

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 126

Short Title: Agency-Based Voter Registration.

(Public)

Sponsors: Representatives Michaux; Braswell, H. Hunter, Stamey, and Wright.

Referred to: Judiciary I.

February 11, 1993

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR AGENCY-BASED VOTER REGISTRATION.

The General Assembly of North Carolina enacts:

Section 1. Article 7 of Chapter 163 of the General Statutes is amended by adding a new section to read:

**"§ 163-72.5. Agency-based voter registration.**

(a) Every office in this State which accepts:

(1) Applications for a program of public assistance under Article 2 of Chapter 108A of the General Statutes;

(2) Claims for benefits under Chapter 96 of the General Statutes, the Employment Security Law;

(3) Applications for State-funded State or local government programs primarily engaged in providing services to persons with disabilities, with such office designated by the State Board of Elections; and

(4) Applications for other State or local government programs which provide services to persons with disabilities, other than programs described in subdivision (3) of this section, with such office designated by the State Board of Elections

is designated as a voter registration agency for the purpose of this section.

(b) At each voter registration agency, the following services shall be made available:

(1) Distribution of mail voter registration applications provided by G.S. 163-72.4 or by section 9(a)(2) of the National Voter Registration Act of 1993, if enacted;

- 1           (2) Assistance to applicants in completing applications to register to vote;  
2           and
- 3           (3) Acceptance of completed voter registration application forms for  
4           transmittal to the appropriate county board of elections.
- 5       (c) If a voter registration agency provides services to a person with disability at  
6 the person's home, the voter registration agency shall provide the services described in  
7 subsection (a) of this section at the person's home.
- 8       (d) Any person providing any service under subsection (b) of this section shall  
9 not:
- 10           (1) Seek to influence an applicant's political preference or party  
11 registration, except that this shall not be construed to prevent the  
12 notice provided by G.S. 163-74(a) to be given if the applicant refuses  
13 to declare his party affiliation;
- 14           (2) Display any such political preference or party allegiance; or  
15           (3) Make any statement to an applicant or take any action the purpose or  
16 effect of which is to discourage the applicant from registering to vote.
- 17       (e) A voter registration agency shall, unless the applicant declines, in writing, to  
18 register to vote:
- 19           (1) Distribute with each application for service or assistance, and with  
20 each recertification, renewal, or change of address relating to such  
21 service or assistance:
- 22               a. The mail voter registration application form described in G.S.  
23 163-72.4 or by section 9(a)(2) of the National Voter  
24 Registration Act of 1993, if enacted; or
- 25               b. The voter registration agency's own form if it is substantially  
26 equivalent to the form described in G.S. 163-72.4 or by section  
27 9(a)(2) of the National Voter Registration Act of 1993, if  
28 enacted;
- 29           (2) To the greatest extent practicable, incorporate in application forms and  
30 other forms used at those offices for purposes other than voter  
31 registration a means by which the person who completes the form  
32 may, decline, in writing, to register to vote; and
- 33           (3) Provide to each applicant who does not decline to register to vote the  
34 same degree of assistance with regard to the completion of the  
35 registration application as is provided by the office with regard to the  
36 completion of its own forms.
- 37       (f) No information relating to a declination to register to vote in connection with  
38 an application made at a voter registration agency may be used for any purpose other  
39 than voter registration.
- 40       (g) Any voter registration application completed at a voter registration agency  
41 shall be accepted by that agency in lieu of the applicant mailing the application. Any  
42 such application so received shall be transmitted to the State Board of Elections not later  
43 than two business days after the date of acceptance; provided that the State Board of  
44 Elections may require that, during the beginning 30 days before the last day for making

1 application to register under G.S. 163-67, the applications shall be transmitted directly  
2 to the appropriate county board of elections no later than two business days after the  
3 date of acceptance.

4 (h) Applications to register accepted by a voter registration agency shall entitle a  
5 registrant to vote in any primary, general, or special election unless the registrant shall  
6 have made application later than the thirtieth calendar day immediately preceding such  
7 primary, general, or special election, provided that nothing shall prohibit voter  
8 registration agencies from continuing to accept applications during that period.

9 (i) No person may make application to register to vote under this section if that  
10 person is ineligible to vote on account of age, citizenship, lack of residence for the  
11 period of time provided by law, or because of conviction of a felony.

12 (j) Any application accepted under this section by a voter registration agency in  
13 lieu of the registrant mailing the form shall be handled as if it had been received by mail  
14 for the purpose of G.S. 163-72.4(e) through (i)."

15 Sec. 2. This act becomes effective January 1, 1995, except the State Board of  
16 Elections may adopt rules under it at any time after ratification.