

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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Short Title: Election Law Changes.

(Public)

Sponsors:

Referred to:

April 14, 2025

A BILL TO BE ENTITLED
AN ACT TO MAKE VARIOUS CHANGES REGARDING ELECTION LAWS.
The General Assembly of North Carolina enacts:

PART I. REVISIONS TO BALLOT COUNTING PROCEDURE

SECTION 1.1.(a) G.S. 163-182.2(a)(4) is recodified as G.S. 163-182.2(a2).

SECTION 1.1.(b) G.S. 163-182.2(a)(6) is recodified as G.S. 163-182.2(a3).

SECTION 1.1.(c) G.S. 163-182.2, as amended by S.L. 2024-57 and this section,
reads as rewritten:

"§ 163-182.2. Initial counting of official ballots.

(a) The initial counting of official ballots cast ~~at the precinct~~ on election day ~~and under~~
~~Part 5 of Article 14A of this Chapter~~ shall be conducted according to the following principles:

- (1) ~~Vote counting of ballots cast at the precinct on election day shall occur immediately after the polls close and shall be continuous until completed. If ballots cast under Part 5 of Article 14A of this Chapter are counted electronically, that count shall commence at the time the polls close. If ballots cast under Part 5 of Article 14A of this Chapter are paper ballots counted manually, that count shall commence at the same time as mail-in absentee ballots cast under Article 20 or Article 21A of this Chapter are counted.~~
- (2) ~~Vote counting at the precinct shall be conducted with the participation of precinct officials of all political parties then present. Vote counting at the county board of elections shall be conducted in the presence or under the supervision of board members of all political parties then present.~~
- (3) Any member of the public wishing to witness the vote count ~~at any level~~ shall be allowed to do so. No witness shall interfere with the orderly counting of the official ballots. Witnesses shall not participate in the official counting of official ballots.
- (4) Recodified.
- (5) Precinct officials shall provide a preliminary report of the vote counting ~~on election day~~ to the county board ~~of elections~~ as quickly as possible. The preliminary report shall be unofficial, has no binding effect upon the official county canvass to follow, and shall include the number of provisional ballots cast in that precinct.
- (6) Recodified.



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(a1) The initial counting of official ballots cast under Part 5 of Article 14A of this Chapter shall be conducted according to the following principles:

(1) Vote counting shall occur between the hours of 9:00 A.M. and 5:00 P.M. on election day at the hour and place stated in a resolution adopted by the county board at least two weeks prior to the time the voting place opens in accordance with G.S. 163-166.25. The county board shall not reveal the result of the count prior to the close of polls on election day.

(2) Vote counting shall be conducted in the presence or under the supervision of county board members of all political parties then present.

(3) Any member of the public wishing to witness the vote count shall be allowed to do so. No witness shall interfere with the orderly counting of the official ballots. Witnesses shall not participate in the official counting of official ballots.

(a2) If the county board finds that an individual voting a provisional official ballot (i) was registered in the county as provided in 163-82.1, (ii) voted in the proper precinct under G.S. 163-55 and G.S. 163-57, and (iii) was otherwise eligible to vote, the provisional official ballots shall be counted by the county board no later than ~~5:00 P.M. on the third~~ third business day after the election. County boards may review for approval any provisional official ballots cast under Part 5 of Article 14A of this Chapter and take preparatory steps for the count prior to election day, using the same procedures used for counting absentee ballots under G.S. 163-234(3) as long as the preparatory steps do not reveal the result of the count prior to the close of polls on election day. Except as provided in G.S. 163-82.15(e), if the county board finds that an individual voting a provisional official ballot (i) did not vote in the proper precinct under G.S. 163-55 and G.S. 163-57, (ii) is not registered in the county as provided in G.S. 163-82.1, or (iii) is otherwise not eligible to vote, the ballot shall not be counted. If a voter was properly registered to vote in the election by the county board, no mistake of an election official in giving the voter a ballot or in failing to comply with G.S. 163-82.15 or G.S. 163-166.11 shall serve to prevent the counting of the vote on any ballot item the voter was eligible by registration and qualified by residency to vote. When an individual has voted a provisional official ballot after completing an affidavit under G.S. 163-166.16(d), and the county board has not found the affidavit to be valid within five business days after the election because the county board has grounds to believe the affidavit is false, the county board shall determine whether to count the provisional official ballot by the date of the county canvass.

(a3) In counties that use any certified mechanical or electronic voting system, subject to the sample counts under G.S. 163-182.1 and subdivision (2) of subsection (b) of this section, and of a hand-to-eye recount under G.S. 163-182.7 and G.S. 163-182.7A, ~~a county board of elections~~ shall rely in its canvass on the mechanical or electronic count of the vote rather than the full hand-to-eye count of the paper ballots or records. In the event of a material discrepancy between the electronic or mechanical count and a hand-to-eye count or recount, the hand-to-eye count or recount shall control, except where paper ballots or records have been lost or destroyed or where there is another reasonable basis to conclude that the hand-to-eye count is not the true count.

(a4) Any resolution required by this section shall be published once a week for two weeks prior to the election, in a newspaper having general circulation in the county. Notice may additionally be made on a radio or television station or both, but the notice shall be in addition to the newspaper and other required notice.

(b) The State Board shall promulgate rules for the initial counting of all official ballots. All election officials shall be governed by those rules. In promulgating those rules, the State Board shall adhere to the following guidelines:

(1) For each voting system used, the rules shall specify the role of precinct officials and of the county board ~~of elections~~ in the initial counting of official ballots.

(2) For optical scan and direct record electronic voting systems, and for any other voting systems in which ballots are counted other than on paper by hand and eye, those rules shall provide for a sample hand-to-eye count of the paper ballots of a sampling of a statewide ballot item in every county. The presidential ballot item shall be the subject of the sampling in a presidential election. If there is no statewide ballot item, the State Board shall provide a process for selecting district or local ballot items to adequately sample the electorate. The State Board shall approve in an open meeting the procedure for random sampling for each election. The random sampling for any county shall be done publicly after the initial count of election returns for that county is publicly released or 24 hours after the polls close on election day, whichever is earlier. The sample chosen by the State Board shall be of one or more full precincts, full counts of mailed absentee ballots, and full counts of one or more early voting sites. The size of the sample of each category shall be chosen to produce a statistically significant result and shall be chosen after consultation with a statistician. The actual units shall be chosen at random. In the event of a material discrepancy between the electronic or mechanical count and a hand-to-eye count, the hand-to-eye count shall control, except where paper ballots have been lost or destroyed or where there is another reasonable basis to conclude that the hand-to-eye count is not the true count. If the discrepancy between the hand-to-eye count and the mechanical or electronic count is significant, a complete hand-to-eye count shall be conducted. The sample count need not be done on election night.

(3) The rules shall provide for accurate unofficial reporting of the results from the precinct to the county board of elections with reasonable speed on the night of the election.

(4) The rules shall provide for the prompt and secure transmission of official ballots from the voting place to the county ~~board of elections~~ board.

(c) The State Board shall direct the county boards of elections in the application of the principles and rules in individual circumstances."

SECTION 1.2. G.S. 163-230.1(e1), as amended by S.L. 2024-57, reads as rewritten:

"(e1) Curable Deficiencies. – If a container-return envelope contains a curable deficiency, the county board shall promptly notify the voter of the deficiency and the manner in which the voter may cure the deficiency. Curable deficiencies are deficiencies that can be cured with supplemental documentation or attestation provided by the voter, including when any of the following occurs:

(1) The voter did not sign the voter certification as required by G.S. 163-231(a)(4).

(2) The voter signed the application in the wrong place on the application.

(3) The voter failed to include with the container-return envelope a photocopy of identification described in G.S. 163-166.16(a) or an affidavit as described in G.S. 163-166.16(d)(1), (d)(2), or (d)(3), as required by subsection (f1) of this section.

The identification of the two persons witnessing the casting of the absentee ballot in accordance with G.S. 163-231(a) is not a curable deficiency. Any container-return envelope with a curable deficiency that is transmitted to the county board shall be considered timely if cure documentation is received no later than 12:00 P.M. on the ~~third~~ fifth business day after the election. Cure documentation may be transmitted via email to the county board if the deficiency is one described in subdivision (3) of this subsection. The notification of voters regarding curable deficiencies is an administrative task that may be performed by county board staff and is not required to be performed at an absentee meeting as provided for in subsection (f) of this section.

The voter shall be notified of curable deficiencies by mail, and by telephone or email if the telephone number or email address was provided by the voter on the request form for absentee ballots."

SECTION 1.3. G.S. 163-231 is amended by adding a new subsection to read:

"(d) Counting of Executed Absentee Ballots. – Only those voted absentee ballots transmitted to a county board in accordance with this section shall be counted."

SECTION 1.4. G.S. 163-234, as amended by S.L. 2024-57, reads as rewritten:

"§ 163-234. Counting absentee ballots by county board.

All absentee ballots returned to the county board in the container-return envelopes shall be retained by the county board to be counted by the county board as follows:

...

(2) The county board shall meet at 5:00 P.M. on election day in the county board office or other public location in the county courthouse for the purpose of counting all absentee ballots except those which have been challenged before 5:00 P.M. on election day and those received pursuant to G.S. 163-231(b)(2). Any elector of the county shall be permitted to attend the meeting and allowed to observe the counting process, so long as the elector does not in any manner interfere with the election officials in the discharge of their duties. ~~The count of these absentee ballots shall be continuous until completed, and the members shall not separate or leave the counting place except for unavoidable necessity.~~ The county board shall not adjourn the meeting until the count of these absentee ballots is complete.

~~The county board may begin counting absentee ballots issued under Article 21A of this Chapter between the hours of 9:00 A.M. and 5:00 P.M. and may begin counting all absentee ballots between the hours of 2:00 P.M. and 5:00 P.M. upon the adoption of a resolution at least two weeks prior to the election in which the hour and place of counting absentee ballots shall be stated. A copy of the resolution shall be published once a week for two weeks prior to the election, in a newspaper having general circulation in the county. Notice may additionally be made on a radio or television station or both, but the notice shall be in addition to the newspaper and other required notice. The count shall be continuous until completed and the members shall not separate or leave the counting place except for unavoidable necessity. The county board shall not adjourn the meeting until the count of these absentee ballots is complete,~~ except that if the count has been completed prior to the time the polls close, it shall be suspended until that time pending receipt of any additional ballots. Nothing in this section prohibits a county board from taking preparatory steps for the count earlier than the times specified in this section, as long as the preparatory steps do not reveal to any individual not engaged in the actual count election results before the times specified in this subdivision for the count to begin. By way of illustration and not limitation, a preparatory step for the count would be the entry of tally cards from direct record electronic voting units into a computer for processing. The county board shall not announce the result of the count ~~before 7:30 P.M.~~ prior to the close of polls on election day.

...

(11) The county board shall meet after the day of the election and prior to the day of canvass to count absentee ballots received pursuant to G.S. 163-231(b)(2) and absentee ballots that have deficiencies that have been cured pursuant to G.S. 163-230.1(e1) upon the adoption of a resolution pursuant to subdivision

(2) of this section. The county board shall comply with all other requirements of this section and G.S. 163-230.1 for the counting of these absentee ballots.

(12) No later than ~~5:00 P.M. on the third-fifth~~ business day after the election, the county board shall announce the tally of all absentee ballots, except those subject to a ~~challenge~~ challenge, those for which a final decision on a curable deficiency remains pending, or those cast in accordance with Article 21A of this Chapter."

SECTION 1.5. G.S. 163-275 is amended by adding a new subdivision to read:

"(15) For any person to reveal the result of any count of ballots prior to the close of polls on election day in accordance with G.S. 163-182.2 or G.S. 163-234."

SECTION 1.6. Section 1.5 of this Part becomes effective December 1, 2025, and applies to offenses committed on or after that date. The remainder of this Part becomes effective January 1, 2026, and applies to elections held on or after that date.

PART II. VARIOUS ELECTION ADMINISTRATION CHANGES

PARTY DESIGNATIONS ON BALLOT

SECTION 2.1.(a) G.S. 163-165.5(a)(4) reads as rewritten:

"(4) Party designations in partisan ballot items. Party designations shall be printed in the same font type and size as the name of the candidate."

SECTION 2.1.(b) This section becomes effective January 1, 2026, and applies to elections held on or after that date.

REMOVAL AND TRAINING OF PRECINCT OFFICIALS

SECTION 2.2.(a) Article 5 of Chapter 163 of the General Statutes is amended by adding a new section to read:

"§ 163-41.3. Removal of precinct officials; vacancies."

SECTION 2.2.(b) G.S. 163-41(d) is recodified as G.S. 163-41.3.

SECTION 2.2.(c) G.S. 163-41, as amended by this section, reads as rewritten:

"§ 163-41. Precinct chief judges and judges of election; appointment; terms of office; qualifications; ~~vacancies~~; oaths of office.

(a) Appointment of Chief Judge and Judges. – At the meeting required by G.S. 163-31 to be held on the Tuesday following the third Monday in August of the year in which they are appointed, the county board ~~of elections~~ shall appoint one person to act as chief judge and two other persons to act as judges of election for each precinct in the county. Their terms of office shall continue for two years from the specified date of appointment and until their successors are appointed and qualified, except that if a nonresident of the precinct is appointed as chief judge or judge for a precinct, that person's term of office shall end if the county board of elections appoints a qualified resident of the precinct of the same party to replace the nonresident chief judge or judge. It shall be ~~their~~ the duty of the precinct officials to conduct the primaries and elections within their respective precincts. Persons appointed to these offices must be registered voters and residents of the county in which the precinct is located, of good repute, and able to read and write. Not more than one judge in each precinct shall belong to the same political party as the chief judge.

(b) ~~The~~ As used in this Article, the term "precinct official" shall mean chief judges and judges appointed pursuant to this section, and all assistants appointed pursuant to G.S. 163-42, unless the context of a statute clearly indicates a more restrictive meaning.

~~(b1) No person shall be eligible to serve as a precinct official, as that term is defined above, who holds~~ official if any of the following apply:

(1) The person holds any elective office under the government of the United States, or of the State of North Carolina or any political subdivision thereof.

- (2) ~~No person shall be eligible to serve as a precinct official who is~~ The person is
a candidate for nomination or election.
- (3) ~~No person shall be eligible to serve as a precinct official who holds~~ The person
holds any office in a state, congressional district, county, or precinct political
party or political organization, or who is a manager or treasurer for any
candidate or political party, provided however that the position of delegate to
a political party convention shall not be considered an office for the purpose
of this subsection.
- (4) The person has been prohibited from serving as a precinct official in any
subsequent election in accordance with G.S. 163-41.3(a).

...."

SECTION 2.2.(d) G.S. 163-41.3, as enacted by this section, reads as rewritten:

"§ 163-41.3. Removal of precinct officials; filling vacancies.

(a) Any precinct official may be removed from office, including on the day of the election
or primary, for incompetency or failure to discharge the duties of office by the county board in
accordance with G.S. 163-33. The county board may prohibit a precinct official who has been
removed from office from serving as a precinct official in any subsequent election.

(b)

...."

SECTION 2.2.(e) G.S. 163-33(2) reads as rewritten:

"(2) To appoint all chief judges, judges, assistants, and other officers of elections,
and designate the precinct in which each shall serve; and, after notice and
hearing, to remove any chief judge, judge of elections, assistant, or other
officer of election appointed by it for incompetency, failure to discharge the
duties of office, failure to qualify within the time prescribed by law, fraud, or
for any other satisfactory ~~cause.~~ cause, as provided in G.S. 163-41.3. In
exercising the powers and duties of this subdivision, the board may act only
when a majority of its members are present at any meeting at which such
powers or duties are exercised."

SECTION 2.2.(f) G.S. 163-42(c) reads as rewritten:

"(c) In addition, a county board ~~of elections~~ by unanimous vote of all of its members may
appoint any registered voter in the county as an emergency election-day assistant, as long as that
voter is otherwise qualified to be a precinct official. The State Board ~~of Elections~~ shall determine
for each election the number of emergency election-day assistants each county may have, based
on population, expected turnout, and complexity of election ~~duties.~~ duties; however, each county
must have, at a minimum, six emergency election-day assistants. The county board by unanimous
vote of all of its members may assign emergency election-day assistants on the day of the election
to any precinct in the county where the number of precinct officials is insufficient because of an
~~emergency occurring within 48 hours of the opening of the polls~~ emergency, the removal of a
precinct official, or any other reason that prevents an appointed precinct official from serving,
serving throughout the day of the primary or election. A person appointed to serve as an
emergency election-day assistant shall be trained and paid like other precinct assistants in
accordance with G.S. 163-46. A county board ~~of elections~~ shall apportion the appointments ~~as of~~
emergency election-day ~~assistant~~ assistants among registrants of each political party so as to
make possible the staffing of each precinct with officials of more than one party, and the county
board shall make assignments so that no precinct has precinct ~~officials~~ assistants all of whom are
registered with the same party."

SECTION 2.2.(g) G.S. 163-82.24(a) reads as rewritten:

"(a) Training. – The State Board ~~of Elections~~ shall conduct training programs in election
law and procedures. Every county elections director shall receive training conducted by the State
Board at least as often as required in the following schedule:

- (1) Once during each odd-numbered year before the municipal election held in the ~~county;~~ county.
- (2) Once during each even-numbered year before the first partisan ~~primary;~~ and primary.
- (3) Once during each even-numbered year after the partisan primaries but before the general election.

(a1) Every member of a county board of elections shall receive training conducted by the State Board at least once during the six months after the member's initial appointment and at least once again during the first two years of the member's service. The State Board of Elections shall promulgate rules for the training of precinct officials, which shall be followed by the county boards of elections. boards. At a minimum, the training for all precinct officials shall include information regarding all of the following:

- (1) The duties of the office of precinct official.
- (2) How to confirm whether a person presenting to vote is registered in that county.
- (3) How to issue ballots.
- (4) How to properly provide voter assistance, including how to provide assistance to those curbside voting.
- (5) The procedure for opening and closing of polls.
- (6) The prohibition regarding election-related activity in the voting place and buffer zone of the voting place.
- (7) The potential for removal from office for failure to comply with the provisions of this Chapter."

SECTION 2.2.(h) This section becomes effective January 1, 2026, and applies to elections held on or after that date.

COUNTING OF CHALLENGED BALLOT OF DECEASED VOTER

SECTION 2.3.(a) G.S. 163-90.2(a) reads as rewritten:

"(a) When any challenge is sustained for any cause listed under G.S. 163-85(c), the county board shall cancel or correct the voter registration of the voter. The county board shall maintain such record for at least six months and during the pendency of any appeal. The Except as provided in this subsection, the challenged ballot shall be counted for any ballot items for which the challenged voter is eligible to vote, as if it were a provisional official ballot under the provisions of G.S. 163-166.11(4). For any challenge sustained for death of the voter under G.S. 163-85(c)(6), the challenged ballot shall not be counted if the voter died between the time the challenged ballot was cast and 6:30 A.M. on election day."

SECTION 2.3.(b) This section becomes effective January 1, 2026, and applies to elections held on or after that date.

DISORDERLY CONDUCT AT VOTING PLACE

SECTION 2.4.(a) G.S. 14-132 reads as rewritten:

"§ 14-132. Disorderly conduct in and injuries to public buildings and facilities.

(a) It is a misdemeanor ~~if for any person shall to do any of the following:~~

- (1) ~~Make any rude or riotous noise, or be guilty of engage in any disorderly conduct, in or near any public building or facility; or facility.~~
- (2) ~~Unlawfully write or scribble on, mark, deface, besmear, or injure the walls of any public building or facility, or any statue or monument situated in any public place; or place.~~
- (3) ~~Commit any nuisance in or near any public building or facility.~~

(b) Any person in charge of any public building or facility ~~owned or controlled by the State, any subdivision of the State, or any other public agency~~ shall have authority to arrest summarily and without warrant for a violation of this section.

(c) The term "public building or facility" as used in this section includes any building or facility together with the surrounding grounds and premises used in connection with the operation or functioning of such public building or facility which is-is any of the following:

(1) One to which the public or a portion of the public has access and is owned or controlled by the State, any subdivision of the State, any other public agency, or any private institution or agency of a charitable, educational, or ~~eleemosynary nature; or~~ philanthropic nature.

(2) Dedicated to the use of the general public for a purpose which is primarily concerned with public recreation, cultural activities, and other events of a public nature or character.

(3) Designated by the Director of the State Bureau of Investigation in accordance with G.S. 143B-987.

(4) One temporarily in use as a voting place under Chapter 163 of the General Statutes during the hours for voting.

~~The term "building or facility" as used in this section also includes the surrounding grounds and premises of any building or facility used in connection with the operation or functioning of such building or facility.~~

(d) Unless the conduct is covered under some other provision of law providing greater punishment, any person who violates any provision of this section is guilty of a Class 2 misdemeanor."

SECTION 2.4.(b) G.S. 163-166.4(b) reads as rewritten:

"(b) Area for Election-Related Activity. – Except as provided in subsection (c) of this section, the county board of elections shall also provide an area adjacent to the buffer zone for each voting place in which persons or groups of persons may distribute campaign literature, place political advertising, solicit votes, or otherwise engage in election-related activity. It shall be a Class 3 misdemeanor for a person to steal, deface, vandalize, or unlawfully remove political advertising that is lawfully placed under this subsection."

SECTION 2.4.(c) This section becomes effective October 1, 2025, and applies to offenses committed on or after that date.

BAN RANK CHOICE VOTING

SECTION 2.5.(a) Article 14A of Chapter 163 of the General Statutes is amended by adding a new section to read:

"§ 163-165.6A. Rank choice voting prohibited.

No rank choice voting may be used in any referendum, primary, or other election. The term "rank choice voting" refers to a method that allows a voter the option to rank candidates for office in the voter's order of preference."

SECTION 2.5.(b) This section becomes effective January 1, 2026, and applies to elections held on or after that date.

REQUIRE RETURN TO SENDER ON VOTER REGISTRATION MAILINGS

SECTION 2.6.(a) G.S. 163-82.7 is amended by adding a new subsection to read:

"(h) Return to Sender Requirement on Notices. – All notices sent to applicants pursuant to this section shall include a location on the notice which can be marked to indicate that the applicant does not reside at the address given by the applicant and that the notice should be returned to the appropriate sender."

SECTION 2.6.(b) G.S. 163-82.14(d)(2) is amended by adding a new sub-subdivision to read:

"d. Contains a location which can be marked to indicate that the registrant does not reside at the address given by the registrant and that the mailing should be returned to the appropriate sender."

SECTION 2.6.(c) This section becomes effective January 1, 2026, and applies to elections held on or after that date.

CLOSING OF EQUIPMENT FOLLOWING EARLY VOTING

SECTION 2.7.(a) G.S. 163-166.40 is amended by adding a new subsection to read:

"(j) At the conclusion of the early voting period provided for in subsection (b) of this section, any materials containing the vote count and any voting equipment used during the early voting period shall be kept secure in a locked location by the county board until the initial counting of early voting ballots in accordance with G.S. 163-182.2(a1)."

SECTION 2.7.(b) This section becomes effective January 1, 2026, and applies to elections held on or after that date.

PART III. ROLE & DUTY OF THE STATE BOARD OF ELECTIONS & COUNTY BOARDS OF ELECTIONS

ROLE OF STATE BOARD AND COUNTY BOARDS IN VOTER TURNOUT

SECTION 3.1.(a) G.S. 163-19(g) reads as rewritten:

"(g) No person while serving on the State Board ~~shall~~ shall do any of the following:

- (1) Make a reportable contribution to a candidate for a public office over which the State Board would have jurisdiction or authority.
- (2) Register as a lobbyist under Chapter 120C of the General Statutes.
- (3) Make written or oral statements intended for general distribution or dissemination to the public at large supporting or opposing the nomination or election of one or more clearly identified candidates for public ~~office-office,~~ supporting any political party over another, or influencing voter turnout for a particular political party.
- (4) Make written or oral statements intended for general distribution or dissemination to the public at large supporting or opposing the passage of one or more clearly identified referendum or ballot issue proposals.
- (5) Solicit contributions for a candidate, political committee, or referendum committee.
- (6) Serve as a member of any other State board, as defined in G.S. 138A-3.
- (7) Make written or oral statements intended for general distribution or dissemination to the public at large encouraging or promoting voter turnout in any election."

SECTION 3.1.(b) G.S. 163-30 is amended by adding a new subsection to read:

"(g) No person while serving on a county board shall do any of the following:

- (1) Make written or oral statements intended for general distribution or dissemination to the public at large supporting or opposing the nomination or election of one or more clearly identified candidates for public office, supporting any political party over another, or influencing voter turnout for a particular political party.
- (2) Make written or oral statements intended for general distribution or dissemination to the public at large supporting or opposing the passage of one or more clearly identified referendum or ballot issue proposals.
- (3) Make written or oral statements intended for general distribution or dissemination to the public at large encouraging or promoting voter turnout in any election."

1 **SECTION 3.1.(c)** This section becomes effective January 1, 2026, and applies to
2 elections held on or after that date.

3 4 **AUTHORITY IN ELECTION LITIGATION**

5 **SECTION 3.2.(a)** G.S. 163-25 reads as rewritten:

6 **"§ 163-25. Authority of State Board to assist in litigation.**

7 (a) The State Board shall possess authority to assist any county board of elections in any
8 matter in which litigation is contemplated or has been initiated, in accordance with all of the
9 following:

10 (1) ~~provided, the~~ The county board of elections in such county petitions, requests,
11 by majority resolution, for such assistance from the State Board and, provided
12 further, that Board.

13 (2) ~~the~~ The State Board determines, in its sole discretion by majority vote, to assist
14 in any such the matter.

15 (3) ~~It is further stipulated that the~~ The State Board shall does not be authorized
16 under this provision to enter into any litigation in assistance to counties, any
17 county board or county boards except in those instances where the uniform
18 administration of this Chapter has been, or would be threatened.

19 (b) ~~The Attorney General shall provide the State Board with legal assistance in execution~~
20 ~~of its authority under this section or, in the Attorney General's discretion, recommend that may~~
21 employ staff counsel or retain private counsel be employed to provide legal services. Private
22 counsel may be retained for any of the following matters:

23 (1) Any matter in which litigation is contemplated or has been initiated.

24 (2) Any matter in which the State Board is assisting in litigation in accordance
25 with subsection (a) of this section.

26 (3) Any matter arising in connection with the State Board's actions under this
27 Chapter.

28 (4) Any matter arising in connection with the Executive Director's actions under
29 this Chapter.

30 (c) ~~If the Attorney General recommends employment~~ State Board determines retention
31 of private counsel, counsel is necessary, the State Board may employ counsel with the approval
32 of the General Assembly. use funds available to the State Board to retain private counsel under
33 this section. The State Board shall supervise and manage counsel retained under this section.

34 (d) G.S. 114-2.3 and G.S. 147-17 shall not apply to counsel employed or retained under
35 this section.

36 (e) All communications or documents made or used in connection with the provision of
37 legal services by counsel employed or retained under this section are not "public records" as
38 defined by G.S. 132-1 and shall not be open to public inspection, examination, or copying."

39 **SECTION 3.2.(b)** This section is effective when it becomes law and applies to
40 litigation existing on or after that date.

41 42 **DESIGNATION OF EXEMPT POSITIONS AT THE STATE BOARD OF ELECTIONS**

43 **SECTION 3.3.(a)** G.S. 126-5(c1) is amended by adding new subdivisions to read:

44 "(42) The Executive Director of the State Board of Elections.

45 (43) Employees of the State Board of Elections, that the Executive Director of the
46 State Board of Elections, at any time, in the Executive Director of the State
47 Board of Elections' discretion, exempts from the application of this Chapter
48 by means of a letter to the Director of the Office of State Human Resources
49 designating these employees. The Executive Director of the State Board of
50 Elections may exempt no more than 25 employees under the authorization set
51 forth in this subdivision. Any exemptions under this subdivision shall not

1 affect, or be counted against, the number of exempt positions the Auditor may
2 designate in accordance with subdivision (2) of subsection (d) of this section."

3 **SECTION 3.3.(b)** G.S. 126-5(d)(2) reads as rewritten:

4 "(2) Exempt Positions in Council of State Departments and Offices and the Office
5 of the State Controller. – The Secretary of State, the Auditor, the Treasurer,
6 the Attorney General, the Superintendent of Public Instruction, the
7 Commissioner of Agriculture, the Commissioner of Insurance, the Labor
8 Commissioner, and the State Controller may designate exempt positions. The
9 number of exempt policymaking positions in each department headed by an
10 elected department head listed in this subdivision is limited to 25 exempt
11 policymaking positions or two percent (2%) of the total number of full-time
12 positions in the department, whichever is greater. The total number of
13 full-time positions in the Department of the State Auditor shall not include
14 employees of the State Board of Elections. The number of exempt managerial
15 positions is limited to 25 positions or two percent (2%) of the total number of
16 full-time positions in the department, whichever is greater. The number of
17 exempt policymaking positions designated by the Superintendent of Public
18 Instruction is limited to 70 exempt policymaking positions or two percent
19 (2%) of the total number of full-time positions in the department, whichever
20 is greater. The number of exempt managerial positions designated by the
21 Superintendent of Public Instruction is limited to 70 exempt managerial
22 positions or two percent (2%) of the total number of full-time positions in the
23 department, whichever is greater. The total number of exempt positions,
24 policymaking and managerial, designated by the Office of the State Controller
25 is limited to 10."

26 27 **PART IV. REVISIONS TO UNIFORM MILITARY AND OVERSEAS VOTERS ACT**

28 29 **PHOTO ID REQUIRED FOR UOCAVA VOTERS**

30 **SECTION 4.1.(a)** G.S. 163-258.10 reads as rewritten:

31 **"§ 163-258.10. ~~Timely casting~~ Casting of ballot.**

32 (a) To be valid, a military-overseas ballot shall either be received by the appropriate
33 county board of elections no later than the close of the polls, or the covered voter shall submit
34 the ballot for mailing, electronic transmission, or other authorized means of delivery not later
35 than 12:01 A.M., at the place where the voter completes the ballot, on the date of the election.

36 (b) The covered voter shall submit the military-overseas ballot with a form of
37 identification that contains a photograph of the covered voter as described in G.S. 163-166.16(a)
38 or an affidavit as described in G.S. 163-166.16(d)(1), (d)(2), or (d)(3). The State Board shall
39 provide the means for any identification electronically submitted in accordance with this
40 subsection to be submitted in a secure manner."

41 **SECTION 4.1.(b)** This section becomes effective January 1, 2026, and applies to
42 elections held on or after that date.

43 44 **PART V. CAMPAIGN FINANCE REVISIONS**

45 **SECTION 5.1.(a)** G.S. 163-278.9 reads as rewritten:

46 **"§ 163-278.9. Statements filed with Board.**

47 (a) Except as provided in G.S. 163-278.10A, the treasurer of each candidate and of each
48 political committee shall file with the Board under certification of the treasurer as true and correct
49 to the best of the knowledge of that officer the following reports:

50 ...

(2) 48-Hour Report. – A political committee, political party or affiliated party committee that receives a contribution or transfer of funds shall disclose within 48 hours of receipt a contribution or transfer of ~~one-two~~ thousand dollars ~~(\$1,000)-(\$2,000)~~ or more received before an election but after the period covered by the last report due before that election. The disclosure shall be by report to the ~~State Board~~ identifying the source and amount of the funds. The State Board shall specify the form and manner of making the report, including the reporting of in-kind contributions. The State Board shall increase the dollar amount of the reporting threshold effective each election cycle beginning the period from January 1 of an odd-numbered year through December 31 of the next even-numbered year based on the Consumer Price Index as provided in G.S. 163-278.13(b). The State Board shall set the revised threshold in October of the even-numbered year, publish the revised threshold in the North Carolina Register, and notify the Revisor of Statutes who shall adjust the dollar amount in this subdivision.

...

(a1) Subdivision (a)(2) of this section shall not apply to any candidate campaign committee, as defined by G.S. 163-278.38Z, in a primary election in which the candidate is unopposed on that ballot.

...."

SECTION 5.1.(b) G.S. 163-278.9A reads as rewritten:

"§ 163-278.9A. Statements filed by referendum committees.

(a) The treasurer of each referendum committee shall file under verification with the Board the following reports:

...

(3) 48-Hour Report. – A referendum committee that receives a contribution or transfer of funds shall disclose within 48 hours of receipt a contribution or transfer of ~~one-two~~ thousand dollars ~~(\$1,000)-(\$2,000)~~ or more received before a referendum but after the period covered by the last report due before that referendum. The disclosure shall be by report to the ~~State Board of Elections~~ identifying the source and amount of such funds. The State Board of Elections shall specify the form and manner of making the report, including the reporting of in-kind contributions. The State Board shall increase the dollar amount of the reporting threshold effective each election cycle beginning the period from January 1 of an odd-numbered year through December 31 of the next even-numbered year based on the Consumer Price Index as provided in G.S. 163-278.13(b). The State Board shall set the revised threshold in October of the even-numbered year, publish the revised threshold in the North Carolina Register, and notify the Revisor of Statutes who shall adjust the dollar amount in this subdivision.

...."

SECTION 5.1.(c) No earlier than October 1, 2025, the State Board of Elections shall adjust the thresholds imposed by G.S. 163-278.9(a)(2) and G.S. 163-278.9A(a)(3), as enacted by this section, effective for the election cycle beginning January 1, 2027.

CONTRIBUTIONS BY FOREIGN NATIONALS IN REFERENDA

SECTION 5.2.(a) G.S. 163-278.6 is amended by adding a new subdivision to read:

"(52) The term "foreign national" means any of the following:

- a. An individual who is not a citizen or lawful permanent resident of the United States.

- b. A government of a foreign country, or any political subdivision thereof.
- c. A foreign political party.
- d. Any business entity that is organized under the law of, or has its principal place of business in, a foreign country.
- e. Any business entity organized and operating in the United States that is wholly or majority owned by a foreign national or combination of foreign nationals."

SECTION 5.2.(b) Article 22A of Chapter 163 of the General Statutes is amended by adding a new section to read:

"§ 163-278.19C. Contributions by foreign nationals.

(a) A referendum committee shall not accept any contributions from a foreign national, except as provided in this section.

(b) A referendum committee may accept a contribution from a foreign national as defined in G.S. 163-278.6(52)e. if all of the following are met:

- (1) The contribution is derived solely from funds generated by operations in the United States.
- (2) All decisions concerning the contribution are made by an individual or group of individuals who are citizens or lawful permanent residents of the United States."

SECTION 5.2.(c) This section becomes effective January 1, 2026, and applies to contributions made or accepted on or after that date.

PART VI. SIGNATURE VERIFICATION PILOT PROGRAM

SECTION 6.(a) The State Board of Elections shall select 10 counties in the State in which to conduct a pilot program during the primary held in 2026 for signature verification on executed absentee ballots. In selecting the 10 counties for the pilot, the State Board of Elections shall seek diversity of population size, regional location, and demographic composition, and may use the same 10 counties that were selected for the pilot program in accordance with S.L. 2023-140. The pilot program shall consist of county boards of elections using signature verification software to check the signatures of voters noted on all executed absentee ballots received by the county boards of elections in the 2026 primary. The State Board of Elections shall select the signature verification software and ensure that the software is available for all 10 counties to use in the 2026 primary. The State Board of Elections shall assist the selected county boards of elections in implementing the signature verification software, including assisting the selected county boards of elections in any training needed on how the software is to be used for signature matching on executed absentee ballots.

SECTION 6.(b) The State Board of Elections shall closely monitor the pilot program established in this section. The selected county boards of elections shall report to the State Board of Election its findings on the use of the signature verification software during the 2026 primary, including all of the following:

- (1) Whether the signature verification software was used for all executed absentee ballots, and what the voter signature on the executed absentee ballot was matched against.
- (2) How many executed absentee ballots were counted by the county board of elections in the 2026 primary.
- (3) How many executed absentee ballots were flagged by the signature verification software, and any information known on how close of a match the signatures must be for the signature match software to not flag the voter's signature.

- 1 (4) Information on how the signature matching software flagged an executed
2 absentee ballot with a signature that did not match the signature on file for the
3 voter, including any known information on the rate of error in the software.

4 **SECTION 6.(c)** In implementing the pilot program established in this section, no
5 executed absentee ballot shall be rejected by the county board of elections for failing any
6 signature verification. All executed absentee ballots that are otherwise eligible to be counted in
7 accordance with Chapter 163 of the General Statutes shall be counted.

8 **SECTION 6.(d)** The State Board of Elections shall report its findings, along with
9 any recommendations, to the General Assembly on or before May 1, 2026. The report shall be
10 delivered to the Joint Legislative Elections Oversight Committee and shall also include the
11 following:

- 12 (1) A compilation of the information reported from the selected county boards of
13 elections as required by subsection (b) of this section.
14 (2) The estimated cost to implement signature verification for absentee ballots
15 statewide.
16 (3) Any suggested law changes to fully implement signature verification
17 statewide for absentee ballots, including suggestions on a process for how a
18 voter can cure a deficiency related to signature verification of absentee ballots.
19 (4) Any other information relevant to signature verification of absentee ballots.
20

21 **PART VII. TRAINING FOR COUNTY BOARDS OF ELECTIONS**

22 **SECTION 7.1.** The School of Government at the University of North Carolina at
23 Chapel Hill shall work jointly with the State Board of Elections to develop a uniform curriculum
24 to provide trainings for county directors of elections and employees of county boards of elections
25 on the election laws and procedures as provided for in Chapter 163 of the General Statutes.

26 **SECTION 7.2.** The State Board of Elections shall partner with local community
27 colleges to provide a location in which any training conducted by the State Board of Elections or
28 a county board of elections may be held.
29

30 **PART VIII. EFFECTIVE DATE**

31 **SECTION 8.** Except as otherwise provided, this act is effective when it becomes
32 law.