

GENERAL ASSEMBLY OF NORTH CAROLINA
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HOUSE DRH10313-LU-93 (03/16)

Short Title: Young People Voting.

(Public)

Sponsors: Representatives Queen, Cotham, B. Turner, and Brockman (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO RESTORE PROGRAMS FOR HIGH SCHOOL VOTER PREREGISTRATION
3 AND ENCOURAGE CIVIC EDUCATION.

4 Whereas, a report from the U.S. Department of Education, Office of the Under
5 Secretary and Office of Postsecondary Education, titled "Advancing Civic Learning and
6 Engagement in Democracy: A Road Map and Call to Action," dated January 2012, states that
7 "Education in America must prepare all students for informed participation in civic and
8 democratic life – so that all Americans are ready to tackle the challenges confronting
9 communities and the nation in the 21st century and so that the United States can continue to
10 serve as a model democracy for people and governments around the world"; and

11 Whereas, the report further provides that unfortunately, civic learning and
12 democratic engagement have become "add-ons rather than essential parts of the core academic
13 mission in too many schools ...", with "many elementary and secondary schools pushing civics
14 and service-learning to the sidelines, mistakenly treating education for citizenship as a
15 distraction from preparing students for ... other core subjects"; and

16 Whereas, Chief Justice Mark Martin of the North Carolina Supreme Court, in his
17 2015 State of the Judiciary Address, noted that the court will be undertaking an initiative
18 involving civics education; and

19 Whereas, in that Address, Chief Justice Martin stated that "[o]ur citizens must
20 understand the vital role that courts perform in protecting our democracy", and that "[t]his
21 dialogue must begin in our schools with our youngest citizens"; and

22 Whereas, Chief Justice Martin further stated that he has "asked two of [his]
23 colleagues on the Supreme Court to work with the State Board of Education and the
24 Department of Public Instruction to enhance our State's civics education curriculum" and
25 "develop a speakers bureau of judges and attorneys who can talk to community groups and
26 school classes about the importance of civic values"; and

27 Whereas, Chief Justice Martin went on to state that "[i]n order to ensure that young
28 people understand the fundamental principles of our society, this work must continue"; and

29 Whereas, to promote the importance of civic education in this State, the General
30 Assembly should take steps to restore programs for high school voter preregistration and
31 encourage civic education; Now, therefore,

32 The General Assembly of North Carolina enacts:

33 **SECTION 1.** G.S. 115C-47(59) reads as rewritten:

34 **"§ 115C-47. Powers and duties generally.**

35 In addition to the powers and duties designated in G.S. 115C-36, local boards of education
36 shall have the power or duty:



1 ...
2 (59) To Encourage Student Voter ~~Registration.~~ Registration and Preregistration.
3 – Local boards of education are encouraged to adopt policies to promote
4 student voter registration, registration and preregistration. These policies may
5 include collaboration with county boards of elections to conduct voter
6 registration and preregistration in high schools. Completion and submission
7 of voter registration or preregistration forms shall not be a course
8 requirement or graded assignment for students.

9"

10 **SECTION 2.** G.S. 115C-81(g1)(1)b. reads as rewritten:

11 "(g1) Modifications to the social studies curriculum to instruct students on participation in
12 the democratic process and to give them hands-on experience in participating in the democratic
13 process:

14 (1) The State Board of Education shall modify the high school social studies
15 curriculum to include instruction in civic and citizenship education. The
16 State Board of Education is strongly encouraged to include, at a minimum,
17 the following components in the high school civic and citizenship education
18 curriculum:

- 19 a. That students write to a local, State, or federal elected official about
20 an issue that is important to them;
21 b. Instruction on the importance of voting and otherwise participating in
22 the democratic process, including instruction on voter
23 ~~registration;~~ registration and preregistration;
24 c. Information about current events and governmental structure; and
25 d. Information about the democratic process and how laws are made."

26 **SECTION 3.** G.S. 163-82.1 is amended by adding a new subsection to read:

27 "(e) Preregistration. – A person who is at least 16 years of age but will not be 18 years of
28 age by the date of the next election and who is otherwise qualified to register may preregister to
29 vote and shall be automatically registered upon reaching the age of eligibility following
30 verification of the person's qualifications and address in accordance with G.S. 163-82.7."

31 **SECTION 4.** G.S. 163-82.3(a) is amended by adding a new subdivision to read:

32 "(a) Form Developed by State Board of Elections. – The State Board of Elections shall
33 develop an application form for voter registration. Any person may use the form to apply to do
34 any of the following:

- 35 (1) Register to vote.
36 (2) Change party affiliation or unaffiliated status.
37 (3) Report a change of address within a county.
38 (4) Report a change of name.
39 (5) Repealed by Session Laws 2013-381, s. 12.1(b), effective September 1,
40 2013.
41 (6) Preregister to vote.

42 The county board of elections for the county where the applicant resides shall accept the
43 form as application for any of those purposes if the form is submitted as set out in
44 G.S. 163-82.3."

45 **SECTION 5.** G.S. 163-82.4(d) reads as rewritten:

46 "(d) Citizenship and Age Questions. – Voter registration application forms shall include
47 all of the following:

- 48 (1) The following question and statement:
49 a. "Are you a citizen of the United States of America?" and boxes for
50 the applicant to check to indicate whether the applicant is or is not a
51 citizen of the United States.

- 1 b. "If you checked 'no' in response to this question, do not submit this
2 form."
3 (2) The following ~~question-questions~~ and statement:
4 a. "Will you be 18 years of age on or before election day?" and boxes
5 for the applicant to check to indicate whether the applicant will be 18
6 years of age or older on election day.
7 b. Repealed by Session Laws 2013-381, s. 12.1(c), effective September
8 1, 2013.
9 b1. "Are you at least 16 years of age and understand that you must be 18
10 years of age on or before election day to vote?" and boxes for the
11 applicant to check to indicate whether the applicant is at least 16
12 years of age and understands that the applicant must be at least 18
13 years of age or older by election day to vote.
14 c. "If you checked 'no' in response to ~~this question~~, both of these
15 questions, do not submit this form."
16 (3) Repealed by Session Laws 2009-541, s. 9(a), effective January 1, 2010."

17 **SECTION 6.** G.S. 163-82.19(a) reads as rewritten:

18 "(a) Voter Registration at Drivers License Offices. – The Division of Motor Vehicles
19 shall, pursuant to the rules adopted by the State Board of Elections, modify its forms so that
20 any eligible person who applies for original issuance, renewal or correction of a drivers license,
21 or special identification card issued under G.S. 20-37.7 may, on a part of the form, complete an
22 application to register to vote, or to update the voter's registration if the voter has changed his
23 or her address or moved from one precinct to another or from one county to ~~another~~ another, or
24 to preregister to vote. The person taking the application shall ask if the applicant is a citizen of
25 the United States. If the applicant states that the applicant is not a citizen of the United States,
26 or declines to answer the question, the person taking the application shall inform the applicant
27 that it is a felony for a person who is not a citizen of the United States to apply to register to
28 vote. Any person who willfully and knowingly and with fraudulent intent gives false
29 information on the application is guilty of a Class I felony. The application shall state in clear
30 language the penalty for violation of this section. The necessary forms shall be prescribed by
31 the State Board of Elections. The form must ask for the previous voter registration address of
32 the voter, if any. If a previous address is listed, and it is not in the county of residence of the
33 applicant, the appropriate county board of elections shall treat the application as an
34 authorization to cancel the previous registration and also process it as such under the
35 procedures of G.S. 163-82.9. If a previous address is listed and that address is in the county
36 where the voter applies to register, the application shall be processed as if it had been submitted
37 under G.S. 163-82.9.

38 Registration shall become effective as provided in G.S. 163-82.7. Applications to register to
39 vote accepted at a drivers license office under this section until the deadline established in
40 G.S. 163-82.6(c)(2) shall be treated as timely made for an election, and no person who
41 completes an application at that drivers license office shall be denied the vote in that election
42 for failure to apply earlier than that deadline.

43 All applications shall be forwarded by the Department of Transportation to the appropriate
44 board of elections not later than five business days after the date of acceptance, according to
45 rules which shall be promulgated by the State Board of Elections. Those rules shall provide for
46 a paperless, instant, electronic transfer of applications to the appropriate board of elections.
47 Applications for preregistration to vote shall be forwarded to the State Board of Elections."

48 **SECTION 7.** G.S. 163-82.20 reads as rewritten:

49 "§ 163-82.20. **Voter registration at other public agencies.**

50 (a) Voter Registration Agencies. – Every office in this State which accepts:

- 1 (1) Applications for a program of public assistance under Article 2 of Chapter
2 108A of the General Statutes or under Article 13 of Chapter 130A of the
3 General Statutes;
- 4 (2) Applications for State-funded State or local government programs primarily
5 engaged in providing services to persons with disabilities, with such office
6 designated by the State Board of Elections; or
- 7 (3) Claims for benefits under Chapter 96 of the General Statutes, the
8 Employment Security Law, is designated as a voter registration agency for
9 purposes of this section.
- 10 (b) Duties of Voter Registration Agencies. – A voter registration agency described in
11 subsection (a) of this section shall, unless the applicant declines, in writing, to register or
12 preregister to vote:
- 13 (1) Distribute with each application for service or assistance, and with each
14 recertification, renewal, or change of address relating to such service or
15 assistance:
- 16 a. The voter registration application form described in G.S. 163-82.3(a)
17 or (b); or
- 18 b. The voter registration agency's own form, if it is substantially
19 equivalent to the form described in G.S. 163-82.3(a) or (b) and has
20 been approved by the State Board of Elections, provided that the
21 agency's own form may be a detachable part of the agency's paper
22 application or may be a paperless computer process, as long as the
23 applicant is required to sign an attestation as part of the application to
24 ~~register~~register or preregister.
- 25 (2) Provide a form that contains the elements required by section 7(a)(6)(B) of
26 the National Voter Registration Act; and
- 27 (3) Provide to each applicant who does not decline to register or preregister to
28 vote the same degree of assistance with regard to the completion of the
29 registration or preregistration application as is provided by the office with
30 regard to the completion of its own forms.
- 31 (c) Provided that voter registration agencies designated under subdivision (a)(3) of this
32 section shall only be required to provide the services set out in this subsection to applicants for
33 new claims, reopened claims, and changes of address under Chapter 96 of the General Statutes,
34 the Employment Security Law.
- 35 (d) Home Registration for Disabled. – If a voter registration agency provides services
36 to a person with disability at the person's home, the voter registration agency shall provide the
37 services described in subsection (b) of this section at the person's home.
- 38 (e) Prohibitions. – Any person providing any service under subsection (b) of this
39 section shall not:
- 40 (1) Seek to influence an applicant's political preference or party registration,
41 except that this shall not be construed to prevent the notice provided by
42 G.S. 163-82.4(c) to be given if the applicant refuses to declare his party
43 affiliation;
- 44 (2) Display any such political preference or party allegiance;
- 45 (3) Make any statement to an applicant or take any action the purpose or effect
46 of which is to discourage the applicant from registering or preregistering to
47 vote; or
- 48 (4) Make any statement to an applicant or take any action the purpose or effect
49 of which is to lead the applicant to believe that a decision to register or
50 preregister or not to register or preregister has any bearing on the availability
51 of services or benefits.

1 (f) Confidentiality of Declination to Register. – No information relating to a declination
2 to register or preregister to vote in connection with an application made at a voter registration
3 agency may be used for any purpose other than voter registration.

4 (g) Transmittal From Agency to Board of Elections. – Any voter registration or
5 preregistration application completed at a voter registration agency shall be accepted by that
6 agency in lieu of the applicant's mailing the application. Any such application so received shall
7 be transmitted to the appropriate board of elections not later than five business days after
8 acceptance, according to rules which shall be promulgated by the State Board of Elections.

9 (h) Twenty-Five-Day Deadline for an Election. – Applications to register accepted by a
10 voter registration agency shall entitle a registrant to vote in any primary, general, or special
11 election unless the registrant shall have made application later than the twenty-fifth calendar
12 day immediately preceding such primary, general, or special election, provided that nothing
13 shall prohibit voter registration agencies from continuing to accept applications during that
14 period.

15 (i) Ineligible Applications Prohibited. – No person shall make application to register or
16 preregister to vote under this section if that person is ineligible on account of age, citizenship,
17 lack of residence for the period of time provided by law, or because of conviction of a felony."

18 **SECTION 8.** G.S. 163-82.23 reads as rewritten:

19 **"§ 163-82.23. Voter registration at public high schools.**

20 Every public high school shall make available to its students and others who are eligible to
21 register and preregister to vote the application forms described in G.S. 163-82.3, and shall keep
22 a sufficient supply of the forms so that they are always available. A local board of education
23 may, but is not required to, designate high school employees to assist in completing the forms.
24 Only employees who volunteer for this duty may be designated by boards of education."

25 **SECTION 9.** This act becomes effective January 1, 2016.