

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL DRS35209-LU-83

Short Title: Automatic & Online Voter Registration. (Public)

Sponsors: Senators Woodard, Clark, and Lowe (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR AUTOMATIC VOTER REGISTRATION AT DRIVERS
3 LICENSE OFFICES, PUBLIC AGENCIES, COMMUNITY COLLEGES, AND
4 COLLEGES AND UNIVERSITIES OF THE UNIVERSITY OF NORTH CAROLINA; TO
5 REQUIRE THE STATE BOARD OF ELECTIONS TO IMPLEMENT AN OUTREACH
6 CAMPAIGN INFORMING CITIZENS ABOUT AUTOMATIC VOTER
7 REGISTRATION; AND TO ALLOW INDIVIDUALS WHO MEET THE CRITERIA TO
8 REGISTER TO VOTE OR CHANGE VOTER REGISTRATION ONLINE.

9 The General Assembly of North Carolina enacts:

10
11 **PART I. AUTOMATIC VOTER REGISTRATION**

12 **SECTION 1.1.** G.S. 163A-862 reads as rewritten:

13 "**§ 163A-862. Voter registration application forms; automatic voter registration at**
14 **certain agencies.**

15 ...

16 (c) Agency ~~Application Form.~~ Application. – The county board of elections where an
17 applicant resides shall accept as application for any of the purposes set out in subsection (a) of
18 this section a ~~form~~ automatic voter registration developed pursuant to G.S. 163A-883 or
19 G.S. 163A-884."

20 **SECTION 1.2.** G.S. 163A-865 reads as rewritten:

21 "**§ 163A-865. Acceptance of application forms.**

22 (a) How the Form May Be Submitted. – The county board of elections shall accept any
23 form described in G.S. 163A-862 if the applicant submits the form by mail, facsimile
24 transmission, transmission of a scanned document, or in ~~person.~~ person or by automatic voter
25 registration pursuant to G.S. 163A-883, 163A-884, 115D-5, or 116-11. The applicant may
26 delegate the submission of the form to another person. Any person who communicates to an
27 applicant acceptance of that delegation shall deliver that form so that it is received by the
28 appropriate county board of elections in time to satisfy the registration deadline in subdivision
29 (1) or (2) of subsection (d) of this section for the next election. It shall be a Class 2 misdemeanor
30 for any person to communicate to the applicant acceptance of that delegation and then fail to
31 make a good faith effort to deliver the form so that it is received by the county board of elections
32 in time to satisfy the registration deadline in subdivision (1) or (2) of subsection (d) of this section
33 for the next election. It shall be an affirmative defense to a charge of failing to make a good faith
34 effort to deliver a delegated form by the registration deadline that the delegatee informed the
35 applicant that the form would not likely be delivered in time for the applicant to vote in the next



1 election. It shall be a Class 2 misdemeanor for any person to sell or attempt to sell a completed
2 voter registration form or to condition its delivery upon payment.

3 ...
4 (d) Registration Deadlines for a Primary or Election. – In order to be valid for a primary
5 or election, the ~~form~~form must comply with one of the following:

- 6 (1) If submitted by mail, must be postmarked at least 25 days before the primary
7 or election, except that any mailed application on which the postmark is
8 missing or unclear is validly submitted if received in the mail not later than 20
9 days before the primary or ~~election~~election.
10 (2) If submitted in person, by facsimile transmission, ~~or~~ by transmission of a
11 scanned document, or by automatic voter registration, must be received by the
12 county board of elections by a time established by that board, but no earlier
13 than 5:00 P.M., on the twenty-fifth day before the primary or ~~election~~election.
14 (3) If submitted through a delegatee who violates the duty set forth in subsection
15 (a) of this section, must be signed by the applicant and given to the delegatee
16 not later than 25 days before the primary or election, except as provided in
17 subsection (f) of this section.

18"

19 **SECTION 1.3.** G.S. 163A-883 reads as rewritten:

20 "**§ 163A-883. ~~Voter~~ Automatic voter registration at drivers license offices; coordination on**
21 **data interface.**

22 (a) Automatic Voter Registration at Drivers License Offices. – ~~The~~ Beginning January 1,
23 2020, the Division of Motor Vehicles shall, pursuant to the rules adopted by in consultation with
24 the State Board, modify its forms so that implement a method by which any eligible person who
25 applies for original issuance, renewal or correction of a drivers license, or special identification
26 card issued under G.S. 20-37.7 may, on a part of the form, complete an application to register
27 shall be automatically registered to vote, or able to update the voter's registration if the voter has
28 changed his or her address or moved from one precinct to another or from one county to another.
29 The person taking the application shall ask if the applicant is a citizen of the United States. If the
30 applicant states that the applicant is not a citizen of the United States, or declines to answer the
31 question, the person taking the application shall inform the applicant that it is a felony for a
32 person who is not a citizen of the United States to apply to register to vote. The application shall
33 state in clear language the penalty for violation of this section. The necessary forms shall be
34 prescribed by the State Board. The form must ask for the previous voter registration address of
35 the voter, if any. If a previous address is listed, and it is not in the county of residence of the
36 applicant, the appropriate county board of elections shall treat the application as an authorization
37 to cancel the previous registration and also process it as such under the procedures of
38 G.S. 163A-870. If a previous address is listed and that address is in the county where the voter
39 applies to register, the application shall be processed as if it had been submitted under
40 G.S. 163A-870. inform the applicant of the following:

- 41 (1) That the applicant shall be registered to vote or have the applicant's voter
42 registration record updated, as applicable, unless the applicant declines.
43 (2) The qualifications to vote under G.S. 163A-841.
44 (3) That the applicant should not register if the applicant does not meet the
45 qualifications described under subdivision (2) of this subsection.
46 (4) That any person who willfully and knowingly and with fraudulent intent gives
47 false information on the application is guilty of a Class I felony.
48 (5) That if the applicant declines to register to vote, the fact that the applicant has
49 declined to register will remain confidential and be used for voter registration
50 purposes only.

1 (6) Information regarding the address confidentiality program under Chapter 15C
2 of the General Statutes, including how to register for the program and how
3 voter registration may impact participation in the program.

4 (a1) Requirements. – If the applicant does not decline voter registration, the person taking
5 the application shall require the applicant to provide all information requested of the applicant
6 under G.S. 163A-863, including declaring a preference to be affiliated with a political party or a
7 preference to be an unaffiliated voter. If the applicant fails to declare a political party affiliation,
8 the applicant's political affiliation shall be designated as unaffiliated. The applicant shall provide
9 an electronic signature as required under G.S. 163A-865(b), subject to the penalty of perjury, by
10 which the applicant attests that the information provided by the applicant is true and the applicant
11 meets all qualifications to become a registered voter.

12 (a2) When Registration Effective. – Registration shall become effective as provided in
13 G.S. 163A-867. Applications to register to vote accepted at a drivers license office under this
14 section until the deadline established in G.S. 163A-865(d)(2) shall be treated as timely made for
15 an election, and no person who completes an application at that drivers license office shall be
16 denied the vote in that election for failure to apply earlier than that deadline.

17 (a3) Transmittal from Department of Transportation to Board of Elections. – All
18 applications shall be forwarded by the The Department of Transportation shall electronically
19 transmit the applications of applicants who have not declined voter registration to the appropriate
20 board of elections not later than five business days after the date of acceptance, according to rules
21 which shall be promulgated by the State Board. Those rules shall provide for a paperless, instant,
22 electronic transfer of applications to the appropriate board of elections.

23 (a4) Confidentiality of Declination to Register. – No information relating to a declination
24 to register to vote in connection with a voter registration application at a Division of Motor
25 Vehicles office may be used for any purpose other than voter registration. The State Board shall
26 ensure that information acquired for purposes of automatic voter registration under this section
27 is kept confidential in accordance with G.S. 163A-863(b), including compliance with any voter
28 registration requirements under G.S. 163A-871(d).

29 (b) Any Ineligible Applications Prohibited. – If a person who is ineligible to vote
30 becomes registered to vote pursuant to this section, the presumption shall be that the person's
31 registration is deemed officially authorized and shall not be attributed to any fault of the person.
32 However, any person who willfully and knowingly and with fraudulent intent gives false
33 information on the application [described in subsection (a) of this section] described under this
34 section is guilty of a Class I felony.

35 ...

36 (d) No Requirement to Determine Eligibility. – Nothing in this section shall be construed
37 as requiring the Department of Transportation to determine eligibility for voter registration and
38 voting."

39 **SECTION 1.4.** G.S. 163A-884 reads as rewritten:

40 "**§ 163A-884. Voter registration at other public agencies; automatic voter**
41 **registration.**

42 ...

43 (b) Duties of Voter Registration Agencies. – Agencies; Automatic Voter Registration
44 Information. – A Beginning January 1, 2021, a voter registration agency described in subsection
45 (a) of this section shall, unless the applicant declines, in writing, to register to vote; in consultation
46 with the State Board, provide, with each application for service or assistance, and with each
47 recertification, renewal, or change of address relating to such service or assistance, an application
48 process for automatic voter registration. The person taking the application shall inform the
49 applicant of the following:

1 (1) ~~Distribute with each application for service or assistance, and with each~~
2 ~~recertification, renewal, or change of address relating to such service or~~
3 ~~assistance:~~

4 a. ~~The voter registration application form described in G.S. 163A-863(a)~~
5 ~~or (b); or~~

6 b. ~~The voter registration agency's own form, if it is substantially~~
7 ~~equivalent to the form described in G.S. 163A-863(a) or (b) and has~~
8 ~~been approved by the State Board, provided that the agency's own~~
9 ~~form may be a detachable part of the agency's paper application or may~~
10 ~~be a paperless computer process, as long as the applicant is required to~~
11 ~~sign an attestation as part of the application to register.~~

12 That the applicant shall be registered to vote or have the applicant's voter
13 registration record updated, as applicable, unless the applicant declines.

14 (2) ~~Provide a form that contains the elements required by section 7(a)(6)(B) of~~
15 ~~the National Voter Registration Act; and~~The qualifications to vote under
16 G.S. 163A-841.

17 (3) ~~Provide to each applicant who does not decline to register to vote the same~~
18 ~~degree of assistance with regard to the completion of the registration~~
19 ~~application as is provided by the office with regard to the completion of its~~
20 ~~own forms.~~That the applicant should not register if the applicant does not meet
21 the qualifications described under subdivision (2) of this subsection.

22 (4) That any person who willfully and knowingly and with fraudulent intent gives
23 false information on the application is guilty of a Class I felony.

24 (5) That if the applicant declines to register to vote, the fact that the applicant has
25 declined to register will remain confidential and be used for voter registration
26 purposes only.

27 (6) Information regarding the address confidentiality program under Chapter 15C
28 of the General Statutes, including how to register for the program and how
29 voter registration may impact participation in the program.

30 (b1) Requirements. – If the applicant does not decline voter registration, the person taking
31 the application shall require the applicant to provide all information requested of the applicant
32 under G.S. 163A-863, including declaring a preference to be affiliated with a political party or a
33 preference to be an unaffiliated voter. If the applicant fails to declare a political party affiliation,
34 the applicant's political affiliation shall be designated as unaffiliated. The applicant shall provide
35 an electronic signature as required under G.S. 163A-865(b), subject to the penalty of perjury, by
36 which the applicant attests that the information provided by the applicant is true and the applicant
37 meets all qualifications to become a registered voter.

38 (c) Employment Security Law Applicants. – Provided that voter registration agencies
39 designated under subdivision (a)(3) of this section shall only be required to provide the services
40 set out in this subsection to applicants for new claims, reopened claims, and changes of address
41 under Chapter 96 of the General Statutes, the Employment Security Law.

42 (d) Home Registration for Disabled. – If a voter registration agency provides services to
43 a person with disability at the person's home, the voter registration agency shall provide the
44 services described in subsection (b) of this section at the person's home. However, the agency is
45 not required to provide automatic voter registration at the person's home.

46 ...

47 (f) Confidentiality of Declination to Register. – No information relating to a declination
48 to register to vote in connection with an application made at a voter registration agency may be
49 used for any purpose other than voter registration. The State Board shall ensure that information
50 acquired for purposes of automatic voter registration under this section is kept confidential in

1 accordance with G.S. 163A-863(b), including compliance with any voter registration
 2 requirements under G.S. 163A-871(d).

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

9 ...

10 (i) Ineligible Applications Prohibited. – No person shall make application to register to
 11 vote under this section if that person is ineligible on account of age, citizenship, lack of residence
 12 for the period of time provided by law, or because of conviction of a felony. However, if a person
 13 who is ineligible to vote becomes registered to vote pursuant to this section, the presumption
 14 shall be that the person's registration is deemed officially authorized and shall not be attributed
 15 to any fault of the person.

16 (j) No Requirement to Determine Eligibility. – Nothing in this section shall be construed
 17 as requiring agencies to determine eligibility for voter registration and voting."

18 **SECTION 1.5.(a)** G.S. 163A-885 reads as rewritten:

19 **"§ 163A-885. Voter registration upon restoration of citizenship.**

20 The State Board, the Division of Adult Correction and Juvenile Justice of the Department of
 21 Public Safety, and the Administrative Office of the Courts shall jointly develop and implement
 22 educational programs and procedures for persons to apply to register to vote at the time they are
 23 restored to citizenship and all filings required have been completed under Chapter 13 of the
 24 General Statutes. Those procedures shall be designed to do both of the following:

- 25 (1) Inform the person that the restoration of rights removes the person's
 26 disqualification from voting, but that in order to vote the person must register
 27 to vote.
- 28 (2) Provide an opportunity to that person to register to ~~vote~~ vote, including
 29 informing the person of automatic voter registration in accordance with
 30 G.S. 163A-883 or G.S. 163A-884.

31 At a minimum, the program shall include a written notice to the person whose citizenship has
 32 been restored, informing that person that the person may now register to vote, with a voter
 33 registration form enclosed with the notice."

34 **SECTION 1.5.(b)** G.S. 163A-885, as amended by subsection (a) of this section,
 35 reads as rewritten:

36 **"§ 163A-885. Voter registration upon restoration of citizenship.**

37 The State Board, the Division of Adult Correction and Juvenile Justice of the Department of
 38 Public Safety, and the Administrative Office of the Courts shall jointly develop and implement
 39 educational programs and procedures for persons to apply to register to vote at the time they are
 40 restored to citizenship and all filings required have been completed under Chapter 13 of the
 41 General Statutes. Those procedures shall be designed to do both of the following:

- 42 (1) Inform the person that the restoration of rights removes the person's
 43 disqualification from voting, but that in order to vote the person must register
 44 to vote.
- 45 (2) Provide an opportunity to that person to register to vote, including informing
 46 the person of automatic voter registration in accordance with ~~G.S. 163A-883~~
 47 ~~or 163A-884.~~ G.S. 163A-883, 163A-884, 115D-5, or 116-11.

48 At a minimum, the program shall include a written notice to the person whose citizenship has
 49 been restored, informing that person that the person may now register to vote, with a voter
 50 registration form enclosed with the notice."

51 **SECTION 1.6.** G.S. 115D-5 reads as rewritten:

1 "§ 115D-5. Administration of institutions by State Board of Community Colleges;
2 personnel exempt from North Carolina Human Resources Act; extension
3 courses; tuition waiver; in-plant training; contracting, etc., for establishment
4 and operation of extension units of the community college system; use of existing
5 public school facilities.facilities; automatic voter registration.
6

7 ...
8 (z) Automatic Voter Registration. – Beginning January 1, 2021, the State Board of
9 Community Colleges, in consultation with the State Board of Elections, shall provide each person
10 who is enrolled and registering for courses as a student in a State community college the option
11 for automatic voter registration as follows:

12 (1) Information provided to student. – In providing an automatic voter registration
13 application process, the person taking the application shall inform the student
14 of the following:

15 a. That the student shall be registered to vote or have the student's voter
16 registration record updated, as applicable, unless the student declines.

17 b. The qualifications to vote under G.S. 163A-841.

18 c. That the student should not register if the student does not meet the
19 qualifications described under sub-subdivision b. of this subdivision.

20 d. That any person who willfully and knowingly and with fraudulent
21 intent gives false information on the application is guilty of a Class I
22 felony.

23 e. That if the student declines to register to vote, the fact that the student
24 has declined to register will remain confidential and be used for voter
25 registration purposes only.

26 f. Information regarding the address confidentiality program under
27 Chapter 15C of the General Statutes, including how to register for the
28 program and how voter registration may impact participation in the
29 program.

30 (2) Requirements. – If the student does not decline voter registration, the person
31 taking the application shall require the student to provide all information
32 requested of the student under G.S. 163A-863, including declaring a
33 preference to be affiliated with a political party or a preference to be an
34 unaffiliated voter. If the student fails to declare a political party affiliation, the
35 student's political affiliation shall be designated as unaffiliated. The student
36 shall provide an electronic signature as required under G.S. 163A-865(b),
37 subject to the penalty of perjury, by which the student attests that the
38 information provided by the student is true and the student meets all
39 qualifications to become a registered voter.

40 (3) Confidentiality of declination to register. – No information relating to a
41 declination to register to vote in connection with an application made at a State
42 community college may be used for any purpose other than voter registration.
43 The State Board shall ensure that information acquired for purposes of
44 automatic voter registration under this section is kept confidential in
45 accordance with G.S. 163A-863(b), including compliance with any voter
46 registration requirements under G.S. 163A-871(d).

47 (4) Transmittal from State community college to board of elections. – The State
48 community college shall electronically transmit the applications of students
49 who did not decline voter registration to the appropriate board of elections not
50 later than five business days after acceptance, according to rules which shall
be promulgated by the State Board.

- 1 (5) Twenty-five-day deadline for an election. – Applications to register accepted
2 by a State community college shall entitle a registrant to vote in any primary,
3 general, or special election unless the registrant shall have made application
4 later than the twenty-fifth calendar day immediately preceding the primary,
5 general, or special election, provided that nothing shall prohibit State
6 community colleges from continuing to accept applications during that period.
7 (6) Ineligible applications prohibited. – No person shall make application to
8 register to vote under this subsection if that person is ineligible because of age,
9 citizenship, lack of residence for the period of time provided by law, or
10 conviction of a felony. However, if a person who is ineligible to vote becomes
11 registered to vote pursuant to this subsection, the presumption shall be that the
12 person's registration is deemed officially authorized and shall not be attributed
13 to any fault of the person.
14 (7) No requirement to determine eligibility. – Nothing in this subsection shall be
15 construed as requiring State community colleges to determine eligibility for
16 voter registration and voting."

17 **SECTION 1.7.** G.S. 116-11 is amended by adding a new subdivision to read:

18 **"§ 116-11. Powers and duties generally.**

19 The powers and duties of the Board of Governors shall include the following:

- 20 ...
- 21 (15) Automatic voter registration. – Beginning January 1, 2021, the Board of
22 Governors, in consultation with the State Board of Elections, shall provide
23 each person who is enrolled and registering for courses as a student in a State
24 college or university in The University of North Carolina System the option
25 for automatic voter registration as follows:
26 a. Information provided to student. – In providing an automatic voter
27 registration application process, the person taking the application shall
28 inform the student of the following:
29 1. That the student shall be registered to vote or have the student's
30 voter registration record updated, as applicable, unless the
31 student declines.
32 2. The qualifications to vote under G.S. 163A-841.
33 3. That the student should not register if the student does not meet
34 the qualifications described under sub-sub-subdivision a.2. of
35 this sub-subdivision.
36 4. That any person who willfully and knowingly and with
37 fraudulent intent gives false information on the application is
38 guilty of a Class I felony.
39 5. That if the student declines to register to vote, the fact that the
40 student has declined to register will remain confidential and be
41 used for voter registration purposes only.
42 6. Information regarding the address confidentiality program
43 under Chapter 15C of the General Statutes, including how to
44 register for the program and how voter registration may impact
45 participation in the program.
46 b. Requirements. – If the student does not decline voter registration, the
47 person taking the application shall require the student to provide all
48 information requested of the student under G.S. 163A-863, including
49 declaring a preference to be affiliated with a political party or a
50 preference to be an unaffiliated voter. If the student fails to declare a
51 political party affiliation, the student's political affiliation shall be

1 designated as unaffiliated. The student shall provide an electronic
2 signature as required under G.S. 163A-865(b), subject to the penalty
3 of perjury, by which the student attests that the information provided
4 by the student is true and the student meets all qualifications to become
5 a registered voter.

6 c. Confidentiality of declination to register. – No information relating to
7 a declination to register to vote in connection with an application made
8 at a State college or university in The University of North Carolina
9 System may be used for any purpose other than voter registration. The
10 State Board shall ensure that information acquired for purposes of
11 automatic voter registration under this section is kept confidential in
12 accordance with G.S. 163A-863(b), including compliance with any
13 voter registration requirements under G.S. 163A-871(d).

14 d. Transmittal from State college or university to board of elections. –
15 The State college or university in The University of North Carolina
16 System shall electronically transmit the applications of students who
17 did not decline voter registration to the appropriate board of elections
18 not later than five business days after acceptance, according to rules
19 which shall be promulgated by the State Board.

20 e. Twenty-five-day deadline for an election. – Applications to register
21 accepted by a State college or university in The University of North
22 Carolina System shall entitle a registrant to vote in any primary,
23 general, or special election unless the registrant shall have made
24 application later than the twenty-fifth calendar day immediately
25 preceding the primary, general, or special election, provided that
26 nothing shall prohibit State colleges or universities in The University
27 of North Carolina System from continuing to accept applications
28 during that period.

29 f. Ineligible applications prohibited. – No person shall make application
30 to register to vote under this subdivision if that person is ineligible
31 because of age, citizenship, lack of residence for the period of time
32 provided by law, or conviction of a felony. However, if a person who
33 is ineligible to vote becomes registered to vote pursuant to this
34 subdivision, the presumption shall be that the person's registration is
35 deemed officially authorized and shall not be attributed to any fault of
36 the person.

37 g. No requirement to determine eligibility. – Nothing in this subdivision
38 shall be construed as requiring State colleges or universities in The
39 University of North Carolina System to determine eligibility for voter
40 registration and voting."

41 **SECTION 1.8.** The State Board of Elections shall establish and implement an
42 education and outreach campaign to inform voters of the automatic voter registration procedures
43 established pursuant to this act.

44 **SECTION 1.9.** Sections 1.1 through 1.3 and Section 1.5(a) of this Part become
45 effective January 1, 2020. Sections 1.4, 1.5(b), 1.6, and 1.7 of this Part become effective January
46 1, 2021. The remainder of this Part is effective when it becomes law.

47 **PART II. ONLINE VOTER REGISTRATION**

48 **SECTION 2.1.** G.S. 163A-864 reads as rewritten:

49 **"§ 163A-864. Distribution of application forms.**
50

1 (a) The State Board shall make the forms described in G.S. 163A-862 available for
2 distribution through governmental and private entities, with particular emphasis on making them
3 available for organized voter registration drives.

4 (b) The State Board of Elections shall make the forms available for completion and
5 submission on a secure Internet Web site in accordance with this Article."

6 **SECTION 2.2.** Part 2 of Article 17 of Chapter 163A of the General Statutes is
7 amended by adding a new section to read:

8 **"§ 163A-864.1. Online voter registration.**

9 (a) An individual who meets all of the following criteria may register to vote or change
10 voter registration online:

11 (1) The individual is eligible to register to vote.

12 (2) The individual possesses one of the following that is current and valid:

13 a. North Carolina drivers license issued under Article 2 of Chapter 20 of
14 the General Statutes, including a learner's permit or a provisional
15 license.

16 b. Special identification card for nonoperators issued under G.S. 20-37.7.

17 (b) The State Board of Elections shall establish a secure Internet Web site to permit
18 individuals described in subsection (a) of this section to complete and submit voter registration
19 applications online.

20 (c) The secure Web site established under subsection (b) of this section shall allow an
21 individual described in subsection (a) of this section to submit:

22 (1) An application for any of the following:

23 a. Voter registration.

24 b. Reporting of a change of name, address, or party affiliation. If the
25 individual is already registered to vote and the change of address is to
26 another county, it shall be treated as an application to register to vote.

27 (2) Information to establish that the individual is eligible under this section to
28 register online.

29 (3) The individual's e-mail address.

30 (d) Upon receipt of an individual's application under subsection (c) of this section, the
31 county board of elections in conjunction with the State Board of Elections shall verify the North
32 Carolina drivers license or Social Security number in accordance with G.S. 163A-875, update
33 the statewide registration database and search for possible duplicate registrations, and proceed
34 under G.S. 163A-867 to verify the person's address.

35 (e) If the State Board verifies the North Carolina drivers license or Social Security
36 number in accordance with G.S. 163A-875, the Division of Motor Vehicles shall transfer the
37 digital signature of the applicant in the Division of Motor Vehicles' records to the State Board.

38 (f) If the State Board cannot verify the North Carolina drivers license or Social Security
39 number in accordance with G.S. 163A-875, the State Board shall so notify the individual
40 submitting the application by e-mail, if provided, and in accordance with this Article. That
41 individual shall be offered an opportunity to register in accordance with G.S. 163A-865 or
42 G.S. 163A-866, as applicable."

43 **SECTION 2.3.** G.S. 163A-871(a) reads as rewritten:

44 "(a) Official Record. – The State voter registration system is the official voter registration
45 list for the conduct of all elections in the State. The State Board and the county board of elections
46 may keep copies of voter registration data, including voter registration applications, in any
47 medium and format expressly approved by the Department of Natural and Cultural Resources
48 pursuant to standards and conditions established by the Department and mutually agreed to by
49 the Department and the State Board. A completed and signed registration application form, if
50 available, described in G.S. 163A-862, once approved by the county board of elections, becomes
51 backup to the official registration record of the voter. Full or partial social security numbers,

1 dates of birth, the identity of the public agency at which the voter registered under
2 G.S. 163A-884, any electronic mail address submitted under this Article or Part 2 of Article 21
3 of this Chapter, any electronic data associated with online voter registration under
4 G.S. 163A-864.1, and drivers license numbers that may be generated in the voter registration
5 process, by either the State Board or a county board of elections, elections in the voter registration
6 process, are confidential and shall not be considered public records and subject to disclosure to
7 the general public under Chapter 132 of the General Statutes. Cumulative data based on those
8 items of information may be publicly disclosed as long as information about any individual
9 cannot be discerned from the disclosed data. Disclosure of information in violation of this
10 subsection shall not give rise to a civil cause of action. This limitation of liability does not apply
11 to the disclosure of information in violation of this subsection as a result of gross negligence,
12 wanton conduct, or intentional wrongdoing that would otherwise be actionable. The signature of
13 the voter, either on the paper application or an electronically captured image of it, may be viewed
14 by the public but may not be copied or traced except by election officials for election
15 administration purposes. Any such copy or tracing is not a public record."

16 **SECTION 2.4.** This Part becomes effective December 1, 2019.
17

18 **PART III. EFFECTIVE DATE**

19 **SECTION 3.1.** Except as otherwise provided, this act is effective when it becomes
20 law.