

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

**SESSION LAW 2003-12  
HOUSE BILL 549**

AN ACT TO ESTABLISH THE ELECTION FUND REQUIRED BY THE HELP AMERICA VOTE ACT OF 2002 (HAVA) AS A CONDITION FOR RECEIVING FEDERAL FUNDS UNDER THAT ACT.

Whereas, in 2002, Congress enacted the Help America Vote Act of 2002 (HAVA), Public Law 107-252, entitled an act to establish a program to provide funds to states to replace punch card voting systems, to establish the Election Assistance Commission to assist in the administration of federal elections and to otherwise provide assistance with the administration of certain federal election laws and programs, to establish minimum election administration standards for states and units of local government with responsibility for the administration of federal elections, and for other purposes; and has appropriated over thirty-one million dollars (\$31,000,000) to the State of North Carolina for the current fiscal year; and

Whereas, Section 254(b) of HAVA requires each state receiving funds to establish a fund to receive and disburse these funds; Now, therefore,

The General Assembly of North Carolina enacts:

**SECTION 1.** There is established a special fund to be known as the Election Fund. All funds received for implementation of the Help America Vote Act of 2002, Public Law 107-252, shall be deposited in that fund. The State Board of Elections shall use funds in the Election Fund only to implement HAVA.

**SECTION 2.** G.S. 147-69.2(a) is amended by adding a new subdivision to read:

"(17d) The Election Fund."

**SECTION 3.** This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 15<sup>th</sup> day of April, 2003.

s/ Beverly E. Perdue  
President of the Senate

s/ Richard T. Morgan  
Speaker of the House of Representatives

s/ Michael F. Easley  
Governor

Approved 12:30 p.m. this 16<sup>th</sup> day of April, 2003