

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 665

Short Title: Assistance to Voters. (Public)

Sponsors: Representatives Allen, Womble (Primary Sponsors); Earle, Lucas, and Tarleton.

Referred to: Election Law and Campaign Finance Reform, if favorable, Judiciary II.

March 19, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO EXPAND ASSISTANCE TO VOTERS.

3 The General Assembly of North Carolina enacts:

4 SECTION 1. G.S. 163-166.8 reads as rewritten:

5 "§ 163-166.8. Assistance to voters.

6 (a) Any registered voter qualified to vote in the election shall be entitled to assistance  
7 with entering and exiting the voting booth and in preparing ballots ~~in accordance with the~~  
8 ~~following rules:~~

9 (1) ~~Any voter is entitled to assistance from the voter's spouse, brother, sister,~~  
10 ~~parent, grandparent, child, grandchild, mother-in-law, father-in-law,~~  
11 ~~daughter-in-law, son-in-law, stepparent, or stepchild, as chosen by the voter.~~

12 (2) ~~A voter in any of the following four categories is entitled to assistance from~~  
13 ~~a person of the voter's choice, other than the voter's employer or agent of that~~  
14 ~~employer or an officer or agent of the voter's union:~~

15 a. ~~A voter who, on account of physical disability, is unable to enter the~~  
16 ~~voting booth without assistance.~~

17 b. ~~A voter who, on account of physical disability, is unable to mark a~~  
18 ~~ballot without assistance.~~

19 e. ~~A voter who, on account of illiteracy, is unable to mark a ballot~~  
20 ~~without assistance.~~

21 d. ~~A voter who, on account of blindness, is unable to enter the voting~~  
22 ~~booth or mark a ballot without assistance.~~union.

23 (b) A qualified voter seeking assistance in an election shall, upon arriving at the voting  
24 place, request permission from the chief judge to have assistance, stating the reasons. If the  
25 chief judge determines that such assistance is appropriate, the chief judge shall ask the voter to  
26 point out and identify the person the voter desires to provide such assistance. If the identified  
27 person meets the criteria in subsection (a) of this section, the chief judge shall request the  
28 person indicated to render the assistance. The chief judge, one of the judges, or one of the  
29 assistants may provide aid to the voter if so requested, if the election official is not prohibited  
30 by ~~subdivision (a) (2)~~ subsection (a) of this section. Under no circumstances shall any precinct  
31 official be assigned to assist a voter qualified for assistance, who was not specified by the voter.

32 (c) A person rendering assistance to a voter in an election shall be admitted to the  
33 voting booth with the voter being assisted. The State Board of Elections shall promulgate rules  
34 governing voter assistance, and those rules shall adhere to the following guidelines:

35 (1) The person rendering assistance shall not in any manner seek to persuade or  
36 induce any voter to cast any vote in any particular way.



- 1           (2)    The person rendering assistance shall not make or keep any memorandum of  
2                    anything which occurs within the voting booth.
- 3           (3)    The person rendering assistance shall not, directly or indirectly, reveal to any  
4                    person how the assisted voter marked ballots, unless the person rendering  
5                    assistance is called upon to testify in a judicial proceeding for a violation of  
6                    the election laws."

7           **SECTION 2.** This act is effective when it becomes law. It applies to any primary  
8 or election for which the final day of voting is after the day this act becomes law. If the early  
9 voting period for a primary or election falls in whole or in part before or on the day this act  
10 becomes law, but the final day of voting for the primary or election occurs after the day this act  
11 becomes law, the assistance available to the voter during early voting shall be the same as that  
12 available to the voter on the final day of voting.