

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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HOUSE BILL 613

Short Title: Access to Voted Ballots. (Public)

Sponsors: Representatives Cleveland, Ward, Clampitt, and Kidwell (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Election Law and Campaign Finance Reform, if favorable, Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

April 17, 2023

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY ACCESS TO VOTED BALLOTS.

3 The General Assembly of North Carolina enacts:

4 SECTION 1. G.S. 163-165.1 reads as rewritten:

5 "§ 163-165.1. Scope and general rules.

6 (a) Scope. – This Article shall apply to all elections in this State.

7 (b) Requirements of Official Ballots in Voting. – In any election conducted under this  
8 ~~Article:~~ Article, both of the following shall apply:

9 (1) All voting shall be by official ballot.

10 (2) Only votes cast on an official ballot shall be counted.

11 (c) Compliance With This Article. – All official ballots shall comply with the provisions  
12 of this Article.

13 (d) Other Uses Prohibited. – An official ballot shall not be used for any purpose not  
14 authorized by this Article.

15 (e) Access to Voted Ballots. – ~~Voted ballots-ballots, and any paper and electronic records~~  
16 ~~of individual-associated with those voted ballots-ballots, shall be treated as confidential, and no~~  
17 ~~person other than elections officials performing their duties may have access to voted ballots-or~~  
18 ~~paper-or electronic records-of individual voted ballots-those documents except by-as follows:~~

19 (1) By court order-or order.

20 (2) By order of the appropriate board of elections as part of the resolution of an  
21 election protest or investigation of an alleged election irregularity or violation.

22 (3) By response to a public records request for all voted ballots of a precinct, ward,  
23 or other election district. Voted ballots-ballots, and any paper and electronic  
24 records of individual-associated with those voted ballots-ballots, shall not be  
25 dislosed to members of the public in such a way as to disclose how a  
26 particular voter voted, unless a court orders otherwise. voted and shall be  
27 redacted of all information identifying an individual voter.

28 (f) Violation. – Any person who has access to ~~an official voted ballot-or record-a voted~~  
29 ballot, and any paper and electronic records associated with that voted ballot, and knowingly  
30 discloses in violation of subsection (e) of this section how an individual has voted that ballot-is  
31 guilty of a Class 1 misdemeanor."

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

