

NORTH CAROLINA 2024 LAW ENFORCEMENT QUICK REFERENCE GUIDE

This pocket reference guide contains key provisions within Chapter 163 of the North Carolina General Statutes.

- Assaulting, threatening, or attempting to intimidate an election official in their discharge of duties is a felony.
- Interfering or attempting to interfere with a voter while inside the voting enclosure or while marking their ballot is a misdemeanor.
- Interfering with the holding of an election, or with an election official performing their duties is a misdemeanor.

VOTING HOURS

6:30 a.m. to 7:30 p.m.

2024 ELECTION DATES

Primary Election: March 5

General Election: November 5

For other election dates:

www.ncsbe.gov/voting/upcoming-election#offices

REPORT SUSPICIOUS BEHAVIOR TO

Your local election official:

vt.ncsbe.gov/BOEInfo/

North Carolina State Board of

Elections: (919) 814-0700

investigations.sboe@ncsbe.gov

www.ncsbe.gov/



Assaulting an election official

G.S. § 163-275(10)

For any person to assault any chief judge, judge of election or other election officer while in the discharge of duties in the registration of voters or in conducting any primary or election.

A violation of this subsection is a Class I felony.

Intimidating an election official

G.S. § 163-275(11)

For any person, by threats, menaces or in any other manner, to intimidate or attempt to intimidate any chief judge, judge of election or other election officer in the discharge of duties in the registration of voters or in conducting any primary or election.

A violation of this subsection is a Class I felony.

Voter intimidation

G.S. § 163-274(7)

For any person, directly or indirectly, to discharge or threaten to discharge from employment, or otherwise intimidate or oppose any legally qualified voter on account of any vote such voter may cast or consider or intend to cast, or not to cast, or which that voter may have failed to cast.

A violation of this subsection is a Class 2 misdemeanor.

Interference with an election

G.S. § 163-274(4)

For any person to break up or by force or violence to stay or interfere with the holding of any primary or election, to interfere with the possession of any ballot box, election book, ballot, or return sheet by those entitled to possession of the same under the law, or to interfere in any manner with the performance of any duty imposed by law upon any election officer or member of any board of elections.

A violation of this subsection is a Class 2 misdemeanor.

Boisterous and disruptive conduct

G.S. § 163-274(5)

For any person to be guilty of any boisterous conduct so as to disturb any member of any election board or any chief judge or judge of election in the performance of that person's duties as imposed by law.

A violation of this subsection is a Class 2 misdemeanor.

Alter, destroy, or conceal a ballot and false returns

G.S. § 163-275(9)

For any election official or other officer or person to make, certify, deliver or transmit any false returns of any primary or election, or to make any erasure, alteration, or conceal or destroy any election ballot, book, record, return or process with intent to commit a fraud.

A violation of this subsection is a Class I felony.

Vote buying

G.S. § 163-275(2)

For any person to give or promise or request or accept at any time, before or after any such primary or election, any money, property, or other thing of value whatsoever in return for the vote of any elector.

A violation of this subsection is a Class I felony.

Maintenance of order at place of registration and voting

G.S. § 163-48

The chief judge and judges of election shall enforce peace and good order in and about the place of registration and voting. They shall especially keep open and unobstructed the place at which voters or persons seeking to register or vote have access to the place of registration and voting.

They shall prevent and stop improper practices and attempts to obstruct, intimidate, or interfere with any person in registering or voting. They shall protect challenger and witnesses against molestation and violence in the performance of their duties, and they may eject from the place of registration or voting any challenger or witness for violation of any provisions of the election laws. They shall prevent riots, violence, tumult, or disorder.

In the discharge of the duties prescribed in the preceding paragraph of this section, the chief judge and judges may call upon the sheriff, the police, or other peace officers to aid them in enforcing the law. They may order the arrest of any person violating any provision of the election laws, but such arrest shall not prevent the person arrested from registering or voting if he is entitled to do so. The sheriff, police officers, and other officers of the peace shall immediately obey and aid in the enforcement of any lawful order made by the precinct election officials in the enforcement of the election laws. The chief judge and judges of election of any precinct, or any two of such election officials, shall have the authority to deputize any person or persons as police officers to aid in maintaining order at the place of registration or voting.

Intimidation of voters by officers made misdemeanor

G.S. § 163-271

It shall be unlawful for any person holding any office, position, or employment in the State government, or under and with any department, institution, bureau, board, commission, or other State agency, or under and with any county, city, town, district, or other political subdivision, directly or indirectly, to discharge, threaten to discharge, or cause to be discharged, or otherwise intimidate or oppress any other person in such employment on account of any vote such voter or any member of his family may cast, or consider or intend to cast, or not to cast, or which

he may have failed to cast, or to seek or undertake to control any vote which any subordinate of such person may cast, or consider or intend to cast, or not to cast, by threat, intimidation, or declaration that the position, salary, or any part of the salary of such subordinate depends in any manner whatsoever, directly or indirectly, upon the way in which subordinate or any member of his family casts, or considers or intends to cast, or not to cast his vote, at any primary or election. A violation of this section is a Class 2 misdemeanor.

Offenses of voters; interference with voters; penalty

G.S. § 163-273

- (a) Any person who shall, in connection with any primary or election in this State, do any of the acts and things declared in this section to be unlawful, shall be guilty of a Class 2 misdemeanor. It shall be unlawful:
- (1) For a voter, except as otherwise provided in this Chapter, to allow his ballot to be seen by any person.
 - (2) For a voter to take or remove, or attempt to take or remove, any ballot from the voting enclosure.
 - (3) For any person to interfere with, or attempt to interfere with, any voter when inside the voting enclosure.
 - (4) For any person to interfere with, or attempt to interfere with, any voter when marking his ballots.
 - (5) For any voter to remain longer than the specified time allowed by this Chapter in a voting booth, after being notified that his time has expired.
 - (6) For any person to endeavor to induce any voter, while within the voting enclosure, before depositing his ballots, to show how he marks or has marked his ballots.
 - (7) For any person to aid, or attempt to aid, any voter by means of any mechanical device, or any other means whatever, while within the voting enclosure, in marking his ballots. (See note below)

- (b) Election officers shall cause any person committing any of the offenses set forth in subsection (a) of this section to be arrested and shall cause charges to be preferred against the person so offending in a court of competent jurisdiction.

Note: Voters may get assistance preparing their ballots, upon request, in accordance with G.S. § 163-166.8.

Weapons in polling locations

While NC election law does not specifically prohibit firearms in polling locations, there are laws and regulations that prohibit firearms in commonly used voting sites such as schools, educational facilities, and city and county owned buildings. A city or county may have a regulation in place that prohibits the display of a firearm on public property. G.S. §§ 163-189; 153A-129(c). Firearms may not be brought on school or educational facility property. G.S. §14-269.2

Weapons on campus or other educational property

G.S. § 14-269.2

Subject to the exceptions provided under § 14-269.2 (f) - (j),

- (b) It shall be a Class I felony for any person knowingly to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind on educational property or to a curricular or extracurricular activity sponsored by a school. Unless the conduct is covered under some other provision of law providing greater punishment, any person who willfully discharges a firearm of any kind on educational property is guilty of a Class F felony. However, this subsection does not apply to a BB gun, stun gun, air rifle, or air pistol:

- (b1) It shall be a Class G felony for any person to possess or carry, whether openly or concealed, any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1, on educational property or to a curricular or extracurricular activity sponsored by a school. This subsection shall not apply to fireworks.
- (d) It shall be a Class 1 misdemeanor for any person to possess or carry, whether openly or concealed, any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slungshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), firework, or any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance, on educational property.



Committee for
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ELECTIONS**

