

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 24
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10012-TC-2

Short Title: Ensure Student Safety at School Voting Sites. (Public)

Sponsors: Representatives Lambeth and Zachary (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ENSURE STUDENT SAFETY WHEN SCHOOLS ARE USED AS VOTING
3 SITES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-47 is amended by adding a new subdivision to read:

6 "(64) To Authorize Use of a School as a Voting Place with Safety Plans. – Upon
7 request from the local board of elections, a local board of education may, but
8 is not required to, consent to the use of a school as a voting place. If the local
9 board of education consents to the request, the local board of education shall
10 develop a safety plan that the local board of elections shall follow to ensure
11 the security of students at the school while the building is being used as a
12 voting place."

13 **SECTION 2.** G.S. 163A-1046(a) reads as rewritten:

14 "(a) At the voting place in each precinct established under the provisions of
15 G.S. 163A-1045, the county board of elections shall provide or procure by lease or otherwise a
16 suitable structure or part of a structure in which registration and voting may be conducted. To
17 this end, the county board of elections shall be entitled to demand and use any ~~school or other~~
18 State, county, or municipal ~~building~~ building other than a school titled to a local board of
19 education, or a part thereof, or any other building, or a part thereof, which is supported or
20 maintained, in whole or in part by or through tax revenues provided, however, that this section
21 shall not be construed to permit any board of elections to demand and use any tax exempt church
22 property for such purposes without the express consent of the individual church involved, for the
23 purpose of conducting registration and voting for any primary or election, and it may require that
24 the requisitioned premises, or a part thereof, be vacated for these purposes. The board of elections
25 may submit a request to a local board of education for the use of a school, but may not use the
26 property without the consent of the local board of education and compliance with the required
27 safety plan, as provided in G.S. 115C-47(64)."

28 **SECTION 3.** G.S. 163A-1303(b) reads as rewritten:

29 "(b) The State Board shall not approve, either in a Plan approved unanimously by a county
30 board of elections or in an alternative Plan proposed by a member or members of that board, a
31 one-stop site in a building that the county board of elections is not entitled under G.S. 163A-1046
32 to demand and use as an election-day voting place, unless the State Board finds that other equally
33 suitable sites were not available and that the use of the sites chosen will not unfairly advantage
34 or disadvantage geographic, demographic, or partisan interests of that county. In providing the
35 site or sites for one-stop absentee voting under G.S. 163A-1300, 163A-1302, this section, and
36 G.S. 163A-1304, the county board of elections shall make a request to the State, county, city,



1 local school board, or other entity in control of the building that is supported or maintained, in
2 whole or in part, by or through tax revenues at least 90 days prior to the start of one-stop absentee
3 voting under these sections. The request shall clearly identify the building, or any specific portion
4 thereof, requested the dates and times for which that building or specific portion thereof is
5 requested and the requirement of an area for election related activity. If the State, local governing
6 board, or other entity in control of the building does not respond to the request within 20 days,
7 the building or specific portion thereof may be used for one-stop absentee voting as stated in the
8 request. If the State, local governing board, or other entity in control of the building or specific
9 portion thereof responds negatively to the request within 20 days, that entity and the county board
10 of elections shall, in good faith, work to identify a building or specific portion thereof in which
11 to conduct one-stop absentee voting under G.S. 163A-1300, 163A-1302, this section, and
12 G.S. 163A-1304. If the building is a school titled to a local board of education, the property may
13 not be used without the consent of the local board of education and compliance with the required
14 safety plan, as provided in G.S. 115C-47(64). If no building or specific portion thereof has been
15 agreed upon within 45 days from the date the county board of elections received a response to
16 the request, the matter shall be resolved by the State Board."

17 **SECTION 4.** This act becomes effective July 1, 2019, and applies to all elections
18 conducted on or after that date.