

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 655  
Committee Substitute Favorable 4/30/91  
Senate Election Laws Committee Substitute Adopted 6/12/91

Short Title: Election Amendments.

(Public)

Sponsors:

Referred to:

April 10, 1991

A BILL TO BE ENTITLED

AN ACT CONCERNING ACCESS TO AND PERMISSIBLE USE OF VOTER  
REGISTRATION INFORMATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-66 reads as rewritten:

**"§ 163-66. Custody of registration records and pollbooks; access; obtaining copies.**

(a) In all counties the registration records, books, registration certificates, indexes, computer lists, discs, labels and tapes and other records of registration and voting shall be and remain in the possession of the county board of elections. The county board of elections shall keep all such records in a safe and secure place where they may not be tampered with, stolen or destroyed. If possible, the board shall keep them in a fireproof vault or file. The board may exercise supervision and control of these records through its properly designated officers and employees. Registration records shall be open to the public for inspection during normal business hours while they are in the custody of the county board of elections, but no list of registered voters may be provided to any person or entity other than those listed in this section. It shall be the duty of the county board of elections, on application of any candidate, or the county chairman of any political party, or any ~~other person~~ political committee as defined in G.S. 163-278.6(14), governmental agency or unit of local government, nonprofit organization, or news media organization, to furnish a list of the persons registered to vote in the county or in any precinct or precincts therein. No registrar shall furnish lists of registered voters or permit the registration records of his precinct to be copied. The

1 county board of elections shall furnish such lists and upon request, it may furnish  
 2 selective lists according to party affiliation, sex, race, date of registration, or any other  
 3 reasonable category. In all instances, however, the county board of elections shall  
 4 require persons to whom any list is furnished to make full reimbursement for the  
 5 expense incurred in preparing it. Notwithstanding the above, however, the chairman of  
 6 each political party in the county, as defined in G.S. 163-96, shall be entitled biennially,  
 7 upon written request, to one free list (or at the chairman's option, if available, one free  
 8 computer disc or tape including necessary documentation for use) of all registered  
 9 voters in his county showing the name, address, sex, political affiliation, date of birth,  
 10 voting history, telephone number if any, and precinct of each registered voter, provided,  
 11 that in counties having voter records maintained on electronic data processing  
 12 equipment, such lists shall not be furnished biennially but instead on the following  
 13 schedule: once in each odd-numbered year, once during the first six calendar months of  
 14 each even-numbered year, and once during the last six months of each even-numbered  
 15 year. In addition to the typed, mimeographed, xeroxed or computer print-out lists  
 16 required hereinabove, each county that provides voters' lists from computers shall, upon  
 17 written request from the State chairman of each political party, provide once in each  
 18 odd-numbered year, once during the first six calendar months of each even-numbered  
 19 year, and once during the last six months of each even-numbered year a computer disc  
 20 or tape containing the name, address, sex, race, age, political affiliation and precinct of  
 21 each registered voter and it shall be the responsibility of each State chairman receiving  
 22 such discs or tapes to provide them to candidates for election who are candidates of  
 23 their respective political parties and who request the discs or tapes in writing. The free  
 24 list to be furnished to the county chairman of each political party shall group the  
 25 registered voters by precinct and shall be furnished as soon as practicable but no later  
 26 than 30 days after said request. The discs or tapes to be furnished to the State chairman  
 27 shall be furnished as soon as practicable but no later than 30 days after the request, and  
 28 the State chairman is required to return the tapes or discs to the county board of  
 29 elections within 30 days after receiving them.

30 (b) The voter registration information listed in subsection (a) of this section shall  
 31 not be used for commercial purposes. No person to whom a list of registered voters is  
 32 made available pursuant to this section, and no person who acquires such a list, shall use  
 33 any information contained in the list for purposes which are not related to elections,  
 34 political or governmental activities, voter registration, law enforcement, or jury  
 35 selection.

36 (c) Any person who acquires a voter-registration list from a county board of  
 37 elections shall take and subscribe to an oath which shall be in substantially the  
 38 following form:

39 'I hereby swear or affirm that I am a person authorized by N.C. G.S. 163-66(a) to  
 40 acquire information on registered voters of ... . County, North Carolina; that the  
 41 information acquired will be used only for the purposes prescribed in that section and  
 42 for no other purpose; and that I will not permit the use or copying of such information  
 43 by persons not authorized by G.S. 163-66(a).

44 .....

1 (Signature of person acquiring list)

2 Sworn to and subscribed before me this ... day of ... , ...

3 .....

4 (Signature and title of person administering  
5 oath."

6 Sec. 2. G.S. 163-72(a) reads as rewritten:

7 "(a) Before questioning any applicant for registration as to his qualifications, the  
8 registrar shall present to the applicant a certification which shall be read by or to the  
9 applicant on his request and then signed by the applicant: 'I hereby certify that the  
10 information I shall give with respect to my qualifications and identity is true and correct  
11 to the best of my knowledge.

12 .....

13 (Signature of applicant)'

14 After signing the certification, the applicant shall state as accurately as possible his  
15 name, age, place of birth, place of residence, political party affiliation, if any, under the  
16 provisions of G.S. 163-74, the name of any municipalities in which he resides,  
17 telephone number (at the option of the applicant), and any other information which may  
18 be material to a determination of his identity and qualification to be admitted to  
19 registration. The applicant shall also present to the registrar written or documentary  
20 evidence that he is the person he represents himself to be. The registrar, if in doubt as to  
21 the right of the applicant to register, may require other evidence satisfactory to him as to  
22 the applicant's qualifications."

23 Sec. 3. G.S. 163-275(4) reads as rewritten:

24 "(4) For any person knowingly to swear falsely with respect to any matter  
25 pertaining to any primary or election or to swear falsely to the oath  
26 prescribed in G.S. 163-66(c)."

27 Sec. 4. This act becomes effective September 1, 1991.