

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

**SESSION LAW 2001-169  
SENATE BILL 716**

AN ACT TO GIVE PRECINCT ELECTION OFFICIALS (CHIEF JUDGES, JUDGES,  
AND ASSISTANTS) THE SAME PROTECTION FROM DISCHARGE AS  
JURORS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 5 of Chapter 163 of the General Statutes is amended by adding a new section to read:

**"§ 163-41.2. Discharge of precinct official unlawful.**

(a) No employer may discharge or demote any employee because the employee has been appointed as a precinct official and is serving as a precinct official on election day or canvass day.

(b) An employee discharged or demoted in violation of this section shall be entitled to be reinstated to that employee's former position. The burden of proof shall be upon the employee.

(c) The statute of limitations for actions under this section shall be one year pursuant to G.S. 1-54.

(d) This section does not apply unless the employee provides the employer with not less than 30 days written notice, before the date the leave is to begin, of the employee's intention to take leave to serve as a precinct official.

(e) As used in this section, 'precinct official' has the same meaning as in G.S. 163-41(a)."

**SECTION 2.** This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 28<sup>th</sup> day of May, 2001.

s/ Beverly E. Perdue  
President of the Senate

s/ Joe Hackney  
Speaker Pro Tempore of the House of Representatives

s/ Michael F. Easley  
Governor

Approved 8:59 a.m. this 7<sup>th</sup> day of June, 2001