



HOUSE BILL 1074: Constitutional Amendment/Citizens-Only Voting.

2023-2024 General Assembly

Committee:	House Election Law and Campaign Finance Reform. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	June 5, 2024
Introduced by:	Reps. D. Hall, Moore, Bell, Gillespie	Prepared by:	Jessica Sammons
Analysis of:	First Edition		Committee Counsel

OVERVIEW: *House Bill 1074 provides for the question of an amendment to the North Carolina Constitution to revise the language regarding citizenship and eligibility to vote to be placed on the November 2024 ballot.*

CURRENT LAW: Section 1 of Article VI of the North Carolina Constitution provides as follows:

Section 1. Who may vote.

Every person born in the United States and every person who has been naturalized, 18 years of age, and possessing the qualifications set out in this Article, shall be entitled to vote at any election by the people of the State, except as herein otherwise provided.

Section 2 of Article VI of the North Carolina Constitution also states qualifications to vote as follows:

- Residence period for State elections of 30 days in the precinct of residence prior to an election.
- Disqualification of felons, whether in this State, another state, or under federal law unless that person has first been restored to the rights of citizenship.
- Presenting photo identification for voting in person.

Additionally, G.S. 163-55 statutorily sets forth qualifications to vote, providing, in part, the following: "Every person born in the United States, and every person who has been naturalized, and who shall have resided in the State of North Carolina and in the precinct in which the person offers to vote for 30 days next preceding an election, shall, if otherwise qualified as prescribed in this Chapter, be qualified to vote in the precinct in which the person resides."

G.S. 163-55 also provides that each qualified voter must meet all of the following qualifications:

- Be registered to vote.
- Be a resident of the county, and prior to voting in an election, have resided at his or her residential address for at least 30 days prior to the date of the election.
- Be one of the following:
 - At least 18 years old, or will be at the time of the next general election.
 - At least 16 years old and understand that he or she must be at least 18 years old on Election Day of the general election in order to vote.
- Rescind any previous voter registration in another jurisdiction.

Individuals who have been adjudged guilty of a felony against this State, any other state, or the United States are not qualified to vote unless citizenship rights have been restored. G.S. 163-55.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578

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BILL ANALYSIS: The bill would reword the language in Section 1 of Article VI of the North Carolina Constitution to specify that only a citizen of the United States is eligible to vote provided that the person meets all other qualifications for voting, as opposed to the current language stating that every natural-born citizen and every naturalized citizen is eligible to vote, provided that the person meets all other qualifications for voting.

The bill would direct the proposed constitutional amendment be submitted to the voters of the State at the general election in November 2024. If a majority of the votes cast are in favor of the proposed amendment, the act would direct the State Board of Elections to certify the amendment and the Secretary of State to enroll the amendment.

EFFECTIVE DATE: If approved by the voters in the November 2024 election, the amendment to the North Carolina Constitution would become effective upon certification.

BACKGROUND: According to the U.S. Citizenship and Immigration Services website, voting is a reason to consider naturalization as only U.S. citizens may vote in federal elections.