

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 116

Short Title: Mail Registration.

(Public)

Sponsors: Representatives Luebke; and Mosley.

Referred to: Rules, Calendar, and Operations of the House.

February 14, 1994

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE FOR THE ACCEPTANCE OF A "MAIL-IN" VOTER
2 REGISTRATION FORM IF IT IS SUBMITTED IN PERSON OR IF IT LACKS A
3 READABLE POSTMARK; AND TO CHANGE THE DEADLINE FOR
4 SUBMISSION TO AVOID ITS FALLING ON A SUNDAY.
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 163-72.4 reads as rewritten:

8 "**§ 163-72.4. Registration by ~~mail-~~'mail'.**

9 (a) In addition to any other procedure provided by this Article, a person may
10 apply by mail under this section to do any or all of the following:

- 11 (1) Register to vote;
12 (2) Change party affiliation or unaffiliated status;
13 (3) Report a change of address within a county;
14 (4) Report a change of name.

15 (b) The State Board of Elections shall develop a registration by mail form, which
16 shall request sufficient information to enable officials of the county where a person
17 resides to satisfactorily process the application for any purpose permitted under
18 subsection (a) of this section. The State Board of Elections shall print sufficient copies
19 of the form so that they may be publicly distributed. Registration forms shall be
20 available from the State Board of Elections and county boards of elections, and may be
21 distributed by any person. The single form shall permit all of the purposes listed under
22 subsection (a) of this section to be carried out by filling in the appropriate information
23 and marking boxes to indicate the action requested. An applicant to register may submit

1 the form by mail or in person. The applicant may delegate the submission of the form to
2 another person.

3 (c) In order to be valid, the registration form shall be signed by the applicant.
4 To be valid for an election, the ~~form~~ form:

5 (1) If submitted by mail, must be postmarked at least ~~30~~29 days before
6 the election, except that any mailed application on which the postmark
7 is missing or unclear is validly submitted if received in the mail not
8 later than 25 days before the election.

9 (2) If submitted in person (by the applicant or another person), must be
10 received at least 29 days before the election.

11 The application form shall request the applicant's telephone number to assist the
12 appropriate board of elections in contacting the voter if needed in processing the
13 application. The application shall require the voter to state if the voter is currently
14 registered to vote anywhere, and at what address, so that any prior registration can be
15 cancelled. If that address is in the county where the voter applies to register, the
16 application shall be processed as if it had been submitted under G.S. 163-72.2.

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

19 (e) Reports received under this section of:

20 (1) Change in party affiliation shall be processed as if made under G.S.
21 163-74(b);

22 (2) Change of address within a county shall be processed as if made under
23 G.S. 163-72.2(c); and

24 (3) Change of name shall be processed as if made under G.S. 163-69.1;

25 except for the different deadline imposed under subsection (c) of this section.

26 (f) Any person who willfully and knowingly and with fraudulent intent gives
27 false information on the application is guilty of a Class I felony. The application shall
28 state in clear language the penalty for violation of this subsection.

29 (g) Upon receipt of any or all of the following:

30 (1) An application to register;

31 (2) A change of party affiliation;

32 (3) A report of address change;

33 (4) A report of change of name

34 under this section, the county board of elections shall send to the postal address on the
35 registration form a notice of registration, or a notice of change of party affiliation,
36 address, or name. The notice shall include an assignment of precinct and polling place,
37 or a reminder of precinct and polling place if the voter is reporting only a change of
38 party affiliation or name. The county board of elections shall send the notice by
39 nonforwardable first-class mail. If the notice is returned as undeliverable, the county
40 board of elections shall send a second nonforwardable first-class mailing. If that notice
41 is returned as undeliverable, the county board of elections shall cancel the registration if
42 it has been approved and shall reject it if it has not yet been approved.

1 (h) If a registration form is a duplicate of a registration already made, it shall not
2 be processed, and the applicant shall be so notified. The notification shall include the
3 voter's precinct and polling place.

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

7 (j) The application shall require that the applicant pay the full postage required
8 by federal law, except that if federal law provides that it may be carried without
9 postage, the application shall contain the appropriate franking language to allow it to be
10 carried without postage."

11 Sec. 2. This act becomes effective upon ratification. This act validates any
12 voter registration applications that were accepted pursuant to G.S. 163-72.4 before the
13 ratification of this act if:

- 14 (1) The only thing preventing those applications from being valid was that
15 they were not mailed; and
16 (2) Those applications were submitted in a way that would comply with
17 the provisions of Section 1 of this act.