

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL DRS55076-LU-117B (11/16)

Short Title: Lack of Postmark/Absentee Ballots. (Public)

Sponsors: Senators Bryant, Tarte, and D. Davis (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT ABSENTEE BALLOTS RECEIVED BY A COUNTY
3 BOARD OF ELECTIONS BY MAIL ON THE DAY AFTER THE ELECTION THAT
4 ARE NOT POSTMARKED ARE DEEMED TO HAVE BEEN POSTMARKED ON OR
5 BEFORE ELECTION DAY UPON VERIFICATION OF RECEIPT BY THE COUNTY
6 BOARD OF ELECTIONS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 163-231(b) reads as rewritten:

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

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

19 (2) If ballots are received later than the hour stated in subdivision (1) of this
20 subsection, those ballots shall not be accepted unless one of the following
21 applies:

22 a. Federal law so requires.

23 b. The ballots issued under this Article are (i) postmarked and that
24 postmark is dated on or before the day of the statewide primary or
25 general election or county bond election and are received by the
26 county board of elections not later than three days after the election
27 by ~~5:00 p.m.~~ 5:00 P.M. or (ii) if there is no postmark, are received by
28 the county board of elections not later than one day after the election
29 by 5:00 P.M. When a ballot is received by mail one day after the
30 election without a postmark, the county board of elections shall
31 verify receipt of the ballot by stamping on the ballot the date it was
32 received.

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



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SECTION 2. This act is effective when it becomes law.