

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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**HOUSE BILL 311
Committee Substitute Favorable 5/8/13**

Short Title: Repeal Literacy Test.

(Public)

Sponsors:

Referred to:

March 18, 2013

A BILL TO BE ENTITLED
AN ACT TO REPEAL THE LITERACY TEST FOR VOTERS.

Whereas, Section 4 of Article VI of the North Carolina Constitution provides that "Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language"; and

Whereas, Chapter 1004 of the Session Laws of 1969 proposed repealing this section; and

Whereas, the voters defeated that constitutional amendment at the polls in 1970; and

Whereas, the Congress of the United States, in section 201 of the Voting Rights Act of 1965, as amended by the Voting Rights Act Amendments of 1975, prohibited states from enforcing such requirements in federal, state, and local elections; and

Whereas, the Congress of the United States provided in 1993 that voters in federal elections may register to vote by mail and may not be required to register to vote in person; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. Section 4 of Article VI of the Constitution of North Carolina is repealed.

SECTION 2. The amendment set out in Section 1 of this act shall be submitted to the qualified voters of the State at a statewide election to be held on the date of the first primary in 2014, which election shall be conducted under the laws then governing elections in the State. Ballots, voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. The question to be used in the voting systems and ballots shall be:

" [] FOR [] AGAINST

Constitutional amendment to repeal the requirement that persons present themselves for voter registration and read and write a section of the Constitution, both of which requirements have been prohibited by federal law."

SECTION 3. If a majority of votes cast on the question are in favor of the amendment set out in Section 1 of this act, the State Board of Elections shall certify the amendment to the Secretary of State. The Secretary of State shall enroll the amendment so certified among the permanent records of that office.

SECTION 4. The amendment set out in Section 1 of this act is effective upon certification.

SECTION 5. This act is effective when it becomes law.

