



HOUSE BILL 502: Voting Machines/Certain Cos.

2019-2020 General Assembly

Committee:	House State and Local Government. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 26, 2019
Introduced by:	Reps. Riddell, Hardister, Iler, Quick	Prepared by:	Erika Churchill and Jessica Sammons, Staff Attorneys
Analysis of:	Second Edition		

OVERVIEW: *House Bill 502 would authorize the use of direct record electronic (DRE) voting systems that do not use paper ballots in elections conducted through December 1, 2021, in Alamance, Brunswick, Burke, Davie, Guilford, and Pamlico Counties.*

CURRENT LAW: Effective December 1, 2019, G.S. 163A-1115(a) requires that only voting systems that have been certified by the State Board that meet certain standards and have not been subsequently decertified may be used in elections. One of the required standards is that the voting system, including direct record electronic voting systems, must generate a paper ballot which provides a backup means of counting the vote that the voter casts. G.S. 163A-1095(1) defines a ballot as "an instrument on which a voter indicates that voter's choice for a ballot item so that it may be recorded as a vote for or against a certain candidate or referendum proposal, and is evidenced by an individual paper document that bears marks made by the voter by hand or through electronic means, whether preprinted or printed in the voting enclosure." DRE voting systems must generate a paper ballot viewable by the voter before the vote is cast electronically, and permit the voter to correct any discrepancy between the electronic vote and the paper ballot before the vote is cast to be certified.

G.S. 163A-1111 prohibits the use of a voting system that does not use or produce a ballot in any referendum, primary, or other election as a means of voting or counting an official ballot.

S.L. 2013-381, Sec. 30.8 and 30.9, as amended by Section 6 of S.L. 2015-103 and Section 3.11 of S.L. 2018-13, provides that any DRE voting systems certified by the State Board of Elections which do not use paper ballots be decertified and not used in any election held on or after December 1, 2019.

BILL ANALYSIS: Notwithstanding laws to the contrary, the bill would allow DRE voting systems that do not use paper ballots to be used in any election conducted prior to December 1, 2021, whether or not the DRE voting system has been certified or decertified by the State Board of Elections.

The bill would apply only to Alamance, Brunswick, Burke, Davie, Guilford, and Pamlico Counties.

EFFECTIVE DATE: Effective when it becomes law.

Kara McCraw substantially contributed to this summary.

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