

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE BILL 819  
Senate Judiciary I Committee Substitute Adopted 7/18/03

Short Title: Campaigning Outside Polls.

(Public)

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Sponsors:

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Referred to:

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April 1, 2003

A BILL TO BE ENTITLED

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.

1           (2)   That the county board will require the chief judge of the precinct to  
2           monitor the grounds around the voting place to ensure that the  
3           restriction on election-related activity shall apply to all candidates and  
4           parties equally.

5           (3)   That the pattern of voting places subject to agreements under this  
6           subsection does not disproportionately favor any party, racial or ethnic  
7           group, or candidate.

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

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

13           (1)   The door from which the buffer zone is measured.

14           (2)   The distance the buffer zone extends from that door.

15           (3)   Any available information concerning where political activity,  
16 including sign placement, ~~that~~ is permitted beyond the buffer zone."

17       **SECTION 2.** This act becomes effective January 1, 2004.