

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1256

Short Title: Rights for Accused and Ex-Offenders. (Public)

Sponsors: Representatives Pierce; Faison, Farmer-Butterfield, Harrison, Jones, Lucas, Parmon, Wainwright, and Womble.

Referred to: Election Law and Campaign Finance Reform.

April 18, 2005

A BILL TO BE ENTITLED

AN ACT TO FACILITATE VOTING BY ACCUSED CITIZENS WHO ARE INCARCERATED BUT NOT CONVICTED OF CRIMES AND BY CITIZENS WHO ARE INCARCERATED ON MISDEMEANOR CONVICTIONS; AND TO FACILITATE VOTER REGISTRATION BY FORMER FELONS UPON THE COMPLETION OF THEIR SENTENCE AND THE RESTORATION OF THEIR CITIZENSHIP.

The General Assembly of North Carolina enacts:

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

"§ 163-82.20A. Voter registration upon restoration of citizenship.

The State Board of Elections, the Department of Correction, and the Administrative Office of the Courts shall jointly develop and implement educational programs and procedures for persons to apply to register to vote at the time they are restored to citizenship under Chapter 13 of the General Statutes. Those procedures shall be designed to do both of the following:

(1) Inform the person that the restoration of rights removes the person's disqualification from voting but that in order to vote the person must register to vote.

(2) Provide an opportunity to that person to register to vote.

At a minimum, the program shall include a written notice to the person whose citizenship is being restored, informing that person that the person may now register to vote, with a voter registration form enclosed with the notice."

SECTION 2. Article 20 of Chapter 163 of the General Statutes is amended by adding a new section to read:

"§ 163-227.2A. Absentee voting by incarcerated citizens.

The State Board of Elections, the Department of Correction, the Administrative Office of the Courts, and the sheriffs of the counties shall jointly develop and

1 implement educational programs and procedures for citizens who are incarcerated to
2 vote by absentee ballot. Those procedures shall apply to citizens who are incarcerated
3 awaiting trial and citizens who are incarcerated as a result of misdemeanor convictions."

4 **SECTION 3.** This act becomes effective January 1, 2006.