

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H.B. 369  
Mar 14, 2019  
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40157-LU-90

Short Title: Election Observer Bill of Rights.

(Public)

Sponsors: Representative Speciale.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH A BILL OF RIGHTS FOR ELECTION OBSERVERS.  
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 163A-821(c) reads as rewritten:

5 "(c) An observer shall do no electioneering at the voting place, and shall in no manner  
6 impede the voting process or interfere or communicate with or observe any voter in casting a  
7 ballot, but, subject to these ~~restrictions~~, specified rights, the chief judge and judges of elections  
8 shall permit the observer to make such observation and take such notes as the observer may  
9 desire. Election observers shall have the explicit right to:

- 10 (1) Begin observation duties from the time the judge enters the polling location  
11 until all ballot containers are officially sealed and the voting enclosure is  
12 secured for the day.  
13 (2) Hear the name and address of each voter when the voter first announces the  
14 voter's name at the initial check-in table and ask any election official to repeat  
15 the name or address of the voter if the observer was unable to hear the voter's  
16 name or address when it was initially announced.  
17 (3) Observe curbside voting and hear the name or address of the voter as it is  
18 announced and to ask any election official to repeat the name or address of the  
19 voter if the observer is unable to hear the voter's name or address when  
20 initially announced.  
21 (4) Traverse freely between the curbside voting area and the voting enclosure  
22 throughout the curbside voting process.  
23 (5) Observe curbside voting at such a distance as to enable the observer to hear  
24 any instruction or verbal communication between the election assistant and  
25 the curbside voter. However, the election observer shall not stand within five  
26 feet of the curbside voter's vehicle.  
27 (6) Keep in view any and all ballot boxes until after the ballot boxes are sealed at  
28 the end of the day.  
29 (7) Only be expelled by a chief judge for cause, in writing. The written notice of  
30 expulsion shall be signed by the chief judge and at least one other judge  
31 assigned to that precinct before the expulsion notice may be lawfully served  
32 on the observer."

33 **SECTION 2.** This act is effective when it becomes law and applies to observations  
34 for elections held on or after that date.

