



HOUSE BILL 958: Election Law Changes.

2025-2026 General Assembly

Committee:	House Judiciary 1. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	July 30, 2025
Introduced by:	Reps. Blackwell, Stevens	Prepared by:	Erika Churchill, Jessica Sammons, Hillary Woodard, and William Brewer
Analysis of:	PCS to Second Edition H958-CSBKe-9		Committee Co-Counsel

OVERVIEW: *The PCS to House Bill 958 would make various changes to the State's election laws.*

CURRENT LAW & BILL ANALYSIS:

Part I – Revisions to Ballot Counting Procedures

Counting of Early Voting Ballots:

If ballots cast during the early voting period are counted electronically, those ballots must be counted at the time polls close on election day. If ballots cast during the early voting period are paper ballots and counted manually, then those ballots are counted at the same time as absentee ballots.

Counting of Absentee Ballots:

G.S. 163-234(12) requires county boards of election (county boards) to convene at 5:00 P.M. on Election Day to count absentee ballots received through 7:30 P.M. on Election Day, with the meeting continuing until the counting is finished. County board members cannot separate or leave the counting place except for unavoidable necessity. The county boards must announce a tally of all absentee ballots cast by 5:00 P.M. on the third business day after the election (Friday), except those absentee ballots subject to a challenge or those cast in accordance with Article 21A of Chapter 163.

Provisional Ballots:

Voters receive a provisional ballot when questions arise about the voter's qualification to vote, the voter's eligibility to vote in a given election, the voter's eligibility to vote a specific ballot style, or when a voter does not or cannot present photo ID when voting in person. Provisional ballots will only be counted if the registered voter that voted a provisional ballot brings the required supplemental information such as a HAVA document or photo ID, if applicable, to the county board by 5:00 P.M. on the third business day after the election (Friday).

If the county board finds that an individual voting a provisional ballot was registered in the county, voted in the proper precinct, and was otherwise eligible to vote, then the provisional ballots must be counted by that county board before canvass.

Curable Deficiencies:

The county boards must notify a voter if the voter's container-return envelope for an absentee ballot contains a curable deficiency. Curable deficiencies include that the voter failed to sign the voter

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certification, signed in the wrong spot, or failed to include photo ID or required affidavit. The identification of the two persons witnessing the casting of the absentee ballot is not a curable deficiency. Failing to include a photo ID can be cured via email. The voter must send in cure documentation no later than 12:00 P.M. on the third business day after the election (Friday). If the voter cures the deficiency in a timely manner, the ballot must be counted.

Effective January 1, 2026, and applicable to elections held on or after that date, **Sections 1.1, 1.2, 1.3 and 1.4** would do all of the following:

- Regarding ballots cast during early voting:
 - Allow county boards to begin counting the early voting ballots between 9:00 A.M. and 5:00 P.M. on election day. Vote counting would be done in the presence of county board members of all political parties then present and any member of the public would be allowed to observe the vote count so long as the member of the public does not interfere with the counting.
 - Allow county boards to take preparatory steps to count provisional ballots cast during early voting prior to election day, provided that the steps do not reveal the result of the count prior to the time of the closing of the polls.
- Regarding absentee ballots:
 - Require county boards to meet at 9:00 A.M. on election day to count all absentee ballots except those challenged before 9:00 A.M. on election day and military and overseas ballots. The county board would not be able to adjourn the meeting until the count of absentee ballots is complete.
 - Extend the deadline for any voter with a curable deficiency to return cure documentation to a county board to noon on Tuesday after the election.
 - Extend the time for county boards to announce a tally of all absentee ballots cast, other than those subject to a challenge and military and overseas ballots, to no later than the Tuesday after the election.
- For voters casting a provisional ballot after completing an affidavit for lack of photo ID, if the county board has found the affidavit to be false within five business days after the election, the county board would have until canvass to determine whether to count the vote.

Effective January 1, 2026, and applicable to offenses committed on or after that date, **Section 1.5** would make it a Class I felony for any person to reveal the result of any count of ballots prior to the close of polls on election day.

Part II – Various Election Administration Changes

Party Designations on Ballot:

Each official ballot must contain certain information, including the title of each office, the number of votes allowed for each ballot item, the names of the candidates, and party designations in partisan ballot items. Effective January 1, 2026, and applicable to elections held on or after that date, **Section 2.1** would require that the party designations for partisan ballot items be printed in the same font type and size as the name of the candidate.

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Removal and Training of Precinct Officials:

Precinct officials include the chief judge, judges of election, and assistants appointed to serve in an election. To be eligible to serve as a precinct official, a person must be a registered voter and a resident of the county where the precinct is located. Precinct officials cannot be a candidate in the election, hold an elective office, hold office with a political party, or be a manager or treasurer for a candidate or political party. Precinct officials must also comply with training requirements in accordance with the rules established by the State Board of Elections (State Board).

Each county board has the authority to remove any precinct official, following notice and a hearing, for incompetency, failure to discharge the duties of office, failure to qualify within the time prescribed by law, fraud, or any other satisfactory cause. Removal of a precinct official may only occur when a majority of members of the county board are present and during an open meeting.

Effective January 1, 2026, and applicable to elections held on or after that date, **Section 2.2** would do the following:

- Clarify that a county board may remove any precinct official from their position at any time, including throughout the day of a primary or election, for incompetency or failure to discharge the duties of the office.
- Authorize a county board to prohibit a precinct official from serving as a precinct official in any subsequent election in an open meeting at which a majority of its members are present.
- Set a minimum number of at least six emergency election-day assistants that each county board would be required to appoint.
- Specify training requirements for precinct officials.

Counting of Challenged Ballot of Deceased Voter & Allow County Board to Initiate Voter Challenges:

Any registered voter of the county may challenge the right of any person to register, remain registered, or vote in the county. Challenges can be made during early voting, on the day of the primary or election, or to an absentee ballot up to 5:00 PM on the fifth business day after the election, and may be made based on residency, age, felony conviction, death, citizenship, or that a person is not who he or she represents himself or herself to be. A decision made by the county board may be appealed to the Superior Court in the county where the challenge originated. Only those against whom a challenge is sustained or persons who have made a challenge which is overruled have standing to file an appeal.

Effective January 1, 2026, and applicable to elections held on or after that date, **Section 2.3** would require that if a ballot challenge based on death of the voter was upheld, no portion of the challenged ballot could be counted if the voter died between the time the ballot was cast and 6:30 A.M. on election day.

Effective January 1, 2026, and applicable to challenges filed on or after that date, **Section 2.11** would authorize a county board to initiate a challenge for ballots cast during early voting and absentee ballots. Except for military and overseas ballots, such challenges must be made no later than 5:00 PM on the fifth business day after the election (Tuesday). Hearings would be required to be audio and video recorded. If the challenge is sustained, the challenge ballot shall only be counted for any ballot items for which the challenged voter is eligible to vote. If the challenge is overruled, the ballot shall be counted by the county board. If a county board initiated the challenge, the county board would have standing to appeal the decision of a county board following a hearing on the challenge.

Section 2.11 would also require the State Board to conduct a uniform statewide audit to determine if ballots cast during early voting or absentee ballots are ineligible to be counted for any of the specified

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reasons, as evidenced by official government database records. The State Board would be required to distribute the results of the audit no later than 5:00 P.M. on the fourth business day before canvass (Monday).

No later than 5:00 P.M. on the third business day before canvass (Tuesday), each county board would be required to review the results of the audit conducted by the State Board, analyze the records of the voters identified in the audit, and, if the county board determined that any vote cast was ineligible, the chair of the county board would be required to serve a challenge on the voter. The county board staff would present evidence at the hearing and would bear the burden of proof.

Disorderly Conduct at a Voting Place:

It is a Class 1 misdemeanor to do any of the following:

- Make any rude or riotous noise or engage in any disorderly conduct in or near any public building or facility.
- 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.
- To commit any nuisance in or near any public building or facility.

No person shall hinder access, harass others, distribute campaign literature, place political advertising, solicit votes, or otherwise engage in election-related activity in the voting place or in the buffer zone, as it is prescribed by each county board. However, each county board is required to provide an area adjacent to this buffer zone at each voting place where people may distribute campaign literature, place political advertising, solicit votes, or otherwise engage in election-related activity.

Effective October 1, 2025, and applicable to offenses committed on or after that date, **Section 2.4** would:

- Clarify the definition of "public building or facility" includes one that is temporarily in use as a voting site, making it a Class 1 misdemeanor to violate any of the above-listed provisions.
- Make it a Class 3 misdemeanor for a person to steal, deface, vandalize, or unlawfully remove political advertising that is lawfully placed in the buffer zone.

Ban Rank Choice Voting:

Rank choice voting is an election method that allows a voter the option to rank candidates for office in the order of the voter's preference. Effective January 1, 2026, and applicable to elections held on or after that date, **Section 2.5** would provide that rank choice voting is prohibited in any primary or election in North Carolina.

Timeline for County Boards to Send Address Verification:

When a county board receives a voter registration application, the county board must make a determination that the applicant is not qualified to vote at the address given or that the applicant is qualified to vote at the address given, subject to a mail verification process. If the county board makes a tentative determination that the applicant is qualified to vote at the address given, the county board must send a notice to the applicant by nonforwardable mail stating that the county board will register the applicant to vote if the notice is not returned as undeliverable. If this notice is returned as undeliverable, then a second notice must be sent by nonforwardable mail. Effective January 1, 2026, and applicable to notices sent on or after that date, **Section 2.6** would require county boards to send the first notice within five business days of receipt of the registration application. If the first notice is returned as undeliverable, county boards would be required to send the second notice within five business days of receiving notice that the first notice was undeliverable.

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Require Return to Sender on Voter Registration Mailings:

Effective January 1, 2026, **Section 2.7** would require that all mailings sent to applicants by county boards for the purpose of address verification and to registrants for purposes of list maintenance include a pre-printed space on the mailing that can be marked to indicate that the applicant or registrant does not reside at the address given and that the notice should be returned to the sender.

Closing of Equipment Following Early Voting:

Effective January 1, 2026, **Section 2.8** would require that, at the close of the early voting period, all materials and voting equipment containing tallies of ballots or individual counts of ballots cast during the early voting period, including the digital recordation of such, must be kept in a secure, locked location by the county board until the time to count early voting ballots.

List-Maintenance Data Sharing Agreements:

The State Board and county boards are required to maintain the list of eligible voters in the State by removing ineligible voters and updating addresses and other necessary data of those who remain on the official list of eligible voters. To comply with this requirement, the State Board and the county boards may enter into data sharing agreements with other states to cross-check information on voter registration and voting records. Effective January 1, 2026, **Section 2.9** would provide that any voter registration data received from other states pursuant to a data sharing agreement would not be a public record.

Prohibit Payment Per Signature for Petitions:

Petitions can be filed for a number of reasons, including to call for an election or referendum, to form a new political party, to appear on the ballot without payment of a filing fee, to have the name of an unaffiliated candidate placed on the ballot, or to qualify as a write-in candidate. Depending upon the nature of the petition and the office being sought, a certain number of signatures must be obtained. In obtaining the required number of signatures for these petitions, it is a Class 2 misdemeanor for a person to sign the name of another person. Effective December 1, 2025, and applicable to offenses committed on or after that date, **Section 2.10** would make it a Class 2 misdemeanor for a person to be compensated based on the number of signatures collected for a petition.

Apply Temporary Moratorium on the Expiration of Certain Class C Drivers Licenses to Photo Identification Presented for Voting:

Section 18 of S.L. 2025-47 provides that from July 1, 2025 to December 31, 2027, a regular Class C drivers license is valid for up to two years after the date it expired for the purposes of establishing the licensee's driving privilege. Effective when it becomes law and expiring on December 31, 2027, **Section 2.12** would provide that, during the time period that a Class C drivers license expiration date is extended in accordance with Section 18 of S.L. 2025-47, that Class C drivers license is deemed valid and unexpired for photo identification presented for voting.

Require Applicants to Provide Full Social Security Number on Voter Registration Form:

The State Board is required to develop an application form for voter registration. This form must request certain information from the applicant, including, the applicant's name, date of birth, residence address, gender, race, ethnicity, political party affiliation, telephone number, and drivers license number or the last four digits of the applicant's social security number. No application is to be denied because the applicant does not provide his or her race, ethnicity, gender, or telephone number, and the application must state that the providing of a telephone number is optional. **Section 2.13** would require that every applicant seeking to register to vote provide his or her full nine-digit social security number. The State Board would be required to update voter registration forms by July 1, 2026. The State Board and county boards would

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be required to continue to accept otherwise valid voter registration applicant forms without the full social security number until December 31, 2026. The State Board and county boards would be required to only accept voter registration application forms containing the full nine-digit social security numbers beginning January 1, 2027.

Require DMV to Furnish Full Social Security Number for DMV Customers to the State Board:

Section 2.14 would require that, no later than January 1, 2026, the Division of Motor Vehicles cooperate with the State Board to provide the State Board with the full nine-digit social security number of any registered voter in this State for which the Division of Motor Vehicles has the information.

Increase Compensation of Members of County Boards of Elections:

Each county board of county commissioners is required to appropriate reasonably adequate funds necessary for the legal functions of the county board of elections. County board members are to be paid \$25 per meeting for the time they are actually engaged in the discharge of their duties, along with reimbursement of expenditures necessary and incidental to the discharge of their duties. However, members may not be paid for more than one meeting in any one 24-hour period. The county board of commissioners may choose to pay the chair and members of the county boards additional compensation in addition to what they are paid per meeting and for the reimbursement of expenditures.

Effective July 1, 2027, **Section 2.15** would increase the compensation of county board members to \$100 per meeting, along with any reimbursements for expenditures.

Part III – Duty and Structure of the State Board of Elections

Authority in Election Litigation:

The State Board has the authority to assist county boards in matters in which litigation is contemplated or has been initiated in accordance with all of the following:

- The county board requests assistance from the State Board by majority resolution.
- The State Board determines, by a majority vote, to assist in the matter.

However, the State Board is not authorized to provide assistance in litigation to counties except when the uniform administration of Chapter 163 has been or would be threatened.

In addition, the Attorney General has the authority to provide the State Board with legal assistance or, in the Attorney General's discretion, recommend that private counsel be employed. If the Attorney General determines that private counsel is needed, then the State Board may employ counsel with the approval of the General Assembly.

Effective when it becomes law and applicable to counsel employed on, retained on, or hired or retained after that date, **Section 3.1** would allow the State Board to employ staff counsel or retain private counsel to provide legal services. Private counsel could be retained for any of the following:

- Matters in which litigation is contemplated or initiated.
- Matters in which the State Board is assisting a county board with litigation.
- Matters arising in connection with the State Board's action under Chapter 163.
- Matters arising in connection with the Executive Director's actions under Chapter 163.

The State Board would be able to use any funds available to them to retain private counsel and would be required to supervise and manage any retained private counsel. Any communications or documents made

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or used in connection with the legal services by the retained counsel would not be considered public records.

Designation of Exempt Positions at the State Board of Elections:

Effective when it becomes law, **Section 3.2** would provide that the Executive Director of the State Board would be authorized to exempt up to five State Board employees from the provisions of the North Carolina Human Resources Act by providing a letter to the Director of the Office of State Human Resources that designates the employees. Any exemptions made by the Executive Director would not affect the number of positions the State Auditor is authorized to exempt from the provisions of the North Carolina Human Resources Act. In addition, the total number of full-time positions in the Department of the State Auditor would not include the employees of the State Board in calculating the number of exempt positions for the Department of the State Auditor.

Part IV – Revisions to Uniform Military and Overseas Voters Act

The Uniformed Military and Overseas Citizens Absentee Voting Act (UOCAVA) provides that covered voters may register to vote, request a ballot, and cast an absentee ballot either electronically or via mail. Covered voters include the following individuals:

- A uniformed-service voter or an overseas voter who is registered to vote in this State.
- A uniformed-service voter whose voting residence is in this State and otherwise satisfied the State's voter eligibility requirements.
- An overseas voter who, before leaving the United States, was last eligible to vote in this State and, except for a State residency requirement, otherwise satisfies all other requirements to vote in this State.
- An overseas voter who, before leaving the United States, would have been last eligible to vote in this State had the voter then been of voting age and, except for a State residency requirement, otherwise satisfies all other requirements to vote in this State.
- An overseas voter who was born outside the United States, and, except for a State residency requirement, otherwise satisfies all other requirements to vote in this State, if:
 - The last place where a parent or legal guardian of the voter was, or would have been, eligible to vote before leaving the United States is within this State; and
 - The voter has not previously registered to vote in any other state.

Photo ID Required for UOCAVA Voters:

Section 2 and Section 3 of Article VI of the North Carolina Constitution require that any voter offering to vote in person must present photo identification before voting. The General Assembly must enact laws establishing the requirements of such photo identification, which may include exceptions for this requirement.

G.S. 163-166.16 establishes the requirements for photo identification when offering to vote in person, setting forth the types of acceptable photo identification and exceptions including religious objection, reasonable impediment, and natural disaster. G.S. 163-230.1 also requires a voter casting an absentee ballot to submit a copy of their photo identification, or an affidavit of an exception, with their returned application and ballot. However, prior to a 2025 court order issued by the North Carolina Supreme Court, covered voters were not required to submit a photocopy of photo identification or affidavit of an exception with the returned ballot.

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Effective January 1, 2026, and applicable to elections held on or after that date, **Section 4.1** would require covered voters to submit a photocopy of an unexpired military identification card, unexpired U.S. passport card or photo page of an unexpired U.S. passport, or an unexpired North Carolina drivers license with their returned ballot. The State Board would be required to provide the means for any identification to be electronically submitted in a secure manner.

Change to Definition of Covered Voter:

Effective January 1, 2026, and applicable to elections held on or after that date, **Section 4.2** would remove from the definition of covered voter a United States citizen who has never resided in the United States and who has a parent or legal guardian that was last domiciled in North Carolina, making such an individual eligible to vote in federal elections only in North Carolina.

Part V – Campaign Finance Revisions

Increase Threshold for Reporting Certain Contributions:

Candidates for office are required to file reports for certain contributions, loans, and expenditures. However, if a candidate does not receive more than \$1,000 in contributions and loans and does not spend more than \$1,000, that candidate may be exempted from filing the required reports. In order to be exempt, the candidate's treasurer must file a certification with the State Board that the candidate does not intend to receive more than \$1,000 in contributions or expenditures and does not intend to spend more than \$1,000 to further the candidate's campaign. If the candidate's intent to stay within the \$1,000-threshold changes or is exceeded, the treasurer is required to notify the State Board and file all required reports.

Effective for the January 1, 2027 election cycle, **Section 5.1(a)** would increase this threshold from \$1,000 to \$3,000.

In addition to the reporting requirements for candidates, certain individuals and entities may make independent expenditures and may be subject to reporting requirements. If an individual or entity making an independent expenditure who is not otherwise required to file a report makes an independent expenditure in excess of \$100, the individual or entity is required to file a statement of the independent expenditure with the appropriate board of elections.

Any person or entity that is permitted to make contributions, but not otherwise required to report them, is required to report each contribution in excess of \$100 with the appropriate board of elections.

The State Board must require the identification of each person or entity making a donation of more than \$100 to the entity filing the report if the donation was made to further the reported independent expenditure or contribution. If the donor is an individual, the statement must also contain the principal occupation of the donor. Reports must be reported within 30 days after they exceed \$100 or 10 days before an election that the contributions or independent expenditures affect, whichever occurs earlier.

Effective for the January 1, 2027 election cycle, **Section 5.1(b)** would increase this threshold from \$100 to \$1,000.

48-Hour Report Requirements:

Generally, the treasurer of each candidate and each political committee and the treasurer of each referendum committee is required to file a number of certain reports with the State Board. One of these reports is the 48-hour report. A political committee, political party, or an affiliated party committee that receives a contribution or transfer of funds is required to disclose, within 48 hours of receipt, a contribution or transfer of \$1,000 or more received before an election but after the period covered by the last report due before that election. The disclosure is by report to the State Board identifying the source and amount of the funds. The State Board is required to specify the form and manner of making the report.

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Effective for the January 1, 2027 election cycle, **Section 5.2** would do the following:

- Increase the reporting threshold for the 48-hour reporting requirement from \$1,000 to \$2,000 and require the State Board to increase the dollar amount of the reporting requirement effective each election cycle based on the Consumer Price Index. The State Board would 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 to adjust the dollar amount statutorily.
- Provide that the 48-hour report requirement would not apply to any candidate campaign committee in a primary election in which the candidate is unopposed on that ballot.

Contributions by Foreign Nationals:

Candidates and political committees are prohibited from accepting contributions from any corporation and any business entity, labor union, professional association, or insurance company. Political parties and affiliated committees are also prohibited from accepting contributions from any corporation and any business entity, labor union, professional association, or insurance company, unless that contribution is used for a political party headquarters building fund, which requires a segregated account. Generally, it is unlawful for any corporation, business entity, labor union, professional association or insurance company to do any of the following:

- Make any contribution to a candidate or political committee.
- Pay or use or offer, consent or agree to pay or use any of its money or property for any contribution to a candidate or political committee.
- To compensate, reimburse, or indemnify any person or individual for money or property so used for any contribution or expenditure so made.

It is also unlawful for any officer, director, stockholder, attorney, agent or member of any corporation, business entity, labor union, professional association or insurance company to aid, abet, advise or consent to any such contribution. A violation of these provisions is a Class 2 misdemeanor.

Effective January 1, 2026, **Section 5.3** would do the following:

- Define foreign national as any of the following:
 - An individual who is not a citizen or lawful permanent resident of the United States.
 - A government of a foreign country or any political subdivision thereof.
 - A foreign political party.
 - Any person organized under the law of, or that has its principal place of business in a foreign country.
 - Any person organized and operating in the United States that is wholly or majority owned by a foreign national or combination of foreign nationals unless both of the following apply:
 - Any contribution or expenditure made derives entirely from funds generated by the United States.
 - All decisions concerning the contribution or expenditure are made by individuals who are United States citizens or lawful permanent residents, except for setting overall budget amounts.
- Prohibit foreign nationals from engaging in any of the following:

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- Making a contribution to a candidate, a political committee, a political party, or an affiliated committee, including to a political party headquarters building fund.
- Directing, dictating, controlling or participating in the decision-making of any activities to influence a referendum, including making contributions or independent expenditures.
- Soliciting a contribution or expenditure to influence a referendum.
- Prohibit a candidate, political committee, political party, affiliated committee, or treasurer from soliciting or accepting a contribution from a foreign national.
- Require the treasurer to file an organizational funding certification which must include a signed statement, filed with the State Board no later than the tenth day following the organization of a referendum committee, affirming that no preliminary activity was funded by one or more foreign nationals. Preliminary activity would include conducting polls, public opinion surveys, or a focus group; drafting referendum language; making telephone calls; and traveling. All reports required to be filed disclosing contributions would also be required to include an affirmation by the treasurer that the contributor associated with each contribution is not a foreign national; such reports are signed under penalty of perjury.

Part VI – Signature Verification Pilot Program for Absentee Ballots

Section 6 would require the State Board to select ten counties in the State in which to conduct a pilot program during the 2026 primary for signature verification on executed mail-in absentee ballots. The counties would be required to be diverse in population size, regional location, and demographic composition, but the State Board would be authorized to select the same 10 counties that were selected for the pilot program in accordance with S.L. 2023-140. The State Board would also be required select the software that would be used for the signature verification. All absentee ballots that are otherwise eligible to be counted during the primary would be required to be counted, regardless of any rejection by the signature verification software.

The selected county boards of elections would be required to report to the State Board their findings during the 2026 primary. The State Board would be required to compile the reports from the county boards and deliver its findings and recommendations to the General Assembly by May 1, 2026.

Part VII – Training for County Boards of Elections

Section 7.1 would require the UNC School of Government to work jointly with the State Board to develop a uniform curriculum for training county directors of elections and employees of county boards on the State's elections laws.

Section 7.2 would require the State Board to partner with local community colleges to provide a location for any training conducted by the State Board and county board to be held.

EFFECTIVE DATE: Except as otherwise provided, this act is effective when it becomes law.