

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 728
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40376-BK-15

Short Title: Weekly Maintenance of Voter Reg. Records. (Public)

Sponsors: Representative Cleveland.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THAT LIST MAINTENANCE OF VOTER ROLLS BE
3 CONDUCTED ON A WEEKLY BASIS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 163-82.14 reads as rewritten:

6 "§ 163-82.14. List maintenance.

7 (a) ~~Uniform Program.~~ Requirement for List Maintenance. – ~~The~~ In accordance with this
8 section, the State Board of Elections shall adopt a uniform program that makes a diligent effort
9 not less than twice each year, and county boards of elections shall maintain the list of eligible
10 voters in the State by providing for the following:

- 11 (1) ~~To remove.~~ The removal of the names of ineligible voters from the official lists
12 of eligible voters, and voters.
13 (2) ~~To update.~~ Updates to the addresses and other necessary data of persons who
14 remain on the official lists of eligible voters.

15 (a1) ~~That program.~~ Methods of List Maintenance; Cross State Checks. – List maintenance
16 efforts under this section shall be nondiscriminatory and shall comply with the provisions of the
17 Voting Rights Act of 1965, as amended, and with the provisions of the National Voter
18 Registration Act. The State Board of Elections, Board, in addition to the methods set forth in this
19 section, may use other methods toward the ends set forth in subdivisions (1) and (2) of this
20 subsection, subsection (a) of this section, including address-updating services provided by the
21 Postal Service, Service and entering into data sharing agreements with other states to cross-check
22 information on voter registration and voting records. Any data sharing agreement shall require
23 the other state or states to comply with G.S. 163-82.10 and G.S. 163-82.10B. ~~Each county board~~
24 ~~of elections shall conduct systematic efforts to remove names from its list of registered voters in~~
25 ~~accordance with this section and with the program adopted by the State Board. The county boards~~
26 ~~of elections shall complete their list maintenance mailing program by April 15 of every~~
27 ~~odd numbered year, unless the State Board of Elections approves a different date for the county.~~

28 (b) Death. – ~~The~~ In order to remove the names of deceased persons from the list of
29 eligible voters in this State, the following shall occur:

- 30 (1) At a minimum of once per week, the Department of Health and Human
31 Services shall furnish free of charge to the State Board of Elections every
32 month, Executive Director, in a format prescribed by the State Board of
33 Elections, Board, the names of deceased persons who were residents of the
34 State. The State Board of Elections Upon receipt of the list from the
35 Department of Health and Human Services, the Executive Director shall
36 distribute every month to each county board of elections the names on that list



1 of deceased persons who were residents of that county. ~~The Department of~~
2 ~~Health and Human Services shall base each list upon information supplied by~~
3 ~~death certifications it received during the preceding month.~~ Upon the receipt
4 of those names, each county board of elections shall remove from its voter
5 registration records any person the list shows to be ~~dead.~~ dead each week.

6 (2) ~~Each county board of elections shall also remove from its voter registration~~
7 ~~records a person identified as deceased by~~ Upon receipt of a signed statement
8 ~~of a near relative or personal representative of the estate of the a deceased~~
9 ~~voter.~~ voter indicating that the person has deceased, a county board of
10 elections shall remove the person identified as deceased from its voter
11 registration records within one week of receipt of the signed statement. The
12 county board ~~need not~~ does not need to send any notice to the address of the
13 ~~person so removed.~~ person before removing the person from its voter
14 registration records.

15 (c) Conviction of a Felony. ~~– In order to remove the names of ineligible individuals from~~
16 the list of eligible voters in this State, the following shall occur:

17 (1) ~~Report of Conviction Within the State.~~ The State Board of Elections, on or
18 before the fifteenth day of every month, ~~At a minimum of once per week, the~~
19 Executive Director shall report to the county board of elections of that county
20 the name, county of residence, and residence address if available, of each
21 individual ~~compile a list of individuals~~ against whom a final judgment of
22 conviction of a felony within this State has been entered in that county in the
23 preceding calendar month. ~~entered.~~ The Executive Director shall report to each
24 appropriate county board of elections the names of individuals from that
25 county appearing on such list each week.

26 (2) ~~Report of Federal Conviction.~~ The ~~At a minimum of once per week, the~~
27 Executive Director of the State Board of Elections, upon receipt of ~~shall~~
28 compile a list of individuals against whom a federal conviction has been
29 reported, based on a notice of conviction sent by a United States Attorney
30 pursuant to section 8(g) of the National Voter Registration Act. ~~Act, upon~~
31 receipt. The Executive Director shall ~~notify the~~ report to each appropriate
32 county boards of elections of the conviction. ~~names of individuals from that~~
33 county appearing on such list each week.

34 (3) ~~County Board's Duty Upon Receiving Report of Conviction.~~ When a county
35 board of elections receives a notice pursuant to subdivision (1) or (2) of this
36 subsection relating to a resident of that county and that person is registered to
37 vote in that county, the county board of elections shall, after giving 30 days'
38 written notice to the voter at his registration address, ~~the address associated~~
39 with that voter registration, and if the voter makes no objection, remove the
40 person's name from its registration records. If the voter notifies the county
41 board of elections of his objection to the removal within 30 days of the notice,
42 the chairman ~~chair~~ of the county board of elections shall enter a challenge
43 under G.S. 163-85(c)(5), and the notice the county board of elections received
44 pursuant to this subsection shall be prima facie evidence for the preliminary
45 hearing that the registrant was convicted of a felony.

46 (d) Change of Address. ~~– A county board of elections shall conduct a systematic program~~
47 In order to remove from its list of registered voters those the names of individuals who have
48 moved out of the county, and to update the registration records of persons who have moved
49 within the county. The county board shall remove a person from its list if the registrant:
50 the following shall occur:

- 1 (1) ~~Gives~~ At a minimum of once per week, a county board of elections shall
2 remove from its voter registration records the names of individuals who give
3 confirmation in writing of a change of address for voting purposes out of the
4 county. "Confirmation in writing" for purposes of this subdivision shall
5 ~~include;~~ include any of the following:
- 6 a. A report to the county board from the Department of Transportation
7 or from a voter registration agency listed in G.S. 163-82.20 that the
8 voter has reported a change of address for voting purposes outside the
9 ~~county;~~ county.
- 10 b. A notice of cancellation received under ~~G.S. 163-82.9;~~
11 ~~or~~ G.S. 163-82.9.
- 12 c. A notice of cancellation received from an election jurisdiction outside
13 the State.
- 14 (2) ~~Fails~~ Following each congressional election, the county board of elections
15 shall send to each registered voter who has not voted or confirmed the voter's
16 address by another means a confirmation mailing. The county board of
17 elections shall remove from its voter registration records the names of
18 individuals who fail to respond to a ~~the~~ confirmation mailing sent by the
19 county board in accordance with this subdivision and ~~does who do~~ not vote or
20 appear to vote in an election beginning on the date of the notice and ending
21 on the day after the date of the second general election for the United States
22 House of Representatives that occurs after the date of the notice. A county
23 board of elections sends a confirmation notice in accordance with this
24 subdivision if the ~~notice;~~ notice complies with all of the following:
- 25 a. Is a postage prepaid and preaddressed return card, sent by forwardable
26 mail, on which the registrant may state current ~~address;~~ address.
- 27 b. Contains or is accompanied by a notice to the effect that if the
28 registrant did not change residence but remained in the county, the
29 registrant should return the card not later than the deadline for
30 registration by mail in ~~G.S. 163-82.6(d)(1); and~~ G.S. 163-82.6(d)(1).
- 31 c. Contains or is accompanied by information as to how the registrant
32 may continue to be eligible to vote if the registrant has moved outside
33 the county.
- 34 ~~A county board shall send a confirmation mailing in accordance with this~~
35 ~~subdivision to every registrant after every congressional election if the county~~
36 ~~board has not confirmed the registrant's address by another means.~~
- 37 (3) Any ~~registrant~~ registered voter who is removed from the list of registered
38 voters pursuant to this subsection shall be reinstated if the voter appears to
39 vote and gives oral or written affirmation that the voter has not moved out of
40 the county but has maintained residence continuously within the county. That
41 person shall be allowed to vote as provided in G.S. 163-82.15(f).
- 42 (e) Cooperation on List Maintenance Efforts. – The State Board ~~of Elections~~ has the
43 authority to perform list maintenance under this section with the same authority as a county
44 board.
- 45 (f) Annual Report on List Maintenance Efforts. – County board of elections shall submit
46 to the State Board ~~of Elections~~ an annual report, on or before September 1 of each year, of its list
47 maintenance under this section. The State Board ~~of Elections~~ shall compile annual reports
48 received from the county board of elections and submit the reports to the Joint Legislative
49 Elections Oversight Committee on or before October 1 of each year."

50 **SECTION 2.** This act becomes effective October 1, 2023.