

January 25 ,2001

S 11. ELECTION CHANGES. TO MAKE MISCELLANEOUS CHANGES TO THE ELECTION LAWS. GS 163-114 provides process for filling candidate vacancies among party nominees that occur after nomination and before election. Statute lists offices to which it applies; this bill adds presidential elector, president, and vice president to list and provides that vacancies in those slots will be filled by appointment of a national executive committee of the political party in which the vacancy occurs. Amends GS 163-128 (process of notice to be used when election precincts are changed) to require that notice of precinct change be posted at the office of the county board of elections (now, the courthouse door) and to require that the county board of elections mail a notice of precinct change to each effected registered voter no later than 30 days before the primary or election. Amends GS 163-254 (registration and voting on primary or election day) to provide that any person entitled to vote an absentee ballot pursuant to GS 163-245 who is absent in any of the capacities specified in that statute at the time registration records close for an election but who returns to their resident county in North Carolina after that date shall be permitted to register in person at any time, including the day of the election. Amends GS 163-227.3 (absentee ballots) to require that county boards of election that print their own absentee ballots must follow direction of the State Board in delaying absentee ballots while an appeal is pending and in providing them as soon as possible thereafter. Amends GS 163-192.1 (mandatory recounts) to provide that, in statewide contests, candidates are entitled to an automatic recount only if the vote difference is no greater than one-half of one percent of the votes cast, or 10,000 votes, whichever is less (now, percentage part is stated as "at least" 0.5%). Repeals subsection (a)(3) of GS 163-278.39 (statute addresses basic disclosure requirements for all political campaign advertisements). Subsection requires that a sponsor state in the advertisement its position for or against the candidate, if the advertisement supports or opposes the nomination or election of a clearly identified candidate. Amends GS 120-163 (petitions to Joint Legislative Comm'n on Municipal Incorporations) to require that voters listed on petitions requesting incorporation must sign the petition, print their name, and provide their residence address and date of birth. Permits tolling of 15 day period in which county board of elections must return a petition to a presenter after certification for any time that falls either two weeks before or one week after a primary or election being conducted by that board of elections.

Intro. by Gulley.

Held as Filed	GS 120, 163
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April 9, 2001

S 11. ELECTION CHANGES. Intro. 1/25/01. Senate committee substitute makes the following changes to 1st edition. Modifies provision, in GS 163-114, on filling vacancies after nomination and before election, to provide that vacancy in Presidential elector or alternate elector is to be filled by appointment of state executive committee of relevant party (was, national executive committee). Continues requirement, in GS 163-128, that notice of new or changed precincts be posted at courthouse door (as well as at office of county board of elections). Makes additional technical changes.

June 12, 2001

S 11. ELECTION CHANGES-MISC. Intro. 1/25/01. House committee substitute makes the following changes to 2nd edition. Changes title to *AN ACT TO PROVIDE FOR FILLING VACANCIES IN NOMINATION FOR THE NATIONAL TICKET AND FOR PRESIDENTIAL ELECTOR; TO EXPAND THE NOTICE REQUIREMENT FOR PRECINCT CHANGES; TO CLARIFY THE RIGHT OF MILITARY/OVERSEAS VOTERS TO REGISTER AND VOTE ON ELECTION DAY; TO REQUIRE COUNTY BOARDS OF ELECTIONS TO FOLLOW THE DIRECTION OF THE STATE BOARD OF ELECTIONS IN PRINTING ABSENTEE BALLOTS DURING AND AFTER THE PENDENCY OF APPEALS; TO REPEAL A COURT-DISAPPROVED PROVISION OF THE AD-LABELING LAW; TO TOLL THE VERIFICATION OF MUNICIPAL INCORPORATION PETITIONS DURING A PERIOD AROUND A PRIMARY OR ELECTION AND TO MAKE OTHER CHANGES TO THE INCORPORATION PETITION STATUTE; TO MAKE*

TECHNICAL CHANGES TO THE MANDATORY RECOUNT STATUTES; TO REQUIRE PRIVACY FOR THE VOTER TO MARK THE BALLOT; AND TO STOP THE DAILY CAMPAIGN FINANCE PENALTY AFTER THE POSTMARK DATE SO AS TO ELIMINATE EXCESS POSTAGE COSTS. Retains provisions of 2nd edition and adds additional provisions. Makes proposed amendment to GS 120-163 (petition to Joint Legislative Comm'n on Municipal Incorporation) effective for petitions submitted on or after Dec. 1, 2001. Amends GS 163-145 (voting booths) to add following proviso to statement that section does not apply to voting places at which voting machines are used: at all voting places there must be curtained or otherwise private area where voter may mark ballot unobserved. Amends 163-227.2 to provide that at any site where one-stop absentee voting is conducted, there must be curtained or otherwise private area where voter may mark ballot unobserved. Amends GS 163-278.34(a) to provide that if form is filed by mail, no civil late penalty shall be assessed for any day after date of postmark for any day when State Board of Elections office is open.

July 16, 2001

S 11. ELECTION CHANGES - MISC. Intro. 1/25/01. House committee substitute makes the following changes to 3rd edition. Changes title to *AN ACT TO PROVIDE FOR FILLING VACANCIES IN NOMINATION FOR THE NATIONAL TICKET AND FOR PRESIDENTIAL ELECTOR; TO EXPAND THE NOTICE REQUIREMENT FOR PRECINCT CHANGES; TO CLARIFY THE RIGHT OF MILITARY/OVERSEAS VOTERS TO REGISTER AND VOTE ON ELECTION DAY; TO REQUIRE COUNTY BOARDS OF ELECTIONS TO FOLLOW THE DIRECTION OF THE STATE BOARD OF ELECTIONS IN PRINTING ABSENTEE BALLOTS DURING AND AFTER THE PENDENCY OF APPEALS; TO REPEAL A COURT-DISAPPROVED PROVISION OF THE AD-LABELING LAW; TO TOLL THE VERIFICATION OF MUNICIPAL INCORPORATION PETITIONS DURING A PERIOD AROUND A PRIMARY OR ELECTION AND TO MAKE OTHER CHANGES TO THE INCORPORATION PETITION STATUTE; TO MAKE TECHNICAL CHANGES TO THE MANDATORY RECOUNT STATUTES; TO REQUIRE PRIVACY FOR THE VOTER TO MARK THE BALLOT; TO STOP THE DAILY CAMPAIGN FINANCE PENALTY AFTER THE POSTMARK DATE FOR ANY DAY WHEN THE BOARD OF ELECTIONS IS CLOSED; AND TO CHANGE THE MAILING REQUIREMENT FOR NOTICE OF LATE FILING.* Changes daily campaign finance penalty, set forth in GS 163-278.34(a), to provide that, if forms are filed by mail, no civil late penalty shall be assessed for any day after the date of postmark, and no penalty shall be assessed for any day when the board office at which the report is due is closed.

July 23, 2001

S 11. ELECTIONS CHANGES-MISC. Intro. 1/25/01. House amendment makes the following changes to 4th edition. Amends GS 163-254 to allow an individual to register in person at any time the board of elections office or voting place is open, including on primary or election day, if that individual was absent from the county on the day registration closed for that election and the absence was due to an occupation or status as follows: (1) member of the armed forces; (2) spouse of individual serving in the armed forces residing outside the county of the spouse's residence; (3) disabled war veteran in government hospital; (4) civilian attached to and serving outside the US with armed forces; or (5) member of the Peace Corps. An individual qualified under (1) through (5) shall be permitted to register and vote at the voting place on election day even though his or her status has changed since the close of registration.

August 13, 2001

SL 2001-353 (S 11). ELECTION CHANGES--MISCELLANEOUS. *AN ACT TO PROVIDE FOR FILLING VACANCIES IN NOMINATION FOR THE NATIONAL TICKET AND FOR PRESIDENTIAL ELECTOR; TO EXPAND THE NOTICE REQUIREMENT FOR PRECINCT CHANGES; TO CLARIFY THE RIGHT OF MILITARY/OVERSEAS VOTERS TO REGISTER AND VOTE ON ELECTION DAY; TO REQUIRE COUNTY BOARDS OF ELECTIONS TO FOLLOW THE DIRECTION OF THE STATE BOARD OF ELECTIONS IN PRINTING ABSENTEE BALLOTS DURING AND AFTER THE PENDENCY OF APPEALS; TO REPEAL A COURT-DISAPPROVED*

PROVISION OF THE AD-LABELING LAW; TO TOLL THE VERIFICATION OF MUNICIPAL INCORPORATION PETITIONS DURING A PERIOD AROUND A PRIMARY OR ELECTION AND TO MAKE OTHER CHANGES TO THE INCORPORATION PETITION STATUTE; TO MAKE TECHNICAL CHANGES TO THE MANDATORY RECOUNT STATUTES; TO REQUIRE PRIVACY FOR THE VOTER TO MARK THE BALLOT; TO STOP THE DAILY CAMPAIGN FINANCE PENALTY AFTER THE POSTMARK DATE AND FOR ANY DAY WHEN THE BOARD OF ELECTIONS IS CLOSED; AND TO CHANGE THE MAILING REQUIREMENT FOR NOTICE OF LATE FILING. Summarized in *Daily Bulletin* 1/25/01, 4/9/01, 6/12/01, 7/16/01, and 7/23/01. Enacted Aug. 10, 2001. Section 6 is effective with respect to any petitions submitted on or after Dec. 1, 2001. The remainder of this act is effective Aug. 10, 2001.