A BILL TO BE ENTITLED

AN ACT TO MAKE VARIOUS CHANGES REGARDING ELECTIONS LAW.

The General Assembly of North Carolina enacts:

PART I. ELECTION DAY INTEGRITY ACT

SECTION 1.1.(a) G.S. 163-231(b) reads as rewritten:

"(b) Transmitting Executed Absentee Ballots to County Board of Elections. – The sealed container-return envelope in which executed absentee ballots have been placed shall be transmitted to the county board of elections who issued those ballots as follows:

(1) All ballots issued under the provisions of this Article and Article 21A of this Chapter shall be transmitted by mail or by commercial courier service, at the voter's expense, or delivered in person, or by the voter's near relative or verifiable legal guardian and received by the county board not later than 5:00 p.m.–7:30 P.M. on the day of the statewide primary or general election or county bond election. Ballots issued under the provisions of Article 21A of this Chapter may also be electronically transmitted.

(2) If ballots are received later than the hour stated in subdivision (1) of this subsection, those ballots shall not be accepted unless one of the following applies: federal law so requires or the ballots are received in accordance with Article 21A of this Chapter or the State Board extended the closing time of the polls for every poll in the county in accordance with G.S. 163-166.01. If the State Board so extended the closing time of the polls, the ballots shall be received by the closing time as extended by the State Board in order to be counted.

a. Federal law so requires;

b. The ballots issued under this Article are postmarked and that postmark is dated on or before the day of the statewide primary or general election or county bond election and are received by the county board of elections not later than three days after the election by 5:00 p.m.;

c. The ballots issued under Article 21A of this Chapter are received by the county board of elections not later than the end of business on the business day before the canvass conducted by the county board of elections held pursuant to G.S. 163-182.5."

SECTION 1.1.(b) G.S. 163-232.1(a) reads as rewritten:

"(a) The county board of elections shall prepare, or cause to be prepared, a list in at least triplicate, of all absentee ballots issued under Article 20 of this Chapter this Article returned to
the county board of elections to be counted, which have been approved by the county board of
elections, have not been included on the certified list prepared pursuant to G.S. 163-232, and
which have been postmarked by the day of the statewide primary or general election or county
bond election and have been received by the county board of elections not later than three days
after the election by 5:00 p.m. - 7:30 P.M., or the time provided in G.S. 163-231(b), on the day of
the statewide primary or general election or county bond election. The list shall be supplemented
with new information each business day following the day of the election until the deadline for
receipt of such absentee ballots. At the end of the list, the chairman shall execute the
following certificate under oath:

"State of North Carolina
County of ____

I, ____, chairman of the ____ County Board of Elections, do hereby certify that the
foregoing is a list of all executed absentee ballots to be voted in the election to be conducted on
the ____ day of ____ , which have been approved by the county board of elections and which
have been postmarked by the day of the statewide primary or general election or county bond
election and have been received by the county board of elections not later than three days after
the election by 5:00 p.m. - 7:30 P.M., or the time provided in G.S. 163-231(b), on the day of the
statewide primary or general election or county bond election. I certify that the chairman,
member, officer, or employee of the board of elections has not delivered ballots for absentee
voting to any person other than the voter, by mail or by commercial courier service or in person,
except as provided by law, and have not mailed or delivered ballots when the request for the
ballot was received after the deadline provided by law.

This the ____ day of ____, ____

(Signature of chairman of
county board of elections)

Sworn to and subscribed before me this ____ day of ____, ____.

Witness my hand and official seal.

(Signature of officer
administering oath)

(Date of oath)"

SECTION 1.1(c) G.S. 163-234 reads as rewritten:


All absentee ballots returned to the county board of elections in the container-return
envelopes shall be retained by the board to be counted by the county board of elections as follows:

(1) Only those absentee ballots returned to the county board of elections no later
than 5:00 p.m. on the day before election day in a properly executed
container-return envelope or absentee ballots received pursuant to
G.S. 163-231(b)(2)b. or c. G.S. 163-231(b)(2) shall be counted, except to the
extent federal law requires otherwise counted.

(2) The county board of elections shall meet at 5:00 p.m. on election day in the
board office or other public location in the county courthouse for the purpose
of counting all absentee ballots except those which have been challenged
before 5:00 p.m. on election day and those received pursuant to
G.S. 163-231(b)(2)b. or c. G.S. 163-231(b)(2). Any elector of the county shall
be permitted to attend the meeting and allowed to observe the counting
process, so long as the elector does not in any manner interfere with the
election officials in the discharge of their duties.
The county board of elections may begin counting absentee ballots issued under Article 21A of this Chapter between the hours of 9:00 a.m. and 5:00 p.m. and may begin counting all absentee ballots between the hours of 2:00 p.m. and 5:00 p.m. upon the adoption of a resolution at least two weeks prior to the election in which the hour and place of counting absentee ballots shall be stated. The resolution also may provide for an additional meeting following the day of the election and prior to the day of canvass to count absentee ballots received pursuant to G.S. 163-231(b)(2)b. or c. G.S. 163-231(b)(2) as provided in subdivision (11) of this section. A copy of the resolution shall be published once a week for two weeks prior to the election, in a newspaper having general circulation in the county. Notice may additionally be made on a radio or television station or both, but the notice shall be in addition to the newspaper and other required notice. The count shall be continuous until completed and the members shall not separate or leave the counting place except for unavoidable necessity, except that if the count has been completed prior to the time the polls close, it shall be suspended until that time pending receipt of any additional ballots. Nothing in this section prohibits a county board of elections from taking preparatory steps for the count earlier than the times specified in this section, as long as the preparatory steps do not reveal to any individual not engaged in the actual count election results before the times specified in this subdivision for the count to begin. By way of illustration and not limitation, a preparatory step for the count would be the entry of tally cards from direct record electronic voting units into a computer for processing. The board shall not announce the result of the count before 7:30 p.m.

(9) In the event a political party does not have a member of the county board of elections present at the meeting to count absentee ballots due to illness or other cause of the member, the counting shall not commence until the county party chairman–chair of the absent member, or a member of the party's county executive committee, is in attendance. The person shall act as an official witness to the counting and shall sign the absentee ballot abstract as an "observer".

(11) The county board of elections shall meet after election day and prior to the date of canvass to determine whether the container-return envelopes for absentee ballots received pursuant to G.S. 163-231(b)(2)b. or c. G.S. 163-231(b)(2) have been properly executed. The county board of elections shall comply with the requirements of G.S. 163-230.1 for approval of applications. Any absentee ballots received pursuant to G.S. 163-231(b)(2)b. or c. G.S. 163-231(b)(2) shall be counted by the county board of elections on the day of canvass. The county board of elections may also meet following the day of the election and prior to the day of canvass to count absentee ballots received pursuant to G.S. 163-231(b)(2)b. or c. G.S. 163-231(b)(2) upon the adoption of a resolution pursuant to subdivision (2) of this section. The county board of elections shall comply with all other requirements of this section and G.S. 163-230.1 for the counting of these absentee ballots received pursuant to G.S. 163-231(b)(2)."

SECTION 1.1.(d) G.S. 163-89(a) reads as rewritten:

"(a) Time for Challenge. – The absentee ballot of any voter received by the county board of elections pursuant to G.S. 163-231(b)(1) may be challenged on the day of any statewide
primary or general election or county bond election beginning no earlier than noon and ending no later than 5:00 P.M., or by the chief judge at the time of closing of the polls as provided in G.S. 163-232 and G.S. 163-258.26(b). The absentee ballot of any voter received by the county board of elections pursuant to G.S. 163-231(b)(ii) or (iii) G.S. 163-231(b)(2) may be challenged no earlier than noon on the day following the election and no later than 5:00 p.m. on the next business day following the deadline for receipt of such absentee ballots."

"(c) Each county board of elections and the State Board shall publish on its website and on any materials sent to voters the date by which absentee ballots are available for voting."

"(a2) The respective boards of county commissioners shall appropriate reasonable and adequate funds necessary for the legal functions of the county board of elections, including reasonable and just compensation of the director of elections."

"Nothing in this Chapter shall grant authority to county boards of elections to accept private monetary donations, directly or indirectly, for conducting elections or employing individuals on a temporary basis."

"(17) Nothing in this Chapter shall grant authority to county boards of elections to accept private monetary donations, directly or indirectly, for conducting elections or employing individuals on a temporary basis."

(a) The respective boards of county commissioners shall appropriate reasonable and adequate funds necessary for the legal functions of the county board of elections, including reasonable and just compensation of the director of elections."

"Nothing in this Chapter shall grant authority to county boards of commissioners to accept private monetary donations, directly or indirectly, for conducting elections or employing individuals on a temporary basis."
SECTION 2.4. This Part is effective when it becomes law.

PART III. REMOVE FOREIGN CITIZENS FROM VOTING ROLLS

SECTION 3.1. G.S. 9-3 reads as rewritten:


All persons are qualified to serve as jurors and to be included on the master jury list who are citizens of the United States, residents of the State, and residents of the county, who have not served as jurors during the preceding two years or who have not served a full term of service as grand jurors during the preceding six years, who are 18 years of age or over, who are physically and mentally competent, who can understand the English language, who have not been convicted of a felony or pleaded guilty or nolo contendere to an indictment charging a felony (or if convicted of a felony or having pleaded guilty or nolo contendere to an indictment charging a felony have had their citizenship restored pursuant to law), and who have not been adjudged non compos mentis. Persons not qualified under this section are subject to challenge for cause."

SECTION 3.2. G.S. 9-6 reads as rewritten:

"§ 9-6. Jury service a public duty; excuses to be allowed in exceptional cases; procedure.

... (a1) All applications for excuses from jury duty, including applications based on disqualification under G.S. 9-3, shall be made on a form developed and furnished by the Administrative Office of the Courts. Applications shall allow prospective jurors to specify the reason for excusal based on disqualification, including lack of United States citizenship.

(b) Pursuant to the foregoing policy, each chief district court judge shall promulgate procedures whereby the chief district court judge or any district court judge of the chief district court judge's district court district designated by the chief district court judge, prior to the date that a jury session (or sessions) of superior or district court convenes, shall receive, hear, and pass on applications for excuses from jury duty. The procedures shall provide for the time and place, publicly announced, at which applications for excuses will be heard, and prospective jurors who have been summoned for service shall be so informed. The chief district court judge, after consultation with and with the consent of the clerk of superior court, may delegate the authority to receive, hear, and pass on applications for excuses from jury duty to the clerk of superior court. The chief district court judge may also assign the duty of passing on applications for excuses from jury service to judicial support staff. In all cases concerning excuses, the clerk of superior court or judicial support staff shall notify prospective jurors of the disposition of their excuses.

... (e) The judge shall inform the clerk of superior court of persons excused under this section, and the clerk of superior court shall keep a record of excuses separate from the master jury list list in accordance with G.S. 9-6.2.

"§ 9-6.1. Requests to be excused.

(a) Any person summoned as a juror who is a full-time student and who wishes to be excused pursuant to G.S. 9-6(b1) or who is 72 years or older and who wishes to be excused, deferred, or exempted, may make the request without appearing in person by filing a signed statement of the ground of the request with the chief district court judge of that district, or the district court judge judge, clerk of superior court, or judicial support staff member, if so designated by the chief district court judge pursuant to G.S. 9-6(b), at any time five business days before the date upon which the person is summoned to appear.

(b) Any person summoned as a juror who has a disability that could interfere with the person's ability to serve as a juror and who wishes to be excused, deferred, or exempted may make the request without appearing in person by filing a signed statement of the ground of the request, including a brief explanation of the disability that interferes with the person's ability to
serve as a juror, with the chief district court judge of that district, or the district court judge, clerk of superior court, or judicial support staff member, if so designated by the chief district court judge pursuant to G.S. 9-6(b), at any time five business days before the date upon which the person is summoned to appear. Upon request of the court, medical documentation of any disability may be submitted. Any privileged medical information or protected health information described in this section shall be confidential and shall be exempt from the provisions of Chapter 132 of the General Statutes or any other provision requiring information and records held by State agencies to be made public or accessible to the public.

(c) A person may request either a temporary or permanent exemption under this section, and the judge, clerk of superior court, or judicial support staff member may accept or reject either in the exercise of discretion conferred by G.S. 9-6(b), including the substitution of a temporary exemption for a requested permanent exemption. In the case of supplemental jurors summoned under G.S. 9-11, notice may be given when summoned. In case the chief district court judge, or the judge, clerk of superior court, or judicial support staff member designated by the chief district court judge pursuant to G.S. 9-6(b), rejects the request for exemption, the prospective juror shall be immediately notified by the judicial support staff member or the clerk of court by telephone, letter, or personally."

SECTION 3.4. Article 1 of Chapter 9 of the General Statutes is amended by adding a new section to read:

"§ 9-6.2. Reports of excuses from jury duty based on disqualification.

(a) The name and address provided by each person who requests to be excused from jury duty on the basis that the person is not qualified to serve as a juror, along with the reason for that request, shall be retained by the clerk of superior court for the remainder of the biennium as described in G.S. 9-2. The records retained by the clerk are not public records under G.S. 132-1. The clerk of superior court may destroy the records at the end of each biennium as described in G.S. 9-2.

(b) If a person is disqualified from jury duty because the person is not a citizen of the United States, the clerk of superior court shall, on a quarterly basis, report this information electronically to the State Board of Elections. The electronic file shall include the person's name, address, date of birth, and other personal information from the master jury list, along with the reasons for the person's disqualification and the date of disqualification. The State Board of Elections shall use this information to conduct efforts to remove names from its list of registered voters in accordance with G.S. 163-82.14. The records retained by the State Board of Elections are public records under G.S. 132-1, notwithstanding the requirements of G.S. 20-43.4(c), except as prohibited by federal statute. The State Board of Elections shall retain the electronic records for four years and may destroy the records when they are no longer public records.

(c) Nothing in this section should be construed to restrict the authority of a local board of elections or the State Board of Elections to determine a person's eligibility to vote."

SECTION 3.5. G.S. 163-82.14 reads as rewritten:


...  

(c1) Noncitizens. –

(1) Report of disqualification from jury duty from clerk of superior court. – As provided in G.S. 9-6.2, the clerk of superior court shall transmit quarterly to the State Board of Elections an electronic file for each person disqualified from jury duty on the basis that the person is not a citizen of the United States.

(2) State Board of Elections review. – Within 30 days of receipt of the report transmitted as provided in subdivision (1) of this subsection, the State Board of Elections shall do each of the following:
Review the voter registration and citizenship status of each person identified as provided in subdivision (1) of this subsection, including matching of available information in State and federal databases.

Distribute to each county board of elections a report of the persons identified as provided in subdivision (1) of this subsection who are registered to vote in that county. The report shall include the information in the electronic file provided by the clerk of superior court under G.S. 9-6.2(a), the voter registration number of the person, and the results of the State Board of Elections review of the person's voter registration and citizenship status. The State Board of Elections shall not include a person's name in the report if the State Board of Elections review determines that the individual became a citizen of the United States after the date of that person's jury disqualification, unless the prospective juror voted prior to obtaining that person's United States citizenship. In the event that the prospective juror voted prior to becoming a United States citizen, the State Board of Elections shall furnish the district attorney a copy of its investigation for prosecution of the violation as provided in G.S. 163-278.

County board of elections duty upon receiving report. — Within 30 days of receipt by a county board of elections of a report pursuant to this subsection relating to a person registered to vote in that county, the following shall occur:

a. The county board of elections shall give 30 days' written notice to the voter by sending notice to the voter's residential address and, if different from the voter's residential address, the voter's registration address and mailing address. If the voter makes no objection, the county board of elections shall remove the person's name from its registration records and shall provide written notice of the removal to the voter in the same manner as notice was previously provided under this sub-subdivision. The county board of elections shall indicate within the statewide computerized voter registration system any individual removed from the voter registration records on the basis of noncitizenship status.

b. If, within 30 days of the date on which notice was sent of the removal of a voter's name from registration records pursuant to sub-subdivision a. of this subdivision, the voter notifies the county board of elections of the voter's objection to the removal, the chair of the county board of elections shall enter a challenge under G.S. 163-85(c)(7), and the notice provided to the county board of elections by the receipt of the report from the State Board of Elections pursuant to this subdivision shall be prima facie evidence in the preliminary hearing heard pursuant to G.S. 163-85(d) that the person is not a citizen of the United States. This presumption may be rebutted by evidence as presented by the person of either (i) citizenship naturalization occurring after the excusal from jury service due to disqualification or (ii) other federal documentation of citizenship.

The records retained pursuant to this subsection are public records under G.S. 132-1, notwithstanding the requirements of G.S. 20-43.4(c), except as prohibited by federal statute. The State Board of Elections and county board of elections shall retain the electronic records for four years and may destroy the records when the records are no longer public records.
(d) Change of Address. – A county board of elections shall conduct a systematic program to remove from its list of registered voters those who have moved out of the county, and to update the registration records of persons who have moved within the county. The county board shall remove a person from its list if the registrant:

(1) Gives confirmation in writing of a change of address for voting purposes outside of the county. "Confirmation in writing" for purposes of this subdivision shall include any of the following:
   a. A report to the county board from the Department of Transportation or from a voter registration agency listed in G.S.163-82.20 that the voter has reported a change of address for voting purposes outside the county;
   b. A notice of cancellation received under G.S. 163-82.9;

(2) Fails to respond to a confirmation mailing sent by the county board in accordance with this subdivision and does not vote or appear to vote in an election beginning on the date of the notice and ending on the day after the date of the second general election for the United States House of Representatives that occurs after the date of the notice. A county board sends a confirmation notice in accordance with this subdivision if the notice meets each of the following criteria:
   a. The notice is a postage prepaid and preaddressed return card, sent by forwardable mail, on which the registrant may state current address;
   b. The notice contains or is accompanied by a notice to the effect that if the registrant did not change residence but remained in the county, the registrant should return the card not later than the deadline for registration by mail in G.S. 163-82.6(d)(1), and G.S. 163-82.9.
   c. The notice contains or is accompanied by information as to how the registrant may continue to be eligible to vote if the registrant has moved outside the county.

A county board shall send a confirmation mailing in accordance with this subdivision to every registrant after every congressional election if the county board has not confirmed the registrant’s address by another means.

..."
If the county board of elections changes the time of holding its meetings or provides for additional meetings in accordance with the terms of this subsection, notice of the change in hour and notice of the schedule of additional meetings, if any, shall be published in a newspaper circulated in the county at least 30 days prior to the election.

At the time the county board of elections makes its decision on an application for absentee ballots, the board shall enter in the appropriate column in the register of absentee requests, applications, and ballots issued opposite the name of the applicant a notation of whether the applicant's application was "Approved" or "Disapproved".

The decision of the board on the validity of an application for absentee ballots shall be final subject only to such review as may be necessary in the event of an election contest. The county board of elections shall constitute the proper official body to pass upon the validity of all applications for absentee ballots received in the county; this function shall not be performed by the chair or any other member of the board individually."

**PART V. BAR CODING BY BOARDS OF ELECTIONS ONLY**

**SECTION 5.1.** G.S. 163-229(b)(9) reads as rewritten:

"(9) A bar code or other unique identifier, affixed by the county board of elections, to allow both the county board of elections and the voter to track the ballot following return of the voted ballot to the county board of elections by the voter."

**SECTION 5.2.** G.S. 163-237 is amended by adding a new subsection to read:

"(f) Unlawfully Affixed or Printed Barcodes on Absentee Ballots. – Any person other than the State Board or a county board of elections, or any employee of the State Board or a county board of elections, who affixes or prints a barcode on an absentee ballot, an absentee container-return envelope, or an absentee ballot request form shall be guilty of a Class 1 misdemeanor."
is noted in the voter registration records. The type of identification proof shall be listed
on the voter rolls that are available to the public."

SECTION 6.5. G.S. 163-233(c) reads as rewritten:
"(c) All applications for absentee ballots shall be retained by the county board of elections
for a period of one year after which those applications may be destroyed, 22 months after the
election or as otherwise specified in federal law, whichever is greater."

SECTION 6.6. G.S. 163-234(10) reads as rewritten:
"(10) The county board of elections shall retain all container-return envelopes and
absentee ballots, in a safe place, for at least four 22 months, and longer if any
contest is pending concerning the validity of any ballot."

PART VII. VOTER ASSISTANCE LOG
SECTION 7.1. G.S. 163-166.8(b) reads as rewritten:
"(b) A qualified voter seeking assistance in an election shall, upon arriving at the voting
place, request permission from the chief judge to have assistance, stating the reasons. If the chief
judge determines that such assistance is appropriate, the chief judge shall ask the voter to point
out and identify the person the voter desires to provide such assistance. If the identified person
meets the criteria in subsection (a) of this section, the chief judge shall request the person
indicated to render the assistance. The chief judge, one of the judges, or one of the assistants may
provide aid to the voter if so requested, if the election official is not prohibited by subdivision (a)
(2) of this section. Under no circumstances shall any precinct official be assigned to assist a voter
qualified for assistance, who was not specified by the voter. Precinct officials shall maintain a
log of any person rendering assistance to a voter pursuant to this section. The log shall include
the printed name and address of any person rendering assistance to the voter and a space for that
individual's signature."

PART VIII. REQUIRE PROVISIONAL BALLOT FOR SAME-DAY REGISTRATION
SECTION 8.1. Article 7A of Chapter 163 of the General Statutes is amended by
adding a new section to read:
§ 163-82.6B. Provisional ballot required; same-day registration.
Notwithstanding any provision of law to the contrary, an individual who is qualified to
register to vote may register in person and then vote at a one-stop voting site in the individual's
county of residence during the period for one-stop voting provided under G.S. 163-227.2.
However, the individual shall vote by provisional ballot and the ballot counted under one of the
following circumstances only:
(1) Upon verification of the individual's address in accordance with procedures
set forth in G.S. 163-82.7. Verifications conducted pursuant to this section
shall be done by first-class mail.
(2) Upon providing a copy of a current utility bill, bank statement, government
check, paycheck, or other government document showing the name and
address of the voter at the county board of elections where the voter resides
before the close of polls on election day."

SECTION 8.2. This Part is effective when it becomes law and applies to individuals
seeking same-day registration on or after that date.

PART IX. REPORT/REVISIONS TO ELECTIONS RECORDS AFTER
CERTIFICATION
SECTION 9.1. G.S. 163-182.15 is amended by adding a new subsection to read:
"(b) Report on Revisions to Elections Records After Certification. – The State Board of
Elections shall submit an annual report on any revisions made to elections records after
certification of elections, including the rationale for and timing of the revisions, to the Joint
PART X. ALLOW ANY ELIGIBLE VOTER IN A COUNTY TO FILE A CHALLENGE OF A VOTER'S ABSENTEE BALLOT

SECTION 10.1. G.S. 163-89(b) reads as rewritten:
"(b) Who May Challenge. – Any registered voter of the same precinct county as the absentee voter may challenge that voter's absentee ballot."

PART XI. ABSENTEE BALLOTS/REQUIRE PRINTED NAMES FOR WITNESS SIGNATURES

SECTION 11.1. G.S. 163-229(b)(3) reads as rewritten:
"(3) A space for the identification of the two persons witnessing the casting of the absentee ballot in accordance with G.S. 163-231, those persons' signatures, those persons' printed names, and those persons' addresses."

SECTION 11.2. G.S. 163-231(a) reads as rewritten:
"(a) Procedure for Voting Absentee Ballots. – In the presence of two persons who are at least 18 years of age, and who are not disqualified by G.S. 163-226.3(a)(4) or G.S. 163-237(c), the voter shall do all of the following:

…
(5) Require those two persons in whose presence the voter marked that voter's ballots to sign and print their names on the application and certificate as witnesses and to indicate those persons' addresses. Failure to list a ZIP code does not invalidate the application and certificate.

…"

PART XII. REQUIRE SIGNATURE VERIFICATION SOFTWARE FOR ABSENTEE BALLOTS

SECTION 12.1. G.S. 163-231 is amended by adding a new subsection to read:
"(d) The State Board of Elections shall require county boards of elections to use verification software to check the signatures of voters noted on executed absentee ballots before those ballots are accepted by the county boards."

PART XIII. ENSURE PRECINCT OFFICIALS ONE-STOP VOTING PLACES ARE ALLOCATED THE SAME AS THOSE SERVING ON ELECTION DAY

SECTION 13.1. G.S. 163-227.6(a) reads as rewritten:
"(a) Notwithstanding any other provision of G.S. 163-227.2, 163-227.5, and this section, a county board of elections by unanimous vote of all its members may provide for one or more sites in that county for absentee ballots to be applied for and cast under these sections. Every individual staffing any of those sites shall be a member or full-time employee of the county board of elections or an employee of the county board of elections whom the board has given training equivalent to that given a full-time employee. Precinct officials serving at one-stop voting places shall be allocated in the same manner as those allocated at voting places on election day. Those sites must be approved by the State Board as part of a Plan for Implementation approved by both the county board of elections and by the State Board which shall also provide adequate security of the ballots and provisions to avoid allowing persons to vote who have already voted. The Plan for Implementation shall include a provision for the presence of political party observers at each one-stop site equivalent to the provisions in G.S. 163-45 for party observers at voting places on election day. A county board of elections may propose in its Plan not to offer one-stop voting at the county board of elections office; the State Board may approve that proposal in a Plan only if the Plan includes at least one site reasonably proximate to the county board of elections office.
and the State Board finds that the sites in the Plan as a whole provide adequate coverage of the county's electorate. If a county board of elections has considered a proposed Plan or Plans for Implementation and has been unable to reach unanimity in favor of a Plan, a member or members of that county board of elections may petition the State Board to adopt a plan for it. If petitioned, the State Board may also receive and consider alternative petitions from another member or members of that county board. The State Board may adopt a Plan for that county. The State Board, in that plan, shall take into consideration whether the Plan disproportionately favors any party, racial or ethnic group, or candidate."

PART XIV. CHALLENGE APPEALS OF STATE BOARD OF ELECTIONS HEARD IN COUNTY WHERE CHALLENGE ORIGINATED

SECTION 14.1. G.S. 163-90.2(c) reads as rewritten:
"(c) A decision by a county board of elections on any challenge made under the provisions of this Article shall be appealable to the Superior Court of the county in which the offices of that board are located within 10 days. If the appeal is made by the State Board of Elections, that appeal shall be to the Superior Court of the county in which the challenge originated. Only those persons against whom a challenge is sustained or persons who have made a challenge which is overruled shall have standing to file such appeal."

PART XV. IMPERSONATING AN ELECTIONS OFFICIAL/CLASS 1 MISDEMEANOR

SECTION 15.1. G.S. 163-274(b) reads as rewritten:
"(b) Class 1 Misdemeanor. – Any person who shall, in connection with any primary or election in this State, do any of the acts and things declared in this subsection to be unlawful shall be guilty of a Class 1 misdemeanor. It shall be unlawful to do any of the following:

1. For any person who has access to an official voted ballot or record to knowingly disclose in violation of G.S. 163-165.1(e) how an individual has voted that ballot.

2. For any person to impersonate a chief judge, judge of election, or other election officer while in the discharge of duties in the registration of voters or in conducting any primary or election."

SECTION 15.2. This Part becomes effective December 1, 2023, and applies to offenses committed on or after that date.

PART XVI. EXTENSION BY JUDICIAL ORDER/CLOSING OF POLLS

SECTION 16.1. G.S. 163-166.01 reads as rewritten:
"§ 163-166.01. Hours for voting.

(a) In every election, the voting place shall be open at 6:30 A.M. and shall be closed at 7:30 P.M. If the polls are delayed in opening for more than 15 minutes, or are interrupted for more than 15 minutes after opening, the State Board of Elections may extend the closing time by an equal number of minutes. As authorized by law, the State Board of Elections shall be available either in person or by teleconference on the day of election to approve any such extension. If any voter is in line to vote at the time the polls are closed, that voter shall be permitted to vote. No voter shall be permitted to vote who arrives at the voting place after the closing of the polls.

(b) If the statutory poll closing time of 7:30 P.M. on election day is extended by court order in one county, the poll closing time shall be extended on election day in all counties by an equal amount of time.

(c) Any voter who votes after the statutory poll closing time of 7:30 P.M. by virtue of a federal or State court order or any other lawful order, including an order of a county board of elections, shall be allowed to vote, under the provisions of that order, only by using a provisional official ballot. Any special provisional official ballots cast under this section shall be separated,
counted, and held apart from other provisional ballots cast by other voters not under the effect of
the order extending the closing time of the voting place. If the court order has not been reversed
or stayed by the time of the county canvass, the total for that category of provisional ballots shall
be added to the official canvass."

PART XVII. REQUIRE SBI INVESTIGATION/ELECTION-RELATED FELONY
OFFENSES

SECTION 17.1. G.S. 163-275 reads as rewritten:


(a) Any person who shall, in connection with any primary, general or special election
held in this State, do any of the acts or things declared in this section to be unlawful, shall be
guilty of a Class I felony. It shall be unlawful:

(b) Any violations of this section shall be investigated by the State Bureau of
Investigation."

SECTION 17.2. G.S. 143B-919 is amended by adding a new subsection to read:

"(b2) The State Bureau of Investigation shall investigate and prepare evidence for the
commission or attempted commission of crimes under G.S. 163-275."

SECTION 17.3. This Part becomes effective August 1, 2023, and applies to
violations occurring on or after that date.

PART XVIII. POLL OBSERVERS/SHIFT SERVICE AND RELIEF

SECTION 18.1. G.S. 163-45(a) reads as rewritten:

"(a) The chair of each political party in the county shall have the right to designate two
observers to attend each voting place at each primary and election and such observers may, at the
option of the designating party chair, be relieved during the day of the primary or election after
serving no less than four hours and provided the list required by this section to be filed by each
chair contains the names of all persons authorized to represent such chair's political party. An
observer relieved after serving no less than the four hours provided in this subsection may serve
an additional four hours during the same primary or election day at any voting place in that same
county upon designation by the party chair. The chair of each political party in the county shall
have the right to designate 10 additional at-large observers who are residents of that county who
may attend any voting place in that county. The chair of each political party in the State shall
have the right to designate up to 100 additional at-large observers who are residents of the State
who may attend any voting place in the State. The list submitted by the chair of the political party
may be amended between the one-stop period under G.S. 163-227.2, 163-227.5, and 163-227.6
and general election day to substitute one or all at-large observers for election day. Not more than
two observers from the same political party shall be permitted in the voting enclosure at any time,
except that in addition one of the at-large observers from each party may also be in the voting
enclosure. This right shall not extend to the chair of a political party during a primary unless that
party is participating in the primary. In any election in which an unaffiliated candidate is named
on the ballot, the candidate or the candidate's campaign manager shall have the right to appoint
two observers for each voting place consistent with the provisions specified herein. Persons
appointed as observers by the chair of a county political party must be registered voters of the
county for which appointed and must have good moral character. Persons appointed as observers
by the chair of a State political party must be registered voters of the State and must have good
moral character. No person who is a candidate on the ballot in a primary or election may serve
as an observer or runner in that primary or election. Observers shall take no oath of office."

PART XIX. PRECINCT ELECTION OFFICIALS/REVISE SERVICE DUTIES ON DAY
OF PRIMARY, GENERAL, OR SPECIAL ELECTION
SECTION 19.1. G.S. 163-47(a) reads as rewritten:

"(a) The chief judges and judges of election shall conduct the primaries and elections within their respective precincts fairly and impartially, and they shall enforce peace and good order in and about the place of registration and voting. On the day of each primary and general and special election, the precinct chief judge and judges shall remain at the voting place from the time fixed by law for the commencement of their duties there until they have completed all those duties, and they shall not separate nor shall any one of them leave the voting place except for unavoidable necessity."

PART XX. REQUIRE TWO-FACTOR AUTHENTICATION PROCESS/MAIL-IN ABSENTEE BALLOTS

SECTION 20.1. Article 20 of Chapter 163 of the General Statutes is amended by adding a new section to read:

"§ 163-231.1. Require two-factor authentication process for absentee ballots cast by mail.

The State Board of Elections shall establish and implement a two-factor authentication process for executed absentee ballots transmitted by mail to a county board of elections. A county board of elections shall use the process established by this section before an executed absentee ballot is opened and counted by elections officials."

PART XXI. REQUIRE KNOWING VIOLATION/VOTING WITHOUT RIGHTS OF CITIZENSHIP RESTORED

SECTION 21.1. G.S. 163-275(5) reads as rewritten:

"(5) For any person convicted of a crime which excludes the person from the right of suffrage, to knowingly vote at any primary or election without having been restored to the right of citizenship in due course and by the method provided by law."

SECTION 21.2. This Part is effective when it becomes law and applies to violations occurring on or after that date.

PART XXII. STATE BOARD OF ELECTIONS RECOMMENDED REVISIONS

SECTION 22.1. Clarify Write-In Vote Counting/Special District and School Board Elections. – G.S. 163-123(h) reads as rewritten:

"(h) Municipal Certain Elections Excluded. – This section does not apply to municipal the following elections:

(1) Municipal elections or special district elections conducted under Subchapter IX of this Chapter.

(2) Nonpartisan board of education elections conducted under G.S. 115C-37."

SECTION 22.2. County Board Certification of Cross-County Municipal Contests. – G.S. 163-182.4(a)(3) reads as rewritten:

"(3) Offices of municipalities, unless the municipality has a valid board of election, municipalities. Where voters in more than one county cast ballots for a municipal office, the State Board of Elections shall prepare a composite abstract upon the completion of the canvass by the county boards and deliver that abstract to all county boards responsible for canvassing votes for the contest, and each of those county boards shall issue a certificate of nomination or election."

SECTION 22.3.(a) Cure Process for Absentee-By-Mail Ballots. – G.S. 163-230.1(e) reads as rewritten:

"(e) Approval of Applications. – At its next official meeting after return of the completed container-return envelope with the voter's ballots, the county board of elections shall determine whether the container-return envelope has been properly executed. If the board determines that
the container-return envelope has been properly executed, it shall approve the application and
deposit the container-return envelope with other container-return envelopes for the envelope to
be opened and the ballots counted at the same time as all other container-return envelopes and
absentee ballots.

If a container-return envelope contains a curable deficiency, the county board of elections
shall promptly notify the voter of the deficiency and the manner in which the voter may cure the
deficiency. Curable deficiencies are deficiencies that can be cured with supplemental
documentation or attestation provided by the voter, including when any of the following occur:

1. The voter did not sign the voter certification as required by
   G.S. 163-231(a)(4).
2. The voter signed the application in the wrong place on the application.
3. The voter failed to include with the container-return envelope a photocopy of
   identification described in G.S. 163-166.16(a) or an affidavit as described in
   G.S. 163-166.16(d)(1), (d)(2), or (d)(3), as required by subsection (f1) of this
   section.

Any container-return envelope with a curable deficiency that is transmitted to the county board
shall be considered timely if cure documentation is received in accordance with the requirements
of G.S. 163-231(b). The notification of voters regarding curable deficiencies is an administrative
task that may be performed by county board staff and is not required to be performed at an
absentee meeting as provided for in subsection (f) of this section."

SECTION 22.3.(b) G.S. 163-234(1) reads as rewritten:

"(1) Only those absentee ballots returned to the county board of elections no later
than 5:00 p.m. on the day before election day in a properly executed
container-return envelope or absentee ballots received pursuant to
G.S. 162-231(b)(2), or e. G.S. 163-231(b)(2) shall be counted, except to the
extent federal law requires otherwise. An absentee ballot returned in an
executed container-return envelope containing a deficiency listed in
G.S. 163-230.1(e) shall be counted if documentation curing the deficiency is
timely received by the county board of elections in accordance with the
requirements of G.S. 163-231(b)."

SECTION 22.4.(a) Amendments to Electoral College Provisions. – G.S. 163-210
reads as rewritten:

"§ 163-210. Governor to proclaim results; casting State's vote for President and
Vice-President.

Upon receipt of the certifications prepared by the State Board of Elections and delivered in
accordance with G.S. 163-182.15, the Secretary of State, under seal of the office, shall notify the
Governor of the names of the persons elected to the office of elector for President and
Vice-President of the United States as stated in the abstracts of the State Board of Elections.
Thereupon, the Governor shall immediately issue a proclamation setting forth the names of the
electors and instructing them to be present in the old Hall of the House of Representatives in the
State Capitol in the City of Raleigh at noon on the first Monday-Tuesday after the second
Wednesday in December next after their election, at which time the electors shall meet and vote
on behalf of the State for President and Vice-President of the United States. The Governor shall
cause this proclamation to be published in the daily newspapers published in the City of Raleigh.
Notice may additionally be made on a radio or television station or both, but such notice shall be
in addition to the newspaper and other required notice. The Secretary of State is responsible for
making the actual arrangements for the meeting, preparing the agenda, and inviting guests.

Before the date fixed for the meeting of the electors, the Governor shall send by registered
mail—the most expeditious method available to the Archivist of the United States, either three
duplicate original certificates, or one original certificate and two authenticated copies of the
Certificates of Ascertainment, under the great seal of the State setting forth the names of the
persons chosen as presidential electors for this State and the number of votes cast for each. These
Certificates of Ascertainment shall contain a security feature for purposes of verifying their
authenticity and should be sent as soon as possible after the election, but must be received before
the Electoral College meeting. At the same time the Governor shall deliver to the electors six
duplicate originals of the same certificate, each bearing the great seal of the State. At any time
prior to receipt of the certificate of the Governor or within 48 hours thereafter, any person elected
to the office of elector may resign by submitting his resignation, written and duly verified, to the
Governor. Failure to so resign shall signify consent to serve and to cast his vote for the candidate
of the political party which nominated such elector.

In case of the absence, ineligibility or resignation of any elector chosen, or if the proper
number of electors shall for any cause be deficient, the first and second alternates, respectively,
who were nominated under G.S. 163-1(c), shall fill the first two vacancies. If the alternates are
absent, ineligible, resign, or were not chosen, or if there are more than two vacancies, then the
electors present at the required meeting shall forthwith elect from the citizens of the State a
sufficient number of persons to fill the deficiency, and the persons chosen shall be deemed
qualified electors to vote for President and Vice-President of the United States."

SECTION 22.4.(b) G.S. 163-213(d) reads as rewritten:

"(d) Proclamation Before Electors' Meeting Day Controls. – If the proclamation of any
Presidential Elector under G.S. 163-210 is made any time before noon on the day set for the
meeting of Presidential Electors by 3 U.S.C. § 7, then that proclamation shall control over an
appointment made by the General Assembly or the Governor. This section does not preclude
litigation otherwise provided by law to challenge the validity of the proclamation or the
procedures that resulted in that proclamation."

PART XXIII. EFFECTIVE DATE

SECTION 23.1. Except as otherwise provided, this act is effective when it becomes
law and applies to elections held on or after that date.