



HOUSE BILL 242: Displaced Precinct Officials/Natural Disaster.

2019-2020 General Assembly

Committee:	House Elections and Ethics Law. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 24, 2019
Introduced by:	Rep. Speciale	Prepared by:	Erika Churchill
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *House Bill 242 would allow precinct officials who failed to attend required instructional meetings prior to a primary or general election due to a declared emergency to be able to work on election day as a precinct official.*

CURRENT LAW:

Instructional Meetings for Elections Officials. – The chairman of the county board of elections, along with the director of elections, are to conduct an instructional meeting prior to each primary and general election. Each member of the county board of elections, each chief judge, and each judge of election, unless excused by the chair of the county board, are to attend the instructional meetings. The precinct election officials are to be paid the sum of \$15.00 for attending the instructional meetings (G.S. 163A-822); a member of the county board of elections is to be paid \$25.00 for attending the instructional meetings (G.S. 163A-766).

Declarations of Emergency. – A state of emergency may be declared by the Governor or by a resolution of the General Assembly, if either of these finds that an emergency exists. G.S. 163A-19.20. Governing bodies of counties and cities are also authorized to declare a state of emergency, if either finds that an emergency exists. G.S. 163A-19.22. For this purpose, an "emergency" means "an occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made accidental, military, paramilitary, terrorism, weather-related, public health, explosion-related, riot-related cause, or technological failure or accident, including, but not limited to, a cyber incident, an explosion, a transportation accident, a radiological accident, or a chemical or other hazardous material incident." G.S. 166A-19.3(6).

The declaration of emergency is to include a definition of the area constituting the emergency area, and remains in effect until it is rescinded or terminated by the authority that issued it. For a declaration of emergency issued by the General Assembly or Governor, the Governor is to issue a disaster declaration declaring the type of disaster that emergency is. The general types are a Type I disaster, Type II disaster, and Type III disaster. G.S. 166A-19.21.

BILL ANALYSIS: The bill would require a that precinct official who resides in a county that has received a disaster declaration pursuant to G.S. 166A-19.21 and was displaced as a result of the disaster be allowed to work on election day, regardless of whether that precinct official attended the required instructional meeting. To be allowed to work on election day, that precinct official would need to have been previously trained and have experience working prior elections, as determined and verified by the county board of elections.

EFFECTIVE DATE: Effective when it becomes law.

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