

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 556

Short Title: Incorp. Referendum/Absentee Voting.

(Public)

Sponsors: Senator Sands.

Referred to: Election Laws.

April 11, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW ABSENTEE VOTING IN REFERENDA ON
3 INCORPORATION OF A MUNICIPALITY.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 163-302 reads as rewritten:

6 "**§ 163-302. Absentee voting.**

7 (a) In any municipal election, including a primary or general election or
8 referendum, conducted by the county board of elections, absentee voting may, upon
9 resolution of the municipal governing body, be permitted. Such resolution must be
10 adopted no later than 60 days prior to an election in order to be effective for that
11 election. Any such resolution shall remain effective for all future elections unless
12 repealed no later than 60 days before an election. A copy of all resolutions adopted
13 under this section shall be filed with the State Board of Elections and the county board
14 of elections conducting the election within 10 days of passage in order to be effective.
15 Absentee voting shall not be permitted in any municipal election unless such election is
16 conducted by the county board of elections. In addition, absentee voting shall be
17 allowed in any referendum on incorporation of a municipality.

18 (b) The provisions of Articles 20 and 21 of this Chapter shall apply to absentee
19 voting in municipal elections, special district elections, and other elections for an area
20 less than an entire county other than elections for the General Assembly, except that the
21 earliest date by which absentee ballots shall be required to be available for absentee
22 voting in such elections shall be 30 days prior to the primary or election or as quickly
23 following the filing deadline specified in G.S. 163-291(2) or G.S. 163-294.2(c) as the
24 county board of elections is able to secure the official ballots. In elections on

1 incorporation of a municipality not held at the same time as another election in the same
2 area, the county board of elections shall adopt a special schedule of meetings of the
3 county board of elections to approve absentee ballot applications so as to reduce the cost
4 of the process, and to further implement the last paragraph of G.S. 163-230(2)a, if no
5 application has been received since the last meeting, no meeting shall be held of the
6 county board of elections under such schedule unless the meeting is scheduled for
7 another purpose. If another election is being held in the same area on the same day, or
8 elsewhere in the county, the cost of per diem for meetings of the county board of
9 elections to approve absentee ballots shall not be considered a cost of the election to be
10 billed to the municipality being created."

11 Sec. 2. This act becomes effective with respect to elections held on or after
12 September 1, 1991.