



HOUSE BILL 851: Delay Decertification/Certain Voting Machines.

2019-2020 General Assembly

Committee:	House Elections and Ethics Law. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	July 10, 2019
Introduced by:	Rep. Howard	Prepared by:	Kara McCraw
Analysis of:	First Edition		Committee Counsel

OVERVIEW: *HB 851 would authorize counties that use direct record electronic (DRE) voting systems that do not use individual paper ballots to continue use of those voting systems in elections conducted through December 1, 2021.*

CURRENT LAW: 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 (DRE) 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) requires that a ballot be "an individual paper document that bears marks made by the voter by hand or through electronic means" and G.S. 163-1112 requires that electronic voting systems must generate a paper ballot viewable by the voter before the vote is cast electronically that permits the voter to correct any discrepancy between the electronic vote and the paper ballot.

S.L. 2013-381, Sec. 30.8, required that DRE voting systems which did not use paper ballots be decertified and not used in elections held on or after January 1, 2018, and S.L. 2013-381, Sec. 30.9 provided that requirements related to paper ballots became effective January 1, 2018. The timeline for decertification and application of paper ballot requirements for counties using DRE voting systems was extended in Section 6 of S.L. 2015-103 to September 1, 2019, and again in Section 3.11 of S.L. 2018-13 to December 1, 2019.

BILL ANALYSIS: HB 851 would delay application of the requirements related to paper ballots in voting systems from December 1, 2019, to December 1, 2021, for counties that use DRE voting machines. The bill would also delay decertification of DRE voting machines that do not use paper ballots from December 1, 2019 to December 1, 2021.

EFFECTIVE DATE: HB 851 would become effective when it becomes law.

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