

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 772  
Second Edition Engrossed 5/13/93

Short Title: Statewide Early Voting.

(Public)

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Sponsors: Representatives Holt; and Gottovi.

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Referred to: Judiciary I.

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April 6, 1993

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW EARLY VOTING.

3 The General Assembly of North Carolina enacts:

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

6 **"ARTICLE 13A.**  
7 **"EARLY VOTING.**

8 **"§ 163-158. Early voting program.**

9 Notwithstanding the provisions of Articles 20 and 21 of this Chapter, the State  
10 Board of Elections shall establish in all counties a program of early voting in  
11 accordance with this Article. The program must:

- 12 (1) Conform to this Article and to other applicable laws to which this  
13 Article is not an exception;  
14 (2) Contain sufficient guarantees against fraud and inaccuracy; and  
15 (3) Not favor or disfavor voters on the basis of race or party affiliation.

16 The program shall require a plan to be submitted by each county for approval by the  
17 State Board of Elections concerning early voting in that county. If a county fails to  
18 submit a plan, the State Board of Elections shall adopt a plan for that county.

19 **"§ 163-158.1. Early voting sites.**

20 The program shall provide for each county board of elections in its plan to select  
21 between one and 20 sites at which voters may cast their ballots by early voting. The  
22 county board of elections office shall be one of the early voting sites. The county board

1 shall name each proposed site in accordance with the program adopted by the State  
2 Board of Elections.

3 **"§ 163-158.2. Early voting defined.**

4 'Early voting,' as used in this Article, means voting in person, at a site designated  
5 under G.S. 163-158.1, during the period beginning on the day following the day  
6 registration closes for the election and ending at 5:00 p.m. on the Friday prior to the  
7 election. Early voting shall be permitted in any election at which absentee voting is  
8 permitted.

9 **"§ 163-158.3. Early voting; no reason required.**

10 Any person registered to vote in a county shall be allowed to vote by early voting at  
11 any one of the early voting sites in that county designated under G.S. 163-158.1. To  
12 vote by early voting, no one shall be required to state a reason why that person will be  
13 unable to vote on election day.

14 **"§ 163-158.4. Voting method.**

15 All early voting shall be done by absentee ballot as was specified for one-stop  
16 absentee voting in the former G.S. 163-227.2 or by some other method approved by the  
17 State Board of Elections by which a ballot may be retrieved if it is discovered to be  
18 irregular. All early voting ballots shall be counted as absentee ballots in accordance  
19 with Article 20 of Chapter 163 of the General Statutes, or by some other method  
20 sufficient to guarantee accuracy.

21 **"§ 163-158.5. Staffing.**

22 The county board of elections shall staff the early voting sites with employees of the  
23 supervisor of elections or with persons appointed by the county board according to the  
24 method and with the qualifications of precinct assistants as specified in G.S. 163-42.  
25 The county board shall designate one official as the chief of an early voting site.

26 **"§ 163-158.6. Lists of those voting.**

27 The chief of each early voting site shall maintain a daily list of every person who  
28 votes by early voting at that site, and shall submit that list to the supervisor of elections  
29 immediately after the close of voting that day. The supervisor of elections shall  
30 distribute to all early voting sites before voting begins the next day a cumulative list of  
31 all voters who have voted at all early voting sites. No official at an early voting site  
32 shall permit a person who has already voted in the election to vote again.

33 **"§ 163-158.7. Lists to precincts on election day.**

34 The supervisor of elections shall provide to each precinct a list of all persons  
35 registered to vote in that precinct who have voted by early voting in that election. No  
36 precinct official shall permit a person who has voted by early voting to vote on election  
37 day.

38 **"§ 163-158.8. Schedule.**

39 In accordance with the program, each county board of elections shall set a schedule  
40 of the days during the early voting period and the hours during each of those days that  
41 each early voting site shall be open for voting. The county board's plan need not have  
42 all sites open during the same hours or on the same days. The plan the county submits  
43 to the State Board of Elections shall specify the days and hours at each site."

44 Sec. 2. G.S. 163-227.2 is repealed.

1           Sec. 3. This act becomes effective beginning with the 1994 primary election,  
2 but the State Board of Elections and each county board of elections may take necessary  
3 action under this act at any time after ratification.