

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 724
Redistricting and Elections Committee Substitute Adopted 6/9/21
Third Edition Engrossed 6/16/21
PROPOSED HOUSE COMMITTEE SUBSTITUTE S724-PCS45470-CH-27

Short Title: Expand Access to Voting.

(Public)

Sponsors:

Referred to:

June 8, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO EXPAND VOTER ACCESS BY ESTABLISHING A VOTING PORTAL FOR
3 VISUALLY IMPAIRED VOTERS TO VOTE BY ABSENTEE BALLOT ONLINE AND
4 ALLOWING FOR THE ONLINE SUBMISSION OF VOTER REGISTRATION
5 APPLICATION FORMS.

6 The General Assembly of North Carolina enacts:

7
8 **PART I. VISUALLY IMPAIRED VOTER ACCESS**

9 **SECTION 1.(a)** Article 20 of Chapter 163 of the General Statutes is amended by
10 adding a new section to read:

11 **"§ 163-231.1. Visually impaired voter access.**

12 (a) Any voter eligible to vote by absentee ballot under G.S. 163-226 who is visually
13 impaired may request to vote by absentee ballot pursuant to G.S. 163-230.2 or G.S. 163-230.3
14 and may vote by absentee ballot online using the visually impaired portal, maintained by the
15 State Board. The State Board shall establish and maintain a portal for the visually impaired to
16 vote an absentee ballot in accordance with this section. Any voter requesting to vote by absentee
17 ballot using the visually impaired portal shall indicate on the request for absentee ballots
18 submitted pursuant to G.S. 163-230.2 or G.S. 163-230.3 that he or she is requesting access to the
19 portal. By submitting this request, the voter is confirming that he or she is visually impaired and
20 meets all other requirements to vote by absentee ballot.

21 (b) Completed absentee ballots cast through the visually impaired portal shall be counted
22 in accordance with G.S. 163-230.1 and G.S. 163-234.

23 (c) Upon receiving a completed request for absentee ballots with an indication that the
24 visually impaired voter requests access to the visually impaired portal, the appropriate county
25 board of elections shall contact the visually impaired voter via electronic mail. The
26 communication must contain a link to the visually impaired portal.

27 (d) In submitting voted absentee ballots through the visually impaired portal, the
28 following shall apply:

29 (1) Notwithstanding G.S. 163-231(b), the voted absentee ballots shall be returned
30 electronically to the county board of elections no later than 7:30 P.M. on the
31 day of the statewide primary or general election or county bond election.

32 (2) The voted absentee ballot shall be witnessed in accordance with
33 G.S. 163-231(a), provided that a notary shall not be permitted unless remote
34 notarization is otherwise allowed by State law.



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1 (3) The signatures of the visually impaired voter and witnesses shall be submitted
2 at the same time as the voted ballots. The State Board shall adopt rules to
3 address signatures under this subdivision.

4 (e) Nothing in this section shall prohibit a visually impaired voter from casting a ballot
5 in accordance with any other provision of this Chapter."

6 **SECTION 1.(b)** G.S. 163-230.2(a) reads as rewritten:

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

- 15 (1) The name and address of the residence of the voter.
- 16 (2) The name and address of the voter's near relative or verifiable legal guardian
17 if that individual is making the request.
- 18 (3) The address of the voter to which the application and absentee ballots are to
19 be mailed if different from the residence address of the voter.
- 20 (4) One of the following:
 - 21 a. The number of the applicant's North Carolina drivers license issued
22 under Article 2 of Chapter 20 of the General Statutes, including a
23 learner's permit or a provisional license.
 - 24 b. The number of the applicant's special identification card for
25 nonoperators issued under G.S. 20-37.7.
 - 26 c. The last four digits of the applicant's social security number.
- 27 (5) The voter's date of birth.
- 28 (6) The signature of the voter or of the voter's near relative or verifiable legal
29 guardian if that individual is making the request.
- 30 (7) A clear indicator of the date the election generating the request is to be held,
31 except for annual calendar year requests in accordance with G.S. 163-226(b).
- 32 (8) A space for a visually impaired voter to request access to the visually impaired
33 portal, as provided by G.S. 163-231.1."

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

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

- 38 (1) All ballots issued under the provisions of this Article and Article 21A of this
39 Chapter shall be transmitted by mail or by commercial courier service, at the
40 voter's expense, or delivered in person, or by the voter's near relative or
41 verifiable legal guardian and received by the county board not later than 5:00
42 p.m. on the day of the statewide primary or general election or county bond
43 election. Ballots issued under the provisions of Article 21A of this Chapter or
44 ballots issued pursuant to G.S. 163-231.1 may also be electronically
45 transmitted.

46 "

47 **PART II. ONLINE VOTER REGISTRATION**

48 **SECTION 2.** G.S. 163-82.19 reads as rewritten:

49 "**§ 163-82.19. Voter registration at drivers license offices; coordination on data interface.**

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1 (a) Voter Registration at Drivers License Offices. – The Division of Motor Vehicles
2 shall, pursuant to the rules adopted by the State ~~Board of Elections, Board,~~ modify its forms so
3 that any eligible person who applies for original issuance, renewal or correction of a drivers
4 license, or special identification card issued under G.S. 20-37.7 may, on a part of the form,
5 complete an application to register to vote, or to update the voter's registration if the voter has
6 changed his or her address or moved from one precinct to another or from one county to another.
7 The person taking the application shall ask if the applicant is a citizen of the United States. If the
8 applicant states that the applicant is not a citizen of the United States, or declines to answer the
9 question, the person taking the application shall inform the applicant that it is a felony for a
10 person who is not a citizen of the United States to apply to register to vote. The application shall
11 state in clear language the penalty for violation of this section. The necessary forms shall be
12 prescribed by the State ~~Board of Elections, Board.~~ The form must ask for the previous voter
13 registration address of the voter, if any. If a previous address is listed, and it is not in the county
14 of residence of the applicant, the appropriate county board of elections shall treat the application
15 as an authorization to cancel the previous registration and also process it as such under the
16 procedures of G.S. 163-82.9. If a previous address is listed and that address is in the county where
17 the voter applies to register, the application shall be processed as if it had been submitted under
18 G.S. 163-82.9.

19 (a1) Online Voter Registration. – The State Board and the Division of Motor Vehicles
20 shall jointly develop and maintain an online voter registration system which allows any applicant
21 described in this subsection to complete an application to register to vote or update an existing
22 voter registration, whether or not the applicant is also simultaneously conducting a transaction
23 with the Division of Motor Vehicles, provided that the online voter registration system complies
24 with subsection (a) of this section and G.S. 163-82.4 as to the form of voter registration. This
25 section shall not authorize a registered voter to update the information required by
26 G.S. 163-82.4(a)(6) or (a)(8) through the online voter registration system. The Division of Motor
27 Vehicles shall be responsible for validating the applicant's identity, protecting and securing data
28 maintained in the online voter registration system, and maintaining the security of the online
29 voter registration system. The State Board shall be responsible for forwarding the online voter
30 registration applications to the appropriate county board of elections in accordance with
31 subsection (a3) of this section. For purposes of this subsection, only an individual who meets all
32 of the following criteria may submit an online voter registration application:

33 (1) The individual is either eligible to register to vote in this State or currently
34 registered to vote in this State.

35 (2) The individual has previously been issued either of the following by the
36 Division of Motor Vehicles:

37 a. A drivers license issued under Article 2 of Chapter 20 of the General
38 Statutes, including a learner's permit or a provisional license.

39 b. A special identification card for nonoperators issued under Article 2B
40 of Chapter 20 of the General Statutes.

41 (a2) Effect of Registration. – Registration shall become effective as provided in
42 G.S. 163-82.7. Applications to register to vote accepted at a ~~drivers license office~~ under this
43 section until the deadline established in G.S. 163-82.6(d)(2) shall be treated as timely made for
44 an election, and no person who completes an application at that ~~drivers license office~~ under this
45 section shall be denied the vote in that election for failure to apply earlier than that deadline.

46 (a3) Processing of Registration. – All applications to register to vote shall be forwarded
47 by the ~~Department of Transportation~~ to the appropriate board of elections not later than five
48 business days after the date of acceptance, according to rules which shall be ~~promulgated~~ adopted
49 by the State ~~Board of Elections, Board.~~ Those rules shall provide for a paperless, instant,
50 electronic transfer of applications to the appropriate board of ~~elections.~~ elections, whether the
51 application is received in the drivers license office or online.

1 (b) Violation. – Any person who willfully and knowingly and with fraudulent intent gives
2 false information on ~~the~~ a voter registration application ~~{described in subsection (a) of this~~
3 ~~section}~~ submitted under this section is guilty of a Class I felony.

4 (c) Coordination on Data Interface. – The Department of Transportation jointly with the
5 State Board of ~~Elections~~ shall develop and operate a computerized interface to match information
6 in the database of the statewide voter registration system with the drivers license information in
7 the Division of Motor Vehicles to the extent required to enable the State Board of ~~Elections~~ and
8 the Department of Transportation to verify the accuracy of the information provided on
9 applications for voter registration, whether the applications were received at drivers license
10 ~~offices~~ offices, online, or elsewhere. The Department of Transportation and the State Board shall
11 implement the provisions of this subsection so as to comply with section 303 of the Help America
12 Vote Act of 2002. The Department of Transportation shall enter into an agreement with the
13 Commissioner of Social Security so as to comply with section 303 of the Help America Vote Act
14 of 2002."
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16 **PART III. EFFECTIVE DATE**

17 **SECTION 3.** This act is effective when it becomes law.