

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 749

AMENDMENT NO. A10
(to be filled in by
Principal Clerk)

S749-AST-165 [v.1]

Page 1 of 2

Amends Title [NO]
Fourth Edition

Date _____, 2023

Representative Harrison

1 moves to amend the bill on page 12, lines 10-16, by rewriting those lines to read:

2
3
4 "SECTION 5.3.(a) G.S. 163-182.5 is amended by adding a new subsection to read:
5 "(d) Authentication. – The authentication of election results shall occur at the conclusion
6 of the canvass in accordance with G.S. 163-182.6."

7 SECTION 5.3.(b) G.S. 163-182.6 reads as rewritten:
8 "§ 163-182.6. Abstracts.

9 (a) Abstracts to Be Prepared by County Board of Elections. – As soon as the county
10 canvass has been completed, the county board of elections shall prepare abstracts of all the ballot
11 items in a form prescribed by the State ~~Board of Elections.~~ Board. The abstract shall be completed
12 for each ballot item in the county unless there is a pending protest under G.S. 163-182.10
13 concerning the manner in which votes were counted or results tabulated. At the conclusion of the
14 protest, the county board shall supplement the abstract for the ballot item or ballot items subject
15 to the protest. The county board shall prepare those abstracts in triplicate originals. The county
16 board shall retain one of the triplicate originals, and shall distribute one each to the clerk of
17 superior court for the county and the State ~~Board of Elections.~~ Board. The State Highway Patrol
18 may, upon request of the State Board of Elections, be responsible for the delivery of the abstracts
19 from each county to the State Board of Elections. The State Board ~~of Elections~~ shall forward the
20 original abstract it receives to the Secretary of State.

21 (b) Composite Abstracts to Be Prepared by the State ~~Board of Elections.~~ Board. – As
22 soon as the State canvass has been completed, the State Board shall prepare composite abstracts
23 of all those ballot items. The composite abstract shall be completed for each ballot item in the
24 State unless there is a pending protest under G.S. 163-182.10 concerning the manner in which
25 votes were counted or results tabulated. At the conclusion of the protest, the State Board shall
26 supplement the abstract for the ballot item or ballot items subject to the protest. It shall prepare
27 those composite abstracts in duplicate originals. It shall retain one of the originals and shall send
28 the other original to the Secretary of State.

29"

30 SECTION 5.3.(c) G.S. 163-182.10 is amended by adding a new subsection to read:
31 "(f) Abstracts and Certificate of Election in Case of Protest. – If the county board of
32 elections determines that there is substantial evidence of a violation of election law or other



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1 irregularity or misconduct exists that affects a sufficient number of votes to change the outcome
2 of the election in accordance with this section, no certificate of election shall be issued under
3 G.S. 163-182.15 until the protest is resolved. Upon resolution of the protest, the county board of
4 elections shall issue the certificate of election in accordance with G.S. 163-182.15."

5 **SECTION 5.3.(d)** G.S. 163-182.15(c) reads as rewritten:

6 "(c) Copy ~~to~~ for Secretary of State. – ~~The State Board of Elections shall provide to the~~
7 ~~Secretary of State a copy of each certificate of nomination or election, or certificate of the results~~
8 ~~of a referendum, issued by it.~~ The Secretary of State shall keep a copy of each certificate of
9 nomination or election, or each certificate of results of a referendum, issued by the State Board.
10 The Secretary of State shall keep the certificates in a form readily accessible and useful to the
11 public."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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