

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 547
Committee Substitute Favorable 5/10/89

Short Title: Voter Registration.

(Public)

Sponsors:

Referred to:

March 13, 1989

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE A COMPREHENSIVE SYSTEM OF INCREASING VOTER
2 REGISTRATION, BY ALLOWING USE OF DRIVER'S LICENSE
3 APPLICATIONS AND APPLICATIONS FOR SPECIAL IDENTIFICATION
4 CARDS TO ALSO BE APPLICATIONS FOR VOTER REGISTRATION, AND
5 ALLOWING VOTER REGISTRATION BY MAIL.
6

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 163-81 reads as rewritten:

9 "**§ 163-81. Driver license examiners authorized to accept applications to register**
10 **voters.**

11 (a) Notwithstanding any other provision of law, ~~the State Board of Elections is~~
12 ~~authorized to appoint as special registration commissioners duly appointed driver~~
13 ~~license examiners of the Division of Motor Vehicles.~~

14 ~~The State Board of Elections may appoint such number of license examiners as it~~
15 ~~deems necessary as special registration commissioners, and the persons appointed shall~~
16 ~~serve at the pleasure of the State Board of Elections, and may be removed as a~~
17 ~~registration commissioner at any time for any reason satisfactory to the Board.~~

18 ~~Before entering upon the duties of the office each special registration commissioner~~
19 ~~shall take the oath of office prescribed in Section 7 of Article VI of the North Carolina~~
20 ~~Constitution.~~ driver license examiners are ex officio special registration commissioners
21 for the purpose of this section. No additional oath is required.

22 (b) Special registration commissioners appointed under this section are
23 authorized to accept applications to register persons who are qualified for registration

1 regardless of that person's voting precinct or county of residence in the State. The
2 special registration commissioners appointed pursuant to this section ~~shall possess those~~
3 ~~qualifications set forth in G.S. 163-41(b), and shall have the same authority to accept~~
4 applications to register voters as is conferred upon registration officials in this Chapter.

5 (c) The Division of Motor Vehicles shall, pursuant to the rules ~~and regulations~~
6 adopted by the State Board of Elections, ~~afford a~~ modify its forms so that any eligible
7 person who applies for original issuance, renewal or correction of a driver's license or
8 special identification card issued under G.S. 20-37.7 may, on a detachable part of the
9 form an opportunity to complete an application to register to vote or to update his
10 registration if the voter has changed his address or moved from one precinct to another
11 or from one county to another. Such application shall be under oath. The necessary
12 forms shall be prescribed by the State Board of Elections. All applications shall be
13 forwarded by the Department of Transportation to the appropriate county board of
14 elections. The form must ask for the previous voter registration address of the voter, if
15 any. If a previous address is listed, and it is not in the county of residence of the
16 applicant, the appropriate county board of elections shall treat it as an authorization to
17 cancel the previous registration and also process it as such under the procedures of G.S.
18 163-72.1(c) through (e).

19 Registration shall become effective as provided in G.S. 163-67(a).

20 (d) The State Board of Elections is authorized to promulgate rules ~~and regulations~~
21 necessary to implement the provisions of this section."

22 Sec. 2. Chapter 163 of the General Statutes is amended by adding a new
23 section to read:

24 "**§ 163-72.4. Registration by mail.**

25 (a) In addition to any other procedure provided by this Article, a person may
26 apply by mail to register to vote as provided by this section.

27 (b) The State Board of Elections shall develop a registration by mail form, which
28 shall request sufficient information to enable officials of the county where registration is
29 desired to satisfactorily process the application. The State Board of Elections shall print
30 sufficient copies of the form so that they may be publicly distributed. Registration
31 forms shall be available from the State Board of Elections and county boards of
32 elections, and may be distributed by any person.

33 (c) In order to be valid, the registration form shall be signed by the applicant and
34 by two persons who witnessed the signing of the application form by the applicant. To
35 be valid for an election, the form must be postmarked at least 30 days before the
36 election. The application form shall request the applicant's telephone number, to assist
37 the appropriate board of elections in contacting the voter if needed in processing the
38 application. The application shall require the voter to state if the voter is currently
39 registered to vote anywhere, and at what address, so that any prior registration can be
40 cancelled. If that address is in the county where the voter applies to register, the
41 application shall be processed as if it had been submitted under G.S. 163-72.2.

42 (d) The application shall ask for political party affiliation, and briefly explain the
43 law relating to party affiliation with respect to voting in primary elections.

1 (e) The application made under this section shall be under oath, and any person
2 who makes a fraudulent application under this section shall be guilty of a Class I felony.

3 (f) Upon receipt of an application under this section, the county board of
4 elections shall send, by nonforwardable first-class mail, a notice of registration at the
5 postal address on the registration form, including an assignment of precinct and polling
6 place. If the notice is returned as undeliverable, a second nonforwardable first-class
7 mailing shall be sent. If that notice is returned as undeliverable, the registration shall be
8 cancelled if it has been approved, and shall be rejected if it has not yet been approved.

9 (g) If a registration form is a duplicate of one already made, the applicant shall be
10 so notified. The reminder shall include the voter's precinct and polling place.

11 (h) If the voter has listed a previous registration not in that county, the county
12 board of elections shall treat it as an authorization to cancel the previous registration and
13 also process it as such under the procedures of G.S. 163-72.1(c) through (e).

14 (i) The application shall require that the applicant pay the full postage, except
15 that if federal law provides that it may be carried without postage, the application shall
16 contain the appropriate franking language to allow it to be carried without postage."

17 Sec. 3. G.S. 163-80 reads as rewritten:

18 **"§ 163-80. Officers authorized to register voters.**

19 (a) Only the following election officials shall be authorized to register voters:

- 20 (1) Any member of a county board of elections who has been duly
21 appointed pursuant to G.S. 163-22(c) and properly installed as required
22 by G.S. 163-30 and 163-31.
- 23 (2) The supervisor of elections of a county board of elections appointed
24 pursuant to the provisions of G.S. 163-35.
- 25 (3) Precinct registrars and judges of election appointed pursuant to the
26 provisions of G.S. 163-41.
- 27 (4) Special registration commissioners appointed pursuant to the authority
28 and limitation contained in G.S. 163-41(b) , or serving ex officio
29 pursuant to G.S. 163-81.
- 30 (5) Full-time and salaried deputy supervisors of elections employed by the
31 county board of elections and who work under the direct supervision
32 of the board's supervisor of elections appointed pursuant to the
33 provisions contained in G.S. 163-35.
- 34 (6) Local public library employees designated by the governing board of
35 such public library to be appointed by the county board of elections as
36 special library registration deputies. Appointment of such deputies is
37 mandatory for libraries covered by G.S. 153A-272; appointment is
38 optional for other libraries. Persons appointed under this subsection
39 shall be given the oath contained in G.S. 163-41(b), and shall be
40 authorized to accept applications to register on those days and during
41 those hours said special deputies are on duty with their respective
42 libraries. If, for good and valid reasons, the local public library director
43 shall request that the county board of elections appoint 'replacement'

1 special library registration deputies before the two-year term ends, the
2 county board of elections shall do so.

3 (7) Public high school employees appointed under this subdivision. A
4 local board of education may, but is not required to, designate high
5 school employees to be appointed by the county board of elections as
6 special high school registration commissioners. Only employees who
7 volunteer for this duty, and who are acceptable to the county board of
8 elections, may be designated by boards of education. A special high
9 school registration commissioner may register voters only while on
10 duty as a high school employee and only at times and under
11 arrangements approved by the local school board of education. A
12 person appointed under this subdivision shall take the oath prescribed
13 in G.S. 163-41(b).

14 (b) All election officials authorized to register voters under authority of this
15 section shall not be authorized to register voters who reside outside the boundaries of
16 their respective counties except in those specific instances involving municipalities
17 which lie within the boundaries of two or more counties and except as provided by G.S.
18 163-81. The State Board of Elections shall have authority to promulgate rules for the
19 processing of voters in such instances.

20 (c) All election officials authorized by this section to register voters shall register
21 any qualified voter without regard to political party affiliation and without
22 discrimination in any manner whatsoever.

23 (d) The State Board of Elections shall promulgate rules for the proper training of
24 those persons qualifying under this section as registrars."

25 Sec. 4. There is appropriated from the General Fund for the 1989-90 fiscal
26 year the sum of \$15,000 to the Division of Motor Vehicles and the sum of \$35,000 to
27 the State Board of Elections for the implementation of this act.

28 Sec. 5. Section 1 of this act shall become effective with respect to all
29 applications for issuance, renewal, or correction of driver's licenses or special
30 identification cards issued by the Department of Transportation on or after January 1,
31 1990. Sections 2 and 3 of this act shall become effective January 1, 1990. Section 4 of
32 this act shall become effective July 1, 1989.