

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 1075
Jun 4, 2024
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10570-LRy-158D

Short Title: Const. Amend./Right to Access Public Records. (Public)

Sponsors: Representative Harrison.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO ESTABLISH THE
3 RIGHT OF ACCESS TO PUBLIC RECORDS AND MEETINGS.
4 The General Assembly of North Carolina enacts:
5 SECTION 1. Article I of the North Carolina Constitution is amended by adding a
6 new section to read:
7 "**Sec. 39. Access to public records and meetings.**
8 (1) The people of North Carolina have the right of access to information concerning the
9 conduct of the people's business. Public records are the property of the people. Meetings of public
10 bodies should be open to the people. The records made, transmitted, or received by public
11 officials and agencies, including the executive, legislative, and judicial branches of State
12 government, and all bodies of local government, shall be open to public inspection, examination,
13 and duplication. The meetings of all State and local public bodies shall be open to the public.
14 (2) A statute, regulation, ordinance, rule, or other legal authority shall not limit the right
15 of access to the meetings of public bodies and the records of public officials and agencies unless
16 the public bodies, officials, or agencies can demonstrate that (i) a compelling public interest is
17 protected by the limitation and (ii) the limitation is narrowly tailored to protect the public
18 interest."
19 SECTION 2. The amendment set out in Section 1 of this act shall be submitted to
20 the qualified voters of the State at the statewide general election held on November 5, 2024,
21 which election shall be conducted under the laws then governing elections in the State. Ballots,
22 voting systems, or both may be used in accordance with Chapter 163 of the General Statutes. The
23 question to be used in the voting systems and ballots shall be:
24 "[] FOR [] AGAINST
25 Constitutional amendment establishing the right of access to public records and
26 meetings."
27 SECTION 3. If a majority of the votes cast on the question are in favor of the
28 amendment set out in Section 1 of this act, the State Board of Elections shall certify the
29 amendment to the Secretary of State. The Secretary of State shall enroll the amendment so
30 certified among the permanent records of that office. The amendment set out in Section 1 of this
31 act becomes effective upon certification.
32 SECTION 4. This act is effective when it becomes law.