

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**SESSION LAW 2003-365
HOUSE BILL 819**

AN ACT TO STRENGTHEN THE REQUIREMENT THAT THE COUNTY
BOARDS OF ELECTIONS MUST PROVIDE BEYOND THE BUFFER ZONE
AROUND THE VOTING PLACE A SPACE WHERE CAMPAIGNING AND
OTHER ELECTION-RELATED ACTIVITY CAN BE CONDUCTED.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-166.4 reads as rewritten:

"§ 163-166.4. Limitation on activity in the voting place and in a buffer zone around it.

(a) Buffer Zone and Adjacent Area for Election-Related Activity. – No person or group of persons shall hinder access, harass others, distribute campaign literature, place political advertising, solicit votes, or otherwise engage in election-related activity in the voting place or in a buffer zone which shall be prescribed by the county board of elections around the voting place. In determining the dimensions of that buffer zone for each voting place, the county board of elections shall, where practical, set the limit at 50 feet from the door of entrance to the voting place, measured when that door is closed, but in no event shall it set the limit at more than 50 feet or at less than 25 feet. ~~The~~ Except as provided in subsection (b), the county board of elections shall also, where practical, also provide an area adjacent to the buffer zone for each voting place in which persons or groups of persons may distribute campaign literature, place political advertising, solicit votes, or otherwise engage in election-related activity.

(b) Special Agreements About Election-Related Activity. – The Executive Director of the State Board of Elections may grant special permission for a county board of elections to enter into an agreement with the owners or managers of a nonpublic building to use the building as a voting place on the condition that election-related activity as described in subsection (a) of this section not be permitted on their property adjacent to the buffer zone, if the Executive Director finds all of the following:

- (1) That no other suitable voting place can be secured for the precinct.
- (2) That the county board will require the chief judge of the precinct to monitor the grounds around the voting place to ensure that the restriction on election-related activity shall apply to all candidates and parties equally.
- (3) That the pattern of voting places subject to agreements under this subsection does not disproportionately favor any party, racial or ethnic group, or candidate.

An agreement under this subsection shall be valid for as long as the nonpublic building is used as a voting place.

(c) Notice About Buffer Zone. – No later than 30 days before each election, the county board of elections shall make available to the public the following information concerning each voting place:

- (1) The door from which the buffer zone is measured.
- (2) The distance the buffer zone extends from that door.
- (3) Any available information concerning where political activity, including sign placement, ~~that~~ is permitted beyond the buffer zone."

SECTION 2. This act becomes effective January 1, 2004.
In the General Assembly read three times and ratified this the 19th day of
July, 2003.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 10:38 a.m. this 1st day of August, 2003