HOUSE BILL DRH10359-LU-90A

Short Title:	Penalty/Election Law Violation/Board Meetings. (Public)
Sponsors:	Representative C. Smith.
Referred to:	

1   A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH A CRIMINAL PENALTY FOR ANY MEMBER OF THE STATE
3   BOARD OF ELECTIONS OR A COUNTY BOARD OF ELECTIONS WHO CASTS
4   CERTAIN VOTES DURING AN OFFICIAL BOARD MEETING IN VIOLATION OF
5   ELECTIONS LAW.
6 The General Assembly of North Carolina enacts:
7   **SECTION 1.** G.S. 163-20 reads as rewritten:
8 "**§ 163-20. Meetings of Board; quorum; ~~minutes.~~minutes; violations by the Board.**
9   …
10   (f)   Violations by Board. – Notwithstanding any other provision of law to the contrary,
11 any member of the State Board of Elections who, during an official meeting of the Board,
12 knowingly casts a vote to do either of the following shall be guilty of a Class H felony:
13   (1)   Sanction or set a rule in any election in the State that violates elections law as
14   enacted by the General Assembly.
15   (2)   Certify any election in the State that was carried out in violation of elections
16   law as enacted by the General Assembly."
17   **SECTION 2.** G.S. 163-31 reads as rewritten:
18 "**§ 163-31. Meetings of county boards of elections; quorum; ~~minutes.~~minutes; violations by**
19   **boards.**
20   …
21   (f)   Violations by Boards. – Notwithstanding any other provision of law to the contrary,
22 any member of a county board of elections who, during an official meeting of the board,
23 knowingly casts a vote to do either of the following shall be guilty of a Class H felony:
24   (1)   Sanction or set a rule in any election in the State that violates elections law as
25   enacted by the General Assembly.
26   (2)   Certify any election in the State that was carried out in violation of elections
27   law as enacted by the General Assembly."
28   **SECTION 3.** This act is effective when it becomes law.

DRH10359-LU-90A