

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 748

Short Title: Electioneering at Early Voting Sites. (Local)

Sponsors: Representatives Ross, Stam, Weiss, Dollar (Primary Sponsors); Adams, M. Alexander, Blue, Glazier, Harrell, Harrison, Jackson, Mackey, Martin, Parmon, Pierce, and Rapp.

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

March 24, 2009

A BILL TO BE ENTITLED

AN ACT TO FORBID COUNTY BOARDS OF ELECTIONS FROM DESIGNATING EARLY VOTING SITES IN NONPUBLIC BUILDINGS THAT DO NOT ALLOW ELECTIONEERING, EXCEPT THAT ELECTIONEERING MAY BE RESTRICTED TO ONE OR MORE LOCATIONS ON THE PROPERTY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 163-166.4(b) reads as rewritten:

"(b) Special Agreements About Election-Related Activity. – The Executive Director of the State Board of Elections may grant special permission for a county board of elections to enter into an agreement with the owners or managers of a nonpublic building to use the building as a voting place on the condition that election-related activity as described in subsection (a) of this section not be permitted on their property adjacent to the buffer zone, if the Executive Director finds all of the following:

- (1) That no other suitable voting place can be secured for the precinct.
- (2) That the county board will require the chief judge of the precinct to monitor the grounds around the voting place to ensure that the restriction on election-related activity shall apply to all candidates and parties equally.
- (3) That the pattern of voting places subject to agreements under this subsection does not disproportionately favor any party, racial or ethnic group, or candidate.

An agreement under this subsection shall be valid for as long as the nonpublic building is used as a voting place. This subsection does not apply to nonpublic buildings used as one-stop early voting sites under G.S. 163-227.2(g), except that an agreement may be reached as to such sites under this subsection that limits election-related activity to one or more locations on the property that are adjacent to the buffer zone."

**SECTION 2.** This act is effective with respect to elections occurring on or after September 1, 2009.

