

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 539
Judiciary I Committee Substitute Adopted 4/18/13
Third Edition Engrossed 4/23/13
House Committee Substitute Favorable 6/3/13

Short Title: Jury List/Date of Birth Information.

(Public)

Sponsors:

Referred to:

April 1, 2013

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE A COUNTY JURY COMMISSION TO OBTAIN DATE OF BIRTH INFORMATION FROM BOARDS OF ELECTIONS WHEN PREPARING THE MASTER JURY LIST AND TO ENSURE THE CONFIDENTIALITY OF THE DATES OF BIRTH OF PROSPECTIVE JURORS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-82.10B reads as rewritten:

"§ 163-82.10B. Confidentiality of date of birth.

Boards of elections shall keep confidential the date of birth of every voter-registration applicant and registered voter, except in the following situations:

- (1) When a voter has filed notice of candidacy for elective office under G.S. 163-106, 163-122, 163-123, or 163-294.2, or 163-323, has been nominated as a candidate under G.S. 163-98 or G.S. 163-114, or has otherwise formally become a candidate for elective office. The exception of this subdivision does not extend to an individual who meets the definition of "candidate" only by beginning a tentative candidacy by receiving funds or making payments or giving consent to someone else to receive funds or transfer something of value for the purpose of exploring a candidacy.
- (2) When a voter is serving in an elective office.
- (3) When a voter has been challenged pursuant to Article 8 of this Chapter.
- (4) When a voter-registration applicant or registered voter expressly authorizes in writing the disclosure of that individual's date of birth.
- (5) When requested by a county jury commission established pursuant to G.S. 9-1 for purposes of preparing the master jury list in that county pursuant to G.S. 9-2.

The disclosure of an individual's age does not constitute disclosure of date of birth in violation of this section.

The county board of elections shall give precinct officials access to a voter's date of birth where necessary for election administration, consistent with the duty to keep dates of birth confidential.

Disclosure of a date of birth in violation of this section shall not give rise to a civil cause of action. This limitation of liability does not apply to the disclosure of a date of birth in violation of this subsection as a result of gross negligence, wanton conduct, or intentional wrongdoing that would otherwise be actionable."



- 1 **SECTION 2.** G.S. 9-4(b) reads as rewritten:
2 "(b) Public access to juror information shall be limited to the alphabetized list of the
3 names. The addresses and dates of birth of prospective jurors are confidential and not subject to
4 disclosure without an order of the court."
5 **SECTION 3.** This act is effective when it becomes law.