



# HOUSE BILL 85: Removal of Precinct Officials.

2025-2026 General Assembly

<b>Committee:</b>	House Election Law. If favorable, re-refer to Judiciary 1. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	April 8, 2025
<b>Introduced by:</b>	Reps. Kidwell, Moss, Ward, Wheatley	<b>Prepared by:</b>	Hillary Woodard and Erika Churchill
<b>Analysis of:</b>	PCS to First Edition H85-CSCHe-7		Committee Co-Counsel

## **OVERVIEW:** *The PCS for House Bill 85 would do the following:*

- *Clarify that precinct officials may be removed from office, including on the day of the election, for failing to discharge the duties of the office.*
- *Provide that precinct officials may be prohibited from serving as precinct officials in subsequent elections if removed from office.*
- *Establish a minimum number of emergency election-day assistants required for each county.*
- *Specify the training requirements for precinct officials.*

**CURRENT LAW:** Precinct officials include the chief judge, judges of election, and assistants appointed to serve in an election. To be eligible to serve as a precinct official, a person must be a registered voter and a resident of the county where the precinct is located. Precinct officials cannot be a candidate in the election, hold an elective office, hold office with a political party, or be a manager or treasurer for a candidate or political party. Precinct officials must also comply with training requirements in accordance with the rules established by the State Board of Elections (State Board).

Precinct officials are selected as follows:

- **Precinct Judges.** – Each county board of elections (county board) must appoint all precinct officials within that county. In doing so, each county board must appoint one person to serve as chief judge and two people to serve as judges of election for each precinct in the county. These appointments are made based on recommendations from the chair of each political party in the county, provided the county board receives the recommendations no later than the fifth day before appointments are to be made. Appointments are made on the Tuesday following the third Monday of August of the year in which the individuals are appointed.
- **Precinct Assistants.** – Each county board may appoint two or more assistants for each precinct to aid the chief judge and judges of election. The chair of each political party in the county has the right to recommend three to 10 registered voters in each precinct to be appointed as assistants. If the recommendations are received by the county board no later than the thirtieth day before a primary or election, then the county board must appoint assistants from the recommendations.
- **Emergency Election-Day Assistants.** – The county board may, by unanimous vote of all its members, appoint any registered voter of the county to serve as an emergency election-day

Kara McCraw  
Director



Legislative Analysis  
Division  
919-733-2578

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assistant. The State Board determines the appropriate number of emergency election-day assistants each county is to have.

Each county board has the authority to remove any precinct official, following notice and a hearing, for incompetency, failure to discharge the duties of office, failure to qualify within the time prescribed by law, fraud, or any other satisfactory cause. Removal of a precinct official may only occur when a majority of members of the county board are present and during an open meeting.

**BILL ANALYSIS:** The PCS would clarify that a county board may remove any precinct official from their position at any time, including throughout the day of a primary or election, for incompetency or failure to discharge the duties of the office. The county board would be authorized to prohibit a precinct official from serving as a precinct official in any subsequent election in an open meeting at which a majority of its members are present. The PCS would set a minimum number of at least six emergency election-day assistants that each county board would be required to appoint.

The PCS would also specify training requirements for precinct officials. The training for precinct officials would be required to include the following information:

- The duties of precinct officials.
- How to confirm if a person is registered to vote in that county.
- How to issue ballots.
- How to properly provide voter assistance to all voters, including curbside voters.
- The procedures for the opening and closing of polls.
- The prohibition on engaging in election-related activity in the voting place and buffer zone.
- The potential for removal from office.

**EFFECTIVE DATE:** Effective when it becomes law and applies to elections conducted on or after that date.