

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 747
Redistricting and Elections Committee Substitute Adopted 6/15/23
Third Edition Engrossed 6/21/23
House Committee Substitute Favorable 8/15/23

Short Title: Elections Law Changes.

(Public)

Sponsors:

Referred to:

June 5, 2023

A BILL TO BE ENTITLED

AN ACT TO MAKE VARIOUS CHANGES REGARDING ELECTIONS LAW.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 163-227.2 is recodified as G.S. 163-166.40.

SECTION 1.(b) G.S. 163-227.5 is recodified as G.S. 163-166.45.

SECTION 1.(c) G.S. 163-227.6 is recodified as G.S. 163-166.35.

SECTION 1.(d) G.S. 163-166.01 is recodified as G.S. 163-166.25.

SECTION 1.(e) G.S. 163-228(a1) is recodified as G.S. 163-166.50.

SECTION 2. G.S. 163-22 is amended by adding two new subsections to read:

"(s) Notwithstanding any other provision of law, the State Board shall ensure voted ballots, election results tapes, and executed ballot applications are retained and preserved for a period of 22 months after the corresponding election or as otherwise specified in federal law, whichever is greater.

(t) The State Board shall not accept private monetary donations or in-kind contributions, directly or indirectly, for conducting elections or employing individuals on a temporary basis."

SECTION 3. G.S. 163-27.2(g) reads as rewritten:

"(g) Neither appointment as a precinct official or assistant under Article 5 of this Chapter nor employment at ~~a one-stop~~ an early voting location shall require a criminal history record check unless the official, assistant, or employee performs a function designated by the State Board pursuant to subsection (f) of this section."

SECTION 4. G.S. 163-33 is amended by adding two new subdivisions to read:

"(17) Notwithstanding any other provision of law, to retain and preserve all voted ballots, election results tapes, and executed ballot applications for a period of 22 months after the corresponding election or as otherwise specified in federal law, whichever is greater.

(18) County boards of elections shall not accept private monetary donations or in-kind contributions, directly or indirectly, for conducting elections or employing individuals on a temporary basis. This subdivision does not prohibit the in-kind donation or use of a voting site, if that voting site is used for the purpose of conducting elections."

SECTION 5. G.S. 163-37 reads as rewritten:

"§ 163-37. Duty of county board of commissioners.



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

4 (b) County boards of commissioners shall not accept private monetary donations or
5 in-kind contributions, directly or indirectly, for conducting elections or employing individuals
6 on a temporary basis. This subsection does not prohibit the in-kind donation or use of a voting
7 site, if that voting site is used for the purpose of conducting elections."

8 **SECTION 6.** G.S. 163-37.1(f) reads as rewritten:

9 (f) Neither appointment as a precinct official or assistant under of Article 5 of this
10 Chapter nor employment at a ~~one-stop~~ an early voting location shall require a criminal history
11 record check unless the official, assistant, or employee performs a function designated by the
12 State Board pursuant to G.S. 163-27.2."

13 **SECTION 7.(a)** G.S. 163-45 is repealed.

14 **SECTION 7.(b)** Article 5 of Chapter 163 of the General Statutes is amended by
15 adding a new section to read:

16 "**§ 163-45.1. Observers.**

17 (a) For purposes of this section, "observer" is defined as an individual appointed pursuant
18 to this section to observe the voting process at a voting place.

19 (b) Observers may be appointed in accordance with the following:

20 (1) The chair of each political party in the county may designate two registered
21 voters of the county to serve as observers at each voting place in that county
22 in which the political party has a candidate appearing on the ballot.

23 (2) The chair of each political party in the county may designate up to 10
24 registered voters of the county to serve at any voting place in the county in
25 which the political party has a candidate appearing on the ballot.

26 (3) The chair of each political party in the State may designate up to 100 registered
27 voters of the State to serve at any voting place in the State in which the
28 political party has a candidate appearing on the ballot.

29 (4) An unaffiliated candidate or the unaffiliated candidate's campaign manager
30 may designate two observers to serve at each voting place in which that
31 unaffiliated candidate appears on the ballot.

32 (c) The list of individuals appointed pursuant to this section shall be submitted
33 electronically or in writing by noon on the business day before each observer is scheduled to
34 serve. Individuals appointed to serve at a particular voting place or countywide shall be submitted
35 to the director of the county board of elections for that county. Individuals appointed to serve
36 statewide shall be submitted to the Executive Director of the State Board, who shall submit a
37 copy to each affected county board of elections. Before each voting place opens for voting, the
38 county board of elections shall provide a copy of the list of appointed observers for each voting
39 place to the chief judge for that respective voting place, including any countywide or statewide
40 observers.

41 (d) The chief judge at each voting place may use reasonable methods to verify the identity
42 of individuals appearing at the voting place to serve as an observer. The State Board may require
43 an observer to wear an identification tag or badge to make voters and election officials aware of
44 the observer's role in the voting place.

45 (e) No more than three observers from the same political party shall be in the voting
46 enclosure at any time. Observers appointed to serve at a particular voting place may be relieved
47 during the day after serving no less than four hours. Observers appointed to serve countywide or
48 statewide may be relieved anytime throughout the day. Observers shall not appear on the ballot
49 as a candidate or serve as an election official in the primary or election in which the observer is
50 serving as an observer. Observers shall take no oath of office.

1 (f) The county board of elections or a chief judge of a voting place shall only challenge
2 the appointment of an observer pursuant to this section for good cause, which shall include
3 evidence that the observer could impact the conduct of the election. The State Board shall develop
4 a form for challenges to the list of observers appointed pursuant to this section to be submitted
5 to the State Board. A county board of elections or a chief judge desiring to challenge the
6 appointment of an observer shall complete the challenge form and submit it to the State Board
7 no later than the time the polls open at that voting place on the day the observer is to serve.

8 (g) Election officials shall not prohibit an observer from doing any of the following,
9 provided that the observer does not interfere with the privacy of any voter or the conduct of the
10 election:

11 (1) Taking notes in the voting place, including using an electronic device to take
12 notes.

13 (2) Listening to conversations between a voter and election official that take place
14 in the voting place, provided the conversation is related to election
15 administration.

16 (3) Moving about the voting place, including the designated area for curbside
17 voting.

18 (4) Leaving and reentering the voting enclosure.

19 (5) Communicating via phone outside of the voting enclosure.

20 (6) Witnessing any opening and closing procedures at the voting place.

21 (h) Observers shall not do any of the following inside the voting place:

22 (1) Look at, photograph, videotape, or otherwise record the image of any voter's
23 marked ballot.

24 (2) Impede the ingress or egress of any voter into the voting place.

25 (3) Inhibit or interfere with any election official in the performance of his or her
26 duties, including interfering with the transport of sealed ballot boxes, election
27 equipment, or election results to the county board of elections.

28 (4) Engage in electioneering.

29 (5) Make or receive phone calls while in the voting place.

30 (i) An observer may take photographs inside the voting place before the voting begins
31 and after voting has concluded, provided that the taking of photographs does not impair any
32 election official in executing opening and closing procedures or compromise the security of
33 ballots, election equipment, or election results. The State Board shall adopt rules to implement
34 this subsection.

35 (j) A chief judge may remove an observer who engages in prohibited behavior under this
36 section. A chief judge may also remove an observer for good cause, which shall include evidence
37 that the observer could impact the conduct of the election. Whenever possible, the chief judge
38 shall first issue a verbal or written warning to the observer. The warning must include the time
39 and nature of the offense, and the chief judge must provide the observer a reasonable opportunity
40 to correct the behavior. If the chief judge determines the observer should be removed, the chief
41 judge must immediately notify the director of the county board of elections. The director of the
42 county board of elections must immediately notify the appointing authority so that a replacement
43 observer can be appointed. Nothing in this section prohibits a chief judge from reporting an
44 alleged violation of State or federal law to the appropriate authority.

45 (k) Any observer who has been denied the ability to serve as an observer under this
46 section by a county board of elections or a chief judge shall have the right to appeal the denial.
47 The State Board shall develop a form for appeals of the denial of the right to serve as an observer
48 to be submitted to the State Board. An observer desiring to appeal the denial of the right to serve
49 as an observer shall complete the appeal form and submit it to the State Board within 24 hours
50 of the denial.

1 (l) An observer may obtain copies of the list of persons who have voted at each voting
2 place during the times the voting place is open for voting. Counties using an "authorization to
3 vote document" instead of pollbooks to indicate which persons have voted are in compliance
4 with this requirement if they allow observers to inspect election records so that the observer can
5 create a list of who has voted at each voting place. The State Board shall determine the times at
6 which these lists may be obtained. However, observers must be able to obtain copies of the list
7 at least three times each day with at least one hour between obtaining the copies."

8 **SECTION 7.(c)** Article 5 of Chapter 163 of the General Statutes is amended by
9 adding a new section to read:

10 **"§ 163-45.2. Runners.**

11 (a) The chair of a county political party may send a runner to obtain copies of the list of
12 persons who have voted at each voting place during the times the voting place is open for voting.
13 The chair of a county political party shall provide a written list of the runners to be used in
14 accordance with the process for appointing observers in accordance with G.S. 163-45.1.

15 (b) The runner shall only enter the voting enclosure to announce the runner's presence
16 and obtain a copy of the list of the persons who have voted that day. The runner must leave
17 immediately after being provided a copy of the list.

18 (c) The State Board shall determine the times at which these lists may be obtained.
19 However, runners must be able to obtain copies of the list at least three times each day with at
20 least one hour between obtaining the copies. Counties using an "authorization to vote document"
21 instead of pollbooks are in compliance with this requirement if they allow runners to inspect
22 election records so that the runner can create a list of who has voted at each voting place. The
23 State Board may also publish copies of the list of who has voted that day on the State Board's
24 website."

25 **SECTION 7.(d)** G.S. 18B-601(i) reads as rewritten:

26 "(i) Observers. – The proponents and opponents for an alcoholic beverage election, as
27 determined by the local board of elections, shall have the right to appoint two observers to attend
28 each voting place. The persons authorized to appoint observers shall, ~~three days before the~~
29 ~~election, by noon on the business day before the observer is scheduled to serve,~~ submit in writing
30 to the ~~chief judge of each precinct~~ county board of elections a signed list of the observers
31 appointed for that ~~precinct~~ voting places in that county. Before each voting place opens for
32 voting, the county board of elections shall provide a copy of the list of appointed observers for
33 each voting place to the chief judge for that respective voting place. The persons appointed as
34 observers shall be registered voters of the ~~precinct for which appointed~~ county in which
35 appointed to serve. The chief judge and judges for the ~~precinct voting place~~ may for good cause
36 reject any appointee and require that another appointed challenge the appointment of an observer
37 in accordance with G.S. 163-45.1. Observers shall do no electioneering at the voting place nor in
38 any manner impede the voting process, interfere or communicate with or observe any voter in
39 casting his ballot. Observers shall be permitted in the voting place to make such observation and
40 to take such notes as they may desire."

41 **SECTION 8.** G.S. 163-47(a) reads as rewritten:

42 "(a) The chief judges and judges of election shall conduct the primaries and elections
43 within their respective precincts fairly and impartially, and they shall enforce peace and good
44 order in and about the place of registration and voting. ~~On the day of each primary and general~~
45 ~~and special election, the precinct chief judge and judges shall remain at the voting place from the~~
46 ~~time fixed by law for the commencement of their duties there until they have completed all those~~
47 ~~duties, and they shall not separate nor shall any one of them leave the voting place except for~~
48 ~~unavoidable necessity.~~The county boards of elections shall ensure that the position of chief judge
49 and judges of election are filled at each voting place for the duration of the duties of the positions
50 on each day of voting in person at the voting place."

51 **SECTION 9.** G.S. 163-82.6A reads as rewritten:

1 **"§ 163-82.6A. Address and name changes at ~~one-stop~~ early voting sites.**

2 Change of Registration at ~~One-Stop~~ Early Voting Site. – A person who is already registered
3 to vote in the county may update the information in the registration record in accordance with
4 procedures prescribed by the State ~~Board of Elections, Board,~~ but an individual's party affiliation
5 may not be changed during the ~~one-stop~~ early voting period before any first or second partisan
6 primary in which the individual is eligible to vote."

7 **SECTION 10.(a)** Article 7A of Chapter 163 of the General Statutes is amended by
8 adding a new section to read:

9 **"§ 163-82.6B. Same-day registration.**

10 (a) Notwithstanding any provision of law to the contrary, an individual who is qualified
11 to register to vote may register in person and then vote at an early voting site in the individual's
12 county of residence during the period for early voting provided under Part 5 of Article 14A of
13 this Chapter.

14 (b) To register and vote under this section, an individual shall do all of the following:

15 (1) Complete a voter registration application form as prescribed in G.S. 163-82.4.

16 (2) Provide proof of residence by presenting a HAVA document listing the
17 individual's current name and residence address.

18 (3) Present photo identification in accordance with G.S. 163-166.16.

19 (c) An applicant who registers under this section shall vote a retrievable ballot as
20 provided in G.S. 163-166.45 immediately after submitting the voter registration application form.

21 (d) Within two business days of the individual's registration under this section, the county
22 board of elections in conjunction with the State Board shall verify the North Carolina drivers
23 license or social security number in accordance with G.S. 163-82.12, update the statewide
24 registration database, search for possible duplicate registrations, and proceed under
25 G.S. 163-82.7 to verify the applicant's address. The applicant's vote shall be counted unless the
26 county board determines that the applicant is not qualified to vote in accordance with this
27 Chapter. Notwithstanding any other provision of this Chapter, if the Postal Service returns the
28 first notice required under G.S. 163-82.7(c) as undeliverable before the close of business on the
29 business day before canvass, the county board shall not register the applicant and shall retrieve
30 the applicant's ballot and remove that ballot's votes from the official count.

31 (e) For purposes of this section, a "HAVA document" is any of the following that shows
32 the name and address of the individual:

33 (1) A current utility bill.

34 (2) A current bank statement.

35 (3) A current government check.

36 (4) A current paycheck.

37 (5) Another current government document.

38 (6) A current document issued from the institution who issued the photo
39 identification shown by the voter pursuant to G.S. 163-166.16."

40 **SECTION 10.(b)** G.S. 163-166.12(f)(1) reads as rewritten:

41 "(1) An individual who registers by mail and submits as part of the registration
42 application either of the following:

43 a. A copy of a current and valid photo identification.

44 b. A copy of ~~one of the following documents that shows the name and~~
45 ~~address of the voter: a current utility bill, bank statement, government~~
46 ~~check, paycheck, or other government document.~~ a "HAVA document"
47 as defined in G.S. 163-82.6B(e)."

48 **SECTION 11.** G.S. 163-82.7(g)(2) reads as rewritten:

49 "(2) If the Postal Service has returned as undeliverable a notice sent within 25 days
50 before the election to the applicant under subsection (c) of this section, then
51 the applicant may vote only in person in accordance with Article 14A of this

Chapter in that first election and may not vote by absentee ballot ~~except in person under G.S. 163-227.2, 163-227.5, and 163-227.6.~~ ballot. The county board of elections shall establish a procedure at the voting site ~~for~~ for doing both of the following:

- a. Obtaining the correct address of any person described in this subdivision who appears to vote in ~~person;~~ and person.
- b. Assuring that the person votes in the proper place and in the proper contests.

If a notice mailed under subsection (c) or subsection (e) of this section is returned as undeliverable after a person has already voted by absentee ballot, then that person's ballot may be challenged in accordance with G.S. 163-89."

SECTION 12. G.S. 163-82.8A(d)(2) reads as rewritten:

"(2) Voter photo identification cards shall be issued at any time, except during the time period between the end of ~~one-stop-early~~ voting for a primary or election as provided in ~~G.S. 163-227.2~~ G.S. 163-166.40 and election day for each primary and election."

SECTION 13.(a) G.S. 163-87 reads as rewritten:

"§ 163-87. Challenges allowed ~~on~~ during early voting and on day of primary or election.

On the day of a primary or election, or during the hours for early voting under Part 5 of Article 14A of this Chapter, at the time a registered voter offers to ~~vote,~~ vote in person, any other registered voter of the county may exercise the right of challenge, and when the voter does so may enter the voting enclosure to make the challenge, but the voter shall retire therefrom as soon as the challenge is heard.

On the day of a primary or election, or during the hours for early voting under Part 5 of Article 14A of this Chapter, any other registered voter of the county may challenge a person for one or more of the following reasons:

- (1) One or more of the reasons listed in G.S. 163-85(c).
- (2) That the person has already voted in that primary or election.
- (3) If the challenge is made with respect to voting in a partisan primary, that the person is a registered voter of another political party.
- (4) Repealed by Session Laws 2018-144, s. 3.1(c), effective December 19, 2018.
- (5) The registered voter does not present photo identification in accordance with G.S. 163-166.16.

The chief judge, judge, or assistant appointed under ~~G.S. 163-41 or 163-42~~ G.S. 163-41, 163-42, or 163-166.35 may enter challenges under this section against voters in the precinct or at the early voting site for which appointed regardless of the place of residence of the chief judge, judge, or assistant.

If a person is challenged under this subsection, and the challenge is sustained under G.S. 163-85(c)(3), the voter may still transfer that voter's registration under G.S. 163-82.15(e) if eligible under that section, and the registration shall not be cancelled under G.S. 163-90.2(a) if the transfer is made. A person who has transferred that voter's registration under G.S. 163-82.15(e) may be challenged at the precinct to which the registration is being transferred."

SECTION 13.(b) G.S. 163-88 reads as rewritten:

"§ 163-88. Hearing on challenge made during early voting and on day of primary or election.

(a) A challenge entered on the day of a primary or ~~election~~ election, or during the hours for early voting under Part 5 of Article 14A of this Chapter, shall be heard and decided by the chief judge and judges of election of the precinct or early voting site in which the challenged registrant is registered before the polls are closed on the day the challenge is made. When the challenge is heard the precinct officials conducting the hearing shall explain to the challenged

1 registrant the qualifications for registration and voting in this State, and shall examine him or her
2 as to his or her qualifications to be registered and to vote. If the challenged registrant insists that
3 he or she is qualified, and if, by sworn testimony, he or she shall prove his or her identity with
4 the person in whose name he or she offers to vote and his or her continued residence in the
5 precinct since ~~he was being~~ registered, one of the judges of election or the chief judge shall tender
6 to him or her the following oath or affirmation, omitting the portions in brackets if the challenge
7 is heard ~~on the day of~~ for an election other than a primary:

8 "You do solemnly swear (or affirm) that you are a citizen of the United States; that you are
9 at least 18 years of age [or will become 18 by the date of the next general election]; that you have
10 [or will have] resided in this State and in the precinct for which registered for 30 days [by the
11 date of the next general election]; that you are not disqualified from voting by the Constitution
12 and laws of this State; that your name is _____, and that in such name you were duly registered as
13 a voter of this precinct; that you are the person you represent yourself to be; [that you are affiliated
14 with the _____ party]; and that you have not voted in this [primary] election at this or any other
15 voting place. So help you, God."

16 If the challenged registrant refuses to take the tendered oath, the challenge shall be sustained,
17 and the precinct officials conducting the hearing shall mark the registration records to reflect
18 their decision, and they shall erase the challenged registrant's name from the pollbook if it has
19 been entered therein. If the challenged registrant takes the tendered oath, the precinct officials
20 conducting the hearing may, nevertheless, sustain the challenge unless they are satisfied that the
21 challenged registrant is a legal voter. If they are satisfied that he or she is a legal voter, they shall
22 overrule the challenge and permit ~~him the voter~~ to vote. Whenever any person's vote is received
23 after having taken the oath prescribed in this section, the chief judge or one of the judges of
24 election shall write on the registration record and on the pollbook opposite the registrant's name
25 the word "sworn."

26 (b) Precinct election officials conducting hearings on challenges on the day of a primary
27 ~~or election~~ election, or during the hours for early voting under Part 5 of Article 14A of this
28 Chapter, shall have authority to administer the necessary oaths or affirmations to all witnesses
29 brought before them to testify to the qualifications of the person challenged.

30 (c) A letter or postal card mailed by returnable mail and returned by the United States
31 Postal Service purportedly because the person no longer lives at that address or because a
32 forwarding order has expired shall not be admissible evidence in a challenge heard under this
33 section which was made under G.S. 163-87."

34 **SECTION 14.** G.S. 163-88.1(c) reads as rewritten:

35 "(c) The chairman of the county board of elections shall preserve ~~such challenged~~ ballots
36 in the sealed envelopes for a period of ~~six~~ 22 months after the ~~election.~~ corresponding election
37 or as otherwise specified in federal law, whichever is greater. However, in the case of a contested
38 election, either party to such action may request the court to order that the sealed envelopes
39 containing challenged ballots be delivered to the board of elections by the chairman. If so
40 ordered, the board of elections shall then convene and consider each challenged ballot and rule
41 as to which ballots shall be counted. In such consideration, the board may take such further
42 evidence as it deems necessary, and shall have the power of subpoena. If any ballots are ordered
43 to be counted, they shall be added to the vote totals."

44 **SECTION 15.** G.S. 163-89 reads as rewritten:

45 "**§ 163-89. Procedures for challenging absentee ballots.**

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

(b) Who May Challenge. – Any registered voter of the same ~~precinct~~ county as the absentee voter may challenge that voter's absentee ballot.

...."

SECTION 16. 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, 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."

SECTION 16.5. G.S. 163-111(e) reads as rewritten:

"(e) Date of Second Primary; Procedures. – If a second primary is required under the provisions of this section, the appropriate board of elections, State or county, shall order that it be held 10 weeks after the first ~~primary if any of the offices for which a second primary is required are for a candidate for the office of United States Senate or member of the United States House of Representatives.~~ Otherwise, the second primary shall be held seven weeks after the first primary.

There shall be no registration of voters between the dates of the first and second primaries. Persons whose qualifications to register and vote mature after the day of the first primary and before the day of the second primary may register on the day of the second primary and, when thus registered, shall be entitled to vote in the second primary. The second primary is a continuation of the first primary and any voter who files a proper and timely written affirmation of change of address within the county under the provisions of G.S. 163-82.15, in the first primary may vote in the second primary without having to refile that written affirmation if the voter is otherwise qualified to vote in the second primary. Subject to this provision for registration, the second primary shall be held under the laws, rules, and regulations provided for the first primary."

SECTION 17. G.S. 163-119 reads as rewritten:

"§ 163-119. Voting by unaffiliated voter in party primary.

~~If a political party has, by action of its State Executive Committee reported to the State Board of Elections by resolution delivered no later than the first day of December preceding a primary, provided that unaffiliated-Unaffiliated voters may shall be allowed to vote in the primary of that party, an one primary of the voter's choosing, subject to the provisions of G.S. 163-59, 163-111, and 163-166.7. Each unaffiliated voter may vote in the primary of that party by announcing that intention under G.S. 163-166.7(a). For a party to withdraw its permission, it must do so by action of its State Executive Committee, similarly reported to the State Board of Elections no later than the first day of December preceding the primary where the withdrawal is to become effective."~~

SECTION 18. 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 19. G.S. 163-132.5G reads as rewritten:

"§ 163-132.5G. Voting data maintained by precinct.

(a) Each county board of elections shall maintain voting data by voting precinct so that precinct returns for each item on the ballot shall include the votes cast by all residents of that voting precinct who voted, regardless of where ~~the voter voted.~~ that voter cast his or her ballot.

1 The county board shall not be required to report returns by voting precinct for voters who voted
 2 other than at the voting precinct associated with that voter's voter registration on election day
 3 until 30 days after the election.

4 (a1) In reporting returns, all of the following shall apply:

- 5 (1) ~~the~~ The county board shall not compromise the secrecy of an individual's
 6 ballot.
- 7 (2) ~~In reporting returns, the~~ The county board shall report, by precinct for each
 8 item on the ballot, the number of voters who did not select a choice for that
 9 item on the ~~ballot~~ ballot.
- 10 (3) ~~and~~ The county board shall report, by precinct for each item on the ballot, the
 11 number of voters who selected more choices than available for that item on
 12 the ballot.
- 13 (4) The county board shall report ballots cast during early voting under Part 5 of
 14 Article 14A of this Chapter separately from mail-in absentee ballots cast under
 15 Article 20 or 21A of this Chapter.

16"

17 **SECTION 20.** G.S. 163-165 is amended by adding a new subdivision to read:

18 "(5g) "Early voting" means casting a ballot in person prior to election day at the
 19 county board office or another location designated by the county board of
 20 elections for the purpose of casting ballots."

21 **SECTION 21.** G.S. 163-166.3 reads as rewritten:

22 "**§ 163-166.3. Limited access to the voting enclosure.**

23 (a) Persons Who May Enter Voting Enclosure. – During the time allowed for voting in
 24 the voting place, only the following persons may enter the voting enclosure:

- 25 (1) An election official.
- 26 (2) An observer ~~appointed pursuant to G.S. 163-45~~ or student election assistant
 27 acting in accordance with Article 5 of this Chapter.
- 28 (3) A runner ~~appointed pursuant to G.S. 163-45~~, but only to the extent necessary
 29 to announce that runner's presence and to receive the voter list as provided in
 30 G.S. 163-45. G.S. 163-45.2.
- 31 (4) A person seeking to vote in that voting place on that day but only while in the
 32 process of voting or seeking to vote.
- 33 (5) A voter in that precinct while entering or explaining a challenge pursuant to
 34 G.S. 163-87 or G.S. 163-88.
- 35 (6) A person authorized under G.S. 163-166.8 to assist a voter but, except as
 36 provided in subdivision (7) of this section, only while assisting that voter.
- 37 (7) Minor children of the voter under the age of 18, or minor children under the
 38 age of 18 in the care of the voter, but only while accompanying the voter and
 39 while under the control of the voter.
- 40 (8) Persons conducting or participating in a simulated election within the voting
 41 place or voting enclosure, if that simulated election is approved by the county
 42 board of elections.
- 43 (9) Any other person determined by election officials to have an urgent need to
 44 enter the voting enclosure but only to the extent necessary to address that need.

45 (b) Photographing Voters Prohibited. – No person shall photograph, videotape, or
 46 otherwise record the image of any voter within the voting enclosure, except with the permission
 47 of both the voter and the chief judge of the precinct. If the voter is a candidate, only the permission
 48 of the voter is required. This subsection shall also apply to ~~one-stop early voting sites~~ under
 49 G.S. 163-227.2, 163-227.5, and 163-227.6. Part 5 of Article 14A of this Chapter. This subsection
 50 does not apply to cameras used as a regular part of the security of the facility that is a voting
 51 place or ~~one-stop early voting site~~.

1 (c) Photographing Voted Ballot Prohibited. – No person shall photograph, videotape, or
2 otherwise record the image of a voted official ballot for any purpose not otherwise permitted
3 under law."

4 **SECTION 22.** G.S. 163-166.4 reads as rewritten:

5 "**§ 163-166.4. Limitation on activity in the voting place and in a buffer zone around it.**

6 ...

7 (c) Special Agreements About Election-Related Activity. – The Executive Director of
8 the State Board of Elections may grant special permission for a county board of elections to enter
9 into an agreement with the owners or managers of a nonpublic building to use the building as a
10 voting place on the condition that election-related activity as described in subsection (b) of this
11 section not be permitted on their property adjacent to the buffer zone, if the Executive Director
12 finds all of the following:

13 ...

14 (4) That the county board has attempted to secure as a term of the agreement at
15 least 36 hours prior to the opening of the voting place and at least 36 hours
16 after the close of the voting place, as provided in ~~G.S. 163-166.01,~~
17 G.S. 163-166.25, for candidates to place and retrieve political advertising. The
18 agreement may also provide that any political advertising placed outside the
19 times specified in this subsection may be removed by the property owner.

20 An agreement under this subsection shall be valid for as long as the nonpublic building is used
21 as a voting place.

22 ...

23 (e) Buffer Zone and Area for Election-Related Activity at ~~One-Stop-Early Voting Sites.~~
24 – Except as modified in this subsection, the provisions of this section shall apply to ~~one-stop~~
25 early voting sites in G.S. 163-227.2, 163-227.5, and 163-227.6 under Part 5 of Article 14A of
26 this Chapter.

27 (1) Subsection (c) of this section shall not apply.

28 (2) The notice in subsection (d) of this section shall be provided no later than 10
29 days before the opening of ~~one-stop-early~~ voting at the site."

30 **SECTION 23.** G.S. 163-166.7(c)(9) reads as rewritten:

31 "(9) ~~Party observers~~ Observers are given access as provided by ~~G.S. 163-45~~
32 G.S. 163-45.1 to current information about which voters have voted."

33 **SECTION 24.** G.S. 163-166.8 is amended by adding a new subsection to read:

34 "(d) Precinct officials shall maintain a log of any individual, other than a minor child under
35 the age of 18 in the care of a voter, who enters the voting place pursuant to this section and is not
36 seeking to vote in that voting place. The log shall include the printed name and address of the
37 individual entering the voting place, the time the individual entered the voting place, and a space
38 for that individual's signature. This subsection shall not apply to observers and runners appointed
39 pursuant to G.S. 163-45.1 and G.S. 163-45.2."

40 **SECTION 25.** G.S. 163-166.11 reads as rewritten:

41 "**§ 163-166.11. Provisional voting requirements.**

42 If an individual seeking to vote claims to be a registered voter in a jurisdiction as provided in
43 G.S. 163-82.1 and though eligible to vote in the election does not appear on the official list of
44 eligible registered voters in the voting place, that individual may cast a provisional official ballot
45 as follows:

46 ...

47 (3) A voter who has moved within the county more than 30 days before election
48 day but has not reported the move to the board of elections shall not be
49 required ~~on that account~~ to vote a provisional ballot at the ~~one-stop-early~~
50 voting site, as long as the ~~one-stop-early voting site~~ has available all the
51 information necessary to determine whether a voter is registered to vote in the

1 county and which ballot the voter is eligible to vote based on the voter's proper
 2 residence address. The voter with that kind of unreported move shall be
 3 allowed to vote the same kind of absentee ballot as other ~~one-stop-early~~ voters
 4 as provided in ~~G.S. 163-227.2~~. G.S. 163-166.40.

5 (4) At the time the individual casts the provisional official ballot, the election
 6 officials shall provide the individual written information stating that anyone
 7 casting a provisional official ballot can ascertain whether and to what extent
 8 the ballot was counted and, if the ballot was not counted in whole or in part,
 9 the reason it was not counted. The State Board of Elections or the county board
 10 of elections shall establish a system for so informing a provisional voter. ~~It~~
 11 ~~shall make the system~~ voter, which shall be available to every provisional
 12 voter without charge, charge and ~~it shall build into it~~ contain reasonable
 13 procedures to protect the security, confidentiality, and integrity of the voter's
 14 personal information and vote.

15 (5) The cast provisional official ballot and the written affirmation shall be secured
 16 by election officials at the voting place according to guidelines and procedures
 17 adopted by the State ~~Board of Elections~~. Board. At the close of the polls,
 18 election officials shall transmit the provisional official ballots cast at that
 19 voting place to the county board of elections for prompt verification according
 20 to guidelines and procedures adopted by the State ~~Board of Elections~~. Board.
 21 No later than 12:00 P.M. two days after the close of the polls, the county board
 22 of elections shall publish the number of provisional ballots cast on election
 23 day, cast by ~~one-stop-absentee-early~~ voting, cast by mail-in absentee ballots
 24 received as of election day, and cast by military and overseas absentee ballots
 25 cast under Article 21A of this Chapter and received as of election day."

26 **SECTION 26.** G.S. 163-166.12(c) reads as rewritten:

27 "(c) Notation of Identification Proof. – The county board of elections shall note the type
 28 of identification proof submitted by the voter under the provisions of subsection (a) or (b) of this
 29 section and may dispose of the tendered copy of identification proof as soon as the type of proof
 30 is noted in the voter registration records. The county board of elections shall create a list denoting
 31 the voter, the method of voting by the voter, and type of identification proof submitted by the
 32 voter, which shall be a public record."

33 **SECTION 27.(a)** The caption of Part 3 of Article 14A of Chapter 163 of the General
 34 Statutes reads as rewritten:

35 "Part 3. Procedures at the Voting ~~Place~~. Place Generally."

36 **SECTION 27.(b)** Article 14A of Chapter 163 of the General Statutes, as amended
 37 by this act, is amended by adding a new Part to read:

38 "Part 4. Election Day Voting.

39 "**§ 163-166.25. Hours for voting.**

40 (a) ~~In every election,~~ On election day, the voting place shall be open at 6:30 A.M. and
 41 shall be closed at 7:30 P.M. If the polls are delayed in opening for more than 15 minutes, or are
 42 interrupted for more than 15 minutes after opening, the State Board of Elections may extend the
 43 closing time by an equal number of minutes. As authorized by law, the State Board of Elections
 44 shall be available either in person or by teleconference on the day of election to approve any such
 45 extension.

46 (b) If any voter is in line to vote at the time the polls are closed, that voter shall be
 47 permitted to vote. No voter shall be permitted to vote who arrives at the voting place after the
 48 closing of the polls.

49 (c) Any voter who votes after the statutory poll closing time of 7:30 P.M. by virtue of a
 50 federal or State court order or any other lawful order, including an order of a county board of
 51 elections, shall be allowed to vote, under the provisions of that order, only by using a provisional

1 official ballot. Any special provisional official ballots cast under this ~~section~~ subsection shall be
2 separated, counted, and held apart from other provisional ballots cast by other voters not under
3 the effect of the order extending the closing time of the voting place. If the court order has not
4 been reversed or stayed by the time of the county canvass, the total for that category of
5 provisional ballots shall be added to the official canvass.

6 "§§ 163-166.26. through 163-166.34. Reserved for future codification purposes."

7 **SECTION 27.(c)** Article 14A of Chapter 163 of the General Statutes, as amended
8 by this act, is amended by adding a new Part to read:

9 "Part 5. Early Voting."

10 **"§ 163-166.35. Sites and hours for ~~one-stop~~ early voting.**

11 (a) ~~Notwithstanding any other provision of G.S. 163-227.2, 163-227.5, and this section,~~
12 ~~a~~ A county board of elections by unanimous vote of all its members may provide for one or more
13 sites in that county for ~~absentee~~ ballots to be applied for and cast under ~~these sections~~. ~~Every this~~
14 Part. Except for individuals appointed to early voting sites pursuant to subsection (a1) of this
15 section, every individual staffing any of those sites shall be a member or full-time employee of
16 the county board of elections or an employee of the county board of elections whom the board
17 has given training equivalent to that given a full-time employee. Those sites must be approved
18 by the State Board as part of a Plan for Implementation approved by both the county board of
19 elections and by the State Board which shall also provide adequate security of the ballots and
20 provisions to avoid allowing persons to vote who have already voted. ~~The Plan for~~
21 Implementation shall include a provision for the presence of political party observers at each
22 one-stop site equivalent to the provisions in G.S. 163-45 for party observers at voting places on
23 election day. A county board of elections may propose in its Plan for Implementation not to offer
24 ~~one-stop~~ early voting at the county board of elections office; the State Board may approve that
25 proposal in a Plan for Implementation only if the Plan for Implementation includes at least one
26 site reasonably proximate to the county board of elections office and the State Board finds that
27 the sites in the Plan for Implementation as a whole provide adequate coverage of the county's
28 electorate. If a county board of elections has considered a proposed Plan or Plans for
29 Implementation and has been unable to reach unanimity in favor of a ~~Plan,~~ Plan for
30 Implementation, a member or members of that county board of elections may petition the State
31 Board to adopt a plan for it. If petitioned, the State Board may also receive and consider
32 alternative petitions from another member or members of that county board. The State Board
33 may adopt a Plan for Implementation for that county. The State Board, in that plan, shall take
34 into consideration whether the Plan for Implementation disproportionately favors any party,
35 racial or ethnic group, or candidate.

36 (a1) For each early voting site other than the county board of elections office, precinct
37 officials shall be appointed by the county board of elections for each primary or election. The
38 chair of each political party in the county shall recommend individuals who are otherwise
39 qualified to serve as precinct officials at early voting sites. If such recommendations are received
40 by the county board of elections no later than the fifth business day preceding the date on which
41 appointments are to be made, the county board of elections shall make appointments from the
42 list of recommendations. In making the appointments pursuant to this subsection, precinct
43 officials shall be appointed according to all of the following:

44 (1) A chief judge and judges shall be appointed to each early voting site for each
45 day of early voting in the same manner as allocated to each precinct in the
46 county as provided in G.S. 163-41 where possible; provided, however, that a
47 chief judge shall be appointed to each early voting site for each day of early
48 voting.

49 (2) Assistants shall be appointed to each early voting site in the same manner as
50 allocated to each precinct in the county as provided in G.S. 163-42 where
51 possible.

- 1 (3) The provisions of G.S. 163-41.1, 163-41.2, and 163-42.1 apply to early voting
2 sites.
- 3 (4) Multiple chief judges, judges, and assistants may be appointed to serve at each
4 early voting site so that chief judges, judges, and assistants may serve for
5 partial shifts throughout each day of early voting or serve for less than the full
6 number of days of early voting.

7 (b) The State Board shall not approve, either in a Plan for Implementation approved
8 unanimously by a county board of elections or in an alternative Plan for Implementation proposed
9 by a member or members of that board, ~~a one-stop-an early voting site~~ in a building that the
10 county board of elections is not entitled under G.S. 163-129 to demand and use as an election-day
11 voting place, unless the State Board finds that other equally suitable sites were not available and
12 that the use of the sites chosen will not disproportionately favor any party, racial or ethnic group,
13 or candidate. In providing the site or sites for ~~one-stop absentee early voting~~ under
14 ~~G.S. 163-227.2, 163-227.5, and this section, this Part,~~ the county board of elections shall make a
15 request to the State, county, city, local school board, or other entity in control of the building that
16 is supported or maintained, in whole or in part, by or through tax revenues at least 90 days prior
17 to the start of ~~one-stop absentee early voting~~ under ~~these sections, this Part.~~ The request shall
18 clearly identify the building, or any specific portion thereof, requested the dates and times for
19 which that building or specific portion thereof is requested and the requirement of an area for
20 election related activity. If the State, local governing board, or other entity in control of the
21 building does not respond to the request within 20 days, the building or specific portion thereof
22 may be used for ~~one-stop absentee early voting~~ as stated in the request. If the State, local
23 governing board, or other entity in control of the building or specific portion thereof responds
24 negatively to the request within 20 days, that entity and the county board of elections shall, in
25 good faith, work to identify a building or specific portion thereof in which to conduct ~~one-stop~~
26 ~~absentee early voting~~ under ~~163-227.2, 163-227.5, and this section, this Part.~~ If no building or
27 specific portion thereof has been agreed upon within 45 days from the date the county board of
28 elections received a response to the request, the matter shall be resolved by the State Board.

29 (c) For all sites approved for ~~one-stop early voting~~ under this section, a county board of
30 elections shall provide the following:

- 31 (1) Each ~~one-stop early voting~~ site across the county shall be open at that same
32 location during the period required by ~~G.S. 163-227.2(b), G.S. 163-166.40(b).~~
- 33 (2) If any ~~one-stop early voting~~ site across the county is opened on any day during
34 the period required by ~~G.S. 163-227.2(b), G.S. 163-166.40(b),~~ all ~~one-stop~~
35 ~~early voting~~ sites shall be open on that day.
- 36 (3) On each weekday during the period required by ~~G.S. 163-227.2(b),~~
37 ~~G.S. 163-166.40(b),~~ all ~~one-stop early voting~~ sites shall be open from 8:00
38 A.M. to 7:30 P.M.
- 39 (4) If the county board of elections opens ~~one-stop early voting~~ sites on Saturdays
40 other than the last Saturday before the election during the period required by
41 ~~G.S. 163-227.2(b), G.S. 163-166.40(b),~~ then all ~~one-stop early voting~~ sites
42 shall be open for the same number of hours uniformly throughout the county
43 on those Saturdays.
- 44 (5) If the county board of elections opens ~~one-stop early voting~~ sites on Sundays
45 during the period required by ~~G.S. 163-227.2(b), G.S. 163-166.40(b),~~ then all
46 ~~one-stop early voting~~ sites shall be open for the same number of hours
47 uniformly throughout the county on those Sundays.
- 48 (6) All ~~one-stop early voting~~ sites shall be open on the last Saturday before the
49 election, for the hours required under ~~G.S. 163-227.2(b), G.S. 163-166.40(b)~~
50 for that last Saturday.

1 (d) Notwithstanding subsection (c) of this section, a county board of elections by
2 unanimous vote of all its members may propose a Plan for Implementation providing for the
3 number of sites set out below in that county for ~~absentee~~ ballots to be ~~applied for and~~ cast with
4 days and hours that vary from the county board of elections, or its alternate, and other additional
5 ~~one-stop early voting~~ sites in that county. If the county board of elections is unable to reach
6 unanimity in favor of a Plan for Implementation, a member or members of the county board of
7 elections may petition the State Board to adopt a plan for the county and the State Board may
8 adopt a Plan for Implementation for that county. However, any Plan ~~of~~ ~~for~~ Implementation
9 approved under this subsection shall provide for uniform location, days, and hours for that one
10 site throughout the period required by ~~G.S. 163-227.2(b)~~. G.S. 163-166.40(b). This subsection
11 applies only to a county that meets any of the following:

- 12 (1) One site in a county that includes a barrier island, which barrier island meets
13 all of the following conditions:
- 14 a. It has permanent inhabitation of residents residing in an
15 unincorporated area.
 - 16 b. It is bounded on the east by the Atlantic Ocean and on the west by a
17 coastal sound.
 - 18 c. It contains either a National Wildlife Refuge or a portion of a National
19 Seashore.
 - 20 d. It has no bridge access to the mainland of the county and is only
21 accessible by marine vessel.
- 22 (2) Up to two sites in a county that is bounded by the largest sound on the East
23 Coast and the county seat is located at the intersection of two rivers, which
24 divide the county.

25 (e) Notwithstanding ~~G.S. 163-227.2~~ G.S. 163-166.40 and subdivisions (c)(2) and (c)(3)
26 of this section, a county board of elections by unanimous vote of all its members may propose a
27 Plan for Implementation providing for sites in that county for ~~absentee~~ ballots cast during early
28 voting to be applied for and cast in elections for all entities conducted in odd-numbered years.
29 The proposed Plan for Implementation shall specify the hours of operation for the county board
30 of elections for an election conducted in that county for that odd-numbered year. If the county
31 board of elections is unable to reach unanimity in favor of a Plan for Implementation for that
32 odd-numbered year, a member or members of the county board of elections may petition the
33 State Board to adopt a Plan for Implementation for the county, and the State Board may adopt a
34 Plan for Implementation for that county. However, throughout the period required by
35 ~~G.S. 163-227.2(b)~~, G.S. 163-166.40(b), any Plan ~~of~~ ~~for~~ Implementation approved under this
36 subsection shall provide for a minimum of regular business hours consistent with daily hours
37 presently observed by the county board of elections for the county board of elections, or its
38 alternate, and for uniform locations, days, and hours for all other additional ~~one-stop early voting~~
39 sites in that county.

40 **§§ 163-166.36 through 163-166.39.** Reserved for future codification purposes.

41 **§ 163-166.40. Alternate procedures for requesting application for absentee ballot;**
42 **"one-stop" Early voting procedure in board office procedures.**

43 (a) Any voter eligible to vote ~~by absentee ballot under G.S. 163-226~~ may ~~request an~~
44 ~~application for absentee ballots, complete the application, and vote under the provisions of~~
45 ~~G.S. 163-227.5 and G.S. 163-227.6:~~ a ballot under this Part.

46 (b) Not earlier than the third Thursday before an election, ~~in which absentee ballots are~~
47 ~~authorized,~~ election in which a voter seeks to vote and not later than 3:00 P.M. on the last
48 Saturday before that election, the voter ~~shall~~ may appear in person only at the office of the county
49 board of elections, except as provided in ~~G.S. 163-227.6~~. G.S. 163-166.35. A county board of
50 elections shall conduct ~~one-stop early~~ voting on the last Saturday before the election from 8:00
51 A.M. until 3:00 P.M.

1 ~~That~~The voter shall enter the voting enclosure at the board office through the
2 appropriate entrance and shall at once ~~state~~do all of the following:

3 (1) ~~State his or her name~~name to an authorized member or employee of the board
4 or election official.

5 (2) ~~and State the voter's~~ place of residence to an authorized member or employee
6 of the ~~board~~board or election official.

7 (3) ~~and present~~Present photo identification in accordance with G.S. 163-166.16.

8 (4) ~~In a primary election, the voter shall also state~~State the political party with
9 which the voter affiliates and in whose primary the voter desires to ~~vote, or if~~
10 vote. If the voter is an unaffiliated voter ~~permitted to vote~~voting in the primary
11 of a particular party under G.S. 163-119, the voter shall state the name of the
12 ~~authorizing~~ political party in whose primary ~~he~~the voter wishes to vote.

13 (b2) The board member or employee or election official to whom the voter gives this
14 information shall announce the name and residence of the voter in a distinct tone of voice. After
15 examining the registration records, ~~an employee of the board~~he or she shall state whether the
16 person seeking to vote is duly registered. If the voter is found to be registered that voter may
17 ~~request that the authorized member or employee of the board furnish the voter with an application~~
18 ~~for absentee ballots. The voter shall complete the application in the presence of the authorized~~
19 ~~member or employee of the board, and shall deliver the application to that person.~~vote a ballot
20 under this Part.

21 (c) If the application is properly filled out, the authorized member or employee shall ~~enter~~
22 ~~the voter's name in the register of absentee requests, applications, and ballots issued and shall~~
23 ~~furnish the voter with the ballots to which the application for absentee ballots applies. The voter~~
24 ~~thereupon shall vote in accordance with subsection (e) of this section.~~

25 All actions required by this ~~subsection~~section shall be performed in the office of the board
26 of elections, except that the voting may take place in an adjacent room as provided by subsection
27 (e) of this section. ~~The application under this subsection shall be signed in the presence of the~~
28 ~~chair, member, director of elections of the board, or full time employee, authorized by the board~~
29 ~~who shall sign the application and certificate as the witness and indicate the official title held by~~
30 ~~him or her. Notwithstanding G.S. 163-231(a), in the case of this subsection, only one witness~~
31 ~~shall be required on the certificate.~~

32 (d) Only the chairman, member, employee, or director of elections of the board shall keep
33 ~~the voter's application for absentee ballots in a safe place, separate and apart from other~~
34 ~~applications and container return envelopes. If the voter's application for absentee ballots is~~
35 ~~disapproved by the board, the board shall so notify the voter stating the reason for disapproval~~
36 ~~by first class mail addressed to the voter at that voter's residence address and at the address shown~~
37 ~~in the application for absentee ballots; and the board shall enter a challenge under G.S. 163-89.~~

38 (e) The voter shall vote that voter's ~~absentee ballot~~during early voting in a voting booth
39 in the office of the county board of elections, and the county board of elections shall provide a
40 voting booth for that purpose, provided however, that the county board of elections may in the
41 alternative provide a private room for the voter adjacent to the office of the board, in which case
42 the voter shall vote that voter's ~~absentee ballot~~ in that room. A voter at ~~a one stop~~an early voting
43 site shall be entitled to the same assistance as a voter at a voting place on election day under
44 G.S. 163-166.8. The State Board shall, where appropriate, adapt the rules it adopts under
45 G.S. 163-166.8. to ~~one stop~~early voting.

46 (f) At any site where ~~one stop absentee~~early voting is conducted, there shall be a
47 curtained or otherwise private area where the voter may mark the ballot unobserved.

48 (g) A voter who has moved within the county more than 30 days before election day but
49 has not reported the move to the board of elections shall not be required on that account to vote
50 a provisional ballot at the ~~one stop~~early voting site, as long as the ~~one stop~~early voting site has
51 available all the information necessary to determine whether a voter is registered to vote in the

1 county and which ballot the voter is eligible to vote based on the voter's proper residence address.
2 The voter with that kind of unreported move shall be allowed to vote the same kind of absentee
3 ballot as other ~~one-stop voters.~~ voters voting a ballot during early voting.

4 (h) Notwithstanding the exception specified in G.S. 163-36, counties which operate a
5 modified full-time office shall remain open five days each week during regular business hours
6 consistent with daily hours presently observed by the county board of elections, commencing
7 with the date prescribed in ~~G.S. 163-227.2(b)~~ subsection (b) of this section and continuing until
8 5:00 P.M. on the Friday prior to that election and shall also be open on the last Saturday before
9 the election. A county board may conduct ~~one-stop absentee~~ early voting during evenings or on
10 weekends, as long as the hours are part of a plan submitted and approved according to subsection
11 (g) of this ~~section~~ section. The boards of county commissioners shall provide necessary funds for
12 the additional operation of the office during that time.

13 (i) ~~Notwithstanding the provisions of G.S. 163-89(a) and (b), a challenge may be entered~~
14 ~~against a voter at a one-stop site under subsection (g) of this section or during one-stop voting at~~
15 ~~the county board office. The challenge may be entered by a person conducting one-stop voting~~
16 ~~under G.S. 163-227.5 and G.S. 163-227.6 or by another registered voter who resides in the same~~
17 ~~precinct as the voter being challenged. If challenged at the place where one-stop voting occurs,~~
18 ~~the voter shall be allowed to cast a ballot in the same way as other voters. The challenge shall be~~
19 ~~made on forms prescribed by the State Board. The challenge shall be heard by the county board~~
20 ~~of elections in accordance with the procedures set forth in G.S. 163-89(e).~~

21 **"§§ 163-166.41 through 163-166.44.** Reserved for future codification purposes.

22 **"§ 163-166.45. Alternate procedures for requesting application for absentee ballot;**
23 **"one-stop" voting procedure in board office. Retrievable ballots.**

24 If a county uses a voting system with retrievable ballots, that county's board of elections may
25 by resolution elect to conduct ~~one-stop absentee~~ early voting according to the provisions of this
26 ~~section.~~ Part. In a county in which the board has opted to do so, a ~~one-stop~~ voter during early
27 voting shall cast the ballot and then shall deposit the ballot in the ballot box or voting system in
28 the same manner as if such box or system was in use in a precinct on election day. At the end of
29 each business day, or at any time when there will be no employee or officer of the board of
30 elections on the premises, the ballot box or system shall be secured in accordance with a plan
31 approved by the State ~~Board of Elections,~~ Board, which shall include that no additional ballots
32 have been placed in the box or system. Any county board desiring to conduct ~~one-stop~~ early
33 voting according to this section shall submit a plan for doing so to the State ~~Board of Elections.~~
34 Board. The State Board shall adopt standards for conducting ~~one-stop~~ early voting under this
35 section and shall approve any county plan that adheres to its standards. The county board shall
36 adhere to its State Board-approved plan. The plan shall provide that each ~~one-stop~~ ballot cast
37 during early voting shall have a ballot number ~~on it in accordance with G.S. 163-230.1(e),~~ or
38 ~~shall have~~ an equivalent identifier to allow for retrievability. The ballot number or equivalent
39 identifier shall not be a public record.

40 **"§§ 163-166.46 through 163-166.49.** Reserved for future codification purposes.

41 **"§ 163-166.50. Certified list of executed ballots cast during early voting; distribution of list.**

42 (a) With respect to each ~~early "one-stop" absentee ballot voted under G.S. 163-227.2,~~
43 ~~163-227.5, and 163-227.6, voted in accordance with this Part,~~ the State Board shall approve an
44 official register in which the county board of elections in each county of the State shall record
45 the following information:

- 46 (1) Name of voter for whom ~~application and ballots are a ballot is~~ being requested.
- 47 (2) Number of assigned voter's ~~application~~ ballot when issued.
- 48 (3) The precinct in which the voter is registered.
- 49 (4) The date the voter voted ~~early "one-stop."~~ early.
- 50 (5) The voter's party affiliation.

1 (6) Whatever additional information and official action may be required by this

2 ~~Article, Part.~~

3 (b) The official register required by this section shall constitute a public record and shall
4 be open to inspection.

5 (c) The State Board may provide for the official register required by this section to be
6 kept by electronic data processing equipment. The State Board shall require the county board of
7 elections to transmit information in the official register provided for in this section to the State
8 Board.

9 (d) The State Board shall adopt rules to implement this section, including frequency of
10 transmittal and ensuring that each precinct has a list of voters from that precinct who voted prior
11 to the polls opening on election day."

12 **SECTION 28.** G.S. 163-182.1(b) reads as rewritten:

13 "(b) Procedures and Standards. – The State Board of ~~Elections~~ shall adopt uniform and
14 nondiscriminatory procedures and standards for voting systems. The standards shall define what
15 constitutes a vote and what will be counted as a vote for each category of voting system used in
16 the State. The State Board shall adopt those procedures and standards at a meeting occurring not
17 earlier than 15 days after the State Board gives notice of the meeting. The procedures and
18 standards adopted shall apply to all elections occurring in the State and shall be subject to
19 amendment or repeal by the State Board acting at any meeting where notice that the action has
20 been proposed has been given at least 15 days before the meeting. These procedures and
21 standards shall not be considered to be rules subject to Article 2A of Chapter 150B of the General
22 Statutes. However, the State Board shall publish in the North Carolina Register the procedures
23 and standards and any changes to them after adoption, with that publication noted as information
24 helpful to the public under G.S. 150B-21.17(a)(6). Copies of those procedures and standards shall
25 be made available to the public upon request or otherwise by the State Board. For optical scan
26 and direct record electronic voting systems, and for any other voting systems in which ballots are
27 counted other than on paper by hand and eye, those procedures and standards shall do both of the
28 following:

- 29 (1) Provide for a sample hand-to-eye count of the paper ballots of a statewide
30 ballot item in every county. The presidential ballot item shall be the subject of
31 the sampling in a presidential election. If there is no statewide ballot item, the
32 State Board shall provide a process for selecting district or local ballot items
33 to adequately sample the electorate. The State Board shall approve in an open
34 meeting the procedure for randomly selecting the sample precincts for each
35 election. The random selection of precincts for any county shall be done
36 publicly after the initial count of election returns for that county is publicly
37 released or 24 hours after the polls close on election day, whichever is earlier.
38 The sample chosen by the State Board shall be of one or more full precincts,
39 full counts of mailed absentee ballots, full counts of one or more ~~one-stop~~
40 early voting sites, or a combination. The size of the sample of each category
41 shall be chosen to produce a statistically significant result and shall be chosen
42 after consultation with a statistician. The actual units shall be chosen at
43 random. In the event of a material discrepancy between the electronic or
44 mechanical count and a hand-to-eye count, the hand-to-eye count shall
45 control, except where paper ballots have been lost or destroyed or where there
46 is another reasonable basis to conclude that the hand-to-eye count is not the
47 true count. If the discrepancy between the hand-to-eye count and the
48 mechanical or electronic count is significant, a complete hand-to-eye count
49 shall be conducted.

- 1 (2) Provide that if the voter selects votes for more than the number of candidates
2 to be elected or proposals to be approved in a ballot item, the voting system
3 shall do all the following:
4 a. Notify the voter that the voter has selected more than the correct
5 number of candidates or proposals in the ballot item.
6 b. Notify the voter before the vote is accepted and counted of the effect
7 of casting overvotes in the ballot item.
8 c. Provide the voter with the opportunity to correct the official ballot
9 before it is accepted and counted."

10 **SECTION 29.** G.S. 163-182.2 reads as rewritten:

11 **"§ 163-182.2. Initial counting of official ballots.**

12 (a) The initial counting of official ballots cast on election day and under Part 5 of Article
13 14A of this Chapter shall be conducted according to the following principles:

- 14 (1) Vote counting of ballots cast at the precinct on election day shall occur
15 immediately after the polls close and shall be continuous until completed. If
16 ballots cast under Part 5 of Article 14A of this Chapter are counted
17 electronically, that count shall commence at the time the polls close. If ballots
18 cast under Part 5 of Article 14A of this Chapter are paper ballots counted
19 manually, that count shall commence at the same time as mail-in absentee
20 ballots cast under Article 20 or Article 21A of this Chapter are counted.

21 ...

22 (b) ~~The State Board of Elections~~ shall promulgate rules for the initial counting of all
23 official ballots. All election officials shall be governed by those rules. In promulgating those
24 rules, the State Board shall adhere to the following guidelines:

- 25 (1) For each voting system used, the rules shall specify the role of precinct
26 officials and of the county board of elections in the initial counting of official
27 ballots.
- 28 (2) For optical scan and direct record electronic voting systems, and for any other
29 voting systems in which ballots are counted other than on paper by hand and
30 eye, those rules shall provide for a sample hand-to-eye count of the paper
31 ballots of a sampling of a statewide ballot item in every county. The
32 presidential ballot item shall be the subject of the sampling in a presidential
33 election. If there is no statewide ballot item, the State Board shall provide a
34 process for selecting district or local ballot items to adequately sample the
35 electorate. The State Board shall approve in an open meeting the procedure
36 for ~~randomly selecting the sample precincts~~ random sampling for each
37 election. The ~~random selection of precincts~~ sampling for any county shall be
38 done publicly after the initial count of election returns for that county is
39 publicly released or 24 hours after the polls close on election day, whichever
40 is earlier. The sample chosen by the State Board shall be of one or more full
41 precincts, full counts of mailed absentee ballots, and full counts of one or more
42 ~~one stop~~ early voting sites. The size of the sample of each category shall be
43 chosen to produce a statistically significant result and shall be chosen after
44 consultation with a statistician. The actual units shall be chosen at random. In
45 the event of a material discrepancy between the electronic or mechanical count
46 and a hand-to-eye count, the hand-to-eye count shall control, except where
47 paper ballots have been lost or destroyed or where there is another reasonable
48 basis to conclude that the hand-to-eye count is not the true count. If the
49 discrepancy between the hand-to-eye count and the mechanical or electronic
50 count is significant, a complete hand-to-eye count shall be conducted. The
51 sample count need not be done on election night.

- 1 (3) The rules shall provide for accurate unofficial reporting of the results from the
2 precinct to the county board of elections with reasonable speed on the night
3 of the election.
- 4 (4) The rules shall provide for the prompt and secure transmission of official
5 ballots from the voting place to the county board of elections.
- 6 The State Board shall direct the county boards of elections in the application of the principles
7 and rules in individual circumstances."

8 **SECTION 30.** G.S. 163-182.4(a)(3) reads as rewritten:

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

15 **SECTION 31.** G.S. 163-182.6(a) reads as rewritten:

- 16 "(a) Abstracts to Be Prepared by County Board of Elections. – As soon as the county
17 canvass has been completed, the county board of elections shall prepare abstracts of all the ballot
18 items in a form prescribed by the State ~~Board of Elections.~~ Board. The county board of elections
19 shall have a separate count on the abstract for ballots cast under Part 5 of Article 14A of this
20 Chapter. The county board shall prepare those abstracts in triplicate originals. The county board
21 shall retain one of the triplicate originals, and shall distribute one each to the clerk of superior
22 court for the county and the State ~~Board of Elections.~~ Board. The State Highway Patrol may,
23 upon request of the State ~~Board of Elections,~~ Board, be responsible for the delivery of the
24 abstracts from each county to the State ~~Board of Elections.~~ Board. The State Board of Elections
25 shall forward the original abstract it receives to the Secretary of State."

26 **SECTION 32.** G.S. 163-182.7A reads as rewritten:

27 "**§ 163-182.7A. Additional provisions for hand-to-eye recounts.**

- 28 (a) The rules promulgated by the State Board ~~of Elections~~ for recounts shall provide that
29 if the initial recount is not hand-to-eye, and if the recount does not reverse the results, the
30 candidate who had originally been entitled to a recount may, within 24 hours of the completion
31 of the first recount, demand a second recount on a hand-to-eye basis in a sample of precincts. If
32 the initial recount was not hand-to-eye and it reversed the results, the candidate who had initially
33 been the winner shall have the same right to ask for a hand-to-eye recount in a sample of
34 precincts.

35 That sample shall be all the ballots in three percent (3%) of the precincts casting ballots in
36 each county in the jurisdiction of the office, rounded up to the next whole number of precincts.
37 For the purpose of that calculation, each ~~one-stop (early) early~~ voting site under Part 5 of Article
38 14A of this Chapter shall be considered to be a precinct. The precincts to be recounted by a
39 hand-to-eye count shall be chosen at random within each county. If the results of the hand-to-eye
40 recount differ from the previous results within those precincts to the extent that extrapolating the
41 amount of the change to the entire jurisdiction (based on the proportion of ballots recounted to
42 the total votes cast for that office) would result in the reversing of the results, then the State Board
43 ~~of Elections~~ shall order a hand-to-eye recount of the entire jurisdiction in which the election is
44 held. There shall be no cost to the candidate for that recount in the entire jurisdiction.

- 45 (b) Recounts under this section shall be governed by rules adopted under
46 G.S. 163-182.7(d).

- 47 (c) No complete hand-to-eye recount shall be conducted under this section if one has
48 already been done under another provision of law."

49 **SECTION 33.** G.S. 163-182.15 is amended by adding a new subsection to read:

- 50 "(b1) Report on Revisions to Elections Records After Certification. – The State Board shall
51 submit an annual report on any revisions made to any voter's voter history records other than

1 routine updates following each election, including the rationale for and timing of the revisions,
2 to the Joint Legislative Elections Oversight Committee and the Joint Legislative Oversight
3 Committee on General Government no later than October 1 of each year."

4 **SECTION 34.(a)** G.S. 163-210 reads as rewritten:

5 "**§ 163-210. Governor to proclaim results; casting State's vote for President and**
6 **Vice-President.**

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

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

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

40 **SECTION 34.(b)** G.S. 163-213(d) reads as rewritten:

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

47 **SECTION 35.** Article 20 of Chapter 163 of the General Statutes reads as rewritten:

48 "Article 20.

49 "Absentee Ballot.

50 ...

51 "**§ 163-226.3. Certain acts declared felonies.**

1 (a) Any person ~~who shall, who,~~ in connection with absentee voting in any election held
2 in this State, ~~do violates any of the acts or things declared in provisions of this section to be~~
3 ~~unlawful, shall be~~ section is guilty of a Class I felony. It shall be unlawful:unlawful to do any of
4 the following:

- 5 (1) For any person except the voter's near relative or the voter's verifiable legal
6 guardian to assist the voter to vote an absentee ballot when the voter is voting
7 an absentee ~~ballot other than under the procedure described in G.S. 163-227.2,~~
8 ~~163-227.5, and 163-227.6;~~ ballot; provided that if there is not a near relative
9 or legal guardian available to assist the voter, the voter may request some other
10 person to give assistance.
- 11 (2) ~~For any person to assist a voter to vote an absentee ballot under the absentee~~
12 ~~voting procedure authorized by G.S. 163-227.2, 163-227.5, and 163-227.6~~
13 ~~except as provided in that section.~~
- 14 (3) For a voter who votes ~~an absentee ballot under the procedures authorized by~~
15 ~~G.S. 163-227.2, 163-227.5, and 163-227.6~~ a ballot in accordance with Part 5
16 of Article 14A of this Chapter to vote that voter's ~~absentee~~ ballot outside of
17 the voting booth or private room provided to the voter for that purpose ~~in or~~
18 ~~adjacent to the office of the county board of elections or at the additional site~~
19 ~~provided by G.S. 163-227.2,~~ or to receive assistance except as provided in
20 ~~G.S. 163-227.2, 163-227.5, and 163-227.6.~~ Article 14A of this Chapter.
- 21 (4) For any owner, manager, director, employee, or other person, other than the
22 voter's near relative or verifiable legal guardian, to (i) make a written request
23 pursuant to G.S. 163-230.1 or (ii) sign an application or certificate as a
24 witness, on behalf of a registered voter, who is a patient in any hospital, clinic,
25 nursing home or rest home in this State or for any owner, manager, director,
26 employee, or other person other than the voter's near relative or verifiable legal
27 guardian, to mark the voter's absentee ballot or assist such a voter in marking
28 an absentee ballot. This subdivision does not apply to members, employees,
29 or volunteers of the county board of elections, if those members, employees,
30 or volunteers are working as part of a multipartisan team trained and
31 authorized by the county board of elections to assist voters with absentee
32 ballots. Each county board of elections shall train and authorize such teams,
33 pursuant to procedures which shall be adopted by the State ~~Board of Elections.~~
34 Board. If neither the voter's near relative nor a verifiable legal guardian is
35 available to assist the voter, and a multipartisan team is not available to assist
36 the voter within seven calendar days of a telephonic request to the county
37 board of elections, the voter may obtain such assistance from any person other
38 than (i) an owner, manager, director, employee of the hospital, clinic, nursing
39 home, or rest home in which the voter is a patient or resident; (ii) an individual
40 who holds any elective office under the United States, this State, or any
41 political subdivision of this State; (iii) an individual who is a candidate for
42 nomination or election to such office; or (iv) an individual who holds any
43 office in a State, congressional district, county, or precinct political party or
44 organization, or who is a campaign manager or treasurer for any candidate or
45 political party; provided that a delegate to a convention shall not be considered
46 a party office. None of the persons listed in (i) through (iv) of this subdivision
47 may sign the application or certificate as a witness for the patient.
- 48 (5) For any person to take into that person's possession for delivery to a voter or
49 for return to a county board of elections the absentee ballot of any voter,
50 provided, however, that this prohibition shall not apply to a voter's near
51 relative or the voter's verifiable legal guardian.

1 (6) Except as provided in subsections (1), (2), (3) and (4) of this ~~section, section~~
2 and G.S. 163-231(a), and G.S. 163-227.2(e), for any voter to permit another
3 person to assist the voter in marking that voter's absentee ballot, to be in the
4 voter's presence when a voter votes an absentee ballot, or to observe the voter
5 mark that voter's absentee ballot.

6 (b) The State Board of ~~Elections~~ or a county board of elections, upon receipt of a sworn
7 affidavit from any qualified voter of the State or the county, as the case may be, attesting to
8 first-person knowledge of any violation of subsection (a) of this section, shall transmit that
9 affidavit to the appropriate district attorney, who shall investigate and prosecute any person
10 violating subsection (a).

11 ...
12 **"§ 163-227.10. Date by which absentee ballots must be available for voting.**

13 ...
14 (b) ~~Second Primary.~~—The board of elections shall provide absentee ballots, of the kinds
15 needed, as quickly as possible after the ballot information for a second primary has been
16 determined.

17 (c) At least once per primary or election, each county board of elections and the State
18 Board shall publish on its website or in any mailing sent to voters the date by which absentee
19 ballots are available for voting.

20 **"§ 163-228. Register of absentee requests, applications, and ballots issued; a public record.**

21 ...
22 (b) The State Board may provide for the official ~~registers~~ register required by this section
23 to be kept by electronic data processing equipment.

24 (c) The official register required by ~~subsection (a) of this section~~ shall be confidential
25 and not a public record until the opening of the voting place in accordance with ~~G.S. 163-166.01,~~
26 G.S. 163-166.25, at which time the official register shall constitute a public record. ~~The official~~
27 ~~register required by subsection (a1) of this section shall constitute a public record and shall be~~
28 ~~opened to the inspection of any registered voter of the county within 60 days before and 30 days~~
29 ~~after an election in which absentee ballots were authorized, or at any other time when good and~~
30 ~~sufficient reason may be assigned for its inspection.~~

31 ...
32 **"§ 163-229. Absentee ballots, applications on container-return envelopes, and instruction**
33 **sheets.**

34 (a) Absentee Ballot Form. – In accordance with the provisions of G.S. 163-230.1, persons
35 entitled to vote by absentee ballot shall be furnished with official ballots.

36 (b) Application on Container-Return Envelope. – In time for use not later than 60 days
37 before a statewide general election in an even-numbered year, and not later than 50 days before
38 a statewide primary, other general election or county bond election, the county board of elections
39 shall print a sufficient number of envelopes in which persons casting absentee ballots may
40 transmit their marked ballots to the county board of elections. However, in the case of municipal
41 elections, sufficient container-return envelopes shall be made available no later than 30 days
42 before an election. Each container-return envelope shall have printed on it an application which
43 shall be designed and prescribed by the State Board, providing for all of the following:

- 44 (1) The voter's certification of eligibility to vote the enclosed ballot and of having
45 voted the enclosed ballot in accordance with this Part.
- 46 (2) A space for identification of the envelope with the voter and the voter's
47 signature.
- 48 (3) A space for the identification of the two persons witnessing the casting of the
49 absentee ballot in accordance with G.S. 163-231, those persons' signatures,
50 those persons' printed names, and those persons' addresses.

- 1 (4) A space for the name and address of any person who, as permitted under
- 2 G.S. 163-226.3(a), assisted the voter if the voter is unable to complete and
- 3 sign the certification and that individual's signature.
- 4 (5) A space for approval by the county board of elections.
- 5 (6) A space to allow reporting of a change of name as provided by
- 6 G.S. 163-82.16.
- 7 (7) A prominent display of the unlawful acts under G.S. 163-226.3 and
- 8 G.S. 163-275, except if there is not room on the envelope, the State Board
- 9 may provide for that disclosure to be made on a separate piece of paper to be
- 10 included along with the container-return envelope.
- 11 (8) An area to attach additional documentation necessary to comply with the
- 12 identification requirements in accordance with State Board rules, as provided
- 13 in G.S. 163-230.1.
- 14 (9) A bar code or other unique ~~identifier~~-identifier, affixed by the county board of
- 15 elections, to allow both the county board of elections and the voter to track the
- 16 ballot following return of the voted ballot to the county board of elections by
- 17 the voter.

18 The container-return envelope shall be printed in accordance with the instructions of the State
 19 Board, which shall prohibit the display of the voter's party affiliation on the outside of the
 20 container-return envelope.

21 (c) Instruction Sheets. – In time for use not later than 60 days before a statewide general
 22 election in an even-numbered year, and not later than 50 days before a statewide ~~primary~~, ~~other~~
 23 primary or general election or county bond election, the county board of elections shall prepare
 24 and print a sufficient number of sheets of instructions on how voters are to prepare absentee
 25 ballots and return them to the county board of elections. The instruction sheets shall include the
 26 means by which the voter's marked absentee ballot must be returned to the county board of
 27 elections and the date and time that the ballot must be received by the county board of elections.
 28 However, in the case of municipal elections, instruction sheets shall be made available no later
 29 than 30 days before an election.

30 ...

31 **"§ 163-230.1. Simultaneous issuance of absentee ballots with application.**

32 ...

33 (a2) Publish Deadline for Written Request and Ballot. – At least once per primary or
 34 election, each county board of elections and the State Board shall publish on its website or in any
 35 mailing sent to voters the following information:

- 36 (1) The date by which a completed request form as described in subsection (a) of
 37 this section must be received by a county board of elections.
- 38 (2) The means by which the voter's marked absentee ballot must be returned to
 39 the county board of elections.
- 40 (3) The date and time the voter's completed absentee ballot must be received by
 41 the county board of elections in order to be counted.

42 (b) Absence for Sickness or Physical Disability. – Notwithstanding the provisions of
 43 subsection (a) of this section, if a voter expects to be unable to go to the voting place to vote in
 44 person on election day because of that voter's sickness or other physical disability, that voter or
 45 that voter's near relative or verifiable legal guardian may make the request for absentee ballots in
 46 person to the board of elections of the county in which the voter is registered after 5:00 ~~p.m.~~-P.M.
 47 on the Tuesday before the election but not later than 5:00 ~~p.m.~~-P.M. on the day before the election.
 48 The county board of elections shall treat that completed request form in the same manner as a
 49 request under subsection (a) of this section but may personally deliver the application and ballots
 50 to the voter or that voter's near relative or verifiable legal guardian, and shall enter in the register
 51 of absentee requests, applications, and ballots issued the information required in G.S. 163-228 as

1 soon as each item of that information becomes available. The county board of elections shall
2 personally deliver to the requester in a single package:

- 3 (1) The official ballots the voter is entitled to vote.
- 4 (2) A container-return envelope for the ballots, printed in accordance with
5 G.S. 163-229.
- 6 (3) An instruction sheet.
- 7 (4) A clear statement of the requirement for a photocopy of identification
8 described in G.S. 163-166.16(a) or an affidavit as described in
9 G.S. 163-166.16(d)(1), (d)(2), or (d)(3) with the returned application and
10 voted ballots.

11 (c) Delivery of Absentee Ballots and Container-Return Envelope to Applicant. – When
12 the county board of elections receives a completed request form for applications and absentee
13 ballots from the voter, or the near relative or the verifiable legal guardian of that voter, the county
14 board shall promptly issue and transmit them to the voter in accordance with the following
15 instructions:

- 16 (1) On the top margin of each ballot the applicant is entitled to vote, the chair, a
17 member, officer, or employee of the board of elections shall write or type the
18 words "Absentee Ballot No. ____ " or an abbreviation approved by the State
19 Board and insert in the blank space the number assigned the applicant's
20 application in the register of absentee requests, applications, and ballots
21 issued. That person shall not write, type, or print any other matter upon the
22 ballots transmitted to the absentee voter. Alternatively, the board of elections
23 may cause to be barcoded on the ballot the voter's application number, if that
24 barcoding system is approved by the State Board.
- 25 (2) The chair, member, officer, or employee of the board of elections shall fold
26 and place the ballots (identified in accordance with the preceding instruction)
27 in a container-return envelope and write or type in the appropriate blanks
28 thereon, in accordance with the terms of G.S. 163-229(b), the absentee voter's
29 name, the absentee voter's application number, and the designation of the
30 precinct in which the voter is registered. If the ballot is barcoded under this
31 section, the envelope may be barcoded rather than having the actual number
32 appear. The person placing the ballots in the envelopes shall leave the
33 container-return envelope holding the ballots unsealed.
- 34 (3) The chair, member, officer, or employee of the board of elections shall then
35 place the unsealed container-return envelope holding the ballots together with
36 printed instructions for voting and returning the ballots, in an envelope
37 addressed to the voter at the post office address stated in the request, seal the
38 envelope, and mail it at the expense of the county board of elections: Provided,
39 that in case of a request received after 5:00 ~~p.m.~~ P.M. on the Tuesday before
40 the election under the provisions of subsection (b) of this section, in lieu of
41 transmitting the ballots to the voter in person or by mail, the chair, member,
42 officer, or employee of the board of elections may deliver the sealed envelope
43 containing the instruction sheet and the container-return envelope holding the
44 ballots to a near relative or verifiable legal guardian of the voter.

45 The county board of elections may receive completed written request forms for applications
46 at any time prior to the election but shall not mail applications and ballots to the voter or issue
47 applications and ballots in person earlier than 60 days prior to the statewide general election in
48 an even-numbered year, or earlier than 50 days prior to any other ~~election, except as provided in~~
49 ~~G.S. 163-227.2, 163-227.5, and 163-227.6.~~ election. No election official shall issue applications
50 for absentee ballots except in compliance with this Article.

1 (d) Voter to Complete. – The application shall be completed and signed by the voter
2 personally, the ballots marked, the ballots sealed in the container-return envelope, and the
3 certificate completed as provided in G.S. 163-231.

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

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

15 (1) The voter did not sign the voter certification as required by
16 G.S. 163-231(a)(4).

17 (2) The voter signed the application in the wrong place on the application.

18 (3) The voter failed to include with the container-return envelope a photocopy of
19 identification described in G.S. 163-166.16(a) or an affidavit as described in
20 G.S. 163-166.16(d)(1), (d)(2), or (d)(3), as required by subsection (f1) of this
21 section.

22 The identification of the two persons witnessing the casting of the absentee ballot in
23 accordance with G.S. 163-231(a) is not a curable deficiency. Any container-return envelope with
24 a curable deficiency that is transmitted to the county board shall be considered timely if cure
25 documentation is received no later than the end of business on the business day before the canvass
26 conducted by the county board of elections held pursuant to G.S. 163-182.5. Cure documentation
27 may be transmitted via e-mail to the county board of elections if the deficiency is one described
28 in subdivision (3) of this subsection. The notification of voters regarding curable deficiencies is
29 an administrative task that may be performed by county board staff and is not required to be
30 performed at an absentee meeting as provided for in subsection (f) of this section. The voter shall
31 be notified of curable deficiencies by mail, and by telephone or email if the telephone number or
32 email address was provided by the voter on the request form for absentee ballots.

33 (f) Required Meeting of County Board of Elections. – During the period commencing on
34 the fifth Tuesday before an election, in which absentee ballots are authorized, the county board
35 of elections shall hold one or more public meetings each Tuesday at 5:00 ~~p.m.~~ P.M. for the
36 purpose of action on applications for absentee ballots. At these meetings, the county board of
37 elections shall pass upon applications for absentee ballots.

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

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

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

51 ...

"§ 163-230.2. Method of requesting absentee ballots.

(a) Valid Types of Written Requests. – A completed written request form for absentee ballots as required by G.S. 163-230.1 is valid only if it is on a form created by the State Board and signed by the voter requesting absentee ballots or that voter's near relative or verifiable legal guardian. The State Board shall make the blank request form available at its offices, online, and in each county board of elections office, and that blank request form may be reproduced. A voter may call the State Board of Elections or a county board of elections office and request that the blank request form be sent to the voter by mail, e-mail, or fax. The request form created by the State Board shall require at least the following information:

- (1) The name and address of the residence of the voter.
- (2) The name and address of the voter's near relative or verifiable legal guardian if that individual is making the request.
- (3) The address of the voter to which the application and absentee ballots are to be mailed if different from the residence address of the voter.
- (4) One of the following:
 - a. The number of the applicant's North Carolina drivers license issued under Article 2 of Chapter 20 of the General Statutes, including a learner's permit or a provisional license.
 - b. The number of the applicant's special identification card for nonoperators issued under G.S. 20-37.7.
 - c. The last four digits of the applicant's social security number.
- (5) The voter's date of birth.
- (6) The signature of the voter or of the voter's near relative or verifiable legal guardian if that individual is making the request.
- (7) A clear indicator of the date the election generating the request is to be held, except for annual calendar year requests in accordance with G.S. 163-226(b).
- (8) The telephone number and e-mail address of the voter; however, no request shall be denied for failure to include this information and the request shall state that this information is optional and would be used to contact the voter regarding any deficiencies in the returned executed absentee ballots.

...

"§ 163-231. Voting absentee ballots and transmitting them to the county board of elections.

(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:

- (1) Mark the voter's ballots, or cause them to be marked by that person in the voter's presence according to the voter's instruction.
- (2) Fold each ballot separately, or cause each of them to be folded in the voter's presence.
- (3) Place the folded ballots in the container-return envelope and securely seal it, or have this done in the voter's presence.
- (4) Make the application printed on the container-return envelope according to the provisions of G.S. 163-229(b) and make the certificate printed on the container-return envelope according to the provisions of G.S. 163-229(b).
- (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. Failure to include a printed witness name does not invalidate the application and certificate if the identity of an individual can solely be ascertained by the witness's signature.
- (6) Do one of the following:

- 1 a. Have the application notarized. The notary public may be the person
2 in whose presence the voter marked that voter's ballot.
3 b. Have the two persons in whose presence the voter marked that voter's
4 ballots to certify that the voter is the registered voter submitting the
5 marked ballots.

6 Alternatively to the prior paragraph of this subsection, any requirement for two witnesses
7 shall be satisfied if witnessed by one notary public, who shall comply with all the other
8 requirements of that paragraph. The notary shall affix a valid notarial seal to the envelope, and
9 include the word "Notary Public" below his or her signature.

10 The persons in whose presence the ballot is marked shall at all times respect the secrecy of
11 the ballot and the privacy of the absentee voter, unless the voter requests assistance and that
12 person is otherwise authorized by law to give assistance. When thus executed, the sealed
13 container-return envelope, with the ballots enclosed, shall be transmitted in accordance with the
14 provisions of subsection (b) of this section to the county board of elections which issued the
15 ballots.

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

- 19 (1) All ballots issued under the provisions of this Article and Article 21A of this
20 Chapter shall be transmitted ~~by mail by one of the following means:~~

- 21 a. Mail or by commercial courier service, at the voter's expense, or
22 delivered and received by the county board not later than 7:30 P.M. on
23 the day of the statewide primary or general election or county bond
24 election.
25 b. Delivered in person, or by the voter or the voter's near relative or
26 verifiable legal guardian and received by guardian, to the county board
27 not later than 5:00 p.m.-7:30 P.M. on the day of the statewide primary
28 or general election or county bond election.
29 c. Ballots Electronically transmitted to the county board, if the ballot was
30 issued under the provisions of Article 21A of this Chapter may also be
31 electronically transmitted.Chapter.

- 32 (2) If ballots are received later than the hour stated in subdivision (1) of this
33 subsection, those ballots shall not be accepted unless ~~one of the following~~
34 ~~applies:~~required by federal law or the ballots are received in accordance with
35 Article 21A of this Chapter or the State Board or court order extended the
36 closing time of the polls for every poll in the county in accordance with
37 G.S. 163-166.25. If the State Board or court order so extended the closing time
38 of the polls, the ballots shall be received by the closing time as extended by
39 the State Board or court order in order to be counted.

- 40 a. ~~Federal law so requires.~~
41 b. ~~The ballots issued under this Article are postmarked and that postmark~~
42 ~~is dated on or before the day of the statewide primary or general~~
43 ~~election or county bond election and are received by the county board~~
44 ~~of elections not later than three days after the election by 5:00 p.m.~~
45 e. ~~The ballots issued under Article 21A of this Chapter are received by~~
46 ~~the county board of elections not later than the end of business on the~~
47 ~~business day before the canvass conducted by the county board of~~
48 ~~elections held pursuant to G.S. 163-182.5.~~

49 (c) Delivering Executed Absentee Ballots in Person. – For purposes of this section,
50 "Delivered in person" includes ~~delivering physically handing the voted absentee ballot to an~~
51 election official at a ~~one-stop~~ an early voting site under ~~G.S. 163-227.2, 163-227.5, and~~

1 ~~163-227.6~~ Part 5 of Article 14A of this Chapter during any time that early voting site is open for
 2 ~~voting.~~ voting, but does not include depositing the voted absentee ballot in a drop box or other
 3 location designated for the return of voted absentee ballots. The voted absentee ballots delivered
 4 to the early voting site shall be kept securely and delivered by election officials at that early
 5 voting site to the county board of elections office for processing.

6 **"§ 163-232. Certified list of executed absentee ballots; distribution of list.**

7 (a) The county board of elections shall prepare, or cause to be prepared, a list in at least
 8 quadruplicate, of all absentee ballots returned to the county board of elections to be counted,
 9 which have been approved by the county board of elections, and which have been received as of
 10 5:00 ~~p.m.~~ P.M. on the day before the election. At the end of the list, the chair shall execute the
 11 following certificate under oath:

12 "State of North Carolina

13 County of _____

14 I, _____, chair of the _____ County board of elections, do hereby certify that the
 15 foregoing is a list of all executed absentee ballots to be voted in the election to be conducted on
 16 the _____ day of _____, _____, which have been approved by the county board of elections
 17 and which have been returned no later than 5:00 ~~p.m.~~ P.M. on the day before the election. I certify
 18 that the chair, member, officer, or employee of the board of elections has not delivered ballots
 19 for absentee voting to any person other than the voter, by mail or by commercial courier service
 20 or in person, except as provided by law, and have not mailed or delivered ballots when the request
 21 for the ballot was received after the deadline provided by law.

22 This the _____ day of _____, _____

23 _____

24 (Signature of chair of
 25 county board of elections)

26 Sworn to and subscribed before me this _____ day of _____, _____.

27 Witness my hand and official seal.

28 _____

29 (Signature of officer
 30 administering oath)

31 _____

32 (Title of officer)"

33 (b) No later than 10:00 ~~a.m.~~ A.M. on election day, the county board of elections shall
 34 cause one copy of the list of executed absentee ballots, which may be a continuing countywide
 35 list or a separate list for each precinct, to be immediately (i) submitted electronically in a manner
 36 approved by the State Board of Elections or (ii) deposited as "first-class" mail to the State ~~Board~~
 37 ~~of Elections.~~ Board. The board shall retain one copy in the board office for public inspection and
 38 the board shall cause two copies of the appropriate precinct list to be delivered to the chief judge
 39 of each precinct in the county. The county board of elections shall be authorized to call upon the
 40 sheriff of the county to distribute the list to the precincts. In addition the county board of elections
 41 shall, upon request, provide a copy of the complete list to the chair of each political party,
 42 recognized under the provisions of G.S. 163-96, represented in the county.

43 The chief judge shall post one copy of the list immediately in a conspicuous location in the
 44 voting place and retain one copy until all challenges of absentee ballots have been heard by the
 45 county board of elections. Challenges shall be made to absentee ballots as provided in
 46 G.S. 163-96.

47 ...

48 **"§ 163-232.1. Certified list of executed absentee ballots received on or after election day;
 49 publication of list.**

50 (a) The county board of elections shall prepare, or cause to be prepared, a list in at least
 51 triplicate, of all absentee ballots issued under ~~Article 20 of this Chapter~~ this Article returned to

1 the county board of elections to be counted, which have been approved by the county board of
 2 elections, have not been included on the certified list prepared pursuant to G.S. 163-232, ~~and~~
 3 ~~which have been postmarked by the day of the statewide primary or general election or county~~
 4 ~~bond election and have been~~ received by the county board of elections not later than ~~three days~~
 5 ~~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~~
 6 the statewide primary or general election or county bond election. The list shall be supplemented
 7 with new information each business day following the day of the election until the deadline for
 8 receipt of such absentee ballots. At the end of the list, the ~~chairman-chair~~ shall execute the
 9 following certificate under oath:

10 "State of North Carolina
 11 County of ____

12 I, ____, ~~chairman-chair~~ of the ____ County Board of Elections, do hereby certify that the
 13 foregoing is a list of all executed absentee ballots to be voted in the election to be conducted on
 14 the ____ day of ____, which have been approved by the county board of elections ~~and which~~
 15 ~~have been postmarked by the day of the statewide primary or general election or county bond~~
 16 ~~election and have been~~ received by the county board of elections not later than ~~three days after~~
 17 ~~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~~
 18 statewide primary or general election or county bond election. I certify that the ~~chairman,~~ chair,
 19 member, officer, or employee of the board of elections has not delivered ballots for absentee
 20 voting to any person other than the voter, by mail or by commercial courier service or in person,
 21 except as provided by law, and have not mailed or delivered ballots when the request for the
 22 ballot was received after the deadline provided by law.

23 This the ____ day of ____, ____

24 _____
 25 (Signature of ~~chairman-chair~~ of
 26 county board of elections)

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

28 Witness my hand and official seal.

29 _____
 30 (Signature of officer
 31 administering oath)

32 _____
 33 (Title of officer)"

34 (b) The county board of elections shall prepare, or cause to be prepared, a list in at least
 35 triplicate, of all military-overseas ballots issued under Article 21A of this Chapter and returned
 36 to the county board of elections to be counted, which have been approved by the county board of
 37 elections, have not been included on the certified list prepared pursuant to G.S. 163-232, and
 38 which have been received by the county board of elections not later than ~~three days after the~~
 39 ~~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~~
 40 statewide primary or general election or county bond election. The list shall be supplemented
 41 with new information each business day following the day of the statewide primary or general
 42 election or county bond election until the deadline for receipt of such absentee ballots. At the end
 43 of the list, the chair shall execute the following certificate under oath:

44 "State of North Carolina
 45 County of ____

46 I, ____, chair of the ____ County Board of Elections, do hereby certify that the foregoing is a list
 47 of all executed military-overseas ballots to be voted in the election to be conducted on the ____
 48 day of ____, ____, which have been approved by the county board of elections, and which have
 49 been ~~postmarked by the day of the statewide primary or general election or county bond election~~
 50 ~~and~~ received by the county board of elections not later than ~~three days after the election by 5:00~~
 51 ~~p.m.-7:30 P.M., or the time provided in G.S. 163-231(b), on the day of the statewide primary or~~

1 general election or county bond election. I further certify that I have issued ballots to no other
 2 persons than those listed herein and further that I have not delivered military-overseas ballots to
 3 persons other than those listed herein; that this list constitutes the only precinct registration of
 4 covered voters whose names have not heretofore been entered on the regular registration of the
 5 appropriate precinct.

6 This the ____ day of ____, ____

7 _____
 8 (Signature of chair of
 9 county board of elections)

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

11 Witness my hand and official seal.

12 _____
 13 (Signature of officer
 14 administering oath)

15 _____
 16 (Title of officer)"

17 ...

18 **"§ 163-232.2. Ballot reporting.**

19 (a) Each county board of elections shall report the following to the State Board during
 20 each day of the early voting period:

21 (1) The number of mail-in absentee ballots that have been spoiled due to the voter
 22 voting in person at an early voting site after requesting a mail-in absentee
 23 ballot.

24 (2) The number of outstanding mail-in absentee ballots, including the total
 25 number of mail-in absentee ballots sent to date and the total number of mail-in
 26 absentee ballots received to date.

27 (b) Each county board of elections shall report the following to the State Board on the
 28 day after the day of the election:

29 (1) The number of mail-in absentee ballots that have been counted.

30 (2) The number of outstanding mail-in absentee ballots, including the total
 31 number of mail-in absentee ballots sent to date and the total number of mail-in
 32 absentee ballots received to date.

33 (3) The number of provisional ballots cast.

34 (c) The reports required by this section shall be completed in the manner specified by the
 35 State Board. The State Board shall publish each report received by a county board of elections
 36 pursuant to this section on its website each day. Each list shall be made publicly available and
 37 shall be published in a readable and usable format.

38 **"§ 163-233. Applications for absentee ballots; how retained.**

39 ...

40 (c) All applications for absentee ballots shall be retained by the county board of elections
 41 for a period of ~~one year after which those applications may be destroyed.~~ 22 months after the
 42 corresponding election or as otherwise specified in federal law, whichever is greater.

43 ...

44 **"§ 163-234. Counting absentee ballots by county board of elections.**

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

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

1 ~~federal law requires otherwise.~~ counted. Absentee ballots not received
2 pursuant to all requirements in G.S. 163-231 shall not be deemed to be valid
3 and shall not be counted. Absentee ballots received prior to election day shall
4 be counted on election day. An absentee ballot returned in an executed
5 container-return envelope containing a deficiency listed in G.S. 163-230.1(e)
6 shall be counted if documentation curing the deficiency is timely received by
7 the county board of elections in accordance with the requirements of
8 G.S. 163-230.1(e).

- 9 (2) The county board of elections shall meet at 5:00 ~~p.m.~~ P.M. on election day in
10 the board office or other public location in the county courthouse for the
11 purpose of counting all absentee ballots except those which have been
12 challenged before 5:00 ~~p.m.~~ P.M. on election ~~day and day,~~ those received on
13 election day, and those received pursuant to ~~G.S. 163-231(b)(2)b. or e.~~
14 G.S. 163-231(b)(2). Any elector of the county shall be permitted to attend the
15 meeting and allowed to observe the counting process, so long as the elector
16 does not in any manner interfere with the election officials in the discharge of
17 their duties.

18 The county board of elections may begin counting absentee ballots issued
19 under Article 21A of this Chapter between the hours of 9:00 ~~a.m.~~ A.M. and
20 5:00 ~~p.m.~~ P.M. and may begin counting all absentee ballots between the hours
21 of 2:00 ~~p.m.~~ P.M. and 5:00 ~~p.m.~~ P.M. upon the adoption of a resolution at least
22 two weeks prior to the election in which the hour and place of counting
23 absentee ballots shall be stated. The resolution also may provide for an
24 additional meeting following the day of the election and prior to the day of
25 canvass to count absentee ballots received ~~pursuant to G.S. 163-231(b)(2)b.~~
26 ~~or e.~~ on election day as provided in subdivision (11) of this section. A copy of
27 the resolution shall be published once a week for two weeks prior to the
28 election, in a newspaper having general circulation in the county. Notice may
29 additionally be made on a radio or television station or both, but the notice
30 shall be in addition to the newspaper and other required notice. The count shall
31 be continuous until completed and the members shall not separate or leave the
32 counting place except for unavoidable necessity, except that if the count has
33 been completed prior to the time the polls close, it shall be suspended until
34 that time pending receipt of any additional ballots. Nothing in this section
35 prohibits a county board of elections from taking preparatory steps for the
36 count earlier than the times specified in this section, as long as the preparatory
37 steps do not reveal to any individual not engaged in the actual count election
38 results before the times specified in this subdivision for the count to begin. By
39 way of illustration and not limitation, a preparatory step for the count would
40 be the entry of tally cards from direct record electronic voting units into a
41 computer for processing. The board shall not announce the result of the count
42 before 7:30 ~~p.m.~~ P.M.

- 43 (3) Notwithstanding subdivision (2) of this section, a county board of elections
44 may, at each meeting at which it approves absentee ballot applications
45 pursuant to G.S. 163-230.1(e) and (f), remove those ballots from their
46 envelopes and have them read by an optical scanning machine, without
47 printing the totals on the scanner. The board shall complete the counting of
48 these ballots at the times provided in subdivision (2) of this section. The State
49 Board of Elections shall provide instructions to county boards of elections for
50 executing this procedure, and the instructions shall be designed to ensure the
51 accuracy of the count, the participation of board members of both parties, and

1 the secrecy of the results before election day. This subdivision applies only in
2 counties that use optical scan devices to count absentee ballots.

3 (4) The counting of absentee ballots shall not commence until a majority and at
4 least one board member of each political party represented on the board is
5 present and that fact is publicly declared and entered in the official minutes of
6 the county board.

7 (5) The county board of elections may employ such assistants as deemed
8 necessary to count the absentee ballots, but each board member present shall
9 be responsible for and observe and supervise the opening and tallying of the
10 ballots.

11 (6) As each ballot envelope is opened, the board shall cause to be entered into a
12 pollbook designated "Pollbook of Absentee Voters" the name of the absentee
13 voter, or if the pollbook is computer-generated, the board shall check off the
14 name. Preserving secrecy, the ballots shall be placed in the appropriate ballot
15 boxes, at least one of which shall be provided for each type of ballot. ~~The~~
16 ~~"Pollbook of Absentee Voters" shall also contain the names of all persons who~~
17 ~~voted under G.S. 163-227.2, 163-227.5, and 163-227.6, but those names may~~
18 ~~be printed by computer for inclusion in the pollbook.~~

19 After all ballots have been placed in the boxes, the counting process shall
20 begin.

21 ~~If one stop ballots under G.S. 163-227.2, 163-227.5, and 163-227.6 are~~
22 ~~counted electronically, that count shall commence at the time the polls close.~~
23 ~~If one stop ballots are paper ballots counted manually, that count shall~~
24 ~~commence at the same time as other absentee ballots are counted.~~

25 If a challenge transmitted to the board on canvass day by a chief judge is
26 sustained, the ballots challenged and sustained shall be withdrawn from the
27 appropriate boxes, as provided in G.S. 163-89(e).

28 As soon as the absentee ballots have been counted and the names of the
29 absentee voters entered in the pollbook as required in this subdivision, the
30 board members and assistants employed to count the absentee ballots shall
31 each sign the pollbook immediately beneath the last absentee voter's name
32 entered in the pollbook. The county board of elections is responsible for the
33 safekeeping of the pollbook of absentee voters.

34 (7) Upon completion of the counting process the board members shall cause the
35 results of the tally to be entered on the absentee abstract prescribed by the
36 State ~~Board of Elections.~~ Board. The abstract shall be signed by the members
37 of the board in attendance and the original mailed immediately to the State
38 ~~Board of Elections.~~ The county board of elections may have a separate count
39 ~~on the abstract for one stop absentee ballots under G.S. 163-227.2, 163-227.5,~~
40 ~~and 163-227.6.~~ Board.

41 (8) One copy of the absentee abstract shall be retained by the county board of
42 elections and the totals appearing on the absentee abstract shall be added to
43 the final totals of all votes cast in the county for each office as determined on
44 the official canvass.

45 (9) In the event a political party does not have a member of the county board of
46 elections present at the meeting to count absentee ballots due to illness or other
47 cause of the member, the counting shall not commence until the county party
48 ~~chairman~~ chair of the absent member, or a member of the party's county
49 executive committee, is in attendance. The person shall act as an official
50 witness to the counting and shall ~~sign~~ include his or her printed name and

signature on the absentee ballot abstract as an "observer"-abstract, along with the name of who designated him or her to attend.

(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.

(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 on election day pursuant to G.S. 163-231(b)(2)b. or e. ~~G.S. 163-231(b)~~ 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 e.~~ 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 e.~~ 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.

...

"§ 163-237. Certain violations of absentee ballot law made criminal offenses.

...

(d6) Disclosure of Register of Absentee Ballot Requests. – Notwithstanding G.S. 132-3(a), any person who steals, releases, or possesses the official register of absentee requests for mail-in absentee ballots as provided in G.S. 163-228 prior to the opening of the voting place in accordance with ~~G.S. 163-166.01,~~ G.S. 163-166.25, for a purpose other than the conduct of business at the county board of elections, shall be guilty of a Class G felony.

...."

SECTION 36. G.S. 163-258.29 reads as rewritten:

"§ 163-258.29. ~~Absentee voting at office of board of elections.~~ Early voting.

Notwithstanding any other provisions of this Chapter, any covered voter under this Article shall be permitted to vote ~~an absentee~~ a ballot during early voting pursuant to ~~G.S. 163-227.2, 163-227.5, and 163-227.6~~ Part 5 of Article 14A of this Chapter if the covered voter has not already voted an absentee ballot which has been returned to the board of elections, and if the covered voter will not be in the county on the day of the primary or election.

In the event an absentee application or ballot has already been mailed to the covered voter applying to vote during early voting pursuant to ~~G.S. 163-227.2, 163-227.5, and 163-227.6,~~ Part 5 of Article 14A of this Chapter, the board of elections shall void the application and ballot unless the voted absentee ballot has been received by the board of elections. The covered voter shall be eligible to vote during early voting pursuant to ~~G.S. 163-227.2, 163-227.5, and 163-227.6~~ Part 5 of Article 14A of this Chapter no later than 5:00 P.M. on the day next preceding the primary, second primary or election."

SECTION 37.(a) G.S. 163-274(b) reads as rewritten:

"(b) Class 1 Misdemeanor. – Any person ~~who shall,~~ who, in connection with any primary or election in this State, ~~do violates any of the acts and things declared in provision of this subsection to be unlawful shall be~~ is guilty of a Class 1 misdemeanor. It shall be unlawful ~~for 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.

1 (2) For any person to impersonate a chief judge, judge of election, or other
2 precinct official while in the discharge of duties in the registration of voters
3 or in conducting any primary or election.

4 (3) For any person other than the State Board or a county board of elections, or
5 any employee of the State Board or a county board of elections, to affix or
6 print any identifier for the purpose of tracking the form on any absentee ballot
7 request form."

8 **SECTION 37.(b)** This section becomes effective December 1, 2023, and applies to
9 offenses committed on or after that date.

10 **SECTION 38.** G.S. 163-275(a)(5) reads as rewritten:

11 "(5) For any person convicted of a crime which excludes the person from the right
12 of suffrage, to vote ~~at in~~ any primary or election ~~without having been restored~~
13 to ~~knowing~~ the right of citizenship has not been restored in due course and by
14 the method provided by law."

15 **SECTION 39.(a)** G.S. 163-278 reads as rewritten:

16 "**§ 163-278. Duty of investigating and prosecuting violations of this Article.**

17 (a) It shall be the duty of the State Board of ~~Elections~~ and the district attorneys to
18 investigate any violations of this Article, and the State Board and district attorneys are authorized
19 and empowered to subpoena and compel the attendance of any person before them for the
20 purpose of making such investigation.

21 (b) The State Board and the district attorneys are authorized to call upon the Director of
22 the State Bureau of Investigation to furnish assistance by the State Bureau of Investigation in
23 making the investigations of such violations. The State Board and county boards of elections
24 shall cooperate with the State Bureau of Investigation at all times in such investigations and shall
25 provide any information requested by the State Bureau of Investigation.

26 (c) The State Board shall furnish the district attorney a copy of ~~its investigation~~ any
27 investigations of violations of this Article. The district attorney shall initiate prosecution and
28 prosecute any violations of this Article.

29 (d) The provisions of G.S. 163-278.28 shall be applicable to violations of this Article."

30 **SECTION 39.(b)** G.S. 163-22(d) reads as rewritten:

31 "(d) The State Board of ~~Elections~~ shall investigate when necessary or advisable, the
32 administration of election laws, frauds and irregularities in elections in any county and
33 municipality and special district, and shall report violations of the election laws to the ~~Attorney~~
34 ~~General or district attorney or prosecutor of the district~~ State Bureau of Investigation for further
35 investigation and prosecution."

36 **SECTION 39.(c)** G.S. 143B-919 reads as rewritten:

37 "**§ 143B-919. Investigations of lynchings, election frauds, etc.; services subject to call of**
38 **Governor; witness fees and mileage for employees.**

39 (a) The Bureau shall, upon request of the Governor, investigate and prepare evidence in
40 the event of any lynching or mob violence in the State; ~~shall investigate all cases arising from~~
41 ~~frauds in connection with elections when requested to do so by the Board of Elections, State and~~
42 when so directed by the Governor. Such investigation, however, shall in nowise interfere with
43 the power of the Attorney General to make such investigation as the Attorney General is
44 authorized to make under the laws of the State. The Bureau is authorized further, at the request
45 of the Governor, to investigate cases of frauds arising under the Social Security Laws of the State,
46 of violations of the gaming laws, and lottery laws, and matters of similar kind when called upon
47 by the Governor so to do. In all such cases it shall be the duty of the Department to keep such
48 records as may be necessary and to prepare evidence in the cases investigated, for the use of
49 enforcement officers and for the trial of causes. The services of employees of the Bureau may be
50 required by the Governor in connection with the investigation of any crime committed anywhere
51 in the State when called upon by the enforcement officers of the State, and when, in the judgment

1 of the Governor, such services may be rendered with advantage to the enforcement of the criminal
2 law. The State Bureau of Investigation is hereby authorized to investigate without request the
3 attempted arson of, or arson of, damage of, theft from, or theft of, or misuse of, any State-owned
4 personal property, buildings, or other real property or any assault upon or threats against any
5 legislative officer named in G.S. 147-2(1), (2), or (3), any executive officer named in
6 G.S. 147-3(c), or any court officer as defined in G.S. 14-16.10(1).

7 (a1) The Bureau shall investigate all cases arising from frauds in connection with elections
8 in the State.

9 "...."

10 **SECTION 40.** G.S. 163-278.69(a) reads as rewritten:

11 "(a) Judicial Voter Guide. – The State Board shall publish a Judicial Voter Guide that
12 explains the functions of the appellate courts and the laws concerning the election of appellate
13 judges, the purpose and function of the Public Campaign Fund, and the laws concerning voter
14 registration. The State Board shall distribute the Guide to as many voting-age individuals in the
15 State as practical, through a mailing to all residences or other means it deems effective. The
16 distribution shall occur no more than 28 days nor fewer than seven days before the ~~one-stop-early~~
17 voting period provided in G.S. 163-227.2, 163-227.5, and 163-227.6 Part 5 of Article 14A of this
18 Chapter for the primary and no more than 28 days nor fewer than seven days before the one-stop
19 early voting period provided in G.S. 163-227.2, 163-227.5, and 163-227.6 Part 5 of Article 14A
20 of this Chapter for the general election."

21 **SECTION 41.** G.S. 163-302 reads as rewritten:

22 "**§ 163-302. Absentee and early voting.**

23 (a) In any municipal election, including a primary or general election or referendum,
24 mail-in absentee voting and early voting may, upon resolution of the municipal governing body,
25 be permitted. Such resolution must be adopted no later than 60 days prior to an election in order
26 to be effective for that election. Any such resolution shall remain effective for all future elections
27 unless repealed no later than 60 days before an election. A copy of all resolutions adopted under
28 this section shall be filed with the State Board of ~~Elections~~ and the county board of elections
29 conducting the election within 10 days of passage in order to be effective. In addition, mail-in
30 absentee voting and early voting shall be allowed in any referendum on incorporation of a
31 municipality.

32 (b) The provisions of Articles 20 and ~~21-21A~~ of this Chapter shall apply to mail-in
33 absentee voting in municipal elections, special district elections, and other elections for an area
34 less than an entire county other than elections for the General Assembly, except that the earliest
35 date by which mail-in absentee ballots shall be required to be available for mail-in absentee
36 voting in such elections shall be 30 days prior to the primary or election or as quickly following
37 the filing deadline specified in G.S. 163-291(2) or G.S. 163-294(c) as the county board of
38 elections is able to secure the official ballots. In elections on incorporation of a municipality not
39 held at the same time as another election in the same area, the county board of elections shall
40 adopt a special schedule of meetings of the county board of elections to approve mail-in absentee
41 ballot applications so as to reduce the cost of the process, and to further implement the last
42 paragraph of G.S. 163-230(2)a. If no application has been received since the last meeting, no
43 meeting shall be held of the county board of elections under such schedule unless the meeting is
44 scheduled for another purpose. If another election is being held in the same area on the same day,
45 or elsewhere in the county, the cost of per diem for meetings of the county board of elections to
46 approve absentee ballots shall not be considered a cost of the election to be billed to the
47 municipality being created."

48 **SECTION 42.** G.S. 136-32(b) reads as rewritten:

49 "(b) Compliant Political Signs Permitted. – During the period beginning on the 30th day
50 before the beginning date of "~~one-stop~~" early voting under ~~G.S. 163-227.2~~ G.S. 163-166.40 and
51 ending on the 10th day after the primary or election day, persons may place political signs in the

1 right-of-way of the State highway system as provided in this section. Signs must be placed in
 2 compliance with subsection (d) of this section and must be removed by the end of the period
 3 prescribed in this subsection. Any political sign remaining in the right-of-way of the State
 4 highway system more than 30 days after the end of the period prescribed in this subsection shall
 5 be deemed unlawfully placed and abandoned property, and a person may remove and dispose of
 6 such political sign without penalty."

7 **SECTION 43.** G.S. 143-166.42(c1) reads as rewritten:

8 "(c1) Notwithstanding the provisions of subdivision (3) of subsection (c) of this section,
 9 payments to a retired officer shall not cease when a local government employer employs a retired
 10 officer for any of the following:

- 11 (1) In a public safety position in a capacity not requiring participation in the Local
 12 Governmental Employees' Retirement System.
- 13 (2) In service to a county board of elections on an election day or during the hours
 14 for early voting under Part 5 of Article 14A of Chapter 163 of the General
 15 Statutes in a capacity that complies with G.S. 128-21(19) and does not result
 16 in cessation or suspension of the retiree's benefit from the Local Government
 17 Employees' Retirement System."

18 **SECTION 44.(a)** G.S. 9-3 reads as rewritten:

19 **"§ 9-3. Qualifications of prospective jurors.**

20 (a) ~~All persons are~~ A person is qualified to serve as jurors a juror and to shall be included
 21 on the master jury list who if the person meets all of the following:

- 22 (1) ~~are citizens of the State~~ Is a citizen of the United States.
- 23 (2) ~~Is a resident of the State.~~
- 24 (3) ~~and residents~~ Is a resident of the county, county.
- 25 (4) ~~who have~~ Has not served as jurors a juror during the preceding two years
 26 years.
- 27 (5) ~~or who have~~ Has not served a full term of service as a grand jurors juror during
 28 the preceding six years, years.
- 29 (6) ~~who are~~ Is 18 years of age or over, over.
- 30 (7) ~~who are~~ Is physically and mentally competent, competent.
- 31 (8) ~~who can~~ Can understand the English language, language.
- 32 (9) ~~who have~~ Has not been convicted of a felony or pleaded guilty or nolo
 33 contendere to an indictment charging a felony (or felony, or if convicted of a
 34 felony or having pleaded plead guilty or nolo contendere to an indictment
 35 charging a felony have felony, has had their that person's citizenship restored
 36 pursuant to law), law.
- 37 (10) ~~and who have~~ Has not been adjudged non compos mentis.

38 (b) ~~Persons~~ A person not qualified under this section are is subject to challenge for cause."

39 **SECTION 44.(b)** G.S. 9-6 reads as rewritten:

40 **"§ 9-6. Jury service a public duty; excuses to be allowed in exceptional cases; procedure.**

41 ...

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

46 (b) Pursuant to the foregoing policy, each chief district court judge shall promulgate
 47 procedures whereby the chief district court judge or any district court judge of the chief district
 48 court judge's district court district designated by the chief district court judge, prior to the date
 49 that a jury session (or sessions) of superior or district court convenes, shall receive, hear, and
 50 pass on applications for excuses from jury duty. The procedures shall provide for the time and
 51 place, publicly announced, at which applications for excuses will be heard, and prospective jurors

1 who have been summoned for service shall be so informed. The chief district court judge, after
 2 consultation with and with the consent of the clerk of superior court, may delegate the authority
 3 to receive, hear, and pass on applications for excuses from jury duty to the clerk of superior court.
 4 The chief district judge may also assign the duty of passing on applications for excuses from jury
 5 service to judicial support staff. In all cases concerning excuses, the clerk of superior court or
 6 judicial support staff shall notify prospective jurors of the disposition of their excuses.

7 ...

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

11"

12 **SECTION 44.(c)** G.S. 9-6.1 reads as rewritten:

13 **"§ 9-6.1. Requests to be excused.**

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

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

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

43 **SECTION 44.(d)** Article 1 of Chapter 9 of the General Statutes is amended by
 44 adding a new section to read:

45 **"§ 9-6.2. Reports of excusals from jury duty based on disqualification.**

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

1 (b) The clerk of superior court shall, at least on a semiannual basis, communicate
2 information regarding requests to be excused from jury duty on the basis that the person is not a
3 citizen of the United States to the State Board of Elections, including the person's name, address,
4 date of birth, and other personal information from the master jury list, along with the reasons for
5 the person's disqualification and the date of disqualification. The State Board of Elections shall
6 use this information to conduct list maintenance efforts in accordance with G.S. 163-82.14. The
7 list of persons requesting to be disqualified from jury duty due to lack of being a citizen of the
8 United States shall be a public record, subject to G.S. 163-82.10(a1).

9 (c) Nothing in this section shall be construed as a restriction on the authority of a local
10 board of elections or the State Board of Elections to determine a person's eligibility to vote."

11 **SECTION 44.(e)** G.S. 163-82.14 reads as rewritten:

12 "**§ 163-82.14. List maintenance.**

13 (a) ~~Uniform Program.~~ Requirement for List Maintenance. – ~~The~~ In accordance with this
14 section, the State Board of Elections shall adopt a uniform program that makes a diligent effort
15 not less than twice each year; and county boards of elections shall maintain the list of eligible
16 voters in the State by providing for the following:

17 (1) ~~To remove.~~ The removal of the names of ineligible voters from the official lists
18 of eligible voters, and voters.

19 (2) ~~To update.~~ Updates to the addresses and other necessary data of persons who
20 remain on the official lists of eligible voters.

21 (a1) ~~That program.~~ Methods of List Maintenance; Cross State Checks. – List maintenance
22 efforts under this section shall be nondiscriminatory and shall comply with the provisions of the
23 Voting Rights Act of 1965, as amended, and with the provisions of the National Voter
24 Registration Act. The State Board of Elections, Board, in addition to the methods set forth in this
25 section, may use other methods toward the ends set forth in subdivisions (1) and (2) of this
26 subsection, subsection (a) of this section, including address-updating services provided by the
27 Postal Service, Service and entering into data sharing agreements with other states to cross-check
28 information on voter registration and voting records. Any data sharing agreement shall require
29 the other state or states to comply with G.S. 163-82.10 and G.S. 163-82.10B. Each county board
30 of elections shall conduct systematic efforts to remove names from its list of registered voters in
31 accordance with this section and with the program adopted by the State Board. The county boards
32 of elections shall complete their list maintenance mailing program by April 15 of every
33 odd-numbered year, unless the State Board of Elections approves a different date for the county.

34 (b) Death. – ~~The~~ In order to remove the names of deceased persons from the list of
35 eligible voters in this State, the following shall occur:

36 (1) At a minimum of once per week, the Department of Health and Human
37 Services shall furnish free of charge to the State Board of Elections every
38 month, Executive Director, in a format prescribed by the State Board of
39 Elections, Board, the names of deceased persons who were residents of the
40 State. The State Board of Elections Upon receipt of the list from the
41 Department of Health and Human Services, the Executive Director shall
42 distribute every month to each county board of elections the names on that list
43 of deceased persons who were residents of that county. The Department of
44 Health and Human Services shall base each list upon information supplied by
45 death certifications it received during the preceding month. Upon the receipt
46 of those names, each county board of elections shall remove from its voter
47 registration records any person the list shows to be ~~dead~~ deceased each week.

48 (2) Each county board of elections shall also remove from its voter registration
49 records a person identified as deceased by Upon receipt of a signed statement
50 of a near relative or personal representative of the estate of ~~the~~ a deceased
51 voter. voter indicating that the person has died, a county board of elections

1 shall remove the person identified as deceased from its voter registration
 2 records within one week of receipt of the signed statement. The county board
 3 ~~need not~~ does not need to send any notice to the address of the person so
 4 ~~removed~~ person before removing the person from its voter registration
 5 records.

6 (c) Conviction of a Felony. – In order to remove the names of ineligible individuals from
 7 the list of eligible voters in this State, the following shall occur:

8 (1) ~~Report of Conviction Within the State.~~ The State Board of Elections, on or
 9 before the fifteenth day of every month, At a minimum of once per week, the
 10 Executive Director shall report to the county board of elections of that county
 11 the name, county of residence, and residence address if available, of each
 12 individual compile a list of individuals against whom a final judgment of
 13 conviction of a felony within this State has been entered in that county in the
 14 preceding calendar month entered. The Executive Director shall report to each
 15 appropriate county board of elections the names of individuals from that
 16 county appearing on such list each week.

17 (2) ~~Report of Federal Conviction.~~ At a minimum of once per week, the
 18 Executive Director of the State Board of Elections, upon receipt of shall
 19 compile a list of individuals against whom a federal conviction has been
 20 reported, based on a notice of conviction sent by a United States Attorney
 21 pursuant to section 8(g) of the National Voter Registration Act, Act. The
 22 Executive Director shall notify the report to each appropriate county boards
 23 board of elections of the conviction names of individuals from that county
 24 appearing on such list each week.

25 (3) ~~County Board's Duty Upon Receiving Report of Conviction.~~ When a county
 26 board of elections receives a notice pursuant to subdivision (1) or (2) of this
 27 subsection relating to a resident of that county and that person is registered to
 28 vote in that county, the county board of elections shall, after giving 30 days'
 29 written notice to the voter at his registration address, the address associated
 30 with that voter registration, and if the voter makes no objection, remove the
 31 person's name from its registration records. If the voter notifies the county
 32 board of elections of his objection to the removal within 30 days of the notice,
 33 the chairman chair of the county board of elections shall enter a challenge
 34 under G.S. 163-85(c)(5), and the notice the county board of elections received
 35 pursuant to this subsection shall be prima facie evidence for the preliminary
 36 hearing that the registrant was convicted of a felony.

37 (c1) Noncitizens. –

38 (1) Within 30 days of receipt of the communication in accordance with
 39 G.S. 9-6.2, the State Board shall do each of the following:

40 a. Review the voter registration and citizenship status of each person
 41 identified, including the matching of available information in State and
 42 federal databases.

43 b. Distribute to each county board of elections a report of the persons
 44 identified who are registered to vote in that county. The report shall
 45 include the information provided by the clerk of superior court under
 46 G.S. 9-6.2, the voter registration number of the person, and the results
 47 of the State Board review of the person's voter registration and
 48 citizenship status. The State Board shall not include a person's name
 49 in the report if the State Board review determines that the individual
 50 became a citizen of the United States after the date of that person's jury
 51 disqualification.

- 1 c. In the event that the prospective juror voted prior to becoming a United
2 States citizen, the State Board shall furnish the State Bureau of
3 Investigation and the district attorney a copy of its investigation for
4 prosecution of the violation as provided in G.S. 163-278.
- 5 (2) Within 30 days of receipt by a county board of elections of a report pursuant
6 to this subsection relating to a person registered to vote in that county, the
7 following shall occur:
- 8 a. The county board of elections shall give 30 days' written notice to the
9 voter by sending notice to the voter's residential address and, if
10 different from the voter's residential address, the voter's registration
11 address and mailing address. If the voter makes no objection, the
12 county board of elections shall remove the person's name from its
13 registration records and shall provide written notice of the removal to
14 the voter in the same manner as notice was previously provided under
15 this sub-subdivision. The county board of elections shall indicate
16 within the statewide computerized voter registration system any
17 individual removed from the voter registration records on the basis of
18 noncitizenship status.
- 19 b. If, within 30 days of the date on which notice was sent of the removal
20 of a voter's name from registration records pursuant to sub-subdivision
21 a. of this subdivision, the voter notifies the county board of elections
22 of the voter's objection to the removal, the chair of the county board
23 of elections shall enter a challenge under G.S. 163-85(c)(7) and the
24 notice provided to the county board of elections by the receipt of the
25 report from the State Board pursuant to this subdivision shall establish
26 a rebuttable presumption in the preliminary hearing heard pursuant to
27 G.S. 163-85(d) that the person is not a citizen of the United States. The
28 voter may appear with evidence to rebut the presumption, including
29 any federal documentation of citizenship or evidence that the voter did
30 not request to be excused from jury duty on the basis of noncitizenship.
- 31 (3) Except as provided by State and federal law, the records retained pursuant to
32 this subsection are public records under G.S. 132-1, notwithstanding the
33 requirements of G.S. 20-43.4(c). The State Board and county board of
34 elections shall retain the electronic records for four years and may destroy the
35 records thereafter.
- 36 (d) ~~Change of Address. – A county board of elections shall conduct a systematic program~~
37 ~~In order to remove from its list of registered voters those the names of individuals who have~~
38 ~~moved out of the county, and to update the registration records of persons who have moved~~
39 ~~within the county. The county board shall remove a person from its list if the registrant:~~
40 ~~the following shall occur:~~
- 41 (1) ~~Gives~~ At a minimum of once per week, a county board of elections shall
42 remove from its voter registration records the names of individuals who give
43 confirmation in writing of a change of address for voting purposes out of the
44 county. "Confirmation in writing" for purposes of this subdivision shall
45 ~~include:~~ include any of the following:
- 46 a. A report to the county board from the Department of Transportation
47 or from a voter registration agency listed in G.S. 163-82.20 that the
48 voter has reported a change of address for voting purposes outside the
49 ~~county;~~ county.
- 50 b. A notice of cancellation received under ~~G.S. 163-82.9;~~
51 G.S. 163-82.9.

1 c. A notice of cancellation received from an election jurisdiction outside
2 the State.

3 (2) ~~Fails~~ Following each congressional election, the county board of elections
4 shall send to each registered voter who has not voted or confirmed the voter's
5 address by another means a confirmation mailing. The county board of
6 elections shall remove from its voter registration records the names of
7 individuals who fail to respond to a—the confirmation mailing sent by the
8 county board in accordance with this subdivision and ~~does who do not~~ vote or
9 appear to vote in an election beginning on the date of the notice and ending
10 on the day after the date of the second general election for the United States
11 House of Representatives that occurs after the date of the notice. A county
12 board ~~sends of elections shall send~~ a confirmation notice ~~in accordance with~~
13 ~~this subdivision if the notice that complies with all of the following:~~

- 14 a. Is a postage prepaid and preaddressed return card, sent by forwardable
15 mail, on which the registrant may state current ~~address;~~ address.
16 b. Contains or is accompanied by a notice to the effect that if the
17 registrant did not change residence but remained in the county, the
18 registrant should return the card not later than the deadline for
19 registration by mail in ~~G.S. 163-82.6(d)(1); and~~ G.S. 163-82.6(d)(1).
20 c. Contains or is accompanied by information as to how the registrant
21 may continue to be eligible to vote if the registrant has moved outside
22 the county.

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

26 (3) Any ~~registrant~~ registered voter who is removed from the list of registered
27 voters pursuant to this subsection shall be reinstated if the voter appears to
28 vote and gives oral or written affirmation that the voter has not moved out of
29 the county but has maintained residence continuously within the county. That
30 person shall be allowed to vote as provided in G.S. 163-82.15(f).

31 (e) Cooperation on List Maintenance Efforts. – The State Board ~~of Elections~~ has the
32 authority to perform list maintenance under this section with the same authority as a county
33 board.

34 (f) Annual Report on List Maintenance Efforts. – County board of elections shall submit
35 to the State Board ~~of Elections~~ an annual report, on or before September 1 of each year, of its list
36 maintenance under this section. The State Board ~~of Elections~~ shall compile annual reports
37 received from the county board of elections and submit the reports to the Joint Legislative
38 Elections Oversight Committee on or before October 1 of each year."

39 **SECTION 44.(f)** This section becomes effective July 1, 2024.

40 **SECTION 45.(a)** The State Board of Elections and county boards of elections shall
41 conduct a robust public education effort regarding the photo identification requirement to vote.
42 The websites of the State Board of Elections and each county board of elections shall include a
43 prominent notice or icon linking to a notice regarding the photo identification requirement to
44 vote. The notice shall clearly and initially state the following: "Voters will now be asked to
45 present a valid photo identification when voting in person. If you do not have a valid photo ID
46 card, you may obtain one from your county board of elections prior to the election, through the
47 end of the early voting period. If you do not have a valid photo ID card on election day, you may
48 still vote and have your vote counted by signing an affidavit of reasonable impediment as to why
49 you have not presented a valid photo ID."

50 **SECTION 45.(b)** This section expires on December 31, 2024.

1 **SECTION 46.** The Department of Information Technology shall study and report to
2 the General Assembly, on or before March 1, 2024, as to the feasibility of replacing the statewide
3 voter registration system, including the timetable for replacement and the possibility of
4 establishing periodic communications, up to and including daily, between the State Board of
5 Elections and the Department of Health and Human Services, Office of Vital Records; the
6 Division of Motor Vehicles; Division of Prisons of the Department of Adult Corrections; and the
7 Administrative Office of the Courts for the purposes of list maintenance and voter registration.
8 The report shall be delivered to the Joint Legislative Commission on Governmental Operations.

9 **SECTION 47.** The State Board of Elections shall educate the public on the changes
10 to the deadline for returning completed applications and marked mail-in absentee ballots to the
11 county boards of elections contained in this legislation by including the information in any
12 mailing to North Carolina residential addresses, including any mailing sent regarding the
13 implementation of photo identification to vote, in 2023 and 2024.

14 **SECTION 48.(a)** The State Board of Elections shall select 10 counties in the State
15 in which to conduct a pilot program during the primary held in 2024 for signature verification on
16 executed mail-in absentee ballots. In selecting the 10 counties for the pilot, the State Board of
17 Elections shall seek diversity of population size, regional location, and demographic
18 composition. The pilot program shall consist of county boards of elections using signature
19 verification software to check the signatures of voters noted on all executed mail-in absentee
20 ballots received by the county boards of elections in the 2024 primary. The State Board of
21 Elections shall select the signature verification software and ensure that the software is available
22 for all 10 counties to use in the 2024 primary. The State Board shall assist the selected county
23 boards of elections in implementing the signature verification software, including assisting the
24 selected county boards of elections in any training needed on how the software is to be used for
25 signature matching on executed mail-in absentee ballots.

26 **SECTION 48.(b)** The State Board of Elections shall closely monitor the pilot
27 program established in this section. The selected county boards of elections shall report to the
28 State Board of Elections its findings on the use of the signature verification software during the
29 2024 primary, including all of the following:

- 30 (1) Whether the signature verification software was used for all returned mail-in
31 absentee ballots, and what the voter signature on the executed mail-in absentee
32 ballot was matched against.
- 33 (2) How many executed mail-in absentee ballots were counted by the county
34 board of elections in the 2024 primary.
- 35 (3) How many executed mail-in absentee ballots were flagged by the signature
36 verification software, and any information known on how close of a match the
37 signatures must be for the signature match software to not flag the voter's
38 signature.
- 39 (4) Information on how the signature matching software flagged an executed
40 mail-in absentee ballot with a signature that did not match the signature on
41 file for the voter, including any known information on the rate of error in the
42 software.

43 **SECTION 48.(c)** In implementing the pilot program established in this section, no
44 executed mail-in absentee ballot shall be rejected by the county board of elections for failing any
45 signature verification. All executed mail-in absentee ballots that are otherwise eligible to be
46 counted in accordance with Chapter 163 of the General Statutes shall be counted.

47 **SECTION 48.(d)** The State Board of Elections shall report its findings, along with
48 any recommendations, to the General Assembly on or before May 1, 2024. The report shall be
49 delivered to the Joint Legislative Elections Oversight Committee and shall also include the
50 following:

- 1 (1) A compilation of the information reported from the selected county boards of
2 elections as required by subsection (b) of this section.
- 3 (2) The estimated cost to implement signature verification for mail-in absentee
4 ballots statewide.
- 5 (3) Any suggested law changes to fully implement signature verification
6 statewide for mail-in absentee ballots, including suggestions on a process for
7 how a voter can cure a deficiency related to signature verification of mail-in
8 absentee ballots.
- 9 (4) Any other information relevant to signature verification of mail-in absentee
10 ballots.

11 **SECTION 49.** If any provision of this act or its application to any person, group of
12 persons, or circumstances is held invalid, the invalidity does not affect other provisions or
13 applications of this act that can be given effect without the invalid provisions or application and,
14 to this end, the provisions of this act are severable.

15 **SECTION 50.** Sections 1 through 36 and Sections 38 through 43 of this act become
16 effective January 1, 2024, and apply to elections on or after that date. Except as otherwise
17 provided, this act is effective when it becomes law.