or any other person who employs, who shall, in paying its employees the salary
17 or wages due the employees, do any of the following shall be guilty of a Class H felony:

18 (1) Enclose the employees' pay in pay envelopes upon which or in which there is
19 written or printed the name of any candidate or any political mottoes, devices,
20 or arguments containing threats, express or implied, intended or calculated to
21 influence the political opinions or actions of the employees.

22 (2) In any way, express or implied, communicate that the employees' pay or
23 continued employment is conditioned on voting or not voting, or voting or not
24 voting for a specific candidate.

25 (d) Notwithstanding any other provision of law, any person who intimidates or coerces
26 or attempts to intimidate or coerce any person for any of the following is guilty of a Class A1
27 misdemeanor:

28 (1) Voting or attempting to vote.

29 (2) Voting or attempting to vote for or against a particular candidate.

30 (3) Urging or aiding any persons to vote or attempt to vote, as allowed by law.

31 (4) Exercising any lawful powers or duties as an election official or enlisting
32 another person for the purpose of doing the same.

33 For purposes of this section, a person shall be found to have intimidated or coerced another
34 person if the person knew or reasonably should have known that his or her actions would produce
35 that effect.

36 **§ 163-275.2. Right of action.**

37 Any person aggrieved by a violation of G.S. 163-275.1 may bring an action for preventive
38 relief, including an application in a district court for a permanent or temporary injunction,
39 restraining order, or other order. In any action commenced pursuant to this section, the court, in
40 its discretion, may allow the prevailing party reasonable attorney's fees.

41 **§ 163-275.3. Restitution; fund.**

42 (a) In addition to any other fine or penalty imposed by this Article, the court may order
43 any person convicted of violating this Article to pay a restitution fine, the amount of which shall

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 3 of 54

1 be determined by the court and be commensurate with the seriousness of the offense. The moneys
2 derived from the fine assessed pursuant to this subsection shall be deposited in the Voter
3 Intimidation Restitution Fund created under subsection (b) of this section.

4 (b) The Voter Intimidation Restitution Fund (Fund) is hereby established in the State
5 Treasury. Upon appropriation by the General Assembly, moneys in the Fund shall be allocated
6 to the State Board of Elections to be used in voter education campaigns addressing the specific
7 crime committed by anyone convicted of violations of this Article. The funds shall also be used
8 for the administrative costs associated with distribution of the Fund.'

9 **SECTION 26.4.(c)** Article 22 of Chapter 163 of the General Statutes reads as
10 rewritten:

11 "Article 22.

12 'Corrupt Practices and Other Offenses Against the Elective Franchise.

13 Part 1. Criminal Penalties for Voter Interference.

14 ...

15 **§ 163-278. Duty of investigating and prosecuting violations of this Article.**

16 (a) It shall be the duty of the State Board of Elections and the district attorneys to
17 investigate any violations of this Article, and the State Board and district attorneys are authorized
18 and empowered to subpoena and compel the attendance of any person before them for the
19 purpose of making such investigation. The State Board and the district attorneys are authorized
20 to call upon the Director of the State Bureau of Investigation to furnish assistance by the State
21 Bureau of Investigation in making the investigations of such violations. The State Board shall
22 furnish the district attorney a copy of its investigation. The district attorney shall initiate
23 prosecution and prosecute any violations of this Article. The provisions of G.S. 163-278.28 shall
24 be applicable to violations of this Article.

25 (b) In addition to the penalties described under this Article, the State Board of Elections
26 and the district attorneys are authorized to investigate, prosecute, and seek increased penalties
27 for a person that intimidates, threatens, or coerces an election worker, as defined in
28 G.S. 163-275.1, engaged in performing official duties.

29 Part 2. Election Administrator and Poll Worker Intimidation.

30 **§ 163-278.1. Intimidation, threats, or coercion of election workers; cause of action;**
31 **penalties; immunity.**

32 (a) Any person that intimidates, threatens, coerces, as those terms are defined in
33 G.S. 163-275.1, or attempts to intimidate, threaten, or coerce an election worker with intent to
34 impede, intimidate, or interfere with the election worker's official duties is liable in civil damages
35 to the election worker for any injury or loss resulting from the intimidation, threats, or coercion.
36 For purposes of this section, an election worker is any individual who is an election official, poll
37 worker, or an election volunteer performing duties in connection with an election.

38 (b) Any person that violates subsection (a) of this section shall be fined not more than
39 one hundred thousand dollars (\$100,000), imprisoned for not more than five years, or both.

40 (c) An election worker acting in good faith to prevent election interference or preserve
41 ballot access in accordance with this section shall not incur liability.'

42
43 **PART III. IMPROVE VOTING ACCESS/ENCOURAGE VOTING**

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 4 of 54

1 **SECTION 26.4.(d)** G.S. 163-82.3(a) reads as rewritten:

2 '(a) Form Developed by State Board of Elections. – The State Board of Elections shall
3 develop an application form for voter ~~registration~~-registration that may be (i) printed out in blank
4 form or (ii) filled in online as set forth in G.S. 163-82.5A. Any person may use the form to apply
5 to do any of the following:

- 6 (1) Register to vote.
7 (2) Change party affiliation or unaffiliated status.
8 (3) Report a change of address within a county.
9 (4) Report a change of name.

10 The county board of elections for the county where the applicant resides shall accept the form
11 as application for any of those purposes if the form is submitted as set out in ~~G.S. 163-82.3~~this
12 section.'

13 **SECTION 26.4.(e)** Article 7A of Chapter 163 of the General Statutes is amended by
14 adding a new section to read:

15 **'§ 163-82.5A. Online voter registration.**

16 (a) This section may be cited as the "Online Voter Registration Act."

17 (b) Require Availability of Internet for Voter Registration. – The State Board of Elections
18 shall ensure that the following services are available to the public at any time on its official public
19 website:

- 20 (1) Online application for voter registration, the content of which shall be
21 equivalent to the form provided by designated voter registration agencies.
22 (2) Online assistance to those applying to register to vote.
23 (3) Online completion and submission by applicants of the voter registration
24 application, including the signature of the applicant pursuant to subsection (d)
25 of this section.
26 (4) Online receipt of completed voter registration applications.

27 (c) To the extent any State agency described in G.S. 163-82.19 or G.S. 163-82.20 has
28 signatures of clients, those agencies shall cooperate in sharing those signatures with the State
29 Board of Elections.

30 (d) An application submitted under this section shall be deemed submitted to the election
31 authority on the date it is received.

32 (e) An applicant for voter registration under this section provides a signature by doing
33 any of the following:

- 34 (1) In the case of an applicant who has a signature on file with a State government
35 agency, authorizing the agency to transmit that signature to election officials.
36 (2) Submitting with the application an electronic copy of the applicant's
37 handwritten signature through electronic means in a manner prescribed by the
38 State Board.

39 (f) Upon submission of a completed voter registration application under this section, the
40 State Board of Elections' official website shall generate an immediate electronic confirmation on
41 the website that the application has been received, with instructions as to how the applicant may
42 check the status of the application thereafter.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 5 of 54

1 (g) The State Board of Elections shall accept an online voter registration application
2 submitted under this section and ensure that the individual is registered to vote in this State if
3 each of the following is satisfied:

4 (1) The individual meets the same voter registration eligibility requirements
5 applicable to individuals who register to vote by mail.

6 (2) The individual provides a signature in accordance with subsection (e) of this
7 section.

8 (h) The State Board of Elections shall inform the applicant for voter registration of the
9 disposition of the application by regular mail. Additionally, the State Board shall make available
10 to the applicant the option to receive the disposition notification by email.

11 (i) No legal distinction shall be made between registration under this section and
12 registration by written application in accordance with the provisions of this Article.

13 (j) The State Board of Elections shall ensure that any registered voter may at any time
14 update the voter's registration information, including the voter's address, online through the State
15 Board's official public website in accordance with maintenance of the computerized statewide
16 voter registration list.

17 (k) Except as provided in G.S. 163-82.6A, the State Board shall revise any information
18 on the computerized list to reflect the update made by the voter at any time until the deadlines
19 for registration under G.S. 163-82.6(d) for a primary or general election.

20 (l) Upon receipt of updated registration information under this section, the State Board
21 of Elections shall send a notice confirming receipt of the updated information by regular mail,
22 and by email, if available.'

23 **SECTION 26.4.(f)** G.S. 163-82.6(d) reads as rewritten:

24 '(d) Registration Deadlines for a Primary or Election. – In order to be valid for a primary
25 or election, the form must comply with one of the following:

26 (1) If submitted by mail, must be postmarked at least 25 days before the primary
27 or election, except that any mailed application on which the postmark is
28 missing or unclear is validly submitted if received in the mail not later than 20
29 days before the primary or election, election.

30 (2) If submitted in person, by facsimile transmission, or by transmission of a
31 scanned document, or by online voter registration pursuant to G.S. 163-82.5A,
32 must be received by the county board of elections by a time established by
33 that board, but no earlier than 5:00 P.M., on the twenty-fifth day before the
34 primary or election, election.

35 (3) If submitted through a delegatee who violates the duty set forth in subsection
36 (a) of this section, must be signed by the applicant and given to the delegatee
37 not later than 25 days before the primary or election, except as provided in
38 subsection (f) of this section.'

39 **SECTION 26.4.(g)** G.S. 163-82.10(a1) reads as rewritten:

40 '(a1) Personal Identifying Information. – Full or partial social security numbers, dates of
41 birth, the identity of the public agency at which the voter registered under G.S. 163-82.20, any
42 electronic mail address submitted under this Article, Article 20, or Article 21A of this Chapter,
43 photocopies of identification for voting, and drivers license numbers, whether held by the State

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 6 of 54

1 Board or a county board of elections, or obtained through online voter registration under
2 G.S. 163-82.5A, are confidential and shall not be considered public records and subject to
3 disclosure to the general public under Chapter 132 of the General Statutes. Cumulative data based
4 on those items of information may be publicly disclosed as long as information about any
5 individual cannot be discerned from the disclosed data. Disclosure of information in violation of
6 this subsection shall not give rise to a civil cause of action. This limitation of liability does not
7 apply to the disclosure of information in violation of this subsection as a result of gross
8 negligence, wanton conduct, or intentional wrongdoing that would otherwise be actionable.'

9 **SECTION 26.4.(h)** In establishing online voter registration in accordance with this
10 Part, the State Board of Elections shall establish appropriate technological security measures to
11 protect against unauthorized access to information. The State Board of Elections shall ensure that
12 online voter registration under this Part is provided in a manner that is accessible to persons with
13 disabilities so as to provide the same opportunity for access and participation as for other voters.

14 **SECTION 26.4.(i)** Notwithstanding any other provision of this act or the Committee
15 Report described in Section 43.2 of this act, the funds appropriated in this act to the UNC Board
16 of Governors for the Opportunity Scholarship Grant Fund Reserve shall be reduced by the sum
17 of two hundred fifteen thousand dollars (\$215,000) in recurring funds for each year of the
18 2023-2025 fiscal biennium and the sum of ninety thousand dollars (\$90,000) in nonrecurring
19 funds for the 2023-2024 fiscal year and those funds shall instead be appropriated to the State
20 Board of Elections to be used for the purpose of implementing online voter registration pursuant
21 to this Part.

22 **SECTION 26.4.(j)** G.S. 163-82.6(c) reads as rewritten:

23 '(c) Signature. – The form shall be valid only if signed by the applicant. An ~~electronically~~
24 ~~captured signature, including signatures on applications generated by computer programs of~~
25 ~~third party groups, shall not be valid on a voter registration form, except as provided in Article~~
26 ~~21A of this Chapter. Notwithstanding the provisions of this subsection, an electronically captured~~
27 image of the signature of a voter on an electronic voter registration form offered by a State agency
28 shall be considered a valid signature for all purposes for which a signature on a paper voter
29 registration form is used.'

30 **SECTION 26.4.(k)** G.S. 163-227.2(b) reads as rewritten:

31 '(b) Not earlier than the third Thursday before an election, in which absentee ballots are
32 authorized, in which a voter seeks to vote and not later than ~~3:00 P.M.~~ 5:00 P.M. on the last
33 Saturday before that election, the voter shall appear in person only at the office of the county
34 board of elections, except as provided in G.S. 163-227.6. A county board of elections shall
35 conduct one-stop voting on the last Saturday before the election from 8:00 A.M. until ~~3:00 P.M.~~
36 5:00 P.M. That voter shall enter the voting enclosure at the board office through the appropriate
37 entrance and shall at once state his or her name and place of residence to an authorized member
38 or employee of the board and present photo identification in accordance with G.S. 163-166.16.
39 In a primary election, the voter shall also state the political party with which the voter affiliates
40 and in whose primary the voter desires to vote, or if the voter is an unaffiliated voter permitted
41 to vote in the primary of a particular party under G.S. 163-119, the voter shall state the name of
42 the authorizing political party in whose primary he wishes to vote. The board member or
43 employee to whom the voter gives this information shall announce the name and residence of the

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 7 of 54

1 voter in a distinct tone of voice. After examining the registration records, an employee of the
2 board shall state whether the person seeking to vote is duly registered. If the voter is found to be
3 registered that voter may request that the authorized member or employee of the board furnish
4 the voter with an application for absentee ballots. The voter shall complete the application in the
5 presence of the authorized member or employee of the board, and shall deliver the application to
6 that person.'

7 **SECTION 26.4.(l)** G.S. 163-227.6(c) reads as rewritten:

8 '(c) For all sites approved for one-stop voting under this section, a county board of
9 elections shall provide the following:

- 10 (1) Each one-stop site across the county shall be open at that same location during
11 the period required by G.S. 163-227.2(b).
12 (2) If any one-stop site across the county is opened on any day during the period
13 required by G.S. 163-227.2(b), all one-stop sites shall be open on that day.
14 (3) On each weekday during the period required by G.S. 163-227.2(b), all
15 one-stop sites shall be open from 8:00 A.M. to 7:30 P.M.
16 (4) ~~If the county board of elections opens one-stop sites on Saturdays other than~~
17 ~~the last Saturday before the election during the period required by~~
18 ~~G.S. 163-227.2(b), then all one-stop sites shall be open for the same number~~
19 ~~of hours uniformly throughout the county on those Saturdays.~~On each
20 Saturday before the election during the period required by G.S. 163-227.2(b),
21 all one-stop sites shall be open from 8:00 A.M. to 5:00 P.M.
22 (5) ~~If the county board of elections opens one-stop sites on Sundays during the~~
23 ~~period required by G.S. 163-227.2(b), then all one-stop sites shall be open for~~
24 ~~the same number of hours uniformly throughout the county on those~~
25 ~~Sundays.~~On each Sunday during the period required by G.S. 163-227.2(b), all
26 one-stop sites shall be open from 12:00 P.M. to 5:00 P.M.
27 (6) All one-stop sites shall be open on the last Saturday before the election, for
28 the hours required under G.S. 163-227.2(b) for that last Saturday.'

29 **SECTION 26.4.(m)** G.S. 163-82.14 reads as rewritten:

30 **'§ 163-82.14. List maintenance.**

31 ...

32 (b) Death. – The Department of Health and Human Services shall furnish free of charge
33 to the State Board of Elections every month, in a format prescribed by the State Board of
34 Elections, the names of deceased persons who were residents of the State. The State Board of
35 Elections shall distribute every month to each county board of elections the names on that list of
36 deceased persons who were residents of that county. The Department of Health and Human
37 Services shall base each list upon information supplied by death certifications it received during
38 the preceding month. Upon the receipt of those names, each county board of elections shall
39 remove from its voter registration records any person the list shows to be ~~dead.~~ dead upon
40 confirming that the complete date of birth of the deceased person and the last four digits of the
41 social security number are identical to the person to be removed from the voter registration
42 records. If the last four digits of the social security number are not available from voter
43 registration records, then the county board of elections shall not remove the voter unless it has

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 8 of 54

1 matched the complete date of birth and other identification information from the deceased records
2 received from the Department of Health and Human Services or a near relative. Each county
3 board of elections shall also remove from its voter registration records a person identified as
4 deceased by a signed statement of a near relative or personal representative of the estate of the
5 deceased voter. The county board need not send any notice to the address of the person so
6 removed.

7 ...

8 (d) Change of Address. – A county board of elections shall conduct a systematic program
9 to remove from its list of registered voters those who have moved out of the county, and to update
10 the registration records of persons who have moved within the county. The county board shall
11 remove a person from its list if the registrant:

12 (1) Gives confirmation in writing of a change of address for voting purposes out
13 of the county. "Confirmation in writing" for purposes of this subdivision shall
14 ~~include:~~include any of the following:

- 15 a. A report to the county board from the Department of Transportation
16 or from a voter registration agency listed in G.S. 163-82.20 that the
17 voter has reported a change of address for voting purposes outside the
18 ~~county;~~county.
19 b. A notice of cancellation received under ~~G.S. 163-82.9;~~
20 ~~or~~G.S. 163-82.9.
21 c. A notice of cancellation received from an election jurisdiction outside
22 the State.

23 (2) Fails to respond after no less than 60 days to a confirmation mailing sent by
24 the county board in accordance with this subdivision and does not vote or
25 appear to vote in an election beginning on the date of the notice and ending
26 on the day after the date of the second general election for the United States
27 House of Representatives that occurs after the date of the notice. A county
28 board sends a confirmation notice in accordance with this subdivision if the
29 ~~notice;~~notice complies with each of the following:

- 30 a. Is a postage prepaid and preaddressed return card, sent by forwardable
31 mail, on which the registrant may state current ~~address;~~address.
32 b. Contains or is accompanied by a notice to the effect that if the
33 registrant did not change residence but remained in the county, the
34 registrant should return the card not later than the deadline for
35 registration by mail in ~~G.S. 163-82.6(d)(1); and~~G.S. 163-82.6(d)(1).
36 c. Contains or is accompanied by information as to how the registrant
37 may continue to be eligible to vote if the registrant has moved outside
38 the county.
39 d. If a voter has provided the county board of elections with an email
40 address, is an email that (i) provides the confirmation mailing has been
41 sent, (ii) contains information on how the registrant may confirm the
42 registrant's current address online, and (iii) contains information on
43 how the voter may continue to be eligible to vote if the registrant has

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 9 of 54

1 moved outside the county. If the voter has not provided an email
2 address to the county board but has provided a phone number, the
3 county board shall contact the voter by phone to provide this
4 information.

5 A county board shall send a confirmation mailing in accordance with this
6 subdivision to every registrant after every congressional election if the county
7 board has not confirmed the registrant's address by another means.

- 8 (3) Any registrant who is removed from the list of registered voters pursuant to
9 this subsection shall be reinstated if the voter appears to vote and gives oral or
10 written affirmation that the voter has not moved out of the county but has
11 maintained residence continuously within the county. That person shall be
12 allowed to vote as provided in G.S. 163-82.15(f).

13 (d1) Notwithstanding subsection (d) of this section, a county board of elections shall not
14 remove a registrant from its list of registered voters solely based on the county board receiving a
15 return mailing as "undeliverable" without taking steps to confirm the registrant's current address
16 by other means.

17'

18 **SECTION 26.4.(n)** Notwithstanding any other provision of law to the contrary, the
19 State Board of Elections shall create and maintain an online portal for a voter to confirm the
20 voter's address.

21 **SECTION 26.4.(o)** Section 26.4(d) through Section 26.4(h) of this Part become
22 effective December 1, 2023. Section 26.4 (i) of this Part becomes effective July 1, 2023. The
23 remainder of this Part is effective when it becomes law and applies to elections held on or after
24 that date.

25
26 **PART IV. PREVENT GERRYMANDERING**

27 **SECTION 26.4.(p)** The General Assembly makes the following findings:

- 28 (1) The redistricting process is intended to produce voting maps that reflect
29 population shifts as shown by the decennial U.S. census, guided by the
30 principle of one person, one vote. However, for decades, politicians from both
31 sides of the aisle in state legislatures have manipulated districts through
32 gerrymandering.
- 33 (2) Gerrymandering is the practice of drawing district lines to unfairly favor
34 particular politicians or political parties in elections, and modern advances in
35 mapping technology and more sophisticated data collection enable politicians
36 today to rig our voting maps with even more pernicious effectiveness, splitting
37 neighborhoods and treating voters as political pawns instead of constituents.
- 38 (3) The damaging impact of gerrymandering is seen with increased polarization
39 in government and extreme policies that fail to consider the will of voters.
- 40 (4) The State has spent millions of tax dollars defending against lawsuits brought
41 by North Carolinians who have been disenfranchised by gerrymandering.
- 42 (5) North Carolinians deserve the ability to choose their elected representatives
43 freely and without interference from elected officials.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 10 of 54

1 (6) The process for determining a new procedure for drawing district maps should
2 ensure voters choose their elected officials and politicians do not choose their
3 voters.

4 **SECTION 26.4.(q)** The School of Government at the University of North Carolina
5 at Chapel Hill shall study and report to the General Assembly in accordance with G.S. 120-29.5
6 by February 1, 2024, on options and recommendations to create a nonpartisan process for
7 redistricting districts for the House and Senate of the North Carolina General Assembly and the
8 House of Representatives of the United States Congress. The report shall include a recommended
9 time line for putting the nonpartisan process into practice, including the likelihood of
10 implementing the process following the return of the 2030 federal decennial census.

11 **SECTION 26.4.(r)** It is the intent of the General Assembly to review the options
12 presented pursuant to subsection (b) of this section and transition to a nonpartisan redistricting
13 process following the return of the 2030 federal decennial census.

14 **SECTION 26.4.(s)** This Part is effective when it becomes law.

15

16 **PART V. EFFECTIVE DATE**

17 **SECTION 26.4.(t)** Except as otherwise provided, this section is effective when it
18 becomes law and applies to elections held on or after that date."

19

20 **"FIX OUR DEMOCRACY ACT**

21 **"PART I. NONPARTISAN REDISTRICTING PROCESS**

22 **SECTION 26.5.(a)** Section 3 of Article II of the North Carolina Constitution reads
23 as rewritten:

24 **'Sec. 3. Senate districts; apportionment of Senators.**

25 The Senators shall be elected from districts. ~~The General Assembly, at the first regular session~~
26 ~~convening after the return of every decennial census of population taken by order of Congress,~~
27 ~~shall revise the senate districts and the apportionment of Senators among those districts, subject~~
28 ~~to the following requirements: Assembly shall establish a nonpartisan process to revise the senate~~
29 ~~districts and the apportionment of Senators among those districts pursuant to Section 25 of this~~
30 Article.

31 (1) ~~Each Senator shall represent, as nearly as may be, an equal number of inhabitants, the~~
32 ~~number of inhabitants that each Senator represents being determined for this purpose by dividing~~
33 ~~the population of the district that he represents by the number of Senators apportioned to that~~
34 ~~district;~~

35 (2) ~~Each senate district shall at all times consist of contiguous territory;~~

36 (3) ~~No county shall be divided in the formation of a senate district;~~

37 (4) ~~When established, the senate districts and the apportionment of Senators shall remain~~
38 ~~unaltered until the return of another decennial census of population taken by order of Congress."~~

39 **SECTION 26.5.(b)** Section 5 of Article II of the North Carolina Constitution reads
40 as rewritten:

41 **'Sec. 5. Representative districts; apportionment of Representatives.**

42 The Representatives shall be elected from districts. ~~The General Assembly, at the first regular~~
43 ~~session convening after the return of every decennial census of population taken by order of~~

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 11 of 54

1 ~~Congress, shall revise the representative districts and the apportionment of Representatives~~
2 ~~among those districts, subject to the following requirements:~~ Assembly shall establish a
3 nonpartisan process to revise the representative districts and the apportionment of
4 Representatives among those districts pursuant to Section 25 of this Article.

5 (1) ~~Each Representative shall represent, as nearly as may be, an equal number of~~
6 ~~inhabitants, the number of inhabitants that each Representative represents being determined for~~
7 ~~this purpose by dividing the population of the district that he represents by the number of~~
8 ~~Representatives apportioned to that district;~~

9 (2) ~~Each representative district shall at all times consist of contiguous territory;~~

10 (3) ~~No county shall be divided in the formation of a representative district;~~

11 (4) ~~When established, the representative districts and the apportionment of~~
12 ~~Representatives shall remain unaltered until the return of another decennial census of population~~
13 ~~taken by order of Congress.'~~

14 **SECTION 26.5.(c)** Article II of the North Carolina Constitution is amended by
15 adding a new section to read:

16 **'Sec. 25. Redistricting.**

17 The General Assembly shall establish by law a nonpartisan process to revise electoral districts
18 for the General Assembly and the House of Representatives of the United States Congress after
19 the return of every decennial census of population taken by order of Congress. The process shall
20 meet at least all of the following requirements:

21 (1) The General Assembly shall have no role in revising electoral districts for the General
22 Assembly or the House of Representatives of the United States Congress.

23 (2) Each member of the Senate and House of Representatives of the General Assembly
24 and the House of Representatives of the United States Congress shall represent, as nearly as may
25 be, an equal number of inhabitants.

26 (3) Each electoral district shall at all times consist of contiguous territory.

27 (4) To the extent practicable and consistent with federal law, no county shall be divided
28 in the formation of an electoral district for the Senate or House of Representatives of the General
29 Assembly.

30 (5) When established, the electoral districts for the Senate and House of Representatives
31 of the General Assembly shall remain unaltered until the return of another decennial census of
32 population taken by order of Congress.

33 (6) Electoral districts adopted pursuant to the process shall have the force and effect of
34 acts of the General Assembly.'

35 **SECTION 26.5.(d)** Subsection (5) of Section 22 of Article II of the North Carolina
36 Constitution reads as rewritten:

37 (5) ~~Other exceptions. Appointments to office. Every bill:~~

38 (a) ~~In bill in which the General Assembly makes an appointment or appointments~~
39 ~~to public office and which contains no other matter;~~

40 (b) ~~Revising the senate districts and the apportionment of Senators among those~~
41 ~~districts and containing no other matter;~~

42 (c) ~~Revising the representative districts and the apportionment of Representatives~~
43 ~~among those districts and containing no other matter; or~~

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 14 of 54

1 A notice of candidacy signed by an agent or any person other than the candidate himself or
2 herself shall be invalid.

3 (b) Time for Filing Notice of Candidacy. – Candidates seeking election to the following
4 offices shall file their notice of candidacy with the State Board no earlier than 12:00 noon on the
5 first Monday in December and no later than 12:00 noon on the third Friday in December
6 preceding the election:

7 (1) Justices of the Supreme Court.

8 (2) Judges of the Court of Appeals.

9 (3) Judges of the superior courts.

10 (4) Judges of the district courts.

11 (c) Withdrawal of Notice of Candidacy. – Any person who has filed a notice of candidacy
12 for an office shall have the right to withdraw it at any time prior to the close of business on the
13 third business day prior to the date on which the right to file for that office expires under the
14 terms of subsection (b) of this section.

15 (d) Certificate That Candidate is Registered Voter. – Candidates shall file, along with
16 their notice, a certificate signed by the chairman of the board of elections or the supervisor of
17 elections of the county in which they are registered to vote stating that the person is registered to
18 vote in that county. In issuing the certificate, the chairman or supervisor shall check the
19 registration records of the county to verify the information. During the period commencing 36
20 hours immediately preceding the filing deadline, the State Board shall accept, on a conditional
21 basis, the notice of candidacy of a candidate who has failed to secure the verification required by
22 this subsection subject to receipt of verification no later than three days following the filing
23 deadline. The State Board shall prescribe the form for the certificate and distribute it to each
24 county board of elections no later than the last Monday in December of each odd-numbered year.

25 (e) Candidacy for More Than One Office Prohibited. – No person may file a notice of
26 candidacy for more than one office or group of offices described in subsection (b) of this section,
27 or for an office or group of offices described in subsection (b) of this section and an office
28 described in G.S. 163-106.2, for any one election. If a person has filed a notice of candidacy with
29 a board of elections under this section or under G.S. 163-106.2 for one office or group of offices,
30 then a notice of candidacy may not later be filed for any other office or group of offices under
31 this section when the election is on the same date unless the notice of candidacy for the first
32 office is withdrawn under subsection (c) of this section.

33 (f) Notice of Candidacy for Certain Offices to Indicate Vacancy. – In any election in
34 which there are two or more vacancies for the office of justice of the Supreme Court, judge of
35 the Court of Appeals, or district court judge to be filled by nominations, each candidate shall, at
36 the time of filing notice of candidacy, file with the State Board a written statement designating
37 the vacancy to which the candidate seeks election. Votes cast for a candidate shall be effective
38 only for election to the vacancy for which the candidate has given notice of candidacy as provided
39 in this subsection.

40 A person seeking election for a specialized district judgeship established under G.S. 7A-147
41 shall, at the time of filing notice of candidacy, file with the State Board a written statement
42 designating the specialized judgeship to which the person seeks nomination.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 15 of 54

1 (g) Notice of Candidacy for Superior Court Judge; Residency. – No person may file a
2 notice of candidacy for superior court judge unless that person is at the time of filing the notice
3 of candidacy a resident of the judicial district as it will exist at the time the person would take
4 office if elected. No person may be nominated as a superior court judge under G.S. 163-114
5 unless that person is at the time of nomination a resident of the judicial district as it will exist at
6 the time the person would take office if elected. This subsection implements Section 9(1) of
7 Article IV of the North Carolina Constitution which requires regular superior court judges to
8 reside in the district for which elected.

9 **§ 163-353. Filing fees required of candidates; refunds.**

10 (a) Fee Schedule. – At the time of filing a notice of candidacy under this Article, each
11 candidate shall pay to the State Board a filing fee for the office the candidate seeks in the amount
12 of one percent (1%) of the annual salary of the office sought.

13 (b) Refund of Fees. – If any person who has filed a notice of candidacy and paid the filing
14 fee prescribed in subsection (a) of this section withdraws his or her notice of candidacy within
15 the period prescribed in G.S. 163-352(c), the candidate shall be entitled to have the fee the
16 candidate paid refunded. The chairman of the State Board shall cause a warrant to be drawn on
17 the State Treasurer for the refund payment.

18 (c) Refund of Fees Upon Death of Candidate. – If any person who has filed a notice of
19 candidacy and paid the filing fee prescribed in subsection (a) of this section dies prior to the date
20 of the election, the personal representative of the estate shall be entitled to have the fee refunded
21 if application is made to the board of elections to which the fee was paid no later than one year
22 after the date of death and refund shall be made in the same manner as the withdrawal of notice
23 of candidacy.

24 **§ 163-354. Petition in lieu of payment of filing fee.**

25 (a) General. – Any qualified voter who seeks election under this Article may, in lieu of
26 payment of any filing fee required for the office sought, file a written petition requesting to be a
27 candidate for a specified office with the State Board.

28 (b) Requirements of Petition; Deadline for Filing. – If the candidate is seeking the office
29 of justice of the Supreme Court, judge of the Court of Appeals, or superior or district court judge,
30 that individual shall file a written petition with the State Board no later than 12:00 noon on
31 Monday preceding the filing deadline before the primary. If the office is justice of the Supreme
32 Court or judge of the Court of Appeals, the petition shall be signed by 8,000 registered voters in
33 the State. If the office is superior or district court judge, the petition shall be signed by five percent
34 (5%) of the registered voters of the election area in which those registered voters will vote for
35 that office. The board of elections shall verify the names on the petition, and if the petition and
36 notice of candidacy are found to be sufficient, the candidate's name shall be printed on the
37 appropriate ballot. Petitions shall be presented to the county board of elections for verification at
38 least 15 days before the petition is due to be filed with the State Board. The State Board may
39 adopt rules to implement this section and to provide standard petition forms.

40 **§ 163-355. Certification of notices of candidacy.**

41 (a) Names of Candidates Sent to Secretary of State. – Within three days after the time for
42 filing notices of candidacy with the State Board under the provisions of G.S. 163-352(b) has
43 expired, the chairman or secretary of that Board shall certify to the Secretary of State the name

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 16 of 54

1 and address of each person who has filed with the State Board, indicating in each instance the
2 office sought.

3 (b) Notification of Local Boards. – No later than 10 days after the time for filing notices
4 of candidacy under the provisions of G.S. 163-352(b) has expired, the chairman of the State
5 Board shall certify to the chairman of the county board of elections in each county in the
6 appropriate district the names of candidates for nomination to the offices of justice of the
7 Supreme Court, judge of the Court of Appeals, and superior and district court judge who have
8 filed the required notice and paid the required filing fee or presented the required petition to the
9 State Board so that their names may be printed on the official judicial ballot for justice of the
10 Supreme Court, judge of the Court of Appeals, and superior and district court judge.

11 (c) Receipt of Notification by County Board. – Within two days after receipt of each of
12 the letters of certification from the chairman of the State Board required by subsection (b) of this
13 section, each county board of elections chairman shall acknowledge receipt by letter addressed
14 to the chairman of the State Board.

15 **§ 163-356. Rules when vacancies for superior court judge are to be voted on.**

16 If a vacancy occurs in a judicial district for any offices of superior court judge, and on account
17 of the occurrence of the vacancy there is to be an election for one or more terms in that district
18 to fill the vacancy or vacancies, at that same election in accordance with G.S. 163-9 and Section
19 19 of Article IV of the North Carolina Constitution, the nomination and election shall be
20 determined by the following special rules in addition to any other provisions of law:

- 21 (1) If the vacancy occurs prior to the opening of the filing period under
22 G.S. 163-352(b), nominations shall be made by primary election as provided
23 by this Article without designation as to the vacancy.
24 (2) If the vacancy occurs beginning on the opening of the filing period under
25 G.S. 163-352(b) and ending on the sixtieth day before the general election,
26 candidate filing shall be as provided by G.S. 163-358 without designation as
27 to the vacancy.
28 (3) The general election ballot shall contain, without designation as to vacancy,
29 spaces for the election to fill the vacancy where nominations were made or
30 candidates filed under subdivision (1) or (2) of this section. Except as provided
31 in G.S. 163-358, the persons receiving the highest numbers of votes equal to
32 the term or terms to be filled shall be elected to the term or terms.

33 **§ 163-357. Failure of candidates to file; death or other disqualification of a candidate; no**
34 **withdrawal from candidacy.**

35 (a) Insufficient Number of Candidates. – If, when the filing period expires, candidates
36 have not filed for an office to be filled under this Article, the State Board shall extend the filing
37 period for five days for any such offices.

38 (b) Death or Disqualification of Candidate Before Primary. – If a candidate for
39 nomination in a primary dies or becomes disqualified before the primary but after the ballots
40 have been printed, the State Board shall determine whether or not there is time to reprint the
41 ballots. If the Board determines that there is not enough time to reprint the ballots, the deceased
42 or disqualified candidate's name shall remain on the ballots. If that candidate receives enough
43 votes for nomination, such votes shall be disregarded and the candidate receiving the next highest

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 17 of 54

1 number of votes below the number necessary for nomination shall be declared nominated. If the
2 death or disqualification of the candidate leaves only two candidates for each office to be filled,
3 the nonpartisan primary shall not be held and all candidates shall be declared nominees.

4 (c) Earlier Non-Primary Vacancies; Reopening Filing. – If there is no primary because
5 only one or two candidates have filed for a single office, or the number of candidates filed for a
6 group of offices does not exceed twice the number of positions to be filled, or if a primary has
7 occurred and eliminated candidates, and thereafter a remaining candidate dies or otherwise
8 becomes disqualified before the election and before the ballots are printed, the State Board shall,
9 upon notification of the death or other disqualification, immediately reopen the filing period for
10 an additional five days during which time additional candidates shall be permitted to file for
11 election. If the ballots have been printed at the time the State Board receives notice of the
12 candidate's death or other disqualification, the State Board shall determine whether there will be
13 sufficient time to reprint them before the election if the filing period is reopened for three days.
14 If the State Board determines that there will be sufficient time to reprint the ballots, it shall reopen
15 the filing period for three days to allow other candidates to file for election and that election shall
16 be conducted as provided in G.S. 163-358(b).

17 (d) Later Vacancies; Ballots Not Reprinted. – If the ballots have been printed at the time
18 the State Board receives notice of a candidate's death or other disqualification, and if the Board
19 determines that there is not enough time to reprint the ballots before the election if the filing
20 period is reopened for three days, then regardless of the number of candidates remaining for the
21 office or group of offices, the ballots shall not be reprinted and the name of the vacated candidate
22 shall remain on the ballots. If a vacated candidate should poll the highest number of votes in the
23 election for a single office or enough votes to be elected to one of a group of offices, the State
24 Board shall declare the office vacant and it shall be filled in the manner provided by law.

25 (e) No Withdrawal Permitted of Living, Qualified Candidate After Close of Filing. –
26 After the close of the candidate filing period, a candidate who has filed a notice of candidacy for
27 the office, who has not withdrawn notice before the close of filing as permitted by
28 G.S. 163-352(b), who remains alive, and has not become disqualified for the office may not
29 withdraw his or her candidacy. That candidate's name shall remain on the ballot, any votes cast
30 for the candidate shall be counted in the primary or election, and if the candidate wins, the
31 candidate may fail to qualify by refusing to take the oath of office.

32 (f) Death, Disqualification, or Failure to Qualify After Election. – If a person elected to
33 the office of justice of the Supreme Court, judge of the Court of Appeals, or superior or district
34 court judge dies or becomes disqualified on or after election day and before the person has
35 qualified by taking the oath of office, or fails to qualify by refusing to take the oath of office, the
36 office shall be deemed vacant and shall be filled as provided by law.

37 **§ 163-358. Elections to fill vacancy in office created after primary filing period opens.**

38 (a) General. – If a vacancy is created in the office of justice of the Supreme Court, judge
39 of the Court of Appeals, or judge of superior court after the filing period for the primary opens
40 but more than 60 days before the general election, and under the North Carolina Constitution an
41 election is to be held for that position, such that the office shall be filled in the general election
42 as provided in G.S. 163-9, the election to fill the office for the remainder of the term shall be
43 conducted without a primary using the method provided in subsection (b) of this section. If a

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 18 of 54

1 vacancy is created in the office of justice of the Supreme Court, judge of the Court of Appeals,
2 or judge of superior court before the filing period for the primary opens, and under the North
3 Carolina Constitution an election is to be held for that position, such that the office shall be filled
4 in the general election as provided in G.S. 163-9, the election to fill the office for the remainder
5 of the term shall be conducted in accordance with G.S. 163-351.

6 (b) Method for Vacancy Election. – If a vacancy for the office of justice of the Supreme
7 Court, judge of the Court of Appeals, or judge of superior court occurs more than 60 days before
8 the general election and after the opening of the filing period for the primary, then the State Board
9 shall designate a special filing period of one week for candidates for the office. If more than two
10 candidates file and qualify for the office in accordance with G.S. 163-352, then the Board shall
11 conduct the election for the office as follows:

12 (1) When the vacancy described in this section occurs more than 63 days before
13 the date of the second primary for members of the General Assembly, a special
14 primary shall be held on the same day as the second primary. The two
15 candidates with the most votes in the special primary shall have their names
16 placed on the ballot for the general election held on the same day as the general
17 election for members of the General Assembly.

18 (2) When the vacancy described in this section occurs less than 64 days before
19 the date of the second primary, a general election for all the candidates shall
20 be held on the same day as the general election for members of the General
21 Assembly and the results shall be determined on a plurality basis as provided
22 by G.S. 163-292.

23 (c) Applicable Provisions. – Except as provided in this section, the provisions of this
24 Article apply to elections conducted under this section.

25 **§ 163-359. Voting in primary.**

26 Any person who will become qualified by age or residence to register and vote in the general
27 election for which the primary is held, even though not so qualified by the date of the primary,
28 shall be entitled to register for the primary and general election prior to the primary and then to
29 vote in the primary after being registered. The person may register not earlier than 60 days nor
30 later than the last day for making application to register under G.S. 163-82.6(d) prior to the
31 primary.

32 **§ 163-360. Date of primary.**

33 The primary shall be held on the same date as established for primary elections under
34 G.S. 163-1(b).

35 **§ 163-361. Ballots.**

36 (a) General. – In elections there shall be official ballots. The ballots shall be printed to
37 conform to the requirement of G.S. 163-165.6(c) and to show the name of each person who has
38 filed notice of candidacy and the office for which each aspirant is a candidate.

39 Only those who have filed the required notice of candidacy with the proper board of elections
40 and who have paid the required filing fee or qualified by petition shall have their names printed
41 on the official primary ballots. Only those candidates properly nominated shall have their names
42 appear on the official general election ballots.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 19 of 54

1 (b) Ballots to Be Furnished by County Board of Elections. – It shall be the duty of the
2 county board of elections to print official ballots for the following offices to be voted for in the
3 primary:

- 4 (1) Justice of the Supreme Court.
5 (2) Judge of the Court of Appeals.
6 (3) Superior court judge.
7 (4) District court judge.

8 In printing ballots, the county board of elections shall be governed by instructions of the State
9 Board with regard to width, color, kind of paper, form, and size of type.

10 Three days before the election, the chairman of the county board of elections shall distribute
11 official ballots to the chief judge of each precinct in the chairman's county, and the chief judge
12 shall give a receipt for the ballots received. On the day of the primary, it shall be the chief judge's
13 duty to have all the ballots so delivered available for use at the precinct voting place.

14 **'§ 163-362. Counting of ballots.**

15 Counting of ballots in primaries and elections held under this Article shall be under the same
16 rules as for counting of ballots in nonpartisan municipal elections under Article 24 of this
17 Chapter.

18 **'§ 163-363. Other rules.**

19 Except as provided by this Article, the conduct of elections shall be governed by Subchapter
20 VI of this Chapter.'

21 **SECTION 26.5.(g)** G.S. 18C-112(e)(1) reads as rewritten:

22 '(1) Files a notice of candidacy under G.S. 163-106 through 163-106.6 or
23 G.S. 163-352 or a petition under ~~G.S. 163-107.1~~ G.S. 163-107.1 or
24 G.S. 163-354.'

25 **SECTION 26.5.(h)** G.S. 163-1(b) reads as rewritten:

26 '(b) On Tuesday next after the first Monday in March preceding each general election to
27 be held in November for the officers referred to in subsection (a) of this section, there shall be
28 held in all election precincts within the territory for which the officers are to be elected a primary
29 election for the purpose of nominating candidates for each political party in the State for those
30 ~~offices-offices and nonpartisan candidates as to the offices elected under the provisions of Article~~
31 26 of this Chapter.'

32 **SECTION 26.5.(i)** G.S. 163-22.3 reads as rewritten:

33 **'§ 163-22.3. State Board of Elections littering notification.**

34 At the time an individual files with the State Board of Elections a notice of candidacy
35 pursuant to G.S. 163-106, 163-112, 163-291, ~~or~~ 163-294.2, or 163-352, is certified to the State
36 Board of Elections by a political party executive committee to fill a nomination vacancy pursuant
37 to G.S. 163-114, is certified to the State Board of Elections by a new political party as that party's
38 nominee pursuant to G.S. 163-98, qualifies with the State Board of Elections as an unaffiliated
39 or write-in candidate pursuant to Article 11 of this Chapter, or formally initiates a candidacy with
40 the State Board of Elections pursuant to any statute or local act, the State Board of Elections shall
41 notify the candidate of the provisions concerning campaign signs in G.S. 136-32 and
42 G.S. 14-156, and the rules adopted by the Department of Transportation pursuant to G.S. 136-18.'

43 **SECTION 26.5.(j)** G.S. 163-82.10B reads as rewritten:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 20 of 54

1 **'§ 163-82.10B. Confidentiality of date of birth.**

2 Boards of elections shall keep confidential the date of birth of every voter-registration
3 applicant and registered voter, except in the following situations:

- 4 (1) When a voter has filed notice of candidacy for elective office under
5 G.S. 163-106, 163-122, 163-123, ~~or~~ 163-294.2, or 163-352, has been
6 nominated as a candidate under G.S. 163-98 or G.S. 163-114, or has otherwise
7 formally become a candidate for elective office. The exception of this
8 subdivision does not extend to an individual who meets the definition of
9 "candidate" only by beginning a tentative candidacy by receiving funds or
10 making payments or giving consent to someone else to receive funds or
11 transfer something of value for the purpose of exploring a candidacy.

12'

13 **SECTION 26.5.(k)** G.S. 163-106.2(a) reads as rewritten:

14 '(a) Candidates seeking party primary nominations for the following offices shall file their
15 notice of candidacy with the State Board no earlier than 12:00 noon on the first Monday in
16 December and no later than 12:00 noon on the third Friday in December preceding the primary:

- 17 Governor
18 Lieutenant Governor
19 All State executive officers
20 ~~Justices of the Supreme Court~~
21 ~~Judges of the Court of Appeals~~
22 ~~Judges of the superior court~~
23 ~~Judges of the district court~~
24 United States Senators
25 Members of the House of Representatives of the United States
26 ~~District attorneys~~attorneys.'

27 **SECTION 26.5.(l)** G.S. 163-106.3 reads as rewritten:

28 **'§ 163-106.3. Notice of candidacy for certain offices to indicate vacancy.**

29 In any primary in which there are ~~two or more vacancies for associate justices for the Supreme~~
30 ~~Court, two or more vacancies for the Court of Appeals, two or more vacancies for superior or~~
31 ~~district court judge, or two vacancies for United States Senator from North Carolina, each~~
32 candidate shall, at the time of filing notice of candidacy, file with the State Board of Elections a
33 written statement designating the vacancy to which the candidate seeks nomination. The
34 designation shall not be the name or names of any incumbent or other individual but shall be
35 designated as determined by the State Board of Elections. ~~A person seeking election for a~~
36 ~~specialized district judgeship established under G.S. 7A-147 shall, at the time of filing notice of~~
37 ~~candidacy, file with the State Board of Elections a written statement designating the specialized~~
38 ~~judgeship to which the person seeks nomination. Votes cast for a candidate shall be effective~~
39 only for nomination to the vacancy for which the candidate has given notice of candidacy as
40 provided in this section.'

41 **SECTION 26.5.(m)** G.S. 163-106.5 reads as rewritten:

42 **'§ 163-106.5. Certificate of registration to vote in county and party affiliation; cancellation**
43 **of candidaey; residency requirements for judges.candidacy.**

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 21 of 54

1 (a) Candidates required to file their notice of candidacy with the State Board of Elections
2 under G.S. 163-106.2 shall file along with their notice a certificate signed by the chairman of the
3 board of elections or the director of elections of the county in which they are registered to vote,
4 stating that the person is registered to vote in that county, ~~if the candidacy is for superior court~~
5 ~~judge and the county contains more than one superior court district, stating the superior court~~
6 ~~district of which the person is a resident,~~ stating the party with which the person is affiliated, and
7 that the person has not changed ~~his~~ the person's affiliation from another party or from unaffiliated
8 within three months prior to the filing deadline under G.S. 163-106.2. In issuing such certificate,
9 the chairman or director shall check the registration records of the county to verify such
10 information. During the period commencing 36 hours immediately preceding the filing deadline
11 the State Board of Elections shall accept, on a conditional basis, the notice of candidacy of a
12 candidate who has failed to secure the verification ordered herein subject to receipt of verification
13 no later than three days following the filing deadline. The State Board of Elections shall prescribe
14 the form for such certificate, and distribute it to each county board of elections no later than the
15 last Monday in December of each odd-numbered year.

16 (b) When any candidate files a notice of candidacy with a board of elections under
17 G.S. 163-106.2 or under G.S. 163-291(2), the board of elections shall, immediately upon receipt
18 of the notice of candidacy, inspect the registration records of the county, and cancel the notice of
19 candidacy of any person who does not meet the constitutional or statutory qualifications for the
20 office, including residency.

21 The board shall give notice of cancellation to any candidate whose notice of candidacy has
22 been cancelled under this section by mail or by having the notice served on ~~him~~ the candidate by
23 the sheriff, and to any other candidate filing for the same office. A candidate who has been
24 adversely affected by a cancellation or another candidate for the same office affected by a
25 substantiation under this section may request a hearing on the cancellation. If the candidate
26 requests a hearing, the hearing shall be conducted in accordance with Article 11B of this Chapter.

27 ~~(c) No person may file a notice of candidacy for superior court judge, unless that person~~
28 ~~is, at the time of filing the notice of candidacy, a resident of the judicial district as it will exist at~~
29 ~~the time the person would take office if elected. No person may be nominated as a superior court~~
30 ~~judge under G.S. 163-114, unless that person is, at the time of nomination, a resident of the~~
31 ~~judicial district as it will exist at the time the person would take office if elected. This subsection~~
32 ~~implements Section 9(1) of Article IV of the North Carolina Constitution, which requires regular~~
33 ~~superior court judges to reside in the district for which elected.'~~

34 **SECTION 26.5.(n)** G.S. 163-107(a) reads as rewritten:

35 '(a) Fee Schedule. – At the time of filing a notice of candidacy, each candidate shall pay
36 to the board of elections with which the candidate files under the provisions of G.S. 163-106,
37 163-106.1, 163-106.2, 163-106.3, 163-106.4, 163-106.5, and 163-106.6, a filing fee for the office
38 sought in the amount specified in the following tabulation:

39	Office Sought	Amount of Filing Fee
40	Governor	One percent (1%) of the annual salary of the office
41		sought
42	Lieutenant Governor	One percent (1%) of the annual salary of the office
43		sought

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 22 of 54

1	All State executive offices	One percent (1%) of the annual salary of the office sought
2		
3	All Justices, Judges, and District Attorneys of the General Court of Justice	One percent (1%) of the annual salary of the office sought
4		
5	United States Senator	One percent (1%) of the annual salary of the office sought
6		
7	Members of the United States House of Representatives	One percent (1%) of the annual salary of the office sought
8		
9	State Senator	One percent (1%) of the annual salary of the office sought
10		
11	Member of the State House of Representatives	One percent (1%) of the annual salary of the office sought
12		
13	All county offices not compensated by fees	One percent (1%) of the annual salary of office sought
14		
15	All county offices compensated partly by salary and partly by fees	One percent (1%) of the first annual salary to be received (exclusive of fees)
16		
17		
18		
19		

20 The salary of any office that is the basis for calculating the filing fee is the starting salary for the
21 office, rather than the salary received by the incumbent, if different. If no starting salary can be
22 determined for the office, then the salary used for calculation is the salary of the incumbent, as
23 of January 1 of the election year.'

24 **SECTION 26.5. (o)** G.S. 163-107.1 reads as rewritten:

25 **'§ 163-107.1. Petition in lieu of payment of filing fee.**

26 (a) Any qualified voter who seeks nomination in the party primary of the political party
27 with which ~~he the~~ qualified voter affiliates may, in lieu of payment of any filing fee required for
28 the office ~~he seeks, sought,~~ file a written petition requesting ~~him~~ to be a candidate for a specified
29 office with the appropriate board of elections, State, county or municipal.

30 (b) If the candidate is seeking the office of United States Senator, Governor, Lieutenant
31 Governor, or any State executive officer, ~~Justice of the Supreme Court, or Judge of the Court of~~
32 ~~Appeals, officer,~~ the petition must be signed by 10,000 registered voters who are members of the
33 political party in whose primary the candidate desires to run, except that in the case of a political
34 party as defined by G.S. 163-96(a)(2) which will be making nominations by primary election,
35 the petition must be signed by five percent (5%) of the registered voters of the State who are
36 affiliated with the same political party in whose primary the candidate desires to run, or in the
37 alternative, the petition shall be signed by no less than 8,000 registered voters regardless of the
38 voter's political party affiliation, whichever requirement is greater. The petition must be filed
39 with the State Board of Elections not later than 12:00 noon on Monday preceding the filing
40 deadline before the primary in which he seeks to run. The names on the petition shall be verified
41 by the board of elections of the county where the signer is registered, and the petition must be
42 presented to the county board of elections at least 15 days before the petition is due to be filed

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 23 of 54

1 with the State Board of Elections. When a proper petition has been filed, the candidate's name
2 shall be printed on the primary ballot.

3 (c) County, Municipal and District Primaries. – If the candidate is seeking one of the
4 offices set forth in G.S. 163-106.2 but which is not listed in subsection (b) of this section, or a
5 municipal or any other office requiring a partisan primary which is not set forth in G.S. 163-106.2
6 or G.S. 163-106.3, the candidate shall file a written petition with the appropriate board of
7 elections no later than 12:00 noon on Monday preceding the filing deadline before the primary.
8 The petition shall be signed by five percent (5%) of the registered voters of the election area in
9 which the office will be voted for, who are affiliated with the same political party in whose
10 primary the candidate desires to run, or in the alternative, the petition shall be signed by no less
11 than 200 registered voters regardless of said voter's political party affiliation, whichever
12 requirement is greater. The board of elections shall verify the names on the petition, and if the
13 petition is found to be sufficient, the candidate's name shall be printed on the appropriate primary
14 ballot. Petitions for candidates for member of the U.S. House of Representatives, District
15 Attorney, ~~judge of the superior court, judge of the district court,~~ and members of the State House
16 of Representatives from multi-county districts or members of the State Senate from multi-county
17 districts must be presented to the county board of elections for verification at least 15 days before
18 the petition is due to be filed with the State Board of Elections, and such petition must be filed
19 with the State Board no later than 12:00 noon on Monday preceding the filing deadline. The State
20 Board of Elections may adopt rules to implement this section and to provide standard petition
21 forms.

22'

23 **SECTION 26.5.(p)** G.S. 163-108(b) reads as rewritten:

24 '(b) No later than 10 days after the time for filing notices of candidacy under the
25 provisions of G.S. 163-106.2 has expired, the chairman of the State Board of Elections shall
26 certify to the chairman of the county board of elections in each county in the appropriate district
27 the names of candidates for nomination to the ~~following offices~~ office of district attorney who
28 have filed the required notice and pledge and paid the required filing fee to the State Board of
29 Elections, so that their names may be printed on the official county ~~ballots: Superior court judge,~~
30 ~~district court judge, and district attorney ballots.'~~

31 **SECTION 26.5.(q)** G.S. 163-111(c)(1) reads as rewritten:

32 '(1) A candidate who is apparently entitled to demand a second primary, according
33 to the unofficial results, for one of the offices listed below, and desiring to do
34 so, shall file a request for a second primary in writing with the Executive
35 Director of the State Board of Elections no later than 12:00 noon on the ninth
36 day (including Saturdays and Sundays) following the date on which the
37 primary was conducted, and such request shall be subject to the certification
38 of the official results by the State Board of Elections. If the vote certification
39 by the State Board of Elections determines that a candidate who was not
40 originally thought to be eligible to call for a second primary is in fact eligible
41 to call for a second primary, the Executive Director of the State Board of
42 Elections shall immediately notify such candidate and permit the candidate to

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 24 of 54

1 exercise any options available to the candidate within a 48-hour period
2 following the notification:

3 Governor,
4 Lieutenant Governor,
5 All State executive officers,
6 Justices, Judges, or District Attorneys of the General Court of Justice,
7 United States Senators,
8 Members of the United States House of Representatives,
9 State Senators in multi-county senatorial districts, and
10 Members of the State House of Representatives in multi-county
11 representative districts.

12 **SECTION 26.5.(r)** G.S. 163-114 reads as rewritten:

13 **'§ 163-114. Filling vacancies among party nominees occurring after nomination and before**
14 **election.**

15 (a) If any person nominated as a candidate of a political party for one of the offices listed
16 below (either in a primary or convention or by virtue of having no opposition in a primary) dies,
17 resigns, or for any reason becomes ineligible or disqualified before the date of the ensuing general
18 election, the vacancy shall be filled by appointment according to the following instructions:

19	Position	
20	President	Vacancy is to be filled by
21	Vice President	appointment of national
22		executive committee of
23		political party in which
24		vacancy occurs
25		
26	Presidential elector or	Vacancy is to be filled by ap-
27	alternate elector	pointment of State execu-
28	Any elective State office	tive committee of political
29	United States Senator	party in which vacancy occurs
30		
31	A district office, including:	Appropriate district executive
32	Member of the United	committee of political
33	States House of Repre-	party in which vacancy occurs
34	sentatives	
35	Judge of district court	
36	District Attorney	
37	State Senator in a multi-	
38	county senatorial district	
39	Member of State House of	
40	Representatives in a	
41	multi-county representative district	
42		
43	State Senator in a single-	County executive committee

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 25 of 54

1 county senatorial district
2 Member of State House of
3 Representatives in a
4 single-county represen-
5 tative district
6 Any elective county office
7
8
9
10
11
12 ~~Judge of superior court in a~~
13 ~~single-county judicial~~
14 ~~district where the district is~~
15 ~~the whole county or part of the~~
16 ~~county~~
17
18
19
20
21
22
23 ~~Judge of superior court in a~~
24 ~~multicounty judicial~~
25 ~~district~~
26

of political party in which
vacancy occurs, provided, in
the case of the State Senator
or State Representative in a
single-county district where
not all the county is located
in that district, then in
voting, only those members of
the county executive committee
who reside within the district
shall ~~vote~~vote.
~~County executive committee of~~
~~political party in which vacancy~~
~~occurs; provided, in the case of a~~
~~superior court judge in a single-~~
~~county district where not all~~
~~the county is located in that~~
~~district, then in voting, only~~
~~those members of the county~~
~~executive committee who~~
~~reside within the district shall~~
~~vote~~
~~Appropriate district executive~~
~~committee of political party in~~
~~which vacancy occurs.~~

27 The party executive making a nomination in accordance with the provisions of this section shall
28 certify the name of its nominee to the chairman of the board of elections, State or county, that
29 has jurisdiction over the ballot item under G.S. 163-182.4. If at the time a nomination is made
30 under this section the general election ballots have already been printed, the provisions of
31 G.S. 163-165.3(c) shall apply. If a vacancy occurs in a nomination of a political party and that
32 vacancy arises from a cause other than death and the vacancy in nomination occurs more than
33 120 days before the general election, the vacancy in nomination may be filled under this section
34 only if the appropriate executive committee certifies the name of the nominee in accordance with
35 this paragraph at least 75 days before the general election.

36 (b) ~~In a county which is partly in a multicounty judicial district, in choosing that county's~~
37 ~~member or members of the judicial district executive committee for the multicounty district, only~~
38 ~~the county convention delegates or county executive committee members who reside within the~~
39 ~~area of the county which is within that multicounty district may vote.~~

40'

41 **SECTION 26.5.(s)** G.S. 163-122 is amended by adding a new subsection to read:

42 '(c1) This section does not apply to elections under Article 26 of this Chapter.'

43 **SECTION 26.5.(t)** G.S. 163-123(h) reads as rewritten:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 26 of 54

1 '(h) Municipal and Nonpartisan Elections Excluded. – This section does not apply to
2 municipal elections conducted under Subchapter IX of this ~~Chapter~~ Chapter and does not apply
3 to nonpartisan elections, except for elections under Subchapter XI of this Chapter.'

4 **SECTION 26.5.(u)** G.S. 163-165.5(a)(3) reads as rewritten:

5 '(3) The names of the candidates as they appear on their notice of candidacy filed
6 pursuant to G.S. 163-106, 163-106.1, 163-106.2, 163-106.3, 163-106.4,
7 163-106.5, ~~and~~ 163-106.6, and 163-352, or on petition forms filed in
8 accordance with G.S. 163-122. No title, appendage, or appellation indicating
9 rank, status, or position shall be printed on the official ballot in connection
10 with the candidate's name. Candidates, however, may use the title Mr., Mrs.,
11 Miss, or Ms. Nicknames shall be permitted on an official ballot if used in the
12 notice of candidacy or qualifying petition, but the nickname shall appear
13 according to standards adopted by the State Board of Elections. Those
14 standards shall allow the presentation of legitimate nicknames in ways that do
15 not mislead the voter or unduly advertise the candidacy. In the case of
16 candidates for presidential elector, the official ballot shall not contain the
17 names of the candidates for elector but instead shall contain the nominees for
18 President and Vice President which the candidates for elector represent. The
19 State Board of Elections shall establish a review procedure that local boards
20 of elections shall follow to ensure that candidates' names appear on the official
21 ballot in accordance with this subdivision.'

22 **SECTION 26.5.(v)** This Part becomes effective with respect to primaries and
23 elections held on or after January 1, 2024.

24
25 **PART III. ENHANCE LEGISLATOR TO LOBBYIST REVOLVING DOOR**
26 **RESTRICTIONS**

27 **SECTION 26.5.(w)** G.S. 120C-304 reads as rewritten:

28 **'§ 120C-304. Restrictions.**

29 (a) No legislator or former legislator may register as a lobbyist under this Article:

30 (1) While in office.

31 (2) ~~Before the later of the close of session as set forth in G.S. 120C-100(a)(7)b.1~~
32 ~~in which the legislator served or six months~~ For a period of two years after
33 leaving office.

34 (b) No public servant or former public servant as defined in G.S. 138A-3(70)a. may
35 register as a lobbyist under this Chapter while in office or ~~within six months~~ for a period of two
36 years after leaving office.

37 (c) No public servant or former public servant as defined in G.S. 138A-3(70)c. may
38 register as a lobbyist under this Chapter ~~within six months~~ for a period of two years after
39 separation from employment as a public servant. No other employee of any State agency may
40 register as a lobbyist under this Chapter to lobby the State agency that previously employed the
41 former employee ~~within six months~~ for a period of two years after voluntary separation or
42 separation for cause from that State agency.

43'

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 27 of 54

1 **SECTION 26.5.(x)** This Part becomes effective October 1, 2023.

2
3 **PART III-A. ELIMINATE WET INK REGISTRATION**

4 **SECTION 26.5.(y)** G.S. 163-82.6(c) reads as rewritten:

5 '(c) Signature. – The form shall be valid only if signed by the applicant. An electronically
6 ~~captured signature, including signatures on applications generated by computer programs of~~
7 ~~third-party groups, shall not be valid on a voter registration form, except as provided in Article~~
8 ~~21A of this Chapter. Notwithstanding the provisions of this subsection, an electronically captured~~
9 image of the signature of a voter on an electronic voter registration form offered by a State agency
10 shall be considered a valid signature for all purposes for which a signature on a paper voter
11 registration form is used.'

12
13 **PART IV. ONLINE VOTER REGISTRATION**

14 **SECTION 26.5.(z)** G.S. 163-82.3(a) reads as rewritten:

15 '(a) Form Developed by State Board of Elections. – The State Board of Elections shall
16 develop an application form for voter registration. ~~registration that may be (i) printed out in blank~~
17 form or (ii) filled in online as set forth in G.S. 163-82.5A. Any person may use the form to apply
18 to do any of the following:

- 19 (1) Register to vote.
20 (2) Change party affiliation or unaffiliated status.
21 (3) Report a change of address within a county.
22 (4) Report a change of name.

23 The county board of elections for the county where the applicant resides shall accept the form
24 as application for any of those purposes if the form is submitted as set out in ~~G.S. 163-82.3; this~~
25 section.'

26 **SECTION 26.5.(aa)** Article 7A of Chapter 163 of the General Statutes is amended
27 by adding a new section to read:

28 '§ 163-82.5A. Online voter registration.

29 (a) This section may be cited as the "Online Voter Registration Act."

30 (b) Require Availability of Internet for Voter Registration. – The State Board of Elections
31 shall ensure that the following services are available to the public at any time on its official public
32 website:

- 33 (1) Online application for voter registration, the content of which shall be
34 equivalent to the form provided by designated voter registration agencies.
35 (2) Online assistance to those applying to register to vote.
36 (3) Online completion and submission by applicants of the voter registration
37 application, including the signature of the applicant pursuant to subsection (d)
38 of this section.
39 (4) Online receipt of completed voter registration applications.

40 (c) To the extent any State agency described in G.S. 163-82.19 or G.S. 163-82.20 has
41 signatures of clients, those agencies shall cooperate in sharing those signatures with the State
42 Board of Elections.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 28 of 54

1 (d) An application submitted under this section shall be deemed submitted to the election
2 authority on the date it is received.

3 (e) An applicant for voter registration under this section provides a signature by doing
4 any of the following:

5 (1) In the case of an applicant who has a signature on file with a State government
6 agency, authorizing the agency to transmit that signature to election officials.

7 (2) Submitting with the application an electronic copy of the applicant's
8 handwritten signature through electronic means in a manner prescribed by the
9 State Board of Elections.

10 (f) Upon submission of a completed voter registration application under this section, the
11 State Board of Elections official website shall generate an immediate electronic confirmation on
12 the website that the application has been received, with instructions as to how the applicant may
13 check the status of the application thereafter.

14 (g) The State Board of Elections shall accept an online voter registration application
15 submitted under this section and ensure that the individual is registered to vote in this State if
16 each of the following is satisfied:

17 (1) The individual meets the same voter registration eligibility requirements
18 applicable to individuals who register to vote by mail.

19 (2) The individual provides a signature in accordance with subsection (e) of this
20 section.

21 (h) The State Board of Elections shall inform the applicant for voter registration of the
22 disposition of the application by regular mail. Additionally, the State Board shall make available
23 to the applicant the option to receive the disposition notification by email.

24 (i) No legal distinction shall be made between registration under this section and
25 registration by written application in accordance with the provisions of this Article.

26 (j) The State Board of Elections shall ensure that any registered voter may at any time
27 update the voter's registration information, including the voter's address, online through the State
28 Board's official public website in accordance with maintenance of the computerized statewide
29 voter registration list.

30 (k) Except as provided in G.S. 163-82.6A, the State Board shall revise any information
31 on the computerized list to reflect the update made by the voter at any time until the deadlines
32 for registration under G.S. 163-82.6(d) for a primary or general election.

33 (l) Upon receipt of updated registration information under this section, the State Board
34 of Elections shall send a notice confirming receipt of the updated information by regular mail,
35 and by email, if available.'

36 **SECTION 26.5.(bb)** G.S. 163-82.6(d) reads as rewritten:

37 '(d) Registration Deadlines for a Primary or Election. – In order to be valid for a primary
38 or election, the form must comply with one of the following:

39 (1) If submitted by mail, must be postmarked at least 25 days before the primary
40 or election, except that any mailed application on which the postmark is
41 missing or unclear is validly submitted if received in the mail not later than 20
42 days before the primary or election, election.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 29 of 54

1 (2) If submitted in person, by facsimile transmission, ~~or~~ by transmission of a
2 scanned document, or by online voter registration pursuant to G.S. 163-82.5A,
3 must be received by the county board of elections by a time established by
4 that board, but no earlier than 5:00 P.M., on the twenty-fifth day before the
5 primary or ~~election,~~election.

6 (3) If submitted through a delegatee who violates the duty set forth in subsection
7 (a) of this section, must be signed by the applicant and given to the delegatee
8 not later than 25 days before the primary or election, except as provided in
9 subsection (f) of this section.'

10 **SECTION 26.5.(cc)** G.S. 163-82.10(a1) reads as rewritten:

11 '(a1) Personal Identifying Information. – Full or partial social security numbers, dates of
12 birth, the identity of the public agency at which the voter registered under G.S. 163-82.20, any
13 electronic mail address submitted under this Article, Article 20, or Article 21A of this Chapter,
14 photocopies of identification for voting, and drivers license numbers, whether held by the State
15 Board or a county board of elections, or obtained through online voter registration under
16 G.S. 163-82.5A, are confidential and shall not be considered public records and subject to
17 disclosure to the general public under Chapter 132 of the General Statutes. Cumulative data based
18 on those items of information may be publicly disclosed as long as information about any
19 individual cannot be discerned from the disclosed data. Disclosure of information in violation of
20 this subsection shall not give rise to a civil cause of action. This limitation of liability does not
21 apply to the disclosure of information in violation of this subsection as a result of gross
22 negligence, wanton conduct, or intentional wrongdoing that would otherwise be actionable.'

23 **SECTION 26.5.(dd)** In establishing online voter registration in accordance with this
24 Part, the State Board of Elections shall establish appropriate technological security measures to
25 protect against unauthorized access to information. The State Board of Elections shall ensure that
26 online voter registration under this Part is provided in a manner that is accessible to persons with
27 disabilities so as to provide the same opportunity for access and participation as for other voters.

28 **SECTION 26.5.(ee)** Notwithstanding any other provision of this act or the
29 Committee Report described in Section 43.2 of this act, the funds appropriated in this act to the
30 UNC Board of Governors for the Opportunity Scholarship Grant Fund Reserve shall be reduced
31 by the sum of two hundred fifteen thousand dollars (\$215,000) in recurring funds for each year
32 of the 2023-2025 fiscal biennium and the sum of ninety thousand dollars (\$90,000) in
33 nonrecurring funds for the 2023-2024 fiscal year and those funds shall instead be appropriated
34 to the State Board of Elections to be used for the purpose of implementing online voter
35 registration pursuant to this Part.

36 **SECTION 26.5.(ff)** Section 26.5.(z) through Section 26.5.(dd) of this Part become
37 effective December 1, 2023. Section 26.5.(ee) of this Part becomes effective July 1, 2023.

38
39 **PART V. AUTOMATIC VOTER REGISTRATION**

40 **SECTION 26.5.(gg)** G.S. 163-82.3 reads as rewritten:

41 '**§ 163-82.3. Voter registration application ~~forms~~forms; automatic voter registration at**
42 **certain agencies.**

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 30 of 54

1 (a) Form Developed by State Board of Elections. – The State Board of Elections shall
2 develop an application form for voter registration. Any person may use the form to apply to do
3 any of the following:

4 ...

5 (c) ~~Agency Application Form. Application.~~ – The county board of elections where an
6 applicant resides shall accept as application for any of the purposes set out in subsection (a) of
7 this section ~~a form~~ automatic voter registration developed pursuant to G.S. 163-82.19 or
8 G.S. 163-82.20.'

9 **SECTION 26.5.(hh)** G.S. 163-82.6 reads as rewritten:

10 **'§ 163-82.6. Acceptance of application forms.**

11 (a) How the Form May Be Submitted. – The county board of elections shall accept any
12 form described in G.S. 163-82.3 if the applicant submits the form by mail, facsimile transmission,
13 transmission of a scanned document, or in ~~person~~ person or by automatic voter registration
14 pursuant to G.S. 163-82.19 or G.S. 163-82.20. The applicant may delegate the submission of the
15 form to another person. Any person who communicates to an applicant acceptance of that
16 delegation shall deliver that form so that it is received by the appropriate county board of
17 elections in time to satisfy the registration deadline in subdivision (1) or (2) of subsection (d) of
18 this section for the next election. It shall be a Class 2 misdemeanor for any person to communicate
19 to the applicant acceptance of that delegation and then fail to make a good faith effort to deliver
20 the form so that it is received by the county board of elections in time to satisfy the registration
21 deadline in subdivision (1) or (2) of subsection (d) of this section for the next election. It shall be
22 an affirmative defense to a charge of failing to make a good faith effort to deliver a delegated
23 form by the registration deadline that the delegatee informed the applicant that the form would
24 not likely be delivered in time for the applicant to vote in the next election. It shall be a Class 2
25 misdemeanor for any person to sell or attempt to sell a completed voter registration form or to
26 condition its delivery upon payment.

27 ...

28 (d) Registration Deadlines for a Primary or Election. – In order to be valid for a primary
29 or election, the ~~form~~ form must comply with one of the following:

- 30 (1) If submitted by mail, must be postmarked at least 25 days before the primary
31 or election, except that any mailed application on which the postmark is
32 missing or unclear is validly submitted if received in the mail not later than 20
33 days before the primary or ~~election~~ election.
- 34 (2) If submitted in person, by facsimile transmission, ~~or~~ by transmission of a
35 scanned document, or by automatic voter registration, must be received by the
36 county board of elections by a time established by that board, but no earlier
37 than 5:00 P.M., on the twenty-fifth day before the primary or ~~election~~ election.
- 38 (3) If submitted through a delegatee who violates the duty set forth in subsection
39 (a) of this section, must be signed by the applicant and given to the delegatee
40 not later than 25 days before the primary or election, except as provided in
41 subsection (f) of this section.

42'

43 **SECTION 26.5.(ii)** G.S. 163-82.19 reads as rewritten:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 31 of 54

1 **'§ 163-82.19. Voter Automatic voter registration at drivers license offices; coordination on**
2 **data interface.**

3 (a) Automatic Voter Registration at Drivers License Offices. – The Beginning January 1,
4 2024, the Division of Motor Vehicles shall, pursuant to the rules adopted by in consultation with
5 the State Board of Elections, modify its forms so that implement a method by which any eligible
6 person who applies for original issuance, renewal or correction of a drivers license, or special
7 identification card issued under G.S. 20-37.7 may, on a part of the form, complete an application
8 to register shall be automatically registered to vote, or able to update the voter's registration if
9 the voter has changed his or her address or moved from one precinct to another or from one
10 county to another. The person taking the application shall ask if the applicant is a citizen of the
11 United States. If the applicant states that the applicant is not a citizen of the United States, or
12 declines to answer the question, the person taking the application shall inform the applicant that
13 it is a felony for a person who is not a citizen of the United States to apply to register to vote. The
14 application shall state in clear language the penalty for violation of this section. The necessary
15 forms shall be prescribed by the State Board of Elections. The form must ask for the previous
16 voter registration address of the voter, if any. If a previous address is listed, and it is not in the
17 county of residence of the applicant, the appropriate county board of elections shall treat the
18 application as an authorization to cancel the previous registration and also process it as such
19 under the procedures of G.S. 163-82.9. If a previous address is listed and that address is in the
20 county where the voter applies to register, the application shall be processed as if it had been
21 submitted under G.S. 163-82.9.inform the applicant of the following:

- 22 (1) That the applicant shall be registered to vote or have the applicant's voter
23 registration record updated, as applicable, unless the applicant declines.
24 (2) The qualifications to vote under G.S. 163-55.
25 (3) That the applicant should not register if the applicant does not meet the
26 qualifications described under subdivision (2) of this subsection.
27 (4) That any person who willfully and knowingly and with fraudulent intent gives
28 false information on the application is guilty of a Class I felony.
29 (5) That if the applicant declines to register to vote, the fact that the applicant has
30 declined to register will remain confidential and be used for voter registration
31 purposes only.
32 (6) Information regarding the address confidentiality program under Chapter 15C
33 of the General Statutes, including how to register for the program and how
34 voter registration may impact participation in the program.

35 (a1) Requirements. – If the applicant does not decline voter registration, the person taking
36 the application shall require the applicant to provide all information requested of the applicant
37 under G.S. 163-82.4, including declaring a preference to be affiliated with a political party or a
38 preference to be an unaffiliated voter. If the applicant fails to declare a political party affiliation,
39 the applicant's political affiliation shall be designated as unaffiliated. The applicant shall provide
40 an electronic signature as required under G.S. 163-82.6(c), subject to the penalty of perjury, by
41 which the applicant attests that the information provided by the applicant is true and that the
42 applicant meets all qualifications to become a registered voter.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 32 of 54

1 (a2) When Registration Effective. – Registration shall become effective as provided in
2 G.S. 163-82.7. Applications to register to vote accepted at a drivers license office under this
3 section until the deadline established in G.S. 163-82.6(d)(2) shall be treated as timely made for
4 an election, and no person who completes an application at that drivers license office shall be
5 denied the vote in that election for failure to apply earlier than that deadline.

6 (a3) ~~All applications shall be forwarded by the Transmittal from Department of~~
7 Transportation to Board of Elections. – The Department of Transportation shall electronically
8 transmit the applications of applicants who have not declined voter registration to the appropriate
9 board of elections not later than five business days after the date of acceptance, according to rules
10 which shall be promulgated by the State Board of Elections. Those rules shall provide for a
11 paperless, instant, electronic transfer of applications to the appropriate board of elections.

12 (a4) Confidentiality of Declination to Register. – No information relating to a declination
13 to register to vote in connection with a voter registration application at a Division of Motor
14 Vehicles office may be used for any purpose other than voter registration. The State Board shall
15 ensure that information acquired for purposes of automatic voter registration under this section
16 is kept confidential in accordance with G.S. 163-82.4(c), including compliance with any voter
17 registration requirements under G.S. 163-82.10.

18 (b) ~~Any Ineligible Applications Prohibited.~~ – If a person who is ineligible to vote
19 becomes registered to vote pursuant to this section, the person shall not be eligible to vote but
20 shall not automatically be subject to criminal penalty. However, any person who willfully and
21 knowingly and with fraudulent intent gives false information on the application described under
22 this section is guilty of a Class I felony.

23 ...
24 (d) No Requirement to Determine Eligibility. – Nothing in this section shall be construed
25 as requiring the Department of Transportation to determine eligibility for voter registration and
26 voting.'

27 **SECTION 26.5.(jj)** G.S. 163-82.20 reads as rewritten:
28 **'§ 163-82.20. Voter registration at other public ~~agencies~~ agencies; automatic voter**
29 **registration.**

30 (a) Voter Registration Agencies. – Every office in this State which accepts:

31 ...
32 (b) ~~Duties of Voter Registration Agencies.~~ A Agencies; Automatic Voter Registration
33 Information. – Beginning January 1, 2025, a voter registration agency described in subsection
34 (a) of this section shall, unless the applicant declines, in writing, to register to vote, in consultation
35 with the State Board, provide, with each application for service or assistance, and with each
36 recertification, renewal, or change of address relating to such service or assistance, an application
37 process for automatic voter registration. The person taking the application shall inform the
38 applicant of the following:

39 (1) ~~Distribute with each application for service or assistance, and with each~~
40 ~~recertification, renewal, or change of address relating to such service or~~
41 ~~assistance:~~

42 a. ~~The voter registration application form described in G.S. 163-82.3(a)~~
43 ~~or (b); or~~

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 33 of 54

1 b. ~~The voter registration agency's own form, if it is substantially~~
2 ~~equivalent to the form described in G.S. 163-82.3(a) or (b) and has~~
3 ~~been approved by the State Board of Elections, provided that the~~
4 ~~agency's own form may be a detachable part of the agency's paper~~
5 ~~application or may be a paperless computer process, as long as the~~
6 ~~applicant is required to sign an attestation as part of the application to~~
7 ~~register.~~

8 That the applicant shall be registered to vote or have the applicant's voter
9 registration record updated, as applicable, unless the applicant declines.

10 (2) Provide a form that contains the elements required by section 7(a)(6)(B) of
11 the National Voter Registration Act; and
12 The qualifications to vote under
13 G.S. 163-55.

14 (3) ~~Provide to each applicant who does not decline to register to vote the same~~
15 ~~degree of assistance with regard to the completion of the registration~~
16 ~~application as is provided by the office with regard to the completion of its~~
17 ~~own forms. That the applicant should not register if the applicant does not meet~~
18 ~~the qualifications described under subdivision (2) of this subsection.~~

19 (4) That any person who willfully and knowingly and with fraudulent intent gives
20 false information on the application is guilty of a Class I felony.

21 (5) That if the applicant declines to register to vote, the fact that the applicant has
22 declined to register will remain confidential and be used for voter registration
23 purposes only.

24 (6) Information regarding the address confidentiality program under Chapter 15C
25 of the General Statutes, including how to register for the program and how
26 voter registration may impact participation in the program.

27 (b1) Requirements. – If the applicant does not decline voter registration, the person taking
28 the application shall require the applicant to provide all information requested of the applicant
29 under G.S. 163-82.4, including declaring a preference to be affiliated with a political party or a
30 preference to be an unaffiliated voter. If the applicant fails to declare a political party affiliation,
31 the applicant's political affiliation shall be designated as unaffiliated. The applicant shall provide
32 an electronic signature as required under G.S. 163-82.6(c), subject to the penalty of perjury, by
33 which the applicant attests that the information provided by the applicant is true and that the
34 applicant meets all qualifications to become a registered voter.

35 (c) Employment Security Law Applicants. – Provided that voter registration agencies
36 designated under subdivision (a)(3) of this section shall only be required to provide the services
37 set out in this subsection to applicants for new claims, reopened claims, and changes of address
38 under Chapter 96 of the General Statutes, the Employment Security Law.

39 ...

40 (f) Confidentiality of Declination to Register. – No information relating to a declination
41 to register to vote in connection with an application made at a voter registration agency may be
42 used for any purpose other than voter registration. The State Board shall ensure that information
 acquired for purposes of automatic voter registration under this section is kept confidential in

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 34 of 54

1 accordance with G.S. 163-82.4(c), including compliance with any voter registration requirements
2 under G.S. 163-82.10.

3 (g) ~~Transmittal From Agency to Board of Elections. – Any voter registration application~~
4 ~~completed at a voter registration agency shall be accepted by that agency in lieu of the applicant's~~
5 ~~mailing the application. Any such application so received shall be transmitted~~The agency shall
6 electronically transmit the applications of applicants who did not decline voter registration to the
7 appropriate board of elections not later than five business days after acceptance, according to
8 rules which shall be promulgated by the State Board of Elections.

9 ...

10 (i) Ineligible Applications Prohibited. – No person shall make application to register to
11 vote under this section if that person is ineligible on account of age, citizenship, lack of residence
12 for the period of time provided by law, or because of conviction of a felony. If a person who is
13 ineligible to vote becomes registered to vote pursuant to this section, the person shall not be
14 eligible to vote but shall not automatically be subject to criminal penalty. However, any person
15 who willfully and knowingly and with fraudulent intent gives false information on the application
16 described under this section is guilty of a Class I felony.

17 (j) No Requirement to Determine Eligibility. – Nothing in this section shall be construed
18 as requiring agencies to determine eligibility for voter registration and voting.'

19 **SECTION 26.5.(kk)** G.S. 163-82.20A reads as rewritten:

20 **'§ 163-82.20A. Voter registration upon restoration of citizenship.**

21 The State Board of Elections, the Division of Prisons of the Department of Adult Correction,
22 and the Administrative Office of the Courts shall jointly develop and implement educational
23 programs and procedures for persons to apply to register to vote at the time they are restored to
24 citizenship and all filings required have been completed under Chapter 13 of the General Statutes.
25 Those procedures shall be designed to do both of the following:

26 (1) Inform the person that the restoration of rights removes the person's
27 disqualification from voting, but that in order to vote the person must register
28 to vote-vote, including informing the person of automatic voter registration in
29 accordance with G.S. 163-82.19 or G.S. 163-82.20.

30 (2) Provide an opportunity to that person to register to vote.

31 At a minimum, the program shall include a written notice to the person whose citizenship has
32 been restored, informing that person that the person may now register to vote, with a voter
33 registration form enclosed with the notice.'

34 Section 26.5.(gg) through Section 26.5.(ii) and Section 26.5.(kk) of this Part become
35 effective January 1, 2024. Section 26.5.(jj) of this Part becomes effective January 1, 2025. The
36 remainder of this Part is effective when it becomes law.

37
38 **PART VI. OPEN MEETINGS LAW REFORM/LIVE VIDEO AND AUDIO**
39 **STREAMING IN LEGISLATIVE COMPLEX**

40 **SECTION 26.5.(ll)** G.S. 143-318.14A reads as rewritten:

41 **'§ 143-318.14A. Legislative commissions, committees, and standing subcommittees.**

42 ...

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 35 of 54

1 (b) Reasonable public notice of all meetings of commissions, committees, and standing
2 subcommittees of the General Assembly shall be ~~given~~ given to all members of the General
3 Assembly; to all members of the commissions, committees, and standing subcommittees; and to
4 the Legislative Services Office, which shall post the notice on the General Assembly website.
5 For purposes of this subsection, "~~reasonable public notice~~" includes, but is not limited
6 to: "adequate public notice" means written or electronic notice that is posted and emailed to those
7 who have requested notice at least 48 hours before the time of the meeting. The notice shall
8 include the time, date, location, and, to the extent known, the agenda of the meeting.

9 (1) ~~Notice given openly at a session of the Senate or of the House; or~~

10 (2) ~~Notice mailed or sent by electronic mail to those who have requested notice,~~
11 ~~and to the Legislative Services Office, which shall post the notice on the~~
12 ~~General Assembly web site.~~

13 (b1) The chair of the commission, committee, or standing subcommittee shall make the
14 agenda for a meeting noticed under subsection (b) of this section readily available for public
15 inspection no less than 24 hours in advance of the time of the meeting. Except for items of an
16 emergency nature, the agenda shall not be altered after the notice has been made available to the
17 public. The commission, committee, or standing subcommittee may modify the agenda to include
18 items of an emergency nature only during the meeting. As used in this subsection, items of an
19 emergency nature are matters that involve unexpected circumstances that require immediate
20 consideration by the commission, committee, or standing subcommittee.

21 (b2) No later than 24 hours in advance of the time of the meeting, the chair of the
22 commission, committee, or standing subcommittee shall make available to the members of the
23 same the text of all bills, proposed committee substitutes, and amendments that will be considered
24 during the scheduled meeting. No commission, committee, or standing subcommittee shall
25 consider or act on a bill, proposed committee substitute, or amendment that has not been made
26 available to the members in accordance with this subsection.

27 (b3) G.S. 143-318.12 shall not apply to meetings of commissions, committees, and
28 standing subcommittees of the General Assembly.

29'

30 **SECTION 26.5.(mm)** The Legislative Services Officer (LSO) shall ensure live
31 audiovisual streaming of all floor proceedings and all committee meetings held in the Legislative
32 Complex. Live audiovisual streaming shall include (i) public participation and comment to the
33 extent allowed by the streaming technology and (ii) access to the recorded live stream on a
34 centralized website within 48 hours after all floor proceedings or committee meetings.

35 **SECTION 26.5.(nn)** This Part is effective when it becomes law.

36
37 **PART VII. ABSENTEE BALLOTS**

38 **SECTION 26.5.(qq)** G.S. 163-229(b)(3) reads as rewritten:

39 '(3) A space for the identification of the ~~two persons~~ person witnessing the casting
40 of the absentee ballot in accordance with G.S. 163-231, ~~those persons'~~
41 ~~signatures, and those persons' addresses.~~ that person's signature, and that
42 person's address.'

43 **SECTION 26.5.(rr)** G.S. 163-231(a) reads as rewritten:

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 36 of 54

1 (a) Procedure for Voting Absentee Ballots. – In the presence of ~~two persons~~ one person
2 who ~~are~~ is at least 18 years of age, and who ~~are~~ is not disqualified by G.S. 163-226.3(a)(4) or
3 G.S. 163-237(c), the voter shall do all of the following:

4 ...

5 (5) Require ~~those two persons~~ the person in whose presence the voter marked that
6 voter's ballots to sign the application and certificate as ~~witnesses~~ a witness and
7 to indicate ~~those persons' addresses~~ the person's address. Failure to list a ZIP
8 code does not invalidate the application and certificate.

9 (6) ~~Do one of the following:~~ Have the witness in whose presence the voter marked
10 that voter's ballots certify that the voter is the person submitting the marked
11 ballots.

12 a. ~~Have the application notarized. The notary public may be the person~~
13 ~~in whose presence the voter marked that voter's ballot.~~

14 b. ~~Have the two persons in whose presence the voter marked that voter's~~
15 ~~ballots to certify that the voter is the registered voter submitting the~~
16 ~~marked ballots.~~

17 ~~Alternatively to the prior paragraph of this subsection, any requirement for two witnesses~~
18 ~~shall be satisfied if witnessed by one notary public, who shall comply with all the other~~
19 ~~requirements of that paragraph. The notary shall affix a valid notarial seal to the envelope, and~~
20 ~~include the word "Notary Public" below his or her signature.~~

21 The ~~persons~~ person in whose presence the ballot is marked shall at all times respect the
22 secrecy of the ballot and the privacy of the absentee voter, unless the voter requests assistance
23 and that person is otherwise authorized by law to give assistance. When thus executed, the sealed
24 container-return envelope, with the ballots enclosed, shall be transmitted in accordance with the
25 provisions of subsection (b) of this section to the county board of elections which issued the
26 ballots.'

27 **SECTION 26.5.(ss)** G.S. 163-230.2(c) reads as rewritten:

28 (c) Return of Request. – The completed request form for absentee ballots shall be
29 delivered either in person or by mail, email, or fax to the county board of elections only by any
30 of the following:

31 (1) The voter.

32 (2) The voter's near relative or verifiable legal guardian.

33 (3) A member of a bipartisan team trained and authorized by the county board
34 of elections pursuant to G.S. 163-226.3.'

35 **SECTION 26.5.(tt)** This Part is effective when it becomes law and applies to
36 elections held on or after that date.

37
38 **PART VIII. USE OF CERTAIN CAMPUSES/VOTING PLACES**

39 **SECTION 26.5.(uu)** G.S. 163-129(a) reads as rewritten:

40 (a) At the voting place in each precinct established under the provisions of G.S. 163-128,
41 the county board of elections shall provide or procure by lease or otherwise a suitable structure
42 or part of a structure in which registration and voting may be conducted. To this end, the county
43 board of elections shall be entitled to demand and use any school or other State, county, or

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 37 of 54

1 municipal building, or a part thereof, or any other building, or a part thereof, which is supported
2 or maintained, in whole or in part by or through tax ~~revenues provided, however, that revenues,~~
3 including ensuring the use of voting places on college campuses. The State Board of Elections
4 shall also make reasonable efforts to provide means for other college campuses to be used as
5 voting places. However, this section shall not be construed to permit any board of elections to
6 demand and use any tax exempt church property for such purposes without the express consent
7 of the individual church involved, for the purpose of conducting registration and voting for any
8 primary or election, and it may require that the requisitioned premises, or a part thereof, be
9 vacated for these purposes.'

10
11 **PART IX. VOTER LIST MAINTENANCE**

12 **SECTION 26.5.(vv)** G.S. 163-82.14 reads as rewritten:

13 **'§ 163-82.14. List maintenance.**

14 ...

15 (b) Death. – The Department of Health and Human Services shall furnish free of charge
16 to the State Board of Elections every month, in a format prescribed by the State Board of
17 Elections, the names of deceased persons who were residents of the State. The State Board of
18 Elections shall distribute every month to each county board of elections the names on that list of
19 deceased persons who were residents of that county. The Department of Health and Human
20 Services shall base each list upon information supplied by death certifications it received during
21 the preceding month. Upon the receipt of those names, each county board of elections shall
22 remove from its voter registration records any person the list shows to be ~~dead.~~ dead upon
23 confirming that the complete date of birth of the deceased person and the last four digits of the
24 social security number are identical to the person to be removed from the voter registration
25 records. If the last four digits of the social security number are not available from voter
26 registration records, then the county board of elections shall not remove the voter unless it has
27 matched the complete date of birth and other identification information from the deceased records
28 received from the Department of Health and Human Services or a near relative. Each county
29 board of elections shall also remove from its voter registration records a person identified as
30 deceased by a signed statement of a near relative or personal representative of the estate of the
31 deceased voter. The county board need not send any notice to the address of the person so
32 removed.

33 ...

34 (d) Change of Address. – A county board of elections shall conduct a systematic program
35 to remove from its list of registered voters those who have moved out of the county, and to update
36 the registration records of persons who have moved within the county. The county board shall
37 remove a person from its list if the registrant:

38 (1) Gives confirmation in writing of a change of address for voting purposes out
39 of the county. "Confirmation in writing" for purposes of this subdivision shall
40 ~~include:~~ include any of the following:

41 a. A report to the county board from the Department of Transportation
42 or from a voter registration agency listed in G.S. 163-82.20 that the

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 38 of 54

- 1 voter has reported a change of address for voting purposes outside the
2 ~~county;~~county.
- 3 b. A notice of cancellation received under ~~G.S. 163-82.9;~~
4 G.S. 163-82.9.
- 5 c. A notice of cancellation received from an election jurisdiction outside
6 the State.
- 7 (2) Fails to respond after no less than 60 days to a confirmation mailing sent by
8 the county board in accordance with this subdivision and does not vote or
9 appear to vote in an election beginning on the date of the notice and ending
10 on the day after the date of the second general election for the United States
11 House of Representatives that occurs after the date of the notice. A county
12 board sends a confirmation notice in accordance with this subdivision if the
13 ~~notice;~~notice complies with each of the following:
- 14 a. Is a postage prepaid and preaddressed return card, sent by forwardable
15 mail, on which the registrant may state current ~~address;~~address.
- 16 b. Contains or is accompanied by a notice to the effect that if the
17 registrant did not change residence but remained in the county, the
18 registrant should return the card not later than the deadline for
19 registration by mail in ~~G.S. 163-82.6(d)(1); and~~G.S. 163-82.6(d)(1).
- 20 c. Contains or is accompanied by information as to how the registrant
21 may continue to be eligible to vote if the registrant has moved outside
22 the county.
- 23 d. If a voter has provided the county board of elections with an email
24 address, is an email that (i) provides the confirmation mailing has been
25 sent, (ii) contains information on how the registrant may confirm the
26 registrant's current address online, and (iii) contains information on
27 how the voter may continue to be eligible to vote if the registrant has
28 moved outside the county. If the voter has not provided an email
29 address to the county board but has provided a phone number, the
30 county board shall contact the voter by phone to provide this
31 information.
- 32 A county board shall send a confirmation mailing in accordance with this
33 subdivision to every registrant after every congressional election if the county
34 board has not confirmed the registrant's address by another means.
- 35 (3) Any registrant who is removed from the list of registered voters pursuant to
36 this subsection shall be reinstated if the voter appears to vote and gives oral or
37 written affirmation that the voter has not moved out of the county but has
38 maintained residence continuously within the county. That person shall be
39 allowed to vote as provided in G.S. 163-82.15(f).
- 40 (d1) Notwithstanding subsection (d) of this section, a county board of elections shall not
41 remove a registrant from its list of registered voters solely based on the county board receiving a
42 return mailing as "undeliverable" without taking steps to confirm the registrant's current address
43 by other means.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 39 of 54

1'

2

3 **PART X. TRUE SOURCE OF SPENDING**

4 **SECTION 26.5.(ww)** G.S. 163-278.12 is amended by adding a new subsection to
5 read:

6 '(h) Except for political committees that do not receive more than six thousand four
7 hundred dollars (\$6,400), or the amount set by G.S. 163-278.13, from any one person in an
8 election, a filer, when reporting donations of one thousand dollars (\$1,000) or more in the
9 aggregate under this subsection, shall disclose the identity of the original source of the funds, the
10 amounts of those donations, and any intermediaries who transferred the funds before they were
11 contributed to the filer. For purposes of this subsection, "original source" means an individual
12 who contributes wages, investment income, or bequests or a person that contributes money
13 received through ordinary commercial transactions. Any person or entity making a donation of
14 one thousand dollars (\$1,000) or more, in the aggregate, in an election to a person or entity
15 required to report donations under this subsection shall inform that person or entity of the identity
16 of the original sources of funds being transferred, the amounts of the persons' original funds being
17 transferred, and the identity of any persons who previously transferred the original funds.'

18 **SECTION 26.5. (xx)** G.S. 163-278.12C is amended by adding a new subsection to
19 read:

20 '(e) Except for political committees that do not receive more than six thousand four
21 hundred dollars (\$6,400), or the amount set by G.S. 163-287.13, from any one person in an
22 election, a filer, when reporting donations of one thousand dollars (\$1,000) or more in the
23 aggregate under this subsection, shall disclose the identity of the original source of the funds, the
24 amounts of those donations, and any intermediaries who transferred the funds before they were
25 contributed to the filer. "Original source" has the same meaning as in G.S. 163-278.12(h). Any
26 person or entity making a donation of one thousand dollars (\$1,000) or more, in the aggregate,
27 in an election to a person or entity required to report donations under this subsection shall inform
28 that person or entity of the identity of the original sources of funds being transferred, the amounts
29 of the persons' original funds being transferred, and the identity of any persons who previously
30 transferred the original funds.'

31 **SECTION 26.5.(yy)** G.S. 163-278.39(a) is amended by adding a new subdivision to
32 read:

33 '(5) In an advertisement made by a sponsor other than a candidate, political party
34 organization, an individual solely spending the individual's own personal
35 funds received through wages, investment income, or bequests or a person
36 solely spending money received through ordinary commercial transactions,
37 the advertisement bears the legend or includes the statement: "[Names of top
38 three donors] are the top donors who helped pay for this message." In a
39 television advertisement or digital communication, this disclosure shall be
40 made by visual legend. In advertisements made by a sponsor that reports
41 original sources under G.S. 163-278.12 or G.S. 163-278.12C, the top three
42 donors shall be the three original sources who have donated the highest
43 aggregate amounts to the sponsor in the election cycle.'

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 40 of 54

1
2 **PART XI. TRANSPARENCY FOR DIGITAL CAMPAIGN ADS**

3 **SECTION 26.5.(zz)** G.S. 163-278.6 reads as rewritten:

4 **'§ 163-278.6. Definitions.**

5 When used in this Article:

6 ...

7 (28a) The term "digital communication" means any communication, for a fee,
8 placed or promoted on a public-facing website, web application, or digital
9 application, including a social network, advertising network, or search engine.

10 ...

11 (41) The term "electioneering communication" means any broadcast, cable, or
12 satellite communication, or mass mailing, or telephone ~~bank~~bank, or digital
13 communication that has all the following characteristics:

- 14 a. Refers to a clearly identified candidate for elected office.
15 b. In the case of the general election in November of the even-numbered
16 year is aired or transmitted within 60 days of the election for that
17 office.
18 c. May be received by either:
19 1. 50,000 or more individuals in the State in an election for
20 statewide office or 7,500 or more individuals in any other
21 election if in the form of broadcast, cable, or satellite
22 communication.
23 2. 20,000 or more households, cumulative per election, in a
24 statewide election or 2,500 households, cumulative per
25 election, in any other election if in the form of mass mailing or
26 telephone bank.

27

28 **SECTION 26.5. (aaa)** G.S. 163-278.38Z(1) reads as rewritten:

29 '(1) "Advertisement" means any message appearing in the print media, on
30 ~~television, or on radio~~television or radio, or through digital communication
31 that constitutes a contribution or expenditure under this Article.'

32 **SECTION 26.5.(bbb)** G.S. 163-278.39 reads as rewritten:

33 **'§ 163-278.39. Basic disclosure requirements for all political advertisements.**

34 (a) Basic Requirements. – It shall be unlawful for any sponsor to sponsor an
35 advertisement in the print ~~media or media,~~ on radio or ~~television~~television, or through digital
36 communication that constitutes an expenditure, independent expenditure, electioneering
37 communication, or contribution required to be disclosed under this Article unless all the
38 following conditions are met:

- 39 (1) It bears the legend or includes the statement: "Paid for by ____ [Name of
40 candidate, candidate campaign committee, political party organization,
41 political action committee, referendum committee, individual, or other
42 sponsor]." In television or digital communication advertisements, this
43 disclosure shall be made by visual legend.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 41 of 54

1 ...
2 If an advertisement described in this section is jointly sponsored, the disclosure statement
3 shall name all the sponsors.

4 (b) Size Requirements. – The following shall apply to the various forms of advertisement:

5 (1) In a print media advertisement covered by subsection (a) of this section, the
6 height of all disclosure statements required by that subsection shall constitute
7 at least five percent (5%) of the height of the printed space of the
8 advertisement, provided that the type shall in no event be less than 12 points
9 in size. In an advertisement in a newspaper or a newspaper insert, the total
10 height of the disclosure statement need not constitute five percent of the
11 printed space of the advertisement if the type of the disclosure statement is at
12 least 28 points in size. If a single advertisement consists of multiple pages,
13 folds, or faces, the disclosure requirement of this section applies only to one
14 page, fold, or face.

15 (2) In a television advertisement covered by subsection (a) of this section, the
16 visual disclosure legend shall constitute four percent (4%) of vertical picture
17 height in size, and where the television advertisement that appears is paid for
18 by a candidate or candidate campaign committee, the visual disclosure legend
19 shall appear simultaneously with an easily identifiable photograph of the
20 candidate for at least two seconds.

21 (3) In a radio advertisement covered by subsection (a) of this section, the
22 disclosure statement shall last at least two seconds, provided the statement is
23 spoken so that its contents may be easily understood.

24 (4) In a digital communication advertisement covered by subsection (a) of this
25 section, the disclosure statement shall appear (i) in letters at least as large as
26 the smallest text in the digital communication or (ii) in a heading or similar
27 section of text displayed above or within the digital communication that is
28 visually distinct from the text of the digital communication and shall have a
29 reasonable degree of color contrast between the background and the disclosure
30 statement. If the digital communication is disseminated through a medium in
31 which the provision of the disclosure statement is not possible, the digital
32 communication shall, in a clear and conspicuous manner, include the
33 following:

34 a. The name of the person who paid for the digital communication.

35 b. A means for the recipient of the digital communication to obtain the
36 remainder of the information required by this section with minimal
37 effort and without receiving or viewing any additional material other
38 than the disclosure statement.

39 (c) Misrepresentation of Authorization. – Notwithstanding G.S. 163-278.27(a), any
40 candidate, candidate campaign committee, political party organization, political action
41 committee, referendum committee, individual, or other sponsor making an advertisement in the
42 print ~~media or~~ media, on radio or ~~television~~ television, or through digital communication bearing

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 42 of 54

1 any legend required by subsection (a) of this section that misrepresents the sponsorship or
2 authorization of the advertisement is guilty of a Class 1 misdemeanor.'

3 **SECTION 26.5.(ccc)** G.S. 163-278.39C reads as rewritten:

4 '**§ 163-278.39C. Scope of disclosure requirements.**

5 The disclosure requirements of this Part apply to any sponsor of an advertisement in the print
6 ~~media or media~~, on radio or ~~television~~-television, or through digital communication the cost or
7 value of which constitutes an expenditure or contribution required to be disclosed under this
8 Article, except that the disclosure requirements of this Part:

- 9 (1) Do not apply to an individual who makes uncoordinated independent
10 expenditures aggregating less than one thousand dollars (\$1,000) in a political
11 campaign; and
12 (2) Do not apply to an individual who incurs expenses with respect to a
13 referendum.

14 The disclosure requirements of this Part do not apply to any advertisement the expenditure
15 for which is required to be disclosed by G.S. 163-278.12A alone and by no other law.'

16 **SECTION 26.5.(ddd)** Part 1A of Article 22A of Chapter 163 of the General Statutes
17 is amended by adding a new section to read:

18 '**§ 163-278.39D. State Board of Elections to maintain records of digital communications for**
19 **political advertising.**

20 Any person using digital communication, as defined under G.S. 163-278.6(28a), that is
21 covered by G.S. 163-278.39(a) shall submit that digital communication to the State Board of
22 Elections along with the disclosure information required under G.S. 163-278.39. The State Board
23 of Elections shall maintain the information submitted pursuant to this section on the State Board
24 of Elections website and the information shall be deemed public records and available for
25 inspection on the website. The State Board shall display the following information on its website
26 as related to the digital communication:

- 27 (1) The name of the person.
28 (2) The city and state where the entity is located.
29 (3) The amount spent by the person for each candidate.
30 (4) A copy of the political advertisement.
31 (5) The dates or date range on which the political advertisement runs."

32 **SECTION 26.5.(eee)** This Part becomes effective September 1, 2023, and applies to
33 elections conducted on or after that date.

34
35 **PART XII. PROTECTION AGAINST FOREIGN INTERFERENCE**

36 **SECTION 26.5.(fff)** G.S. 163-278.39 is amended by adding a new subsection to
37 read:

38 '(a1) Notwithstanding any provision of law to the contrary and in accordance with any
39 federal law, a foreign national expending funds for political advertising that addresses a specific
40 issue to influence State or local government policy, a State or local government officer, or an
41 election shall include a statement in the advertisement that identifies the foreign national and a
42 statement disclosing that the advertising is sponsored by the foreign national. The phrase "foreign
43 national" shall have the same meaning as defined in 52 U.S.C. § 30121(b).'

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 43 of 54

1
2 **PART XIII. LIMITATIONS/SUPER PACS INFLUENCE**

3 **SECTION 26.5.(ggg)** Part 1 of Article 22A of Chapter 163 of the General Statutes
4 is amended by adding a new section to read:

5 **'§ 163-278.12B. Limitations on super political action committees' influence.**

6 (a) Notwithstanding any other provision of law to the contrary, any political committee
7 that makes only independent expenditures shall notify the State Board of Elections, in writing,
8 of any of the following:

9 (1) Any contribution in excess of one thousand dollars (\$1,000) received by the
10 committee before an election but after the period covered by the last report
11 due before that election. This notification shall be made within 48 hours after
12 the receipt of the contribution and shall include the name of the committee,
13 the contributor, and the date of receipt and amount of the contribution.

14 (2) Any contribution or donation in excess of one thousand dollars (\$1,000) made
15 by the committee before an election but after the period covered by the last
16 report due before that election. This notification shall be made within 48 hours
17 after the contribution or donation is made and shall include the name of the
18 committee and the recipient and the date and amount of the contribution or
19 donation.

20 (b) Any person who receives, directly or indirectly, a contribution or donation subject to
21 subsection (a) of this section and who transfers more than one thousand dollars (\$1,000) of the
22 funds to another person shall disclose to that person, in writing, at the time the transfer is made
23 each of the following:

24 (1) The identification of the political committee who made the contribution or
25 donation and the date and amount of the contribution or donation.

26 (2) The identification of any other person subject to this section, as either a prior
27 transferor or transferee of the funds from the political committee, and the date
28 and amount of the contribution or donation.

29 (c) For purposes of this section, a contribution or donation includes a pledge, promise,
30 understanding, or agreement to make a future contribution or donation.'

31
32 **PART XIV. REESTABLISH NORTH CAROLINA PUBLIC CAMPAIGN FUND**

33 **SECTION 26.5(hhh)** G.S. 163-278.69 is recodified as G.S. 163-278.158.

34 **SECTION 26.5.(iii)** Chapter 163 of the General Statutes is amended by adding the
35 following new Article to read:

36 'Article 22I.

37 'The North Carolina Public Campaign Fund.

38 **'§ 163-278.150. Purpose of the North Carolina Public Campaign Fund.**

39 The purpose of this Article is to ensure the fairness of democratic elections in North Carolina
40 and to protect the constitutional rights of voters and candidates from the detrimental effects of
41 increasingly large amounts of money being raised and spent to influence the outcome of
42 elections, those effects being especially problematic in elections of the judiciary, since
43 impartiality is uniquely important to the integrity and credibility of the courts. Accordingly, this

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 44 of 54

1 Article establishes the North Carolina Public Campaign Fund as an alternative source of
2 campaign financing for candidates who demonstrate public support and voluntarily accept strict
3 fundraising and spending limits. This Article is available to candidates for justice of the Supreme
4 Court and judge of the Court of Appeals in elections to be held in 2024 and thereafter.

5 **§ 163-278.151. Definitions.**

6 The following definitions apply in this Article:

- 7 (1) Board. – The State Board of Elections.
8 (2) Candidate. – An individual who becomes a candidate as described in
9 G.S. 163-278.6(9). The term includes a political committee authorized by the
10 candidate for that candidate's election.
11 (3) Certified candidate. – A candidate running for office who chooses to receive
12 campaign funds from the Fund and who is certified under
13 G.S. 163-278.153(c).
14 (4) Contested primary and contested general election. – An election in which
15 there are more candidates than the number to be elected. A distribution from
16 the Fund pursuant to this Article is not a "contribution" and is not subject to
17 the limitations of G.S. 163-278.13 or the prohibitions of G.S. 163-278.15 or
18 G.S. 163-278.19.
19 (5) Contribution. – Defined in G.S. 163-278.6. A distribution from the Fund
20 pursuant to this Article is not a "contribution" and is not subject to the
21 limitations of G.S. 163-278.13 or the prohibitions of G.S. 163-278.15 or
22 G.S. 163-278.19.
23 (6) Electioneering communication. – As defined in G.S. 163-278.6, except that it
24 is made during the period beginning 30 days before absentee ballots become
25 available for a primary and ending on primary election day and during the
26 period 60 days before absentee ballots become available for a general election
27 and ending on general election day.
28 (7) Expenditure. – Defined in G.S. 163-278.6.
29 (8) Fund. – The North Carolina Public Campaign Fund established in
30 G.S. 163-278.152.
31 (9) Independent expenditure. – Defined in G.S. 163-278.6.
32 (10) Maximum qualifying contributions. – An amount of qualifying contributions
33 equal to 60 times the filing fee for candidacy for the office.
34 (11) Minimum qualifying contributions. – An amount of qualifying contributions
35 equal to 30 times the filing fee for candidacy for the office.
36 (12) Nonparticipating candidate. – A candidate running for office who is not
37 seeking to be certified under G.S. 163-278.153(c).
38 (13) Office. – A position on the North Carolina Court of Appeals or North Carolina
39 Supreme Court.
40 (14) Participating candidate. – A candidate for office who has filed a declaration
41 of intent to participate under G.S. 163-278.153.
42 (15) Political committee. – Defined in G.S. 163-278.6.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 45 of 54

1 (16) Qualifying contribution. – A contribution of not less than ten dollars (\$10.00)
2 and not more than five hundred dollars (\$500.00) in the form prescribed for
3 noncash monetary contributions in G.S. 163-278.14(b) to the candidate or the
4 candidate's committee that meets both of the following conditions:

5 a. Made by an individual who is a registered voter in this State at the time
6 of the submittal of the report specified in G.S. 163-278.153(c).

7 b. Made during the qualifying period and obtained with the approval of
8 the candidate or candidate's committee.

9 (17) Qualifying period. – The period beginning September 1 in the year before the
10 election and ending on the day of the primary of the election year.

11 (18) Referendum committee. – Defined in G.S. 163-278.6.

12 **'§ 163-278.152. North Carolina Public Campaign Fund established; sources of funding.**

13 (a) Establishment of Fund. – The North Carolina Public Campaign Fund is established to
14 finance the election campaigns of certified candidates for office and to pay administrative and
15 enforcement costs of the Board related to this Article. The Fund is a special, dedicated,
16 nonlapsing, nonreverting fund. All expenses of administering this Article, including production
17 and distribution of the Voter Guide required by G.S. 163-278.158 and personnel and other costs
18 incurred by the Board, including public education about the Fund, shall be paid from the Fund
19 and not from the General Fund. Any interest generated by the Fund is credited to the Fund. The
20 Board shall administer the Fund.

21 (b) Sources of Funding. – Money received from all of the following sources shall be
22 deposited in the Fund:

23 (1) Designations made to the Public Campaign Fund by individual taxpayers
24 pursuant to G.S. 105-159.3.

25 (2) Public Campaign Fund revenues distributed for an election that remain
26 unspent or uncommitted at the time the recipient is no longer a certified
27 candidate in the election.

28 (3) Money ordered returned to the Public Campaign Fund in accordance with
29 G.S. 163-278.157.

30 (4) Voluntary donations made directly to the Public Campaign Fund.
31 Corporations, other business entities, labor unions, and professional
32 associations may make donations to the Fund.

33 (5) Money collected from the sixty dollar (\$60.00) surcharge on attorney
34 membership fees in G.S. 84-34.

35 (c) Determination of Fund Amount. – By October 1, 2024, and every two years thereafter,
36 the State Board shall prepare and provide to the Joint Legislative Elections Oversight Committee
37 a report documenting, evaluating, and making recommendations relating to the administration,
38 implementation, and enforcement of this Article. In its report, the Board shall set out the funds
39 received to date and the expected needs of the Fund for the next election.

40 **'§ 163-278.153. Requirements for participation; certification of candidates.**

41 (a) Declaration of Intent to Participate. – Any individual choosing to receive campaign
42 funds from the Fund shall first file with the Board a declaration of intent to participate under this
43 Article as a candidate for a stated office. The declaration of intent shall be filed before or during

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 46 of 54

1 the qualifying period and before collecting any qualifying contributions. In the declaration, the
2 candidate shall swear or affirm that only one political committee, identified with its treasurer,
3 shall handle all contributions, expenditures, and obligations for the participating candidate and
4 that the candidate will comply with the contribution and expenditure limits set forth in subsection
5 (d) of this section and all other requirements set forth in this Article or adopted by the Board.
6 Failure to comply is a violation of this Article.

7 (b) Demonstration of Support of Candidacy. – Participating candidates who seek
8 certification to receive campaign funds from the Fund shall first, during the qualifying period, if
9 seeking office on the Supreme Court, obtain qualifying contributions from at least 425 registered
10 voters in an aggregate sum that at least equals the amount of minimum qualifying contributions
11 described in G.S. 163-278.151(11) but that does not exceed the amount of maximum qualifying
12 contributions described in G.S. 163-278.151(10). If a participating candidate is seeking
13 certification for an office on the Court of Appeals, the candidate shall obtain qualifying
14 contributions from at least 400 registered voters in an aggregate sum that at least equals the
15 amount of minimum qualifying contributions described in G.S. 163-278.151(11) but that does
16 not exceed the amount of maximum qualifying contributions described in G.S. 163-278.151(10).

17 No payment, gift, anything of value, or the opportunity to win anything of value shall be
18 given in exchange for a qualifying contribution.

19 (c) Certification of Candidates. – Upon receipt of a submittal of the record of
20 demonstrated support by a participating candidate, the Board shall determine whether or not the
21 candidate has complied with all of the following requirements:

- 22 (1) Signed and filed a declaration of intent to participate in this Article.
- 23 (2) Submitted a report itemizing the appropriate number of qualifying
24 contributions received from registered voters, which the Board shall verify
25 through a random sample or other means it adopts. The report shall include
26 the county of residence of each registered voter listed.
- 27 (3) Filed a valid notice of candidacy pursuant to Article 26 of this Chapter.
- 28 (4) Otherwise met the requirements for participation in this Article.

29 The Board shall certify candidates complying with the requirements of this section as soon
30 as possible and no later than five business days after receipt of a satisfactory record of
31 demonstrated support.

32 (d) Restrictions on Contributions and Expenditures for Participating and Certified
33 Candidates. – The following restrictions shall apply to contributions and expenditures with
34 respect to participating and certified candidates:

- 35 (1) Beginning January 1 of the year before the election and before the filing of a
36 declaration of intent, a candidate for office may accept in contributions up to
37 twenty-five thousand dollars (\$25,000) from sources and in amounts
38 permitted by Article 22A of this Chapter and may expend up to twenty-five
39 thousand dollars (\$25,000) for any campaign purpose. A candidate who
40 exceeds either of these limits shall be ineligible to file a declaration of intent
41 or receive funds from the Public Campaign Fund.
- 42 (2) From the filing of a declaration of intent through the end of the qualifying
43 period, a candidate may accept only qualifying contributions, contributions

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 47 of 54

1 under ten dollars (\$10.00) from North Carolina voters, and personal and
2 family contributions permitted under subdivision (4) of this subsection. The
3 total contributions the candidate may accept during this period shall not
4 exceed the maximum qualifying contributions for that candidate. In addition
5 to these contributions, the candidate may only expend during this period the
6 remaining money raised pursuant to subdivision (1) of this subsection. Except
7 for personal and family contributions permitted under subdivision (4) of this
8 subsection, multiple contributions from the same contributor to the same
9 candidate shall not exceed five hundred dollars (\$500.00).

10 (3) After the qualifying period and through the date of the general election, the
11 candidate shall expend only the funds the candidate receives from the Fund
12 pursuant to G.S. 163-278.155(b)(4) plus any funds remaining from the
13 qualifying period.

14 (4) During the qualifying period, the candidate may contribute up to one thousand
15 dollars (\$1,000) of that candidate's own money to the campaign and may
16 accept in contributions one thousand dollars (\$1,000) from each member of
17 that candidate's family consisting of spouse, parent, child, brother, and sister.
18 Up to five hundred dollars (\$500.00) of a contribution from the candidate's
19 family member may be treated as a qualifying contribution if it meets the
20 requirements of G.S. 163-278.151(16)a. and b.

21 (5) A candidate and the candidate's committee shall limit the use of all revenues
22 permitted by this subsection to expenditures for campaign-related purposes
23 only. The Board shall publish guidelines outlining permissible
24 campaign-related expenditures. In establishing those guidelines, the Board
25 shall differentiate expenditures that reasonably further a candidate's campaign
26 from expenditures for personal use that would be incurred in the absence of
27 the candidacy. In establishing the guidelines, the Board shall review relevant
28 provisions of the Federal Election Campaign Act, and rules adopted pursuant
29 to it, and similar provisions in other states.

30 (6) Any contribution received by a participating or certified candidate that falls
31 outside that permitted by this subsection shall be returned to the donor as soon
32 as practicable. Contributions intentionally made, solicited, or accepted in
33 violation of this Article are subject to civil penalties as specified in
34 G.S. 163-278.157. The funds involved shall be forfeited to the Civil Penalty
35 and Forfeiture Fund.

36 (7) A candidate shall return to the Fund any amount distributed for an election
37 that is unspent and uncommitted at the date of the election, or at the time the
38 individual ceases to be a certified candidate, whichever occurs first. For
39 accounting purposes, all qualifying, personal, and family contributions shall
40 be considered spent before revenue from the Fund is spent or committed.

41 (e) Revocation. – A candidate may revoke, in writing to the Board, a decision to
42 participate in the Public Campaign Fund at any time before the deadline set by the Board for the
43 candidate's submission of information for the Voter Guide described in G.S. 163-278.158. After

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 48 of 54

1 a timely revocation, that candidate may accept and expend outside the limits of this Article
2 without violating this Article. Within 10 days after revocation, a candidate shall return to the
3 State Board all money received from the Fund.

4 **§ 163-278.154. Special participation provisions for candidates in vacancy elections.**

5 (a) Participation Provisions Modified. – Candidates involved in elections described in
6 G.S. 163-358 may participate in the Fund subject to the provisions of G.S. 163-278.153 as
7 modified by this section. The Board shall adapt other provisions of this Article to those elections.

8 (b) Qualifying. – The Board shall designate a special qualifying period of no less than
9 four weeks for these candidates, beginning at the close of the notice-of-candidacy filing period.
10 To receive certification, a participating candidate shall raise at least 225 qualifying contributions,
11 totaling at least 20 times the amount of the filing fee for the office, for a four-week qualifying
12 period. If the Board sets a longer qualifying period, then for each additional week that the
13 qualifying period extends beyond four weeks, the minimum number of qualifying contributions
14 required for certification shall increase by 25 and the minimum amount of the qualifying
15 contributions shall increase by two times the filing fee. The minimum qualifying contributions
16 shall not exceed the limit set by G.S. 163-278.153(b).

17 (c) Allocations. – Certified candidates shall receive one percent (1%) of the funding to
18 which they would be eligible under G.S. 163-278.155 times the number of calendar days between
19 the end of the special qualifying period and the day of the general election. That amount shall
20 not exceed one hundred percent (100%) of the funding to which they would be eligible under
21 G.S. 163-278.155.

22 **§ 163-278.155. Distribution from the Fund.**

23 (a) Timing of Fund Distribution. – The Board shall distribute to a certified candidate
24 revenue from the Fund in an amount determined under subdivision (b)(4) of this section within
25 five business days after the certified candidate's name is approved to appear on the ballot in a
26 contested general election but no earlier than five business days after the primary.

27 (b) Amount of Fund Distribution. – By August 1, 2024, and no less frequently than every
28 two years thereafter, the Board shall determine the amount of funds, rounded to the nearest one
29 hundred dollars (\$100.00), to be distributed to certified candidates as follows:

30 (1) Uncontested primaries. – No funds shall be distributed.

31 (2) Contested primaries. – No funds shall be distributed.

32 (3) Uncontested general elections. – No funds shall be distributed.

33 (4) Contested general elections. – Funds shall be distributed to a certified
34 candidate for a position on the Court of Appeals in an amount equal to 225
35 times the candidate's filing fee as set forth in G.S. 163-353. Funds shall be
36 distributed to a certified candidate for a position on the Supreme Court in an
37 amount equal to 350 times the candidate's filing fee as set forth in
38 G.S. 163-353.

39 (c) Method of Fund Distribution. – The Board, in consultation with the State Treasurer
40 and the State Controller, shall develop a rapid, reliable method of conveying funds to certified
41 candidates. In all cases, the Board shall distribute funds to certified candidates in a manner that
42 is expeditious, ensures accountability, and safeguards the integrity of the Fund. If the money in
43 the Fund is insufficient to fully fund all certified candidates, then the available money shall be

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 49 of 54

1 distributed proportionally, according to each candidate's eligible funding, and the candidate may
2 raise additional money in the same manner as a noncertified candidate for the same office up to
3 the unfunded amount of the candidate's eligible funding.

4 (d) Beginning October 1, 2028, and every five years thereafter, the Board shall appoint a
5 three-member committee to conduct an independent review regarding any need for modification
6 of funds distributed to certified candidates pursuant to this section. The committee shall consist
7 of one member from the North Carolina Bar Association, one member who is a public financing
8 expert, as determined by the Board, and one member who is a former Justice of the North
9 Carolina Supreme Court or Judge of the North Carolina Court of Appeals who has used the Fund.
10 In conducting the independent review, the committee shall, at a minimum, consider the need for
11 modification of funds as a result of changes in election costs and inflationary adjustments.

12 **§ 163-278.156. Reporting requirements.**

13 (a) Reporting by Participating and Certified Candidates. – Notwithstanding other
14 provisions of law, participating and certified candidates shall report any money received,
15 including all previously unreported qualifying contributions, all campaign expenditures,
16 obligations, and related activities to the Board according to procedures developed by the Board.
17 A certified candidate who ceases to be certified or ceases to be a candidate or who loses an
18 election shall file a final report with the Board and return any unspent revenues received from
19 the Fund. In developing these procedures, the Board shall utilize existing campaign reporting
20 procedures whenever practical.

21 (b) Timely Access to Reports. – The Board shall ensure prompt public access to the
22 reports received in accordance with this Article. The Board may utilize electronic means of
23 reporting and storing information.

24 **§ 163-278.157. Civil penalty.**

25 In addition to any other penalties that may be applicable, any individual, political committee,
26 or other entity that violates any provision of this Article is subject to a civil penalty of up to ten
27 thousand dollars (\$10,000) per violation or three times the amount of any financial transactions
28 involved in the violation, whichever is greater. In addition to any fine, for good cause shown, a
29 candidate found in violation of this Article may be required to return to the Fund all amounts
30 distributed to the candidate from the Fund. If the Board makes a determination that a violation
31 of this Article has occurred, the Board shall calculate and assess the amount of the civil penalty
32 and shall notify the entity that is assessed the civil penalty of the amount that has been assessed.
33 The Board shall then proceed in the manner prescribed in G.S. 163-278.34. In determining
34 whether or not a candidate is in violation of this Article, the Board may consider as a mitigating
35 factor any circumstances out of the candidate's control.'

36 **SECTION 26.5. (jjj) G.S. 84-34 reads as rewritten:**

37 **§ 84-34. Membership fees and list of members.**

38 Every active member of the North Carolina State Bar shall, prior to the first day of July of
39 each year, pay to the secretary-treasurer an annual membership fee in an amount determined by
40 the Council but not to exceed three hundred dollars (\$300.00), and every plus a surcharge of sixty
41 dollars (\$60.00) for the implementation of Article 22I of Chapter 163 of the General Statutes. A
42 member shall be provided the option to designate that the surcharge required by this section be
43 used in its entirety for the Judicial Voter Guide described in G.S. 163-278.158. Each member

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 50 of 54

1 shall notify the secretary-treasurer of the member's correct mailing address. Any member who
2 fails to pay the required dues by the last day of June of each year shall be subject to a late fee in
3 an amount determined by the Council but not to exceed thirty dollars (\$30.00). All dues for prior
4 years shall be as were set forth in the General Statutes then in effect. The membership fee shall
5 be regarded as a service charge for the maintenance of the several services authorized by this
6 Article, and shall be in addition to all fees required in connection with admissions to practice,
7 and in addition to all license taxes required by law. The fee shall not be prorated: Provided, that
8 no fee shall be required of an attorney licensed after this Article shall have gone into effect until
9 the first day of January of the calendar year following that in which the attorney was licensed;
10 but this proviso shall not apply to attorneys from other states admitted on certificate. The fees
11 shall be disbursed by the secretary-treasurer on the order of the Council. The sixty dollar (\$60.00)
12 surcharge shall be sent on a monthly schedule to the State Board of Elections. The
13 secretary-treasurer shall annually, at a time and in a law magazine or daily newspaper to be
14 prescribed by the Council, publish an account of the financial transactions of the Council in a
15 form to be prescribed by it. The secretary-treasurer shall compile and keep currently correct from
16 the names and mailing addresses forwarded to the secretary-treasurer and from any other
17 available sources of information a list of members of the North Carolina State Bar and furnish to
18 the clerk of the superior court in each county, not later than the first day of October in each year,
19 a list showing the name and address of each attorney for that county who has not complied with
20 the provisions of this Article. The name of each of the active members who are in arrears in the
21 payment of membership fees shall be furnished to the presiding judge at the next term of the
22 superior court after the first day of October of each year, by the clerk of the superior court of
23 each county wherein the member or members reside, and the court shall thereupon take action
24 that is necessary and proper. The names and addresses of attorneys so certified shall be kept
25 available to the public. The Secretary of Revenue is hereby directed to supply the
26 secretary-treasurer, from records of license tax payments, with any information for which the
27 secretary-treasurer may call in order to enable the secretary-treasurer to comply with this
28 requirement.

29 The list submitted to several clerks of the superior court shall also be submitted to the Council
30 at its October meeting of each year and it shall take the action thereon that is necessary and
31 proper."

32 **SECTION 14.4.** Part 2 of Article 4 of Chapter 105 of the General Statutes is amended
33 by adding a new section to read:

34 **§ 105-159.3. Designation of tax to North Carolina Public Campaign Fund.**

35 (a) Allocation to the North Carolina Public Campaign Fund. – To ensure the financial
36 viability of the North Carolina Public Campaign Fund established in Article 22I of Chapter 163
37 of the General Statutes, the Department must allocate to that Fund three dollars (\$3.00) from the
38 income taxes paid each year by each individual with an income tax liability of at least that
39 amount, if the individual agrees. A taxpayer must be given the opportunity to indicate an
40 agreement to that allocation in the manner described in subsection (b) of this section. In the case
41 of a married couple filing a joint return, each individual must have the option of agreeing to the
42 allocation. The amounts allocated under this subsection to the Fund must be credited to it on a
43 quarterly basis.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 51 of 54

1 **(b) Returns.** – Individual income tax returns must give an individual an opportunity to
2 agree to the allocation of three dollars (\$3.00) of the individual's tax liability to the North Carolina
3 Public Campaign Fund. The Department must make it clear to the taxpayer that the dollars will
4 support a nonpartisan court system, that the dollars will go to the Fund if the taxpayer marks an
5 agreement, and that allocation of the dollars neither increases nor decreases the individual's tax
6 liability. The following statement satisfies the intent of this requirement: "Three dollars (\$3.00)
7 will go to the North Carolina Public Campaign Fund to support a nonpartisan court system, if
8 you agree. Your tax remains the same whether or not you agree." The Department must consult
9 with the State Board of Elections to ensure that the information given to taxpayers complies with
10 the intent of this section.

11 The Department must inform the entities it approves to reproduce the return of the
12 requirements of this section and that a return may not reflect an agreement or objection unless
13 the individual completing the return decided to agree or object after being presented with the
14 information required by subsection (c) of this section. No software package used in preparing
15 North Carolina income tax returns may default to an agreement or objection. A paid preparer of
16 tax returns may not mark an agreement or objection for a taxpayer without the taxpayer's consent.

17 **(c) Instructions.** – The instructions for individual income tax returns must include the
18 following explanatory statement: "The North Carolina Public Campaign Fund provides campaign
19 money to nonpartisan candidates for the North Carolina Supreme Court and Court of Appeals
20 who voluntarily accept strict campaign spending and fundraising limits. The Fund also helps
21 finance educational materials about voter registration, the role of the appellate courts, and the
22 candidates seeking election as appellate judges in North Carolina. Three dollars (\$3.00) from the
23 taxes you pay will go to the Fund if you mark an agreement. Regardless of what choice you make,
24 your tax will not increase, nor will any refund you are entitled to be reduced.'

25 **SECTION 26.5.(kkk)** G.S. 163-278.5 reads as rewritten:

26 '**§ 163-278.5. Scope of Article; severability.**

27 ...

28 This section applies to Articles ~~and 22I and 22M~~ of the General Statutes to the same extent
29 that it applies to this Article.'

30 **SECTION 26.5. (III)** G.S. 163-278.23 reads as rewritten:

31 '**§ 163-278.23. Duties of Executive Director of State Board.**

32 ...

33 This section applies to Articles ~~and 22I and 22M of the General Statutes~~ this Chapter to the
34 same extent that it applies to this Article.'

35 **SECTION 26.5. (mmm)** G.S. 163-278.99E reads as rewritten:

36 '**§ 163-278.99E. Voter education.**

37 Relationship to the Judicial Voter Guide. – The State Board may publish the Voter Guide in
38 conjunction with the Judicial Voter Guide described in ~~G.S. 163-278.69~~ G.S. 163-278.158.'

39 **SECTION 26.5.(nnn)** Section 38.1(a) of S.L. 2013-381 reads as rewritten:

40 '**SECTION 38.1.(a)** Article 22D of Chapter 163 of the General Statutes is ~~repealed, except~~
41 ~~that G.S. 163-278.69 is repealed effective upon exhaustion of the funds for publication of the~~
42 ~~Judicial Voter Guide, repealed.~~'

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 52 of 54

1 **SECTION 26.5.(ooo)** Sections 21.1(i), 21.1(j), and 21.1(l) of S.L. 2013-360 and
2 Sections 38.1(l), 38.1(m), and 38.1(o) of S.L. 2013-381 are repealed.

3 **SECTION 26.5.(ppp)** Section 26.5(hhh), Section 26.5(iii), and Section 126.5(III)
4 through Section 26.5(ppp) of this Part are effective when this Part becomes law, provided that
5 distributions from the Fund shall begin in the 2024 election year. G.S. 163-278.152(b)(5), as
6 enacted by Section 26.5(iii) of this Part, and Section 26.5. (jjj) of this Part become effective
7 January 1, 2024, and apply to the membership fees due for 2024. Section 26.5.(kkk) of this Part
8 is effective for taxable years beginning on or after January 1, 2024. The remainder of this Part is
9 effective when it becomes law.

10
11 **PART XV. CERTAIN INDIVIDUALS' VOTING RIGHTS RESTORED**

12 **SECTION 26.5.(qqq)** G.S. 13-1 reads as rewritten:

13 **'§ 13-1. Restoration of citizenship.**

14 Any person convicted of a crime, whereby the rights of citizenship are forfeited, shall have
15 such rights automatically restored upon the occurrence of any one of the following conditions:

16 (1) ~~The unconditional discharge of an inmate, of a probationer, or of a parolee by~~
17 ~~the agency of the State having jurisdiction of that person or of a defendant~~
18 ~~under a suspended sentence by the court.~~ release from active punishment to a
19 period of post-release supervision or parole of a person whose sentence was
20 not suspended by the court.

21 (1a) Upon the suspension of an active sentence resulting in the imposition of an
22 intermediate or community punishment.

23 '

24 **SECTION 26.5.(rrr)** G.S. 13-2(a) reads as rewritten:

25 '(a) The agency, department, or court having jurisdiction over the ~~inmate, probationer,~~
26 ~~parolee or defendant person~~ at the time ~~his~~ the person's rights of citizenship are restored under
27 the provisions of G.S. 13-1(1) or (1a) shall immediately issue a certificate or order in duplicate
28 evidencing the ~~offender's unconditional~~ person's discharge and specifying the restoration of ~~his~~
29 the person's rights of citizenship.

30 The original of such certificate or order shall be promptly transmitted to the clerk of the
31 General Court of Justice in the county where the official record of the case from which the
32 conviction arose is filed. The clerk shall then file the certificate or order without charge with the
33 official record of the case.'

34 **SECTION 26.5. (sss)** G.S. 163-82.14(c) reads as rewritten:

35 '(c) Conviction of a Felony. –

36 (1) Report of Conviction Within the State. – The State Board of Elections, on or
37 before the fifteenth day of every month, shall report to the county board of
38 elections of that county the name, county of residence, and residence address
39 if available, of each individual against whom a final judgment of conviction
40 of a felony has been entered in that county in the preceding calendar
41 ~~month.~~ month and whose rights have been forfeited and not yet restored under
42 G.S. 13-1.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 53 of 54

- 1 (2) Report of Federal Conviction. – The Executive Director of the State Board of
2 Elections, upon receipt of a notice of conviction sent by a United States
3 Attorney pursuant to section 8(g) of the National Voter Registration Act, shall
4 notify the appropriate county boards of elections of ~~the conviction~~any
5 conviction for which citizen rights have been forfeited and not yet restored
6 under G.S. 13-1.
- 7 (3) County Board's Duty Upon Receiving Report of Conviction. – When a county
8 board of elections receives a notice pursuant to subdivision (1) or (2) of this
9 subsection relating to a resident of that county and that person is registered to
10 vote in that county, the board shall, after giving 30 days' written notice to the
11 voter at his registration address, and if the voter makes no objection, remove
12 the person's name from its registration records. If the voter notifies the county
13 board of elections of his objection to the removal within 30 days of the notice,
14 the chairman of the board of elections shall enter a challenge under
15 G.S. 163-85(c)(5), and the notice the county board received pursuant to this
16 subsection shall be prima facie evidence for the preliminary hearing that the
17 registrant was convicted of a ~~felony~~felony and the registrant's citizenship
18 rights have not been restored.'

19
20 **PART XVI. PENALTIES FOR VIOLATIONS OF THIS SECTION**

21 **SECTION 26.5.(ttt)** It is unlawful to try to evade the reporting and disclosure
22 requirements of Parts X through XIII of this Section by structuring, or attempting to structure,
23 any solicitation, contribution, donation, expenditure, disbursement, or other transaction. The
24 penalty for any violation of these Parts of this Section shall be not less than the amount
25 contributed or undisclosed or greater than double that amount contributed or undisclosed.

26
27 **PART XVII. SEVERABILITY**

28 **SECTION 26.5.(uuu)** If any provision of this Section or its application is held
29 invalid, the invalidity does not affect other provisions or applications of this Section that can be
30 given effect without the invalid provisions or application and, to this end, the provisions of this
31 Section are severable.

32
33 **PART XVIII. EFFECTIVE DATE**

34 **SECTION 26.5.(vvv)** Except as otherwise provided, this Section is effective when
35 it becomes law."
36
37
38
39

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

FAILED

AMENDMENT NO. A29
(to be filled in by
Principal Clerk)

H259-ALM-6 [v.4]

Page 54 of 54

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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