

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

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HOUSE BILL 691

Short Title: Voter Protection and Reliance Act. (Public)

Sponsors: Representatives Rubin, Ball, Dahle, and Baker (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Rules, Calendar, and Operations of the House

April 3, 2025

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROTECT THE RIGHT OF A VOTER TO HAVE THE VOTER'S BALLOT  
3 COUNTED AND TO PROMOTE ELECTION TIMELINESS AND INTEGRITY.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Chapter 163 of the General Statutes is amended by adding a new  
6 Article to read:

7 "Article 15B.

8 "Election Litigation Timeliness and Integrity of Cast Votes.

9 **"§ 163-182.50. Title; purpose.**

10 (a) This Article shall be known and may be cited as the "Voter Protection and Reliance  
11 Act."

12 (b) The General Assembly finds that a voter relies on the election procedures that are in  
13 place and established when the voter casts the voter's ballot. Belated changes to voting  
14 procedures, after a voter has relied on those procedures while voting, violate the voter's  
15 good-faith reliance and right to vote. To that end, the purpose of this Article is to ensure  
16 challenges to the rules and practices governing elections are made well in advance of each  
17 election by (i) prohibiting the discounting of ballots cast in compliance with the laws established  
18 and understood at the time of an election and (ii) accelerating litigation filed shortly before a  
19 pending election or after an election is held.

20 **"§ 163-182.51. Right to vote under prevailing law and procedures.**

21 (a) Every citizen of this State has the right to cast a ballot and have their vote counted  
22 based on the laws and established election procedures in place on election day. No law or  
23 interpretation of law that was not effective, or election procedure that was not established, on  
24 election day shall operate to deny or abridge this right.

25 (b) No administrative body, court, or official may exclude a vote from canvass, fail to  
26 certify an election, withhold a certificate of election, or fail to seat a prevailing candidate by  
27 excluding votes based on a law, judicial ruling, or legal interpretation that was not in effect on  
28 election day or an election procedure that was not established by election day.

29 (c) In any civil action filed in a State court, a protest before the State Board or a county  
30 board of elections, or other proceeding, the adjudicator shall deem a law effective and an election  
31 procedure established when either of the following applies:

32 (1) It is a constitutional provision adopted, statute enacted, or regulation codified  
33 before election day and as it was administered in any directive or  
34 administrative memorandum on election day.



1           (2)    It is a directive, administrative memorandum, including a "numbered memo,"  
2               procedure, or established pattern or practice of the State Board or a county  
3               board of elections that was in place on election day.

4           (d)    In applying the provisions of this section, the adjudicator shall construe facts and draw  
5               inferences in favor of finding that the election procedure was established, based on voter reliance  
6               and the availability of legislative or judicial recourse before election day. If election procedures  
7               were allegedly in conflict on election day, the adjudicator shall construe those procedures in favor  
8               of the voter based on an understanding of the procedures as relied on by that voter.

9           (e)    In the event there is a change in election procedure during the absentee or early voting  
10               period or during election day, the adjudicator shall apply the established election procedure in  
11               effect at the time a given ballot was cast, an application was made for a provisional ballot, or an  
12               absentee ballot was submitted by the voter.

13           (f)    Nothing in this section shall be construed to prevent any eligible voter from  
14               challenging the unlawful denial of the voter's right to register to vote, cast a ballot, or have the  
15               voter's ballot counted in any election.

16    **"§ 163-182.52. Expedited procedures for litigation within certain time frame of an election.**

17           (a)    This section applies to (i) any covered action filed within 90 days before the earliest  
18               date absentee ballots may be mailed for an election or (ii) a covered action filed post-election  
19               that seeks to challenge the outcome of an election. For purposes of this section, "covered action"  
20               means any civil action filed in a State court, as well as a protest at the State Board or a county  
21               board of elections level, challenging the general applicability, meaning, interpretation, validity,  
22               or understanding of any established election procedure, as described in G.S. 163-182.51(c).

23           (b)    Jurisdiction. – All covered actions instituted under this section shall be filed in the  
24               Superior Court of Wake County unless the action pertains to an established election procedure  
25               solely of a single county board of elections.

26           (c)    When Three-Judge Panel Applies. – When a single superior court judge determines  
27               that a covered action falls within Rule 42, under the Rules of Civil Procedure, the judge shall  
28               order a transfer under Rule 42 immediately and the Chief Justice shall appoint a three-judge panel  
29               within five days of the Superior Court ordering the transfer.

30           (d)    Expedited Procedures. – Upon filing a covered action under this section, the plaintiff  
31               shall serve the State Board or other appropriate election authority within 24 hours and the court  
32               shall hold an initial scheduling conference within five days of the filing. The court may shorten  
33               normal response deadlines and move the case to the front of its docket. Any appeals shall be  
34               heard on an expedited schedule."

35           **SECTION 2.** G.S. 163-182.9(b) reads as rewritten:

36           (b)    How Protest May Be Filed. – The following principles shall apply to the filing of  
37               election protests with the county board of elections:

38               ...

39           (5)    No protest challenging a voter's registration shall be sustained to invalidate a  
40               cast ballot or prevent a voter from voting where the alleged error in an  
41               accepted registration is a technical or clerical error, such as an incomplete  
42               form, on which the voter detrimentally relied, unless the protester  
43               demonstrates that the voter was in fact ineligible to vote at the time of  
44               registration."

45           **SECTION 3.** This act is effective when it becomes law.