

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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SENATE BILL 747  
Redistricting and Elections Committee Substitute Adopted 6/15/23  
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PROPOSED HOUSE COMMITTEE SUBSTITUTE S747-PCS45363-BK-37

Short Title: Elections Law Changes.

(Public)

Sponsors:

Referred to:

June 5, 2023

A BILL TO BE ENTITLED

AN ACT TO MAKE VARIOUS CHANGES REGARDING ELECTIONS LAW.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** G.S. 163-227.2 is recodified as G.S. 163-166.40.

**SECTION 1.(b)** G.S. 163-227.5 is recodified as G.S. 163-166.45.

**SECTION 1.(c)** G.S. 163-227.6 is recodified as G.S. 163-166.35.

**SECTION 1.(d)** G.S. 163-166.01 is recodified as G.S. 163-166.25.

**SECTION 1.(e)** G.S. 163-228(a1) is recodified as G.S. 163-166.50.

**SECTION 2.** G.S. 163-22 is amended by adding two new subsections to read:

"(s) Notwithstanding any other provision of law, the State Board shall ensure voted ballots, election results tapes, and executed ballot applications are retained and preserved for a period of 22 months after the corresponding election or as otherwise specified in federal law, whichever is greater.

(t) The State Board shall not accept private monetary donations or in-kind contributions, directly or indirectly, for conducting elections or employing individuals on a temporary basis."

**SECTION 3.** G.S. 163-27.2(g) reads as rewritten:

"(g) Neither appointment as a precinct official or assistant under Article 5 of this Chapter nor employment at ~~a one-stop~~ an early voting location shall require a criminal history record check unless the official, assistant, or employee performs a function designated by the State Board pursuant to subsection (f) of this section."

**SECTION 4.** G.S. 163-33 is amended by adding two new subdivisions to read:

"(17) Notwithstanding any other provision of law, to retain and preserve all voted ballots, election results tapes, and executed ballot applications for a period of 22 months after the corresponding election or as otherwise specified in federal law, whichever is greater.

(18) County boards of elections shall not accept private monetary donations or in-kind contributions, directly or indirectly, for conducting elections or employing individuals on a temporary basis. This subdivision does not prohibit the in-kind donation or use of a voting site, if that voting site is used for the purpose of conducting elections."

**SECTION 5.** G.S. 163-37 reads as rewritten:

"§ 163-37. Duty of county board of commissioners.



\* S 7 4 7 - P C S 4 5 3 6 3 - B K - 3 7 \*

1       (a)     The respective boards of county commissioners shall appropriate reasonable and  
2 adequate funds necessary for the legal functions of the county board of elections, including  
3 reasonable and just compensation of the director of elections.

4       (b)     County boards of commissioners shall not accept private monetary donations or  
5 in-kind contributions, directly or indirectly, for conducting elections or employing individuals  
6 on a temporary basis. This subsection does not prohibit the in-kind donation or use of a voting  
7 site, if that voting site is used for the purpose of conducting elections."

8           **SECTION 6.** G.S. 163-37.1(f) reads as rewritten:

9       "(f)     Neither appointment as a precinct official or assistant under of Article 5 of this  
10 Chapter nor employment at ~~a one stop~~ an early voting location shall require a criminal history  
11 record check unless the official, assistant, or employee performs a function designated by the  
12 State Board pursuant to G.S. 163-27.2."

13           **SECTION 7.(a)** G.S. 163-45 is repealed.

14           **SECTION 7.(b)** Article 5 of Chapter 163 of the General Statutes is amended by  
15 adding a new section to read:

16       "**§ 163-45.1. Observers.**

17       (a)     For purposes of this section, "observer" is defined as an individual appointed pursuant  
18 to this section to observe the voting process at a voting place.

19       (b)     Observers may be appointed in accordance with the following:

20           (1)     The chair of each political party in the county may designate two registered  
21 voters of the county to serve as observers at each voting place in that county  
22 in which the political party has a candidate appearing on the ballot.

23           (2)     The chair of each political party in the county may designate up to 10  
24 registered voters of the county to serve at any voting place in the county in  
25 which the political party has a candidate appearing on the ballot.

26           (3)     The chair of each political party in the State may designate up to 100 registered  
27 voters of the State to serve at any voting place in the State in which the  
28 political party has a candidate appearing on the ballot.

29           (4)     An unaffiliated candidate or the unaffiliated candidate's campaign manager  
30 may designate two observers to serve at each voting place in which that  
31 unaffiliated candidate appears on the ballot.

32       (c)     The list of individuals appointed pursuant to this section shall be submitted  
33 electronically or in writing by noon on the business day before each observer is scheduled to  
34 serve. Individuals appointed to serve at a particular voting place or countywide shall be submitted  
35 to the director of the county board of elections for that county. Individuals appointed to serve  
36 statewide shall be submitted to the Executive Director of the State Board, who shall submit a  
37 copy to each affected county board of elections. Before each voting place opens for voting, the  
38 county board of elections shall provide a copy of the list of appointed observers for each voting  
39 place to the chief judge for that respective voting place, including any countywide or statewide  
40 observers.

41       (d)     The chief judge at each voting place may use reasonable methods to verify the identity  
42 of individuals appearing at the voting place to serve as an observer. The State Board may require  
43 an observer to wear an identification tag or badge to make voters and election officials aware of  
44 the observer's role in the voting place.

45       (e)     No more than three observers from the same political party shall be in the voting  
46 enclosure at any time. Observers may be relieved during the day after serving no less than four  
47 hours. Observers shall not appear on the ballot as a candidate in the primary or election in which  
48 serving as an observer. Observers shall take no oath of office.

49       (f)     The county board of elections or a chief judge of a voting place shall only challenge  
50 the appointment of an observer pursuant to this section for good cause, which shall include  
51 evidence that the observer could impact the conduct of the election. The State Board shall develop

1 a form for challenges to the list of observers appointed pursuant to this section to be submitted  
2 to the State Board. A county board of elections or a chief judge desiring to challenge the  
3 appointment of an observer shall complete the challenge form and submit it to the State Board  
4 no later than the time the polls open at that voting place on the day the observer is to serve.

5 (g) Election officials shall not prohibit an observer from doing any of the following,  
6 provided that the observer does not interfere with the privacy of any voter or the conduct of the  
7 election:

8 (1) Taking notes in the voting place, including using an electronic device to take  
9 notes.

10 (2) Listening to conversations between a voter and election official that take place  
11 in the voting place, provided the conversation is related to election  
12 administration.

13 (3) Moving freely about the voting place, including the designated area for  
14 curbside voting.

15 (4) Leaving and reentering the voting enclosure.

16 (5) Communicating via phone outside of the voting enclosure.

17 (6) Witnessing any setup and teardown procedures at the voting place.

18 (h) Observers shall not do any of the following inside the voting place:

19 (1) Look at, photograph, videotape, or otherwise record the image of any voter's  
20 marked ballot.

21 (2) Impede the ingress or egress of any voter into the voting place.

22 (3) Inhibit or interfere with any election official in the performance of his or her  
23 duties, including interfering with the transport of sealed ballot boxes to the  
24 county board of elections.

25 (4) Engage in electioneering.

26 (5) Make or receive phone calls while in the voting place.

27 (i) An observer may take photographs inside the voting place before the voting begins  
28 and after voting has concluded, provided that the taking of photographs does not impair any  
29 election official in executing setup or teardown procedures. The State Board shall adopt rules to  
30 implement this subsection.

31 (j) A chief judge may remove an observer who engages in prohibited behavior under this  
32 section. A chief judge may also remove an observer for good cause, which shall include evidence  
33 that the observer could impact the conduct of the election. Whenever possible, the chief judge  
34 shall first issue a verbal or written warning to the observer. The warning must include the time  
35 and nature of the offense, and the chief judge must provide the observer a reasonable opportunity  
36 to correct the behavior. If the chief judge determines the observer should be removed, the chief  
37 judge must immediately notify the director of the county board of elections. The director of the  
38 county board of elections must immediately notify the appointing authority so that a replacement  
39 observer can be appointed. Nothing in this section prohibits a chief judge from reporting an  
40 alleged violation of State or federal law to the appropriate authority.

41 (k) Any observer who has been denied the ability to serve as an observer under this  
42 section by a county board of elections or a chief judge shall have the right to appeal the denial.  
43 The State Board shall develop a form for appeals of the denial of the right to serve as an observer  
44 to be submitted to the State Board. An observer desiring to appeal the denial of the right to serve  
45 as an observer shall complete the appeal form and submit it to the State Board within 24 hours  
46 of the denial.

47 (l) An observer may obtain copies of the list of persons who have voted at each voting  
48 place during the times the voting place is open for voting. Counties using an "authorization to  
49 vote document" instead of pollbooks are in compliance with this requirement if they allow  
50 observers to inspect election records so that the observer can create a list of who has voted at  
51 each voting place. The State Board shall determine the times at which these lists may be obtained.

1 However, observers must be able to obtain copies of the list at least three times each day with at  
2 least one hour between obtaining the copies."

3 **SECTION 7.(c)** Article 5 of Chapter 163 of the General Statutes is amended by  
4 adding a new section to read:

5 **"§ 163-45.2. Runners.**

6 (a) The chair of a county political party may send a runner to obtain copies of the list of  
7 persons who have voted at each voting place during the times the voting place is open for voting.  
8 The chair of a county political party shall provide a written list of the runners to be used in  
9 accordance with the process for appointing observers in accordance with G.S. 163-45.1.

10 (b) The runner shall only enter the voting enclosure to announce the runner's presence  
11 and obtain a copy of the list of the persons who have voted that day. The runner must leave  
12 immediately after being provided a copy of the list.

13 (c) The State Board shall determine the times at which these lists may be obtained.  
14 However, runners must be able to obtain copies of the list at least three times each day with at  
15 least one hour between obtaining the copies. Counties using an "authorization to vote document"  
16 instead of pollbooks are in compliance with this requirement if they allow runners to inspect  
17 election records so that the runner can create a list of who has voted at each voting place. The  
18 State Board may also publish copies of the list of who has voted that day on the State Board's  
19 website."

20 **SECTION 7.(d)** G.S. 18B-601(i) reads as rewritten:

21 "(i) Observers. – The proponents and opponents for an alcoholic beverage election, as  
22 determined by the local board of elections, shall have the right to appoint two observers to attend  
23 each voting place. The persons authorized to appoint observers shall, ~~three days before the~~  
24 ~~election, by noon on the business day before the observer is scheduled to serve,~~ submit in writing  
25 to the ~~chief judge of each precinct~~ county board of elections a signed list of the observers  
26 appointed for ~~that precinct~~ voting places in that county. Before each voting place opens for  
27 voting, the county board of elections shall provide a copy of the list of appointed observers for  
28 each voting place to the chief judge for that respective voting place. The persons appointed as  
29 observers shall be registered voters of the precinct for which appointed. The chief judge and  
30 judges for the precinct may for good cause reject any appointee and require that another be  
31 appointed. Observers shall do no electioneering at the voting place nor in any manner impede the  
32 voting process, interfere or communicate with or observe any voter in casting his ballot.  
33 Observers shall be permitted in the voting place to make such observation and to take such notes  
34 as they may desire."

35 **SECTION 8.** G.S. 163-47(a) reads as rewritten:

36 "(a) The chief judges and judges of election shall conduct the primaries and elections  
37 within their respective precincts fairly and impartially, and they shall enforce peace and good  
38 order in and about the place of registration and voting. ~~On the day of each primary and general~~  
39 ~~and special election, the precinct chief judge and judges shall remain at the voting place from the~~  
40 ~~time fixed by law for the commencement of their duties there until they have completed all those~~  
41 ~~duties, and they shall not separate nor shall any one of them leave the voting place except for~~  
42 ~~unavoidable necessity.~~ The county boards of elections shall ensure that the position of chief judge  
43 and judges of election are filled at each voting place for the duration of the duties of the positions  
44 on each day of voting in person at the voting place."

45 **SECTION 9.** G.S. 163-82.6A reads as rewritten:

46 **"§ 163-82.6A. Address and name changes at one-stop-early voting sites.**

47 Change of Registration at ~~One-Stop-Early~~ Voting Site. – A person who is already registered  
48 to vote in the county may update the information in the registration record in accordance with  
49 procedures prescribed by the State ~~Board of Elections,~~ Board, but an individual's party affiliation  
50 may not be changed during the ~~one-stop-early~~ voting period before any first or second partisan  
51 primary in which the individual is eligible to vote."

1           **SECTION 10.(a)** Article 7A of Chapter 163 of the General Statutes is amended by  
2 adding a new section to read:

3 **"§ 163-82.6B. Same-day registration.**

4           (a) Notwithstanding any provision of law to the contrary, an individual who is qualified  
5 to register to vote may register in person and then vote at an early voting site in the individual's  
6 county of residence during the period for early voting provided under Part 5 of Article 14A of  
7 this Chapter.

8           (b) To register and vote under this section, an individual shall do all of the following:

9           (1) Complete a voter registration application form as prescribed in G.S. 163-82.4.

10           (2) Provide proof of residence by presenting a HAVA document listing the  
11 individual's current name and residence address.

12           (3) Present photo identification in accordance with G.S. 163-166.16.

13           (c) An applicant who registers under this section shall vote a retrievable ballot as  
14 provided in G.S. 163-166.40 immediately after submitting the voter registration application form.

15           (d) Within two business days of the individual's registration under this section, the county  
16 board of elections in conjunction with the State Board shall verify the North Carolina drivers  
17 license or social security number in accordance with G.S. 163-82.12, update the statewide  
18 registration database, search for possible duplicate registrations, and proceed under  
19 G.S. 163-82.7 to verify the applicant's address. The applicant's vote shall be counted unless the  
20 county board determines that the applicant is not qualified to vote in accordance with this  
21 Chapter. Notwithstanding any other provision of this Chapter, if the Postal Service returns the  
22 first notice required under G.S. 163-82.7(c) as undeliverable before the close of business on the  
23 business day before canvass, the county board shall not register the applicant and shall retrieve  
24 the applicant's ballot and remove that ballot's votes from the official count.

25           (e) For purposes of this section, a "HAVA document" is any of the following that shows  
26 the name and address of the individual:

27           (1) A current utility bill.

28           (2) A current bank statement.

29           (3) A current government check.

30           (4) A current paycheck.

31           (5) Another current government document.

32           (6) A current document issued from the institution who issued the photo  
33 identification shown by the voter pursuant to G.S. 163-166.16."

34 **SECTION 10.(b)** G.S. 163-166.12(f)(1) reads as rewritten:

35 "(1) An individual who registers by mail and submits as part of the registration  
36 application either of the following:

37           a. A copy of a current and valid photo identification.

38           b. A copy of ~~one of the following documents that shows the name and~~  
39 ~~address of the voter: a current utility bill, bank statement, government~~  
40 ~~check, paycheck, or other government document.~~ a "HAVA document"  
41 ~~as defined in G.S. 163-82.6B(e)."~~

42 **SECTION 11.** G.S. 163-82.7(g)(2) reads as rewritten:

43 "(2) If the Postal Service has returned as undeliverable a notice sent within 25 days  
44 before the election to the applicant under subsection (c) of this section, then  
45 the applicant may vote only in person in accordance with Article 14A of this  
46 Chapter in that first election and may not vote by absentee ballot ~~except in~~  
47 ~~person under G.S. 163-227.2, 163-227.5, and 163-227.6. ballot.~~ The county  
48 board of elections shall establish a procedure at the voting site ~~for:~~for doing  
49 both of the following:

50           a. Obtaining the correct address of any person described in this  
51 subdivision who appears to vote in ~~person; and~~person.

b. Assuring that the person votes in the proper place and in the proper contests.

If a notice mailed under subsection (c) or subsection (e) of this section is returned as undeliverable after a person has already voted by absentee ballot, then that person's ballot may be challenged in accordance with G.S. 163-89."

**SECTION 12.** G.S. 163-82.8A(d)(2) reads as rewritten:

"(2) Voter photo identification cards shall be issued at any time, except during the time period between the end of ~~one-stop-early~~ voting for a primary or election as provided in ~~G.S. 163-227.2~~ G.S. 163-166.40 and election day for each primary and election."

**SECTION 13.(a)** G.S. 163-87 reads as rewritten:

"§ 163-87. **Challenges allowed ~~on~~ during early voting and on day of primary or election.**

On the day of a primary or election, or during the hours for early voting under Part 5 of Article 14A of this Chapter, at the time a registered voter offers to ~~vote,~~ vote in person, any other registered voter of the county may exercise the right of challenge, and when the voter does so may enter the voting enclosure to make the challenge, but the voter shall retire therefrom as soon as the challenge is heard.

On the day of a primary or election, or during the hours for early voting under Part 5 of Article 14A of this Chapter, any other registered voter of the county may challenge a person for one or more of the following reasons:

- (1) One or more of the reasons listed in G.S. 163-85(c).
- (2) That the person has already voted in that primary or election.
- (3) If the challenge is made with respect to voting in a partisan primary, that the person is a registered voter of another political party.
- (4) Repealed by Session Laws 2018-144, s. 3.1(c), effective December 19, 2018.
- (5) The registered voter does not present photo identification in accordance with G.S. 163-166.16.

The chief judge, judge, or assistant appointed under ~~G.S. 163-41 or 163-42~~ G.S. 163-41, 163-42, or 163-166.35 may enter challenges under this section against voters in the precinct or at the early voting site for which appointed regardless of the place of residence of the chief judge, judge, or assistant.

If a person is challenged under this subsection, and the challenge is sustained under G.S. 163-85(c)(3), the voter may still transfer that voter's registration under G.S. 163-82.15(e) if eligible under that section, and the registration shall not be cancelled under G.S. 163-90.2(a) if the transfer is made. A person who has transferred that voter's registration under G.S. 163-82.15(e) may be challenged at the precinct to which the registration is being transferred."

**SECTION 13.(b)** G.S. 163-88 reads as rewritten:

"§ 163-88. **Hearing on challenge made during early voting and on day of primary or election.**

(a) A challenge entered on the day of a primary or ~~election~~-election, or during the hours for early voting under Part 5 of Article 14A of this Chapter, shall be heard and decided by the chief judge and judges of election of the precinct or early voting site in which the challenged registrant is registered before the polls are closed on the day the challenge is made. When the challenge is heard the precinct officials conducting the hearing shall explain to the challenged registrant the qualifications for registration and voting in this State, and shall examine him or her as to his or her qualifications to be registered and to vote. If the challenged registrant insists that he or she is qualified, and if, by sworn testimony, he or she shall prove his or her identity with the person in whose name he or she offers to vote and his or her continued residence in the precinct since ~~he was~~ being registered, one of the judges of election or the chief judge shall tender

1 to him or her the following oath or affirmation, omitting the portions in brackets if the challenge  
2 is heard ~~on the day of~~ for an election other than a primary:

3 "You do solemnly swear (or affirm) that you are a citizen of the United States; that you are  
4 at least 18 years of age [or will become 18 by the date of the next general election]; that you have  
5 [or will have] resided in this State and in the precinct for which registered for 30 days [by the  
6 date of the next general election]; that you are not disqualified from voting by the Constitution  
7 and laws of this State; that your name is \_\_\_\_\_, and that in such name you were duly registered as  
8 a voter of this precinct; that you are the person you represent yourself to be; [that you are affiliated  
9 with the \_\_\_\_\_ party]; and that you have not voted in this [primary] election at this or any other  
10 voting place. So help you, God."

11 If the challenged registrant refuses to take the tendered oath, the challenge shall be sustained,  
12 and the precinct officials conducting the hearing shall mark the registration records to reflect  
13 their decision, and they shall erase the challenged registrant's name from the pollbook if it has  
14 been entered therein. If the challenged registrant takes the tendered oath, the precinct officials  
15 conducting the hearing may, nevertheless, sustain the challenge unless they are satisfied that the  
16 challenged registrant is a legal voter. If they are satisfied that he or she is a legal voter, they shall  
17 overrule the challenge and permit ~~him~~ the voter to vote. Whenever any person's vote is received  
18 after having taken the oath prescribed in this section, the chief judge or one of the judges of  
19 election shall write on the registration record and on the pollbook opposite the registrant's name  
20 the word "sworn."

21 (b) Precinct election officials conducting hearings on challenges on the day of a primary  
22 or election ~~election, or during the hours for early voting under Part 5 of Article 14A of this~~  
23 Chapter, shall have authority to administer the necessary oaths or affirmations to all witnesses  
24 brought before them to testify to the qualifications of the person challenged.

25 (c) A letter or postal card mailed by returnable mail and returned by the United States  
26 Postal Service purportedly because the person no longer lives at that address or because a  
27 forwarding order has expired shall not be admissible evidence in a challenge heard under this  
28 section which was made under G.S. 163-87."

29 **SECTION 14.** G.S. 163-88.1(c) reads as rewritten:

30 "(c) The chairman of the county board of elections shall preserve ~~such challenged~~ ballots  
31 in the sealed envelopes for a period of ~~six~~ 22 months after the ~~election~~ corresponding election  
32 or as otherwise specified in federal law, whichever is greater. However, in the case of a contested  
33 election, either party to such action may request the court to order that the sealed envelopes  
34 containing challenged ballots be delivered to the board of elections by the chairman. If so  
35 ordered, the board of elections shall then convene and consider each challenged ballot and rule  
36 as to which ballots shall be counted. In such consideration, the board may take such further  
37 evidence as it deems necessary, and shall have the power of subpoena. If any ballots are ordered  
38 to be counted, they shall be added to the vote totals."

39 **SECTION 15.** G.S. 163-89 reads as rewritten:

40 "**§ 163-89. Procedures for challenging absentee ballots.**

41 (a) Time for Challenge. – The absentee ballot of any voter received by the county board  
42 of elections pursuant to G.S. 163-231(b)(1) may be challenged ~~on the day of any statewide~~  
43 ~~primary or general election or county bond election beginning no earlier than noon and ending~~  
44 ~~no later than 5:00 P.M., or by the chief judge at the time of closing of the polls as provided in~~  
45 ~~G.S. 163-232 and G.S. 163-258.26(b).~~ 5:00 P.M. on the fifth business day after the primary or  
46 general election or county bond election. The absentee ballot of any voter received by the county  
47 board of elections pursuant to ~~G.S. 163-231(b)(ii) or (iii)~~ G.S. 163-231(b)(2) may be challenged  
48 ~~no earlier than noon on the day following the election and no later than 5:00 p.m.~~ P.M. on the  
49 next business day following the deadline for receipt of such absentee ballots.

50 (b) Who May Challenge. – Any registered voter of the same ~~precinct~~ county as the  
51 absentee voter may challenge that voter's absentee ballot.

1 ...."

2 **SECTION 16.** G.S. 163-90.2(c) reads as rewritten:

3 "(c) A decision by a county board of elections on any challenge made under the provisions  
4 of this Article shall be appealable to the Superior Court of the county in which the offices of that  
5 board are located within 10 days. If the appeal is made by the State Board, that appeal shall be to  
6 the Superior Court of the county in which the challenge originated. Only those persons against  
7 whom a challenge is sustained or persons who have made a challenge which is overruled shall  
8 have standing to file such appeal."

9 **SECTION 17.** G.S. 163-119 reads as rewritten:

10 **"§ 163-119. Voting by unaffiliated voter in party primary.**

11 ~~If a political party has, by action of its State Executive Committee reported to the State Board~~  
12 ~~of Elections by resolution delivered no later than the first day of December preceding a primary,~~  
13 ~~provided that unaffiliated Unaffiliated voters may shall be allowed to vote in the primary of that~~  
14 ~~party, an one primary of the voter's choosing, subject to the provisions of G.S. 163-59, 163-111,~~  
15 ~~and 163-166.7. Each unaffiliated voter may vote in the primary of that party by announcing that~~  
16 ~~intention under G.S. 163-166.7(a). For a party to withdraw its permission, it must do so by action~~  
17 ~~of its State Executive Committee, similarly reported to the State Board of Elections no later than~~  
18 ~~the first day of December preceding the primary where the withdrawal is to become effective."~~

19 **SECTION 18.** G.S. 163-123(h) reads as rewritten:

20 "(h) ~~Municipal Certain Elections Excluded.~~ – This section does not apply to ~~municipal the~~  
21 ~~following elections:~~

22 (1) Municipal elections or special district elections conducted under Subchapter  
23 IX of this Chapter.

24 (2) Nonpartisan board of education elections conducted under G.S. 115C-37."

25 **SECTION 19.** G.S. 163-132.5G reads as rewritten:

26 **"§ 163-132.5G. Voting data maintained by precinct.**

27 (a) Each county board of elections shall maintain voting data by voting precinct so that  
28 precinct returns for each item on the ballot shall include the votes cast by all residents of that  
29 voting precinct who voted, regardless of where ~~the voter voted.~~ that voter cast his or her ballot.  
30 The county board shall not be required to report returns by voting precinct for voters who voted  
31 other than at the voting precinct associated with that voter's voter registration on election day  
32 until 30 days after the election.

33 (a1) In reporting returns, all of the following shall apply:

34 (1) ~~the The~~ county board shall not compromise the secrecy of an individual's  
35 ballot.

36 (2) ~~In reporting returns, the The~~ county board shall report, by precinct for each  
37 item on the ballot, the number of voters who did not select a choice for that  
38 item on the ~~ballot~~ ballot.

39 (3) ~~and The~~ county board shall report, by precinct for each item on the ballot, the  
40 number of voters who selected more choices than available for that item on  
41 the ballot.

42 (4) The county board shall report ballots cast during early voting under Part 5 of  
43 Article 14A of this Chapter separately from mail-in absentee ballots cast under  
44 Article 20 or 21A of this Chapter.

45 ...."

46 **SECTION 20.** G.S. 163-165 is amended by adding a new subdivision to read:

47 "(5g) "Early voting" means casting a ballot in person prior to election day at the  
48 county board office or another location designated by the county board of  
49 elections for the purpose of casting ballots."

50 **SECTION 21.** G.S. 163-166.3 reads as rewritten:

51 **"§ 163-166.3. Limited access to the voting enclosure.**



1 (a) Persons Who May Enter Voting Enclosure. – During the time allowed for voting in  
2 the voting place, only the following persons may enter the voting enclosure:

- 3 (1) An election official.
- 4 (2) An observer ~~appointed pursuant to G.S. 163-45~~ or student election assistant  
5 acting in accordance with Article 5 of this Chapter.
- 6 (3) A runner ~~appointed pursuant to G.S. 163-45~~, but only to the extent necessary  
7 to announce that runner's presence and to receive the voter list as provided in  
8 ~~G.S. 163-45~~ G.S. 163-45.2.
- 9 (4) A person seeking to vote in that voting place on that day but only while in the  
10 process of voting or seeking to vote.
- 11 (5) A voter in that precinct while entering or explaining a challenge pursuant to  
12 G.S. 163-87 or G.S. 163-88.
- 13 (6) A person authorized under G.S. 163-166.8 to assist a voter but, except as  
14 provided in subdivision (7) of this section, only while assisting that voter.
- 15 (7) Minor children of the voter under the age of 18, or minor children under the  
16 age of 18 in the care of the voter, but only while accompanying the voter and  
17 while under the control of the voter.
- 18 (8) Persons conducting or participating in a simulated election within the voting  
19 place or voting enclosure, if that simulated election is approved by the county  
20 board of elections.
- 21 (9) Any other person determined by election officials to have an urgent need to  
22 enter the voting enclosure but only to the extent necessary to address that need.

23 (b) Photographing Voters Prohibited. – No person shall photograph, videotape, or  
24 otherwise record the image of any voter within the voting enclosure, except with the permission  
25 of both the voter and the chief judge of the precinct. If the voter is a candidate, only the permission  
26 of the voter is required. This subsection shall also apply to ~~one-stop-early voting~~ sites under  
27 ~~G.S. 163-227.2, 163-227.5, and 163-227.6.~~ Part 5 of Article 14A of this Chapter. This subsection  
28 does not apply to cameras used as a regular part of the security of the facility that is a voting  
29 place or ~~one-stop-early voting~~ site.

30 (c) Photographing Voted Ballot Prohibited. – No person shall photograph, videotape, or  
31 otherwise record the image of a voted official ballot for any purpose not otherwise permitted  
32 under law."

33 **SECTION 22.** G.S. 163-166.4 reads as rewritten:

34 "**§ 163-166.4. Limitation on activity in the voting place and in a buffer zone around it.**

35 ...

36 (c) Special Agreements About Election-Related Activity. – The Executive Director of  
37 the State Board of Elections may grant special permission for a county board of elections to enter  
38 into an agreement with the owners or managers of a nonpublic building to use the building as a  
39 voting place on the condition that election-related activity as described in subsection (b) of this  
40 section not be permitted on their property adjacent to the buffer zone, if the Executive Director  
41 finds all of the following:

42 ...

- 43 (4) That the county board has attempted to secure as a term of the agreement at  
44 least 36 hours prior to the opening of the voting place and at least 36 hours  
45 after the close of the voting place, as provided in ~~G.S. 163-166.01,~~  
46 G.S. 163-166.25, for candidates to place and retrieve political advertising. The  
47 agreement may also provide that any political advertising placed outside the  
48 times specified in this subsection may be removed by the property owner.

49 An agreement under this subsection shall be valid for as long as the nonpublic building is used  
50 as a voting place.

51 ...

1 (e) Buffer Zone and Area for Election-Related Activity at ~~One-Stop-Early Voting Sites.~~  
 2 – Except as modified in this subsection, the provisions of this section shall apply to ~~one-stop~~  
 3 early voting sites in G.S. 163-227.2, 163-227.5, and 163-227.6 under Part 5 of Article 14A of  
 4 this Chapter.

5 (1) Subsection (c) of this section shall not apply.

6 (2) The notice in subsection (d) of this section shall be provided no later than 10  
 7 days before the opening of ~~one-stop-early~~ voting at the site."

8 **SECTION 23.** G.S. 163-166.7(c)(9) reads as rewritten:

9 "~~(9) Party observers—~~Observers are given access as provided by ~~G.S. 163-45~~  
 10 G.S. 163-45.1 to current information about which voters have voted."

11 **SECTION 24.** G.S. 163-166.8 is amended by adding a new subsection to read:

12 "(d) Precinct officials shall maintain a log of any individual, other than a minor child under  
 13 the age of 18 in the care of a voter, who enters the voting place pursuant to this section and is not  
 14 seeking to vote in that voting place. The log shall include the printed name and address of the  
 15 individual entering the voting place, the time the individual entered the voting place, and a space  
 16 for that individual's signature. This subsection shall not apply to observers and runners appointed  
 17 pursuant to G.S. 163-45.1 and G.S. 163-45.2."

18 **SECTION 25.** G.S. 163-166.11 reads as rewritten:

19 "**§ 163-166.11. Provisional voting requirements.**

20 If an individual seeking to vote claims to be a registered voter in a jurisdiction as provided in  
 21 G.S. 163-82.1 and though eligible to vote in the election does not appear on the official list of  
 22 eligible registered voters in the voting place, that individual may cast a provisional official ballot  
 23 as follows:

24 ...

25 (3) A voter who has moved within the county more than 30 days before election  
 26 day but has not reported the move to the board of elections shall not be  
 27 required ~~on that account~~ to vote a provisional ballot at the ~~one-stop-early~~  
 28 voting site, as long as the ~~one-stop-early voting site~~ has available all the  
 29 information necessary to determine whether a voter is registered to vote in the  
 30 county and which ballot the voter is eligible to vote based on the voter's proper  
 31 residence address. The voter with that kind of unreported move shall be  
 32 allowed to vote the same kind of absentee ballot as other ~~one-stop-early~~ voters  
 33 as provided in ~~G.S. 163-227.2~~ G.S. 163-166.40.

34 (4) At the time the individual casts the provisional official ballot, the election  
 35 officials shall provide the individual written information stating that anyone  
 36 casting a provisional official ballot can ascertain whether and to what extent  
 37 the ballot was counted and, if the ballot was not counted in whole or in part,  
 38 the reason it was not counted. ~~The State Board of Elections or the county board~~  
 39 ~~of elections shall establish a system for so informing a provisional voter. It~~  
 40 ~~shall make the system voter, which shall be available to every provisional~~  
 41 ~~voter without charge, charge and it shall build into it contain~~ reasonable  
 42 procedures to protect the security, confidentiality, and integrity of the voter's  
 43 personal information and vote.

44 (5) The cast provisional official ballot and the written affirmation shall be secured  
 45 by election officials at the voting place according to guidelines and procedures  
 46 adopted by the State ~~Board of Elections.~~ Board. At the close of the polls,  
 47 election officials shall transmit the provisional official ballots cast at that  
 48 voting place to the county board of elections for prompt verification according  
 49 to guidelines and procedures adopted by the State ~~Board of Elections.~~ Board.  
 50 No later than 12:00 P.M. two days after the close of the polls, the county board  
 51 of elections shall publish the number of provisional ballots cast on election

1 day, cast by ~~one-stop absentee-early~~ voting, cast by mail-in absentee ballots  
2 received as of election day, and cast by military and overseas absentee ballots  
3 cast under Article 21A of this Chapter and received as of election day."

4 **SECTION 26.** G.S. 163-166.12(c) reads as rewritten:

5 "(c) Notation of Identification Proof. – The county board of elections shall note the type  
6 of identification proof submitted by the voter under the provisions of subsection (a) or (b) of this  
7 section and may dispose of the tendered copy of identification proof as soon as the type of proof  
8 is noted in the voter registration records. The county board of elections shall create a list denoting  
9 the voter, the method of voting by the voter, and type of identification proof submitted by the  
10 voter, which shall be a public record."

11 **SECTION 27.(a)** The caption of Part 3 of Article 14A of Chapter 163 of the General  
12 Statutes reads as rewritten:

13 "Part 3. Procedures at the Voting ~~Place.~~ Place Generally."

14 **SECTION 27.(b)** Article 14A of Chapter 163 of the General Statutes, as amended  
15 by this act, is amended by adding a new Part to read:

16 "Part 4. Election Day Voting.

17 "**§ 163-166.25. Hours for voting.**

18 (a) ~~In every election,~~ On election day, the voting place shall be open at 6:30 A.M. and  
19 shall be closed at 7:30 P.M. If the polls are delayed in opening for more than 15 minutes, or are  
20 interrupted for more than 15 minutes after opening, the State Board of Elections may extend the  
21 closing time by an equal number of minutes. As authorized by law, the State Board of Elections  
22 shall be available either in person or by teleconference on the day of election to approve any such  
23 extension.

24 (b) If any voter is in line to vote at the time the polls are closed, that voter shall be  
25 permitted to vote. No voter shall be permitted to vote who arrives at the voting place after the  
26 closing of the polls.

27 (c) If the statutory poll closing time of 7:30 P.M. on election day is extended by the State  
28 Board or a federal or State court order in one or more precincts for a reason other than a declared  
29 natural disaster or equipment failure at the voting site, the poll closing time shall be extended on  
30 election day in all precincts by an equal amount of time.

31 (d) Any voter who votes after the statutory poll closing time of 7:30 P.M. by virtue of a  
32 federal or State court order or any other lawful order, including an order of a county board of  
33 elections, shall be allowed to vote, under the provisions of that order, only by using a provisional  
34 official ballot. Any special provisional official ballots cast under this ~~section~~ subsection shall be  
35 separated, counted, and held apart from other provisional ballots cast by other voters not under  
36 the effect of the order extending the closing time of the voting place. If the court order has not  
37 been reversed or stayed by the time of the county canvass, the total for that category of  
38 provisional ballots shall be added to the official canvass.

39 "**§§ 163-166.26. through 163-166.34.** Reserved for future codification purposes."

40 **SECTION 27.(c)** Article 14A of Chapter 163 of the General Statutes, as amended  
41 by this act, is amended by adding a new Part to read:

42 "Part 5. Early Voting."

43 "**§ 163-166.35. Sites and hours for ~~one-stop-early~~ voting.**

44 (a) ~~Notwithstanding any other provision of G.S. 163-227.2, 163-227.5, and this section,~~  
45 ~~a~~ A county board of elections by unanimous vote of all its members may provide for one or more  
46 sites in that county for ~~absentee~~ ballots to be applied for and cast under ~~these sections.~~ this Part.  
47 Every individual staffing any of those sites shall be a member or full-time employee of the county  
48 board of elections or an employee of the county board of elections whom the board has given  
49 training equivalent to that given a full-time employee. Those sites must be approved by the State  
50 Board as part of a Plan for Implementation approved by both the county board of elections and  
51 by the State Board which shall also provide adequate security of the ballots and provisions to

1 avoid allowing persons to vote who have already voted. ~~The Plan for Implementation shall~~  
2 ~~include a provision for the presence of political party observers at each one-stop site equivalent~~  
3 ~~to the provisions in G.S. 163-45 for party observers at voting places on election day.~~ A county  
4 board of elections may propose in its Plan for Implementation not to offer ~~one-stop~~ early voting  
5 at the county board of elections office; the State Board may approve that proposal in a Plan for  
6 Implementation only if the Plan for Implementation includes at least one site reasonably  
7 proximate to the county board of elections office and the State Board finds that the sites in the  
8 Plan for Implementation as a whole provide adequate coverage of the county's electorate. If a  
9 county board of elections has considered a proposed Plan or Plans for Implementation and has  
10 been unable to reach unanimity in favor of a ~~Plan,~~ Plan for Implementation, a member or  
11 members of that county board of elections may petition the State Board to adopt a plan for it. If  
12 petitioned, the State Board may also receive and consider alternative petitions from another  
13 member or members of that county board. The State Board may adopt a Plan for Implementation  
14 for that county. The State Board, in that plan, shall take into consideration whether the Plan for  
15 Implementation disproportionately favors any party, racial or ethnic group, or candidate.

16 (a1) At each early voting site other than the county board of elections office, precinct  
17 officials shall be allocated according to all of the following:

18 (1) A chief judge and judges shall be appointed to each early voting site for each  
19 day of early voting in the same manner as allocated to each precinct in the  
20 county as provided in G.S. 163-41 where possible; provided, however, that a  
21 chief judge shall be appointed to each early voting site for each day of early  
22 voting.

23 (2) Assistants shall be appointed to each early voting site in the same manner as  
24 allocated to each precinct in the county as provided in G.S. 163-42 where  
25 possible.

26 (3) The provisions of G.S. 163-41.1, 163-41.2, and 163-42.1 apply to early voting  
27 sites.

28 (b) The State Board shall not approve, either in a Plan for Implementation approved  
29 unanimously by a county board of elections or in an alternative Plan for Implementation proposed  
30 by a member or members of that board, ~~a one-stop~~ an early voting site in a building that the  
31 county board of elections is not entitled under G.S. 163-129 to demand and use as an election-day  
32 voting place, unless the State Board finds that other equally suitable sites were not available and  
33 that the use of the sites chosen will not disproportionately favor any party, racial or ethnic group,  
34 or candidate. In providing the site or sites for ~~one-stop absentee~~ early voting under  
35 ~~G.S. 163-227.2, 163-227.5, and this section, this Part,~~ this Part, the county board of elections shall make a  
36 request to the State, county, city, local school board, or other entity in control of the building that  
37 is supported or maintained, in whole or in part, by or through tax revenues at least 90 days prior  
38 to the start of ~~one-stop absentee~~ early voting under ~~these sections, this Part.~~ this Part. The request shall  
39 clearly identify the building, or any specific portion thereof, requested the dates and times for  
40 which that building or specific portion thereof is requested and the requirement of an area for  
41 election related activity. If the State, local governing board, or other entity in control of the  
42 building does not respond to the request within 20 days, the building or specific portion thereof  
43 may be used for ~~one-stop absentee~~ early voting as stated in the request. If the State, local  
44 governing board, or other entity in control of the building or specific portion thereof responds  
45 negatively to the request within 20 days, that entity and the county board of elections shall, in  
46 good faith, work to identify a building or specific portion thereof in which to conduct ~~one-stop~~  
47 ~~absentee~~ early voting under ~~163-227.2, 163-227.5, and this section, this Part.~~ If no building or  
48 specific portion thereof has been agreed upon within 45 days from the date the county board of  
49 elections received a response to the request, the matter shall be resolved by the State Board.

50 (c) For all sites approved for ~~one-stop~~ early voting under this section, a county board of  
51 elections shall provide the following:

- 1 (1) Each ~~one-stop-early voting~~ site across the county shall be open at that same  
2 location during the period required by ~~G.S. 163-227.2(b)~~; G.S. 163-166.40(b).  
3 (2) If any ~~one-stop-early voting~~ site across the county is opened on any day during  
4 the period required by ~~G.S. 163-227.2(b)~~, G.S. 163-166.40(b), all ~~one-stop~~  
5 early voting sites shall be open on that day.  
6 (3) On each weekday during the period required by ~~G.S. 163-227.2(b)~~,  
7 G.S. 163-166.40(b), all ~~one-stop-early voting~~ sites shall be open from 8:00  
8 A.M. to 7:30 P.M.  
9 (4) If the county board of elections opens ~~one-stop-early voting~~ sites on Saturdays  
10 other than the last Saturday before the election during the period required by  
11 ~~G.S. 163-227.2(b)~~, G.S. 163-166.40(b), then all ~~one-stop-early voting~~ sites  
12 shall be open for the same number of hours uniformly throughout the county  
13 on those Saturdays.  
14 (5) If the county board of elections opens ~~one-stop-early voting~~ sites on Sundays  
15 during the period required by ~~G.S. 163-227.2(b)~~, G.S. 163-166.40(b), then all  
16 ~~one-stop-early voting~~ sites shall be open for the same number of hours  
17 uniformly throughout the county on those Sundays.  
18 (6) All ~~one-stop-early voting~~ sites shall be open on the last Saturday before the  
19 election, for the hours required under ~~G.S. 163-227.2(b)~~ G.S. 163-166.40(b)  
20 for that last Saturday.

21 (d) Notwithstanding subsection (c) of this section, a county board of elections by  
22 unanimous vote of all its members may propose a Plan for Implementation providing for the  
23 number of sites set out below in that county for absentee ballots to be applied for and cast with  
24 days and hours that vary from the county board of elections, or its alternate, and other additional  
25 ~~one-stop-early voting~~ sites in that county. If the county board of elections is unable to reach  
26 unanimity in favor of a Plan for Implementation, a member or members of the county board of  
27 elections may petition the State Board to adopt a plan for the county and the State Board may  
28 adopt a Plan for Implementation for that county. However, any Plan ~~of~~ for Implementation  
29 approved under this subsection shall provide for uniform location, days, and hours for that one  
30 site throughout the period required by ~~G.S. 163-227.2(b)~~ G.S. 163-166.40(b). This subsection  
31 applies only to a county that meets any of the following:

- 32 (1) One site in a county that includes a barrier island, which barrier island meets  
33 all of the following conditions:  
34 a. It has permanent inhabitation of residents residing in an  
35 unincorporated area.  
36 b. It is bounded on the east by the Atlantic Ocean and on the west by a  
37 coastal sound.  
38 c. It contains either a National Wildlife Refuge or a portion of a National  
39 Seashore.  
40 d. It has no bridge access to the mainland of the county and is only  
41 accessible by marine vessel.  
42 (2) Up to two sites in a county that is bounded by the largest sound on the East  
43 Coast and the county seat is located at the intersection of two rivers, which  
44 divide the county.

45 (e) Notwithstanding ~~G.S. 163-227.2~~ G.S. 163-166.40 and subdivisions (c)(2) and (c)(3)  
46 of this section, a county board of elections by unanimous vote of all its members may propose a  
47 Plan for Implementation providing for sites in that county for absentee ballots cast during early  
48 voting to be applied for and cast in elections for all entities conducted in odd-numbered years.  
49 The proposed Plan for Implementation shall specify the hours of operation for the county board  
50 of elections for an election conducted in that county for that odd-numbered year. If the county  
51 board of elections is unable to reach unanimity in favor of a Plan for Implementation for that

1 odd-numbered year, a member or members of the county board of elections may petition the  
2 State Board to adopt a Plan for Implementation for the county, and the State Board may adopt a  
3 Plan for Implementation for that county. However, throughout the period required by  
4 ~~G.S. 163-227.2(b), G.S. 163-166.40(b),~~ any Plan ~~of~~ for Implementation approved under this  
5 subsection shall provide for a minimum of regular business hours consistent with daily hours  
6 presently observed by the county board of elections for the county board of elections, or its  
7 alternate, and for uniform locations, days, and hours for all other additional ~~one-stop~~ early voting  
8 sites in that county.

9 **"§§ 163-166.36 through 163-166.39.** Reserved for future codification purposes.

10 **"§ 163-166.40. Alternate procedures for requesting application for absentee ballot;**  
11 **"one-stop" Early voting procedure in board office procedures.**

12 (a) Any voter eligible to vote ~~by absentee ballot under G.S. 163-226~~ may request an  
13 application for absentee ballots, complete the application, and vote under the provisions of  
14 G.S. 163-227.5 and G.S. 163-227.6 ~~a ballot under this Part.~~

15 (b) Not earlier than the third Thursday before an election, ~~in which absentee ballots are~~  
16 ~~authorized,~~ election in which a voter seeks to vote and not later than 3:00 P.M. on the last  
17 Saturday before that election, the voter ~~shall~~ may appear in person only at the office of the county  
18 board of elections, except as provided in ~~G.S. 163-227.6.~~ G.S. 163-166.35. A county board of  
19 elections shall conduct ~~one-stop~~ early voting on the last Saturday before the election from 8:00  
20 A.M. until 3:00 P.M.

21 (b1) ~~That~~ The voter shall enter the voting enclosure at the board office through the  
22 appropriate entrance and shall at once ~~state~~ do all of the following:

23 (1) State his or her name ~~name~~ to an authorized member or employee of the board  
24 or election official.

25 (2) ~~and~~ State the voter's place of residence to an authorized member or employee  
26 of the board ~~board~~ or election official.

27 (3) ~~and~~ present ~~Present~~ photo identification in accordance with G.S. 163-166.16.

28 (4) ~~In a primary election, the voter shall also state~~ State the political party with  
29 which the voter affiliates and in whose primary the voter desires to ~~vote, or if~~  
30 vote. ~~If the voter is an unaffiliated voter permitted to vote~~ voting in the primary  
31 of a particular party under G.S. 163-119, the voter shall state the name of the  
32 ~~authorizing~~ political party in whose primary ~~he~~ the voter wishes to vote.

33 (b2) The board member or employee or election official to whom the voter gives this  
34 information shall announce the name and residence of the voter in a distinct tone of voice. After  
35 examining the registration records, ~~an employee of the board~~ he or she shall state whether the  
36 person seeking to vote is duly registered. If the voter is found to be registered that voter may  
37 ~~request that the authorized member or employee of the board furnish the voter with an application~~  
38 ~~for absentee ballots. The voter shall complete the application in the presence of the authorized~~  
39 ~~member or employee of the board, and shall deliver the application to that person.~~ vote a ballot  
40 under this Part.

41 (c) ~~If the application is properly filled out, the authorized member or employee shall enter~~  
42 ~~the voter's name in the register of absentee requests, applications, and ballots issued and shall~~  
43 ~~furnish the voter with the ballots to which the application for absentee ballots applies. The voter~~  
44 ~~thereupon shall vote in accordance with subsection (e) of this section.~~

45 All actions required by this subsection shall be performed in the office of the board of  
46 elections, except that the voting may take place in an adjacent room as provided by subsection  
47 (e) of this section. ~~The application under this subsection shall be signed in the presence of the~~  
48 ~~chair, member, director of elections of the board, or full-time employee, authorized by the board~~  
49 ~~who shall sign the application and certificate as the witness and indicate the official title held by~~  
50 ~~him or her. Notwithstanding G.S. 163-231(a), in the case of this subsection, only one witness~~  
51 ~~shall be required on the certificate.~~

1 (d) Only the chairman, member, employee, or director of elections of the board shall keep  
2 the voter's application for absentee ballots in a safe place, separate and apart from other  
3 applications and container return envelopes. If the voter's application for absentee ballots is  
4 disapproved by the board, the board shall so notify the voter stating the reason for disapproval  
5 by first class mail addressed to the voter at that voter's residence address and at the address shown  
6 in the application for absentee ballots; and the board shall enter a challenge under G.S. 163-89.

7 (e) The voter shall vote that voter's absentee ballot during early voting in a voting booth  
8 in the office of the county board of elections, and the county board of elections shall provide a  
9 voting booth for that purpose, provided however, that the county board of elections may in the  
10 alternative provide a private room for the voter adjacent to the office of the board, in which case  
11 the voter shall vote that voter's absentee ballot in that room. A voter at a ~~one-stop~~ early voting  
12 site shall be entitled to the same assistance as a voter at a voting place on election day under  
13 G.S. 163-166.8. The State Board shall, where appropriate, adapt the rules it adopts under  
14 G.S. 163-166.8. to ~~one-stop~~ early voting.

15 (f) At any site where ~~one-stop absentee-early~~ voting is conducted, there shall be a  
16 curtained or otherwise private area where the voter may mark the ballot unobserved.

17 (g) A voter who has moved within the county more than 30 days before election day but  
18 has not reported the move to the board of elections shall not be required on that account to vote  
19 a provisional ballot at the ~~one-stop-early voting~~ site, as long as the ~~one-stop-early voting~~ site has  
20 available all the information necessary to determine whether a voter is registered to vote in the  
21 county and which ballot the voter is eligible to vote based on the voter's proper residence address.  
22 The voter with that kind of unreported move shall be allowed to vote the same kind of absentee  
23 ballot as other ~~one-stop voters~~ voters voting a ballot during early voting.

24 (h) Notwithstanding the exception specified in G.S. 163-36, counties which operate a  
25 modified full-time office shall remain open five days each week during regular business hours  
26 consistent with daily hours presently observed by the county board of elections, commencing  
27 with the date prescribed in ~~G.S. 163-227.2(b)~~ subsection (b) of this section and continuing until  
28 5:00 P.M. on the Friday prior to that election and shall also be open on the last Saturday before  
29 the election. A county board may conduct ~~one-stop absentee-early~~ voting during evenings or on  
30 weekends, as long as the hours are part of a plan submitted and approved according to subsection  
31 (g) of this ~~section~~ section. The boards of county commissioners shall provide necessary funds for  
32 the additional operation of the office during that time.

33 (i) Notwithstanding the provisions of G.S. 163-89(a) and (b), a challenge may be entered  
34 against a voter at a ~~one-stop-early voting~~ site under subsection (g) of this section or during  
35 ~~one-stop-early~~ voting at the county board office. The challenge may be entered by a person  
36 conducting ~~one-stop-early~~ voting under ~~G.S. 163-227.5 and G.S. 163-227.6~~ this Part or by  
37 another registered voter who resides in the same ~~precinct~~ county as the voter being challenged.  
38 If challenged at the place where ~~one-stop-early~~ voting occurs, the voter shall be allowed to cast  
39 a ballot in the same way as other voters. The challenge shall be made on forms prescribed by the  
40 State Board. The challenge shall be heard by the county board of elections in accordance with  
41 the procedures set forth in G.S. 163-89(e).

42 **"§§ 163-166.41 through 163-166.44.** Reserved for future codification purposes.

43 **"§ 163-166.45. Alternate procedures for requesting application for absentee ballot;**  
44 **"one-stop" voting procedure in board office. Retrieval ballots.**

45 If a county uses a voting system with retrievable ballots, that county's board of elections may  
46 by resolution elect to conduct ~~one-stop absentee-early~~ voting according to the provisions of this  
47 ~~section~~ Part. In a county in which the board has opted to do so, a ~~one-stop-voter~~ during early  
48 voting shall cast the ballot and then shall deposit the ballot in the ballot box or voting system in  
49 the same manner as if such box or system was in use in a precinct on election day. At the end of  
50 each business day, or at any time when there will be no employee or officer of the board of  
51 elections on the premises, the ballot box or system shall be secured in accordance with a plan

1 approved by the State ~~Board of Elections, Board,~~ which shall include that no additional ballots  
2 have been placed in the box or system. Any county board desiring to conduct ~~one-stop-early~~  
3 voting according to this section shall submit a plan for doing so to the State ~~Board of Elections-~~  
4 Board. The State Board shall adopt standards for conducting ~~one-stop-early~~ voting under this  
5 section and shall approve any county plan that adheres to its standards. The county board shall  
6 adhere to its State Board-approved plan. The plan shall provide that each ~~one-stop-ballot cast~~  
7 during early voting shall have a ballot number on it in accordance with G.S. 163-230.1(c), or  
8 shall have an equivalent identifier to allow for retrievability.

9 **§§ 163-166.46 through 163-166.49.** Reserved for future codification purposes.

10 **§ 163-166.50. Certified list of executed ballots cast during early voting; distribution of list.**

11 (a) With respect to each early ~~"one-stop"~~ absentee ballot ~~voted under G.S. 163-227.2,~~  
12 ~~163-227.5, and 163-227.6, voted in accordance with this Part,~~ the State Board shall approve an  
13 official register in which the county board of elections in each county of the State shall record  
14 the following information:

- 15 (1) Name of voter for whom ~~application and ballots are a ballot is~~ being requested.
- 16 (2) Number of assigned voter's ~~application-ballot~~ when issued.
- 17 (3) The precinct in which the voter is registered.
- 18 (4) The date the voter voted ~~early "one-stop."~~ early.
- 19 (5) The voter's party affiliation.
- 20 (6) Whatever additional information and official action may be required by this  
21 Article, Part.

22 (b) The official register required by this section shall constitute a public record and shall  
23 be open to inspection.

24 (c) The State Board may provide for the official register required by this section to be  
25 kept by electronic data processing equipment. The State Board shall require the county board of  
26 elections to transmit information in the official register provided for in this section to the State  
27 Board.

28 (d) The State Board shall adopt rules to implement this section, including frequency of  
29 transmittal and ensuring that each precinct has a list of voters from that precinct who voted prior  
30 to the polls opening on election day."

31 **SECTION 28.** G.S. 163-182.1(b) reads as rewritten:

32 "(b) Procedures and Standards. – The State Board ~~of Elections~~ shall adopt uniform and  
33 nondiscriminatory procedures and standards for voting systems. The standards shall define what  
34 constitutes a vote and what will be counted as a vote for each category of voting system used in  
35 the State. The State Board shall adopt those procedures and standards at a meeting occurring not  
36 earlier than 15 days after the State Board gives notice of the meeting. The procedures and  
37 standards adopted shall apply to all elections occurring in the State and shall be subject to  
38 amendment or repeal by the State Board acting at any meeting where notice that the action has  
39 been proposed has been given at least 15 days before the meeting. These procedures and  
40 standards shall not be considered to be rules subject to Article 2A of Chapter 150B of the General  
41 Statutes. However, the State Board shall publish in the North Carolina Register the procedures  
42 and standards and any changes to them after adoption, with that publication noted as information  
43 helpful to the public under G.S. 150B-21.17(a)(6). Copies of those procedures and standards shall  
44 be made available to the public upon request or otherwise by the State Board. For optical scan  
45 and direct record electronic voting systems, and for any other voting systems in which ballots are  
46 counted other than on paper by hand and eye, those procedures and standards shall do both of the  
47 following:

- 48 (1) Provide for a sample hand-to-eye count of the paper ballots of a statewide  
49 ballot item in every county. The presidential ballot item shall be the subject of  
50 the sampling in a presidential election. If there is no statewide ballot item, the  
51 State Board shall provide a process for selecting district or local ballot items



1 to adequately sample the electorate. The State Board shall approve in an open  
 2 meeting the procedure for randomly selecting the sample precincts for each  
 3 election. The random selection of precincts for any county shall be done  
 4 publicly after the initial count of election returns for that county is publicly  
 5 released or 24 hours after the polls close on election day, whichever is earlier.  
 6 The sample chosen by the State Board shall be of one or more full precincts,  
 7 full counts of mailed absentee ballots, full counts of one or more ~~one-stop~~  
 8 early voting sites, or a combination. The size of the sample of each category  
 9 shall be chosen to produce a statistically significant result and shall be chosen  
 10 after consultation with a statistician. The actual units shall be chosen at  
 11 random. In the event of a material discrepancy between the electronic or  
 12 mechanical count and a hand-to-eye count, the hand-to-eye count shall  
 13 control, except where paper ballots have been lost or destroyed or where there  
 14 is another reasonable basis to conclude that the hand-to-eye count is not the  
 15 true count. If the discrepancy between the hand-to-eye count and the  
 16 mechanical or electronic count is significant, a complete hand-to-eye count  
 17 shall be conducted.

- 18 (2) Provide that if the voter selects votes for more than the number of candidates  
 19 to be elected or proposals to be approved in a ballot item, the voting system  
 20 shall do all the following:
- 21 a. Notify the voter that the voter has selected more than the correct  
 22 number of candidates or proposals in the ballot item.
  - 23 b. Notify the voter before the vote is accepted and counted of the effect  
 24 of casting overvotes in the ballot item.
  - 25 c. Provide the voter with the opportunity to correct the official ballot  
 26 before it is accepted and counted."

27 **SECTION 29.** G.S. 163-182.2 reads as rewritten:

28 **"§ 163-182.2. Initial counting of official ballots.**

29 (a) The initial counting of official ballots cast on election day and under Part 5 of Article  
 30 14A of this Chapter shall be conducted according to the following principles:

- 31 (1) Vote counting of ballots cast at the precinct on election day shall occur  
 32 immediately after the polls close and shall be continuous until completed. If  
 33 ballots cast under Part 5 of Article 14A of this Chapter are counted  
 34 electronically, that count shall commence at the time the polls close. If ballots  
 35 cast under Part 5 of Article 14A of this Chapter are paper ballots counted  
 36 manually, that count shall commence at the same time as mail-in absentee  
 37 ballots cast under Article 20 or Article 21A of this Chapter are counted.

38 ...

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

- 42 (1) For each voting system used, the rules shall specify the role of precinct  
 43 officials and of the county board of elections in the initial counting of official  
 44 ballots.
- 45 (2) For optical scan and direct record electronic voting systems, and for any other  
 46 voting systems in which ballots are counted other than on paper by hand and  
 47 eye, those rules shall provide for a sample hand-to-eye count of the paper  
 48 ballots of a sampling of a statewide ballot item in every county. The  
 49 presidential ballot item shall be the subject of the sampling in a presidential  
 50 election. If there is no statewide ballot item, the State Board shall provide a  
 51 process for selecting district or local ballot items to adequately sample the

1 electorate. The State Board shall approve in an open meeting the procedure  
2 for randomly selecting the sample precincts or early voting sites for each  
3 election. The random selection of precincts or early voting sites for any county  
4 shall be done publicly after the initial count of election returns for that county  
5 is publicly released or 24 hours after the polls close on election day, whichever  
6 is earlier. The sample chosen by the State Board shall be of one or more full  
7 precincts, full counts of mailed absentee ballots, and full counts of one or more  
8 ~~one-stop~~ early voting sites. The size of the sample of each category shall be  
9 chosen to produce a statistically significant result and shall be chosen after  
10 consultation with a statistician. The actual units shall be chosen at random. In  
11 the event of a material discrepancy between the electronic or mechanical count  
12 and a hand-to-eye count, the hand-to-eye count shall control, except where  
13 paper ballots have been lost or destroyed or where there is another reasonable  
14 basis to conclude that the hand-to-eye count is not the true count. If the  
15 discrepancy between the hand-to-eye count and the mechanical or electronic  
16 count is significant, a complete hand-to-eye count shall be conducted. The  
17 sample count need not be done on election night.

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

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

23 The State Board shall direct the county boards of elections in the application of the principles  
24 and rules in individual circumstances."

25 **SECTION 30.** G.S. 163-182.4(a)(3) reads as rewritten:

26 "(3) Offices of ~~municipalities, unless the municipality has a valid board of~~  
27 ~~election-municipalities.~~ Where voters in more than one county cast ballots for  
28 a municipal office, the State Board shall prepare a composite abstract upon  
29 the completion of the canvass by the county boards and deliver that abstract  
30 to all county boards responsible for canvassing votes for the contest, and each  
31 of those county boards shall issue a certificate of nomination or election."

32 **SECTION 31.** G.S. 163-182.6(a) reads as rewritten:

33 "(a) Abstracts to Be Prepared by County Board of Elections. – As soon as the county  
34 canvass has been completed, the county board of elections shall prepare abstracts of all the ballot  
35 items in a form prescribed by the State ~~Board of Elections.~~ Board. The county board of elections  
36 shall have a separate count on the abstract for ballots cast under Part 5 of Article 14A of this  
37 Chapter. The county board shall prepare those abstracts in triplicate originals. The county board  
38 shall retain one of the triplicate originals, and shall distribute one each to the clerk of superior  
39 court for the county and the State ~~Board of Elections.~~ Board. The State Highway Patrol may,  
40 upon request of the State ~~Board of Elections.~~ Board, be responsible for the delivery of the  
41 abstracts from each county to the State ~~Board of Elections.~~ Board. The State Board ~~of Elections~~  
42 shall forward the original abstract it receives to the Secretary of State."

43 **SECTION 32.** G.S. 163-182.7A reads as rewritten:

44 "§ 163-182.7A. **Additional provisions for hand-to-eye recounts.**

45 (a) The rules promulgated by the State Board ~~of Elections~~ for recounts shall provide that  
46 if the initial recount is not hand-to-eye, and if the recount does not reverse the results, the  
47 candidate who had originally been entitled to a recount may, within 24 hours of the completion  
48 of the first recount, demand a second recount on a hand-to-eye basis in a sample of precincts. If  
49 the initial recount was not hand-to-eye and it reversed the results, the candidate who had initially  
50 been the winner shall have the same right to ask for a hand-to-eye recount in a sample of  
51 precincts.

1 That sample shall be all the ballots in three percent (3%) of the precincts casting ballots in  
2 each county in the jurisdiction of the office, rounded up to the next whole number of precincts.  
3 For the purpose of that calculation, each ~~one-stop (early) early~~ voting site under Part 5 of Article  
4 14A of this Chapter shall be considered to be a precinct. The precincts to be recounted by a  
5 hand-to-eye count shall be chosen at random within each county. If the results of the hand-to-eye  
6 recount differ from the previous results within those precincts to the extent that extrapolating the  
7 amount of the change to the entire jurisdiction (based on the proportion of ballots recounted to  
8 the total votes cast for that office) would result in the reversing of the results, then the State Board  
9 ~~of Elections~~ shall order a hand-to-eye recount of the entire jurisdiction in which the election is  
10 held. There shall be no cost to the candidate for that recount in the entire jurisdiction.

11 (b) Recounts under this section shall be governed by rules adopted under  
12 G.S. 163-182.7(d).

13 (c) No complete hand-to-eye recount shall be conducted under this section if one has  
14 already been done under another provision of law."

15 **SECTION 33.** G.S. 163-182.15 is amended by adding a new subsection to read:

16 "(b1) Report on Revisions to Elections Records After Certification. – The State Board shall  
17 submit an annual report on any revisions made to any voter's voter history records other than  
18 routine updates following each election, including the rationale for and timing of the revisions,  
19 to the Joint Legislative Elections Oversight Committee and the Joint Legislative Oversight  
20 Committee on General Government no later than October 1 of each year."

21 **SECTION 34.(a)** G.S. 163-210 reads as rewritten:

22 "**§ 163-210. Governor to proclaim results; casting State's vote for President and**  
23 **Vice-President.**

24 Upon receipt of the certifications prepared by the State Board ~~of Elections~~ and delivered in  
25 accordance with G.S. 163-182.15, the Secretary of State, under seal of the office, shall notify the  
26 Governor of the names of the persons elected to the office of elector for President and  
27 Vice-President of the United States as stated in the abstracts of the State ~~Board of Elections-~~  
28 Board. Thereupon, the Governor shall immediately issue a proclamation setting forth the names  
29 of the electors and instructing them to be present in the old Hall of the House of Representatives  
30 in the State Capitol in the City of Raleigh at noon on the first ~~Monday~~ Tuesday after the second  
31 Wednesday in December next after their election, at which time the electors shall meet and vote  
32 on behalf of the State for President and Vice-President of the United States. The Governor shall  
33 cause this proclamation to be published in the daily newspapers published in the City of Raleigh.  
34 Notice may additionally be made on a radio or television station or both, but such notice shall be  
35 in addition to the newspaper and other required notice. The Secretary of State is responsible for  
36 making the actual arrangements for the meeting, preparing the agenda, and inviting guests.

37 Before the date fixed for the meeting of the electors, the Governor shall send by ~~registered~~  
38 ~~mail~~ the most expeditious method available to the Archivist of the United States, either three  
39 duplicate original certificates, or one original certificate and two authenticated copies of the  
40 Certificates of Ascertainment, under the great seal of the State setting forth the names of the  
41 persons chosen as presidential electors for this State and the number of votes cast for each. These  
42 Certificates of Ascertainment shall contain a security feature for purposes of verifying their  
43 authenticity and should be sent as soon as possible after the election, but must be received before  
44 the Electoral College meeting. At the same time the Governor shall deliver to the electors six  
45 duplicate originals of the same certificate, each bearing the great seal of the State. At any time  
46 prior to receipt of the certificate of the Governor or within 48 hours thereafter, any person elected  
47 to the office of elector may resign by submitting his resignation, written and duly verified, to the  
48 Governor. Failure to so resign shall signify consent to serve and to cast his vote for the candidate  
49 of the political party which nominated such elector.

50 In case of the absence, ineligibility or resignation of any elector chosen, or if the proper  
51 number of electors shall for any cause be deficient, the first and second alternates, respectively,

1 who were nominated under G.S. 163-1(c), shall fill the first two vacancies. If the alternates are  
 2 absent, ineligible, resign, or were not chosen, or if there are more than two vacancies, then the  
 3 electors present at the required meeting shall forthwith elect from the citizens of the State a  
 4 sufficient number of persons to fill the deficiency, and the persons chosen shall be deemed  
 5 qualified electors to vote for President and Vice-President of the United States."

6 **SECTION 34.(b)** G.S. 163-213(d) reads as rewritten:

7 "(d) Proclamation Before Electors' Meeting Day Controls. – If the proclamation of any  
 8 Presidential Elector under G.S. 163-210 is made any time before ~~noon on~~ the day set for the  
 9 meeting of Presidential Electors by 3 U.S.C. § 7, then that proclamation shall control over an  
 10 appointment made by the General Assembly or the Governor. This section does not preclude  
 11 litigation otherwise provided by law to challenge the validity of the proclamation or the  
 12 procedures that resulted in that proclamation."

13 **SECTION 35.** Article 20 of Chapter 163 of the General Statutes reads as rewritten:

14 "Article 20.

15 "Absentee Ballot.

16 ...

17 **"§ 163-226.3. Certain acts declared felonies.**

18 (a) Any person ~~who shall, who,~~ in connection with absentee voting in any election held  
 19 in this State, ~~do violates any of the acts or things declared in provisions of this section to be~~  
 20 ~~unlawful, shall be~~ section is guilty of a Class I felony. It shall be unlawful; unlawful to do any of  
 21 the following:

- 22 (1) For any person except the voter's near relative or the voter's verifiable legal  
 23 guardian to assist the voter to vote an absentee ballot when the voter is voting  
 24 an absentee ~~ballot other than under the procedure described in G.S. 163-227.2,~~  
 25 ~~163-227.5, and 163-227.6;~~ ballot; provided that if there is not a near relative  
 26 or legal guardian available to assist the voter, the voter may request some other  
 27 person to give assistance.
- 28 (2) ~~For any person to assist a voter to vote an absentee ballot under the absentee~~  
 29 ~~voting procedure authorized by G.S. 163-227.2, 163-227.5, and 163-227.6~~  
 30 ~~except as provided in that section.~~
- 31 (3) For a voter who votes ~~an absentee ballot under the procedures authorized by~~  
 32 ~~G.S. 163-227.2, 163-227.5, and 163-227.6~~ a ballot in accordance with Part 5  
 33 of Article 14A of this Chapter to vote that voter's ~~absentee~~ ballot outside of  
 34 the voting booth or private room provided to the voter for that purpose ~~in or~~  
 35 ~~adjacent to the office of the county board of elections or at the additional site~~  
 36 ~~provided by G.S. 163-227.2,~~ or to receive assistance except as provided in  
 37 ~~G.S. 163-227.2, 163-227.5, and 163-227.6.~~ Article 14A of this Chapter.
- 38 (4) For any owner, manager, director, employee, or other person, other than the  
 39 voter's near relative or verifiable legal guardian, to (i) make a written request  
 40 pursuant to G.S. 163-230.1 or (ii) sign an application or certificate as a  
 41 witness, on behalf of a registered voter, who is a patient in any hospital, clinic,  
 42 nursing home or rest home in this State or for any owner, manager, director,  
 43 employee, or other person other than the voter's near relative or verifiable legal  
 44 guardian, to mark the voter's absentee ballot or assist such a voter in marking  
 45 an absentee ballot. This subdivision does not apply to members, employees,  
 46 or volunteers of the county board of elections, if those members, employees,  
 47 or volunteers are working as part of a multipartisan team trained and  
 48 authorized by the county board of elections to assist voters with absentee  
 49 ballots. Each county board of elections shall train and authorize such teams,  
 50 pursuant to procedures which shall be adopted by the State ~~Board of Elections.~~  
 51 Board. If neither the voter's near relative nor a verifiable legal guardian is

1 available to assist the voter, and a bipartisan team is not available to assist  
 2 the voter within seven calendar days of a telephonic request to the county  
 3 board of elections, the voter may obtain such assistance from any person other  
 4 than (i) an owner, manager, director, employee of the hospital, clinic, nursing  
 5 home, or rest home in which the voter is a patient or resident; (ii) an individual  
 6 who holds any elective office under the United States, this State, or any  
 7 political subdivision of this State; (iii) an individual who is a candidate for  
 8 nomination or election to such office; or (iv) an individual who holds any  
 9 office in a State, congressional district, county, or precinct political party or  
 10 organization, or who is a campaign manager or treasurer for any candidate or  
 11 political party; provided that a delegate to a convention shall not be considered  
 12 a party office. None of the persons listed in (i) through (iv) of this subdivision  
 13 may sign the application or certificate as a witness for the patient.

14 (5) For any person to take into that person's possession for delivery to a voter or  
 15 for return to a county board of elections the absentee ballot of any voter,  
 16 provided, however, that this prohibition shall not apply to a voter's near  
 17 relative or the voter's verifiable legal guardian.

18 (6) Except as provided in subsections (1), (2), (3) and (4) of this ~~section~~, section  
 19 and G.S. 163-231(a), and G.S. 163-227.2(e), for any voter to permit another  
 20 person to assist the voter in marking that voter's absentee ballot, to be in the  
 21 voter's presence when a voter votes an absentee ballot, or to observe the voter  
 22 mark that voter's absentee ballot.

23 (b) The State Board of Elections or a county board of elections, upon receipt of a sworn  
 24 affidavit from any qualified voter of the State or the county, as the case may be, attesting to  
 25 first-person knowledge of any violation of subsection (a) of this section, shall transmit that  
 26 affidavit to the appropriate district attorney, who shall investigate and prosecute any person  
 27 violating subsection (a).

28 ...

29 **"§ 163-227.10. Date by which absentee ballots must be available for voting.**

30 ...

31 (b) ~~Second Primary.~~—The board of elections shall provide absentee ballots, of the kinds  
 32 needed, as quickly as possible after the ballot information for a second primary has been  
 33 determined.

34 (c) At least once per primary or election, each county board of elections and the State  
 35 Board shall publish on its website or in any mailing sent to voters the date by which absentee  
 36 ballots are available for voting.

37 **"§ 163-228. Register of absentee requests, applications, and ballots issued; a public record.**

38 ...

39 (b) The State Board may provide for the official ~~registers~~ register required by this section  
 40 to be kept by electronic data processing equipment.

41 (c) The official register required by ~~subsection (a)~~ of this section shall be confidential  
 42 and not a public record until the opening of the voting place in accordance with ~~G.S. 163-166.01,~~  
 43 G.S. 163-166.25, at which time the official register shall constitute a public record. ~~The official~~  
 44 ~~register required by subsection (a1) of this section shall constitute a public record and shall be~~  
 45 ~~opened to the inspection of any registered voter of the county within 60 days before and 30 days~~  
 46 ~~after an election in which absentee ballots were authorized, or at any other time when good and~~  
 47 ~~sufficient reason may be assigned for its inspection.~~

48 ...

49 **"§ 163-229. Absentee ballots, applications on container-return envelopes, and instruction**  
 50 **sheets.**

1 (a) Absentee Ballot Form. – In accordance with the provisions of G.S. 163-230.1, persons  
2 entitled to vote by absentee ballot shall be furnished with official ballots.

3 (b) Application on Container-Return Envelope. – In time for use not later than 60 days  
4 before a statewide general election in an even-numbered year, and not later than 50 days before  
5 a statewide primary, other general election or county bond election, the county board of elections  
6 shall print a sufficient number of envelopes in which persons casting absentee ballots may  
7 transmit their marked ballots to the county board of elections. However, in the case of municipal  
8 elections, sufficient container-return envelopes shall be made available no later than 30 days  
9 before an election. Each container-return envelope shall have printed on it an application which  
10 shall be designed and prescribed by the State Board, providing for all of the following:

- 11 (1) The voter's certification of eligibility to vote the enclosed ballot and of having  
12 voted the enclosed ballot in accordance with this Part.
- 13 (2) A space for identification of the envelope with the voter and the voter's  
14 signature.
- 15 (3) A space for the identification of the two persons witnessing the casting of the  
16 absentee ballot in accordance with G.S. 163-231, those persons' signatures,  
17 those persons' printed names, and those persons' addresses.
- 18 (4) A space for the name and address of any person who, as permitted under  
19 G.S. 163-226.3(a), assisted the voter if the voter is unable to complete and  
20 sign the certification and that individual's signature.
- 21 (5) A space for approval by the county board of elections.
- 22 (6) A space to allow reporting of a change of name as provided by  
23 G.S. 163-82.16.
- 24 (7) A prominent display of the unlawful acts under G.S. 163-226.3 and  
25 G.S. 163-275, except if there is not room on the envelope, the State Board  
26 may provide for that disclosure to be made on a separate piece of paper to be  
27 included along with the container-return envelope.
- 28 (8) An area to attach additional documentation necessary to comply with the  
29 identification requirements in accordance with State Board rules, as provided  
30 in G.S. 163-230.1.
- 31 (9) A bar code or other unique ~~identifier~~ identifier, affixed by the county board of  
32 elections, to allow both the county board of elections and the voter to track the  
33 ballot following return of the voted ballot to the county board of elections by  
34 the voter.

35 The container-return envelope shall be printed in accordance with the instructions of the State  
36 Board, which shall prohibit the display of the voter's party affiliation on the outside of the  
37 container-return envelope.

38 (c) Instruction Sheets. – In time for use not later than 60 days before a statewide general  
39 election in an even-numbered year, and not later than 50 days before a statewide ~~primary, other~~  
40 primary or general election or county bond election, the county board of elections shall prepare  
41 and print a sufficient number of sheets of instructions on how voters are to prepare absentee  
42 ballots and return them to the county board of elections. The instruction sheets shall include the  
43 means by which the voter's marked absentee ballot must be returned to the county board of  
44 elections and the date and time that the ballot must be received by the county board of elections.  
45 However, in the case of municipal elections, instruction sheets shall be made available no later  
46 than 30 days before an election.

47 ...

48 **"§ 163-230.1. Simultaneous issuance of absentee ballots with application.**

49 ...

1        (a2) Publish Deadline for Written Request and Ballot. – At least once per primary or  
2 election, each county board of elections and the State Board shall publish on its website or in any  
3 mailing sent to voters the following information:

4            (1) The date by which a completed request form as described in subsection (a) of  
5 this section must be received by a county board of elections.

6            (2) The means by which the voter's marked absentee ballot must be returned to  
7 the county board of elections.

8            (3) The date and time the voter's completed absentee ballot must be received by  
9 the county board of elections in order to be counted.

10        (b) Absence for Sickness or Physical Disability. – Notwithstanding the provisions of  
11 subsection (a) of this section, if a voter expects to be unable to go to the voting place to vote in  
12 person on election day because of that voter's sickness or other physical disability, that voter or  
13 that voter's near relative or verifiable legal guardian may make the request for absentee ballots in  
14 person to the board of elections of the county in which the voter is registered after 5:00 ~~p.m.~~ P.M.  
15 on the Tuesday before the election but not later than 5:00 ~~p.m.~~ P.M. on the day before the election.  
16 The county board of elections shall treat that completed request form in the same manner as a  
17 request under subsection (a) of this section but may personally deliver the application and ballots  
18 to the voter or that voter's near relative or verifiable legal guardian, and shall enter in the register  
19 of absentee requests, applications, and ballots issued the information required in G.S. 163-228 as  
20 soon as each item of that information becomes available. The county board of elections shall  
21 personally deliver to the requester in a single package:

22            (1) The official ballots the voter is entitled to vote.

23            (2) A container-return envelope for the ballots, printed in accordance with  
24 G.S. 163-229.

25            (3) An instruction sheet.

26            (4) A clear statement of the requirement for a photocopy of identification  
27 described in G.S. 163-166.16(a) or an affidavit as described in  
28 G.S. 163-166.16(d)(1), (d)(2), or (d)(3) with the returned application and  
29 voted ballots.

30        (c) Delivery of Absentee Ballots and Container-Return Envelope to Applicant. – When  
31 the county board of elections receives a completed request form for applications and absentee  
32 ballots from the voter, or the near relative or the verifiable legal guardian of that voter, the county  
33 board shall promptly issue and transmit them to the voter in accordance with the following  
34 instructions:

35            (1) On the top margin of each ballot the applicant is entitled to vote, the chair, a  
36 member, officer, or employee of the board of elections shall write or type the  
37 words "Absentee Ballot No. \_\_\_\_ " or an abbreviation approved by the State  
38 Board and insert in the blank space the number assigned the applicant's  
39 application in the register of absentee requests, applications, and ballots  
40 issued. That person shall not write, type, or print any other matter upon the  
41 ballots transmitted to the absentee voter. Alternatively, the board of elections  
42 may cause to be barcoded on the ballot the voter's application number, if that  
43 barcoding system is approved by the State Board.

44            (2) The chair, member, officer, or employee of the board of elections shall fold  
45 and place the ballots (identified in accordance with the preceding instruction)  
46 in a container-return envelope and write or type in the appropriate blanks  
47 thereon, in accordance with the terms of G.S. 163-229(b), the absentee voter's  
48 name, the absentee voter's application number, and the designation of the  
49 precinct in which the voter is registered. If the ballot is barcoded under this  
50 section, the envelope may be barcoded rather than having the actual number

1 appear. The person placing the ballots in the envelopes shall leave the  
2 container-return envelope holding the ballots unsealed.

- 3 (3) The chair, member, officer, or employee of the board of elections shall then  
4 place the unsealed container-return envelope holding the ballots together with  
5 printed instructions for voting and returning the ballots, in an envelope  
6 addressed to the voter at the post office address stated in the request, seal the  
7 envelope, and mail it at the expense of the county board of elections: Provided,  
8 that in case of a request received after 5:00 ~~p.m.~~ P.M. on the Tuesday before  
9 the election under the provisions of subsection (b) of this section, in lieu of  
10 transmitting the ballots to the voter in person or by mail, the chair, member,  
11 officer, or employee of the board of elections may deliver the sealed envelope  
12 containing the instruction sheet and the container-return envelope holding the  
13 ballots to a near relative or verifiable legal guardian of the voter.

14 The county board of elections may receive completed written request forms for applications  
15 at any time prior to the election but shall not mail applications and ballots to the voter or issue  
16 applications and ballots in person earlier than 60 days prior to the statewide general election in  
17 an even-numbered year, or earlier than 50 days prior to any other ~~election, except as provided in~~  
18 ~~G.S. 163-227.2, 163-227.5, and 163-227.6.~~ election. No election official shall issue applications  
19 for absentee ballots except in compliance with this Article.

20 (d) Voter to Complete. – The application shall be completed and signed by the voter  
21 personally, the ballots marked, the ballots sealed in the container-return envelope, and the  
22 certificate completed as provided in G.S. 163-231.

23 (e) Approval of Applications. – At its next official meeting after return of the completed  
24 container-return envelope with the voter's ballots, the county board of elections shall determine  
25 whether the container-return envelope has been properly executed. If the board determines that  
26 the container-return envelope has been properly executed, it shall approve the application and  
27 deposit the container-return envelope with other container-return envelopes for the envelope to  
28 be opened and the ballots counted at the same time as all other container-return envelopes and  
29 absentee ballots.

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

- 34 (1) The voter did not sign the voter certification as required by  
35 G.S. 163-231(a)(4).  
36 (2) The voter signed the application in the wrong place on the application.  
37 (3) The voter failed to include with the container-return envelope a photocopy of  
38 identification described in G.S. 163-166.16(a) or an affidavit as described in  
39 G.S. 163-166.16(d)(1), (d)(2), or (d)(3), as required by subsection (f1) of this  
40 section.

41 Any container-return envelope with a curable deficiency that is transmitted to the county  
42 board shall be considered timely if cure documentation is received no later than the end of  
43 business on the business day before the canvass conducted by the county board of elections held  
44 pursuant to G.S. 163-182.5. Cure documentation may be transmitted via e-mail to the county  
45 board of elections if the deficiency is one described in subdivision (3) of this subsection. The  
46 notification of voters regarding curable deficiencies is an administrative task that may be  
47 performed by county board staff and is not required to be performed at an absentee meeting as  
48 provided for in subsection (f) of this section. The voter shall be notified of curable deficiencies  
49 by mail, and by telephone or email if the telephone number or email address was provided by the  
50 voter on the application on the container-return envelope.



1 (f) Required Meeting of County Board of Elections. – During the period commencing on  
2 the fifth Tuesday before an election, in which absentee ballots are authorized, the county board  
3 of elections shall hold one or more public meetings each Tuesday at 5:00 ~~p.m.~~ P.M. for the  
4 purpose of action on applications for absentee ballots. At these meetings, the county board of  
5 elections shall pass upon applications for absentee ballots.

6 If the county board of elections changes the time of holding its meetings or provides for  
7 additional meetings in accordance with the terms of this subsection, notice of the change in hour  
8 and notice of the schedule of additional meetings, if any, shall be published in a newspaper  
9 circulated in the county at least 30 days prior to the election.

10 At the time the county board of elections makes its decision on an application for absentee  
11 ballots, the board shall enter in the appropriate column in the register of absentee requests,  
12 applications, and ballots issued opposite the name of the applicant a notation of whether the  
13 applicant's application was "Approved" or "Disapproved".

14 The decision of the board on the validity of an application for absentee ballots shall be final  
15 subject only to such review as may be necessary in the event of an election contest. The county  
16 board of elections shall constitute the proper official body to pass upon the validity of all  
17 applications for absentee ballots received in the county; this function shall not be performed by  
18 the chair or any other member of the board individually.

19 ...

#### 20 **"§ 163-230.2. Method of requesting absentee ballots.**

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

- 29 (1) The name and address of the residence of the voter.
- 30 (2) The name and address of the voter's near relative or verifiable legal guardian  
31 if that individual is making the request.
- 32 (3) The address of the voter to which the application and absentee ballots are to  
33 be mailed if different from the residence address of the voter.
- 34 (4) One of the following:
  - 35 a. The number of the applicant's North Carolina drivers license issued  
36 under Article 2 of Chapter 20 of the General Statutes, including a  
37 learner's permit or a provisional license.
  - 38 b. The number of the applicant's special identification card for  
39 nonoperators issued under G.S. 20-37.7.
  - 40 c. The last four digits of the applicant's social security number.
- 41 (5) The voter's date of birth.
- 42 (6) The signature of the voter or of the voter's near relative or verifiable legal  
43 guardian if that individual is making the request.
- 44 (7) A clear indicator of the date the election generating the request is to be held,  
45 except for annual calendar year requests in accordance with G.S. 163-226(b).
- 46 (8) The telephone number and e-mail address of the voter; however, no request  
47 shall be denied for failure to include this information and the request shall  
48 state that this information is optional and would be used to contact the voter  
49 regarding any deficiencies in the returned executed absentee ballots.

50 ...

#### 51 **"§ 163-231. Voting absentee ballots and transmitting them to the county board of elections.**

1 (a) Procedure for Voting Absentee Ballots. – In the presence of two persons who are at  
2 least 18 years of age, and who are not disqualified by G.S. 163-226.3(a)(4) or G.S. 163-237(c),  
3 the voter shall do all of the following:

- 4 (1) Mark the voter's ballots, or cause them to be marked by that person in the  
5 voter's presence according to the voter's instruction.
- 6 (2) Fold each ballot separately, or cause each of them to be folded in the voter's  
7 presence.
- 8 (3) Place the folded ballots in the container-return envelope and securely seal it,  
9 or have this done in the voter's presence.
- 10 (4) Make the application printed on the container-return envelope according to  
11 the provisions of G.S. 163-229(b) and make the certificate printed on the  
12 container-return envelope according to the provisions of G.S. 163-229(b).
- 13 (5) Require those two persons in whose presence the voter marked that voter's  
14 ballots to sign and print their names on the application and certificate as  
15 witnesses and to indicate those persons' addresses. Failure to list a ZIP code  
16 does not invalidate the application and certificate. Failure to include a printed  
17 witness name does not invalidate the application and certificate if the identity  
18 of an individual can solely be ascertained by the witness's signature.
- 19 (6) Do one of the following:
  - 20 a. Have the application notarized. The notary public may be the person  
21 in whose presence the voter marked that voter's ballot.
  - 22 b. Have the two persons in whose presence the voter marked that voter's  
23 ballots to certify that the voter is the registered voter submitting the  
24 marked ballots.

25 Alternatively to the prior paragraph of this subsection, any requirement for two witnesses  
26 shall be satisfied if witnessed by one notary public, who shall comply with all the other  
27 requirements of that paragraph. The notary shall affix a valid notarial seal to the envelope, and  
28 include the word "Notary Public" below his or her signature.

29 The persons in whose presence the ballot is marked shall at all times respect the secrecy of  
30 the ballot and the privacy of the absentee voter, unless the voter requests assistance and that  
31 person is otherwise authorized by law to give assistance. When thus executed, the sealed  
32 container-return envelope, with the ballots enclosed, shall be transmitted in accordance with the  
33 provisions of subsection (b) of this section to the county board of elections which issued the  
34 ballots.

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

- 38 (1) All ballots issued under the provisions of this Article and Article 21A of this  
39 Chapter shall be transmitted by mail by one of the following means:
  - 40 a. Mail or by commercial courier service, at the voter's expense, or  
41 delivered and received by the county board not later than 7:30 P.M. on  
42 the day of the statewide primary or general election or county bond  
43 election.
  - 44 b. Delivered in person, or by the voter or the voter's near relative or  
45 verifiable legal guardian and received by guardian, to the county board  
46 not later than 5:00 p.m.-7:30 P.M. on the day of the statewide primary  
47 or general election or county bond election.
  - 48 c. Ballots Electronically transmitted to the county board, if the ballot was  
49 issued under the provisions of Article 21A of this Chapter may also be  
50 electronically transmitted. Chapter.

(2) If ballots are received later than the hour stated in subdivision (1) of this subsection, those ballots shall not be accepted unless ~~one of the following applies:~~ required by federal law or the ballots are received in accordance with Article 21A of this Chapter or the State Board or court order extended the closing time of the polls for every poll in the county in accordance with G.S. 163-166.25. If the State Board or court order so extended the closing time of the polls, the ballots shall be received by the closing time as extended by the State Board or court order in order to be counted.

- ~~a. Federal law so requires.~~
- ~~b. The ballots issued under this Article are postmarked and that postmark is dated on or before the day of the statewide primary or general election or county bond election and are received by the county board of elections not later than three days after the election by 5:00 p.m.~~
- ~~e. The ballots issued under Article 21A of this Chapter are received by the county board of elections not later than the end of business on the business day before the canvass conducted by the county board of elections held pursuant to G.S. 163-182.5.~~

(c) Delivering Executed Absentee Ballots in Person. – For purposes of this section, "Delivered in person" includes ~~delivering physically handing the voted absentee ballot to an election official at a one stop an early voting site under G.S. 163-227.2, 163-227.5, and 163-227.6~~ Part 5 of Article 14A of this Chapter during any time that early voting site is open for voting. ~~voting,~~ but does not include depositing the voted absentee ballot in a drop box or other location designated for the return of voted absentee ballots. The voted absentee ballots delivered to the early voting site shall be kept securely and delivered by election officials at that early voting site to the county board of elections office for processing.

**"§ 163-232. Certified list of executed absentee ballots; distribution of list.**

(a) The county board of elections shall prepare, or cause to be prepared, a list in at least quadruplicate, of all absentee ballots returned to the county board of elections to be counted, which have been approved by the county board of elections, and which have been received as of 5:00 ~~p.m.~~ P.M. on the day before the election. At the end of the list, the chair shall execute the following certificate under oath:

"State of North Carolina  
County of \_\_\_\_\_

I, \_\_\_\_\_, chair of the \_\_\_\_\_ County board of elections, do hereby certify that the foregoing is a list of all executed absentee ballots to be voted in the election to be conducted on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, which have been approved by the county board of elections and which have been returned no later than 5:00 ~~p.m.~~ P.M. on the day before the election. I certify that the chair, member, officer, or employee of the board of elections has not delivered ballots for absentee voting to any person other than the voter, by mail or by commercial courier service or in person, except as provided by law, and have not mailed or delivered ballots when the request for the ballot was received after the deadline provided by law.

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_

(Signature of chair of  
county board of elections)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Witness my hand and official seal.

\_\_\_\_\_  
(Signature of officer  
administering oath)

(Title of officer)"

(b) No later than 10:00 ~~a.m.~~ A.M. on election day, the county board of elections shall cause one copy of the list of executed absentee ballots, which may be a continuing countywide list or a separate list for each precinct, to be immediately (i) submitted electronically in a manner approved by the State Board of Elections or (ii) deposited as "first-class" mail to the State Board of Elections. ~~Board.~~ The board shall retain one copy in the board office for public inspection and the board shall cause two copies of the appropriate precinct list to be delivered to the chief judge of each precinct in the county. The county board of elections shall be authorized to call upon the sheriff of the county to distribute the list to the precincts. In addition the county board of elections shall, upon request, provide a copy of the complete list to the chair of each political party, recognized under the provisions of G.S. 163-96, represented in the county.

The chief judge shall post one copy of the list immediately in a conspicuous location in the voting place and retain one copy until all challenges of absentee ballots have been heard by the county board of elections. Challenges shall be made to absentee ballots as provided in G.S. 163-96.

...

**"§ 163-232.1. Certified list of executed absentee ballots received on or after election day; publication of list.**

(a) The county board of elections shall prepare, or cause to be prepared, a list in at least triplicate, of all absentee ballots issued under ~~Article 20 of this Chapter~~ this Article returned to the county board of elections to be counted, which have been approved by the county board of elections, have not been included on the certified list prepared pursuant to G.S. 163-232, ~~and which have been postmarked by the day of the statewide primary or general election or county bond election~~ and have been received by the county board of elections not later than three days after the election by 5:00 p.m. 7:30 P.M., or the time provided in G.S. 163-231(b), on the day of the statewide primary or general election or county bond election. The list shall be supplemented with new information each business day following the day of the election until the deadline for receipt of such absentee ballots. At the end of the list, the ~~chairman~~ chair shall execute the following certificate under oath:

"State of North Carolina

County of \_\_\_\_\_

I, \_\_\_\_\_, ~~chairman~~ chair of the \_\_\_\_\_ County Board of Elections, do hereby certify that the foregoing is a list of all executed absentee ballots to be voted in the election to be conducted on the \_\_\_\_\_ day of \_\_\_\_\_, which have been approved by the county board of elections ~~and which have been postmarked by the day of the statewide primary or general election or county bond election~~ and have been received by the county board of elections not later than three days after the election by 5:00 p.m. 7:30 P.M., or the time provided in G.S. 163-231(b), on the day of the statewide primary or general election or county bond election. I certify that the ~~chairman~~ chair, member, officer, or employee of the board of elections has not delivered ballots for absentee voting to any person other than the voter, by mail or by commercial courier service or in person, except as provided by law, and have not mailed or delivered ballots when the request for the ballot was received after the deadline provided by law.

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
(Signature of ~~chairman~~ chair of county board of elections)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Witness my hand and official seal.

\_\_\_\_\_  
(Signature of officer administering oath)

\_\_\_\_\_  
(Title of officer)"

(b) The county board of elections shall prepare, or cause to be prepared, a list in at least triplicate, of all military-overseas ballots issued under Article 21A of this Chapter and returned to the county board of elections to be counted, which have been approved by the county board of elections, have not been included on the certified list prepared pursuant to G.S. 163-232, and which have been received by the county board of elections not later than ~~three days after the election by 5:00 p.m.~~ 7:30 P.M., or the time provided in G.S. 163-231(b), on the day of the statewide primary or general election or county bond election. The list shall be supplemented with new information each business day following the day of the statewide primary or general election or county bond election until the deadline for receipt of such absentee ballots. At the end of the list, the chair shall execute the following certificate under oath:

"State of North Carolina

County of \_\_\_\_\_

I, \_\_\_\_\_, chair of the \_\_\_\_\_ County Board of Elections, do hereby certify that the foregoing is a list of all executed military-overseas ballots to be voted in the election to be conducted on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, which have been approved by the county board of elections, and which have been ~~postmarked by the day of the statewide primary or general election or county bond election and received by the county board of elections not later than three days after the election by 5:00 p.m.~~ 7:30 P.M., or the time provided in G.S. 163-231(b), on the day of the statewide primary or general election or county bond election. I further certify that I have issued ballots to no other persons than those listed herein and further that I have not delivered military-overseas ballots to persons other than those listed herein; that this list constitutes the only precinct registration of covered voters whose names have not heretofore been entered on the regular registration of the appropriate precinct.

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
(Signature of chair of county board of elections)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Witness my hand and official seal.

\_\_\_\_\_  
(Signature of officer administering oath)

\_\_\_\_\_  
(Title of officer)"

...  
**§ 163-232.2. Ballot reporting.**

(a) Each county board of elections shall report the following to the State Board during each day of the early voting period:

(1) The number of mail-in absentee ballots that have been spoiled due to the voter voting in person at an early voting site after requesting a mail-in absentee ballot.

(2) The number of outstanding mail-in absentee ballots, including the total number of mail-in absentee ballots sent to date and the total number of mail-in absentee ballots received to date.

(b) Each county board of elections shall report the following to the State Board on the day after the day of the election:

(1) The number of mail-in absentee ballots that have been counted.

1           (2)    The number of outstanding mail-in absentee ballots, including the total  
 2           number of mail-in absentee ballots sent to date and the total number of mail-in  
 3           absentee ballots received to date.

4           (3)    The number of provisional ballots cast.

5           (c)    The reports required by this section shall be completed in the manner specified by the  
 6           State Board. The State Board shall publish each report received by a county board of elections  
 7           pursuant to this section on its website each day. Each list shall be made publicly available and  
 8           shall be published in a readable and usable format.

9    **"§ 163-233. Applications for absentee ballots; how retained.**

10    ...

11    (c)    All applications for absentee ballots shall be retained by the county board of elections  
 12    for a period of ~~one year after which those applications may be destroyed.~~ 22 months after the  
 13    corresponding election or as otherwise specified in federal law, whichever is greater.

14    ...

15    **"§ 163-234. Counting absentee ballots by county board of elections.**

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

19    (1)    Only those absentee ballots returned to the county board of elections ~~no later~~  
 20    ~~than 5:00 p.m. on the day before election day~~ in a properly executed  
 21    container-return envelope ~~or absentee ballots and~~ received pursuant to  
 22    ~~G.S. 163-231(b)(2)b. or e. G.S. 163-231~~ shall be counted, ~~except to the extent~~  
 23    ~~federal law requires otherwise counted.~~ Absentee ballots not received  
 24    pursuant to all requirements in G.S. 163-231 shall not be deemed to be valid  
 25    and shall not be counted. Absentee ballots received prior to election day shall  
 26    be counted on election day. An absentee ballot returned in an executed  
 27    container-return envelope containing a deficiency listed in G.S. 163-230.1(e)  
 28    shall be counted if documentation curing the deficiency is timely received by  
 29    the county board of elections in accordance with the requirements of  
 30    G.S. 163-230.1(e).

31    (2)    The county board of elections shall meet at ~~5:00 p.m.~~ P.M. on election day in  
 32    the board office or other public location in the county courthouse for the  
 33    purpose of counting all absentee ballots except those which have been  
 34    challenged before ~~5:00 p.m.~~ P.M. on election ~~day and day,~~ those received on  
 35    election day, and those received pursuant to G.S. 163-231(b)(2)b. or e.  
 36    G.S. 163-231(b)(2). Any elector of the county shall be permitted to attend the  
 37    meeting and allowed to observe the counting process, so long as the elector  
 38    does not in any manner interfere with the election officials in the discharge of  
 39    their duties.

40           The county board of elections may begin counting absentee ballots issued  
 41    under Article 21A of this Chapter between the hours of ~~9:00 a.m.~~ A.M. and  
 42    ~~5:00 p.m.~~ P.M. and may begin counting all absentee ballots between the hours  
 43    of ~~2:00 p.m.~~ P.M. and ~~5:00 p.m.~~ P.M. upon the adoption of a resolution at least  
 44    two weeks prior to the election in which the hour and place of counting  
 45    absentee ballots shall be stated. The resolution also may provide for an  
 46    additional meeting following the day of the election and prior to the day of  
 47    canvass to count absentee ballots received ~~pursuant to G.S. 163-231(b)(2)b.~~  
 48    ~~or e. on election day~~ as provided in subdivision (11) of this section. A copy of  
 49    the resolution shall be published once a week for two weeks prior to the  
 50    election, in a newspaper having general circulation in the county. Notice may  
 51    additionally be made on a radio or television station or both, but the notice

1 shall be in addition to the newspaper and other required notice. The count shall  
2 be continuous until completed and the members shall not separate or leave the  
3 counting place except for unavoidable necessity, except that if the count has  
4 been completed prior to the time the polls close, it shall be suspended until  
5 that time pending receipt of any additional ballots. Nothing in this section  
6 prohibits a county board of elections from taking preparatory steps for the  
7 count earlier than the times specified in this section, as long as the preparatory  
8 steps do not reveal to any individual not engaged in the actual count election  
9 results before the times specified in this subdivision for the count to begin. By  
10 way of illustration and not limitation, a preparatory step for the count would  
11 be the entry of tally cards from direct record electronic voting units into a  
12 computer for processing. The board shall not announce the result of the count  
13 before 7:30 ~~p.m.~~P.M.

14 (3) Notwithstanding subdivision (2) of this section, a county board of elections  
15 may, at each meeting at which it approves absentee ballot applications  
16 pursuant to G.S. 163-230.1(e) and (f), remove those ballots from their  
17 envelopes and have them read by an optical scanning machine, without  
18 printing the totals on the scanner. The board shall complete the counting of  
19 these ballots at the times provided in subdivision (2) of this section. The State  
20 Board of Elections shall provide instructions to county boards of elections for  
21 executing this procedure, and the instructions shall be designed to ensure the  
22 accuracy of the count, the participation of board members of both parties, and  
23 the secrecy of the results before election day. This subdivision applies only in  
24 counties that use optical scan devices to count absentee ballots.

25 (4) The counting of absentee ballots shall not commence until a majority and at  
26 least one board member of each political party represented on the board is  
27 present and that fact is publicly declared and entered in the official minutes of  
28 the county board.

29 (5) The county board of elections may employ such assistants as deemed  
30 necessary to count the absentee ballots, but each board member present shall  
31 be responsible for and observe and supervise the opening and tallying of the  
32 ballots.

33 (6) As each ballot envelope is opened, the board shall cause to be entered into a  
34 pollbook designated "Pollbook of Absentee Voters" the name of the absentee  
35 voter, or if the pollbook is computer-generated, the board shall check off the  
36 name. Preserving secrecy, the ballots shall be placed in the appropriate ballot  
37 boxes, at least one of which shall be provided for each type of ballot. ~~The~~  
38 ~~"Pollbook of Absentee Voters" shall also contain the names of all persons who~~  
39 ~~voted under G.S. 163-227.2, 163-227.5, and 163-227.6, but those names may~~  
40 ~~be printed by computer for inclusion in the pollbook.~~

41 After all ballots have been placed in the boxes, the counting process shall  
42 begin.

43 ~~If one stop ballots under G.S. 163-227.2, 163-227.5, and 163-227.6 are~~  
44 ~~counted electronically, that count shall commence at the time the polls close.~~  
45 ~~If one stop ballots are paper ballots counted manually, that count shall~~  
46 ~~commence at the same time as other absentee ballots are counted.~~

47 If a challenge transmitted to the board on canvass day by a chief judge is  
48 sustained, the ballots challenged and sustained shall be withdrawn from the  
49 appropriate boxes, as provided in G.S. 163-89(e).

50 As soon as the absentee ballots have been counted and the names of the  
51 absentee voters entered in the pollbook as required in this subdivision, the

board members and assistants employed to count the absentee ballots shall each sign the pollbook immediately beneath the last absentee voter's name entered in the pollbook. The county board of elections is responsible for the safekeeping of the pollbook of absentee voters.

- (7) Upon completion of the counting process the board members shall cause the results of the tally to be entered on the absentee abstract prescribed by the State ~~Board of Elections.~~ Board. The abstract shall be signed by the members of the board in attendance and the original mailed immediately to the State ~~Board of Elections.~~ The county board of elections may have a separate count on the abstract for one stop absentee ballots under G.S. 163-227.2, 163-227.5, and 163-227.6. Board.
- (8) One copy of the absentee abstract shall be retained by the county board of elections and the totals appearing on the absentee abstract shall be added to the final totals of all votes cast in the county for each office as determined on the official canvass.
- (9) In the event a political party does not have a member of the county board of elections present at the meeting to count absentee ballots due to illness or other cause of the member, the counting shall not commence until the county party ~~chairman~~ chair of the absent member, or a member of the party's county executive committee, is in attendance. The person shall act as an official witness to the counting and shall ~~sign~~ include his or her printed name and signature on the absentee ballot abstract as an "observer" abstract, along with the name of who designated him or her to attend.
- (10) The county board of elections shall retain all container-return envelopes and absentee ballots, in a safe place, for at least ~~four~~ 22 months, and longer if any contest is pending concerning the validity of any ballot.
- (11) The county board of elections shall meet after election day and prior to the date of canvass to determine whether the container-return envelopes for absentee ballots received on election day pursuant to ~~G.S. 163-231(b)(2)b. or e.~~ G.S. 163-231(b) have been properly executed. The county board of elections shall comply with the requirements of G.S. 163-230.1 for approval of applications. Any absentee ballots received pursuant to ~~G.S. 163-231(b)(2)b. or e.~~ G.S. 163-231(b)(2) shall be counted by the county board of elections on the day of canvass. The county board of elections may also meet following 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)b. or e.~~ G.S. 163-231(b)(2) upon the adoption of a resolution pursuant to subdivision (2) of this section. The county board of elections shall comply with all other requirements of this section and G.S. 163-230.1 for the counting of these absentee ballots.

...

**"§ 163-237. Certain violations of absentee ballot law made criminal offenses.**

...

(d6) Disclosure of Register of Absentee Ballot Requests. – Notwithstanding G.S. 132-3(a), any person who steals, releases, or possesses the official register of absentee requests for mail-in absentee ballots as provided in G.S. 163-228 prior to the opening of the voting place in accordance with ~~G.S. 163-166.01,~~ G.S. 163-166.25, for a purpose other than the conduct of business at the county board of elections, shall be guilty of a Class G felony.

...."

**SECTION 36.** G.S. 163-258.29 reads as rewritten:

**"§ 163-258.29. Absentee voting at office of board of elections. Early voting.**



1 Notwithstanding any other provisions of this Chapter, any covered voter under this Article  
2 shall be permitted to vote ~~an absentee a~~ ballot during early voting pursuant to ~~G.S. 163-227.2,~~  
3 ~~163-227.5, and 163-227.6~~ Part 5 of Article 14A of this Chapter if the covered voter has not  
4 already voted an absentee ballot which has been returned to the board of elections, and if the  
5 covered voter will not be in the county on the day of the primary or election.

6 In the event an absentee application or ballot has already been mailed to the covered voter  
7 applying to vote during early voting pursuant to ~~G.S. 163-227.2, 163-227.5, and 163-227.6, Part~~  
8 ~~5 of Article 14A of this Chapter,~~ the board of elections shall void the application and ballot unless  
9 the voted absentee ballot has been received by the board of elections. The covered voter shall be  
10 eligible to vote during early voting pursuant to ~~G.S. 163-227.2, 163-227.5, and 163-227.6~~ Part 5  
11 of Article 14A of this Chapter no later than 5:00 P.M. on the day next preceding the primary,  
12 second primary or election."

13 **SECTION 37.(a)** G.S. 163-274(b) reads as rewritten:

14 "(b) Class 1 Misdemeanor. – Any person ~~who shall,~~ who, in connection with any primary  
15 or election in this State, ~~do violates any of the acts and things declared in provision of this~~  
16 ~~subsection to be unlawful shall be~~ is guilty of a Class 1 misdemeanor. It shall be unlawful ~~for to~~  
17 do any of the following:

- 18 (1) For any person who has access to an official voted ballot or record to  
19 knowingly disclose in violation of G.S. 163-165.1(e) how an individual has  
20 voted that ballot.
- 21 (2) For any person to impersonate a chief judge, judge of election, or other  
22 precinct official while in the discharge of duties in the registration of voters  
23 or in conducting any primary or election.
- 24 (3) For any person other than the State Board or a county board of elections, or  
25 any employee of the State Board or a county board of elections, to affix or  
26 print any identifier for the purpose of tracking the form on any absentee ballot  
27 request form."

28 **SECTION 37.(b)** This section becomes effective December 1, 2023, and applies to  
29 offenses committed on or after that date.

30 **SECTION 38.** G.S. 163-275(a)(5) reads as rewritten:

31 "(5) For any person convicted of a crime which excludes the person from the right  
32 of suffrage, to vote ~~at in~~ any primary or election ~~without having been restored~~  
33 ~~to knowing~~ the right of citizenship has not been restored in due course and by  
34 the method provided by law."

35 **SECTION 39.(a)** G.S. 163-278 reads as rewritten:

36 "**§ 163-278. Duty of investigating and prosecuting violations of this Article.**

37 (a) It shall be the duty of the State Board ~~of Elections~~ and the district attorneys to  
38 investigate any violations of this Article, and the State Board and district attorneys are authorized  
39 and empowered to subpoena and compel the attendance of any person before them for the  
40 purpose of making such investigation.

41 (b) The State Board and the district attorneys are authorized to call upon the Director of  
42 the State Bureau of Investigation to furnish assistance by the State Bureau of Investigation in  
43 making the investigations of such violations. The State Board and county boards of elections  
44 shall cooperate with the State Bureau of Investigation at all times in such investigations and shall  
45 provide any information requested by the State Bureau of Investigation.

46 (c) The State Board shall furnish the district attorney a copy of ~~its investigation,~~ any  
47 investigations of violations of this Article. The district attorney shall initiate prosecution and  
48 prosecute any violations of this Article.

49 (d) The provisions of G.S. 163-278.28 shall be applicable to violations of this Article."

50 **SECTION 39.(b)** G.S. 163-22(d) reads as rewritten:

1 "(d) The State Board of Elections shall investigate when necessary or advisable, the  
2 administration of election laws, frauds and irregularities in elections in any county and  
3 municipality and special district, and shall report violations of the election laws to the Attorney  
4 General or district attorney or prosecutor of the district State Bureau of Investigation for further  
5 investigation and prosecution."

6 **SECTION 39.**(c) G.S. 143B-919 reads as rewritten:

7 "**§ 143B-919. Investigations of lynchings, election frauds, etc.; services subject to call of**  
8 **Governor; witness fees and mileage for employees.**

9 (a) The Bureau shall, upon request of the Governor, investigate and prepare evidence in  
10 the event of any lynching or mob violence in the State; ~~shall investigate all cases arising from~~  
11 ~~frauds in connection with elections when requested to do so by the Board of Elections, State and~~  
12 when so directed by the Governor. Such investigation, however, shall in nowise interfere with  
13 the power of the Attorney General to make such investigation as the Attorney General is  
14 authorized to make under the laws of the State. The Bureau is authorized further, at the request  
15 of the Governor, to investigate cases of frauds arising under the Social Security Laws of the State,  
16 of violations of the gaming laws, and lottery laws, and matters of similar kind when called upon  
17 by the Governor so to do. In all such cases it shall be the duty of the Department to keep such  
18 records as may be necessary and to prepare evidence in the cases investigated, for the use of  
19 enforcement officers and for the trial of causes. The services of employees of the Bureau may be  
20 required by the Governor in connection with the investigation of any crime committed anywhere  
21 in the State when called upon by the enforcement officers of the State, and when, in the judgment  
22 of the Governor, such services may be rendered with advantage to the enforcement of the criminal  
23 law. The State Bureau of Investigation is hereby authorized to investigate without request the  
24 attempted arson of, or arson of, damage of, theft from, or theft of, or misuse of, any State-owned  
25 personal property, buildings, or other real property or any assault upon or threats against any  
26 legislative officer named in G.S. 147-2(1), (2), or (3), any executive officer named in  
27 G.S. 147-3(c), or any court officer as defined in G.S. 14-16.10(1).

28 (a1) The Bureau shall investigate all cases arising from frauds in connection with elections  
29 in the State.

30 ...."

31 **SECTION 40.** G.S. 163-278.69(a) reads as rewritten:

32 "(a) Judicial Voter Guide. – The State Board shall publish a Judicial Voter Guide that  
33 explains the functions of the appellate courts and the laws concerning the election of appellate  
34 judges, the purpose and function of the Public Campaign Fund, and the laws concerning voter  
35 registration. The State Board shall distribute the Guide to as many voting-age individuals in the  
36 State as practical, through a mailing to all residences or other means it deems effective. The  
37 distribution shall occur no more than 28 days nor fewer than seven days before the ~~one-stop-early~~  
38 ~~voting period provided in G.S. 163-227.2, 163-227.5, and 163-227.6~~ Part 5 of Article 14A of this  
39 Chapter for the primary and no more than 28 days nor fewer than seven days before the ~~one-stop~~  
40 ~~early voting period provided in G.S. 163-227.2, 163-227.5, and 163-227.6~~ Part 5 of Article 14A  
41 of this Chapter for the general election."

42 **SECTION 41.** G.S. 163-302 reads as rewritten:

43 "**§ 163-302. Absentee and early voting.**

44 (a) In any municipal election, including a primary or general election or referendum,  
45 mail-in absentee voting and early voting may, upon resolution of the municipal governing body,  
46 be permitted. Such resolution must be adopted no later than 60 days prior to an election in order  
47 to be effective for that election. Any such resolution shall remain effective for all future elections  
48 unless repealed no later than 60 days before an election. A copy of all resolutions adopted under  
49 this section shall be filed with the State Board of Elections and the county board of elections  
50 conducting the election within 10 days of passage in order to be effective. In addition, mail-in

1 absentee voting and early voting shall be allowed in any referendum on incorporation of a  
2 municipality.

3 (b) The provisions of Articles 20 and ~~21-21A~~ of this Chapter shall apply to mail-in  
4 absentee voting in municipal elections, special district elections, and other elections for an area  
5 less than an entire county other than elections for the General Assembly, except that the earliest  
6 date by which mail-in absentee ballots shall be required to be available for mail-in absentee  
7 voting in such elections shall be 30 days prior to the primary or election or as quickly following  
8 the filing deadline specified in G.S. 163-291(2) or G.S. 163-294(c) as the county board of  
9 elections is able to secure the official ballots. In elections on incorporation of a municipality not  
10 held at the same time as another election in the same area, the county board of elections shall  
11 adopt a special schedule of meetings of the county board of elections to approve mail-in absentee  
12 ballot applications so as to reduce the cost of the process, and to further implement the last  
13 paragraph of G.S. 163-230(2)a. If no application has been received since the last meeting, no  
14 meeting shall be held of the county board of elections under such schedule unless the meeting is  
15 scheduled for another purpose. If another election is being held in the same area on the same day,  
16 or elsewhere in the county, the cost of per diem for meetings of the county board of elections to  
17 approve absentee ballots shall not be considered a cost of the election to be billed to the  
18 municipality being created."

19 **SECTION 42.** G.S. 136-32(b) reads as rewritten:

20 "(b) Compliant Political Signs Permitted. – During the period beginning on the 30<sup>th</sup> day  
21 before the beginning date of "~~one stop~~" early voting under ~~G.S. 163-227.2~~ G.S. 163-166.40 and  
22 ending on the 10<sup>th</sup> day after the primary or election day, persons may place political signs in the  
23 right-of-way of the State highway system as provided in this section. Signs must be placed in  
24 compliance with subsection (d) of this section and must be removed by the end of the period  
25 prescribed in this subsection. Any political sign remaining in the right-of-way of the State  
26 highway system more than 30 days after the end of the period prescribed in this subsection shall  
27 be deemed unlawfully placed and abandoned property, and a person may remove and dispose of  
28 such political sign without penalty."

29 **SECTION 43.** G.S. 143-166.42(c1) reads as rewritten:

30 "(c1) Notwithstanding the provisions of subdivision (3) of subsection (c) of this section,  
31 payments to a retired officer shall not cease when a local government employer employs a retired  
32 officer for any of the following:

- 33 (1) In a public safety position in a capacity not requiring participation in the Local  
34 Governmental Employees' Retirement System.
- 35 (2) In service to a county board of elections on an election day or during the hours  
36 for early voting under Part 5 of Article 14A of Chapter 163 of the General  
37 Statutes in a capacity that complies with G.S. 128-21(19) and does not result  
38 in cessation or suspension of the retiree's benefit from the Local Government  
39 Employees' Retirement System."

40 **SECTION 44.(a)** G.S. 9-3 reads as rewritten:

41 "**§ 9-3. Qualifications of prospective jurors.**

42 (a) ~~All persons are~~ A person is qualified to serve as jurors-a juror and to shall be included  
43 on the master jury list ~~who-if the person meets all of the following:~~

44 (1) ~~are citizens of the State~~ Is a citizen of the United States.

45 (2) Is a resident of the State.

46 (3) ~~and residents~~ Is a resident of the county, county.

47 (4) ~~who have~~ Has not served as jurors-a juror during the preceding two years  
48 years.

49 (5) ~~or who have~~ Has not served a full term of service as a grand jurors-juror during  
50 the preceding six years, years.

51 (6) ~~who are~~ Is 18 years of age or over, over.

1           (7) ~~who are~~ Is physically and mentally ~~competent, competent.~~

2           (8) ~~who can~~ Can understand the English ~~language, language.~~

3           (9) ~~who have~~ Has not been convicted of a felony or pleaded guilty or nolo  
4           contendere to an indictment charging a ~~felony (or felony, or if convicted of a~~  
5           felony or having ~~pleaded~~ plead guilty or nolo contendere to an indictment  
6           charging a ~~felony have felony, has had their that person's~~ citizenship restored  
7           pursuant to ~~law), law.~~

8           (10) ~~and who have~~ Has not been adjudged non compos mentis.

9           (b) ~~Persons~~ A person not qualified under this section ~~are is~~ subject to challenge for cause."

10          **SECTION 44.(b)** G.S. 9-6 reads as rewritten:

11          "**§ 9-6. Jury service a public duty; excuses to be allowed in exceptional cases; procedure.**

12          ...

13          (a1) All applications for excuses from jury duty, including applications based on  
14          disqualification under G.S. 9-3, shall be made on a form developed and furnished by the  
15          Administrative Office of the Courts. Applications shall allow prospective jurors to specify the  
16          reason for excusal based on disqualification, including lack of United States citizenship.

17          (b) Pursuant to the foregoing policy, each chief district court judge shall promulgate  
18          procedures whereby the chief district court judge or any district court judge of the chief district  
19          court judge's district court district designated by the chief district court judge, prior to the date  
20          that a jury session (or sessions) of superior or district court convenes, shall receive, hear, and  
21          pass on applications for excuses from jury duty. The procedures shall provide for the time and  
22          place, publicly announced, at which applications for excuses will be heard, and prospective jurors  
23          who have been summoned for service shall be so informed. The chief district court judge, after  
24          consultation with and with the consent of the clerk of superior court, may delegate the authority  
25          to receive, hear, and pass on applications for excuses from jury duty to the clerk of superior court.  
26          The chief district judge may also assign the duty of passing on applications for excuses from jury  
27          service to judicial support staff. In all cases concerning excuses, the clerk of superior court or  
28          judicial support staff shall notify prospective jurors of the disposition of their excuses.

29          ...

30          (e) The judge shall inform the clerk of superior court of persons excused under this  
31          section, and the clerk of superior court shall keep a record of excuses separate from the master  
32          jury ~~list~~ list in accordance with G.S. 9-6.2.

33          ...."

34          **SECTION 44.(c)** G.S. 9-6.1 reads as rewritten:

35          "**§ 9-6.1. Requests to be excused.**

36          (a) Any person summoned as a juror who is a full-time student and who wishes to be  
37          excused pursuant to G.S. 9-6(b1) or who is 72 years or older and who wishes to be excused,  
38          deferred, or exempted, may make the request without appearing in person by filing a signed  
39          statement of the ~~ground of grounds for~~ the request with the chief district court judge of that  
40          district, or the district court ~~judge~~ judge, clerk of superior court, or judicial support staff member  
41          member, if so designated by the chief district court judge pursuant to G.S. 9-6(b), at any time  
42          five business days before the date ~~upon which~~ the person is summoned to appear.

43          (b) Any person summoned as a juror who has a disability that could interfere with the  
44          person's ability to serve as a juror and who wishes to be excused, deferred, or exempted may  
45          make the request without appearing in person by filing a signed statement of the ground of the  
46          request, including a brief explanation of the disability that interferes with the person's ability to  
47          serve as a juror, with the chief district court judge of that district, or the district court ~~judge~~ judge,  
48          clerk of superior court, or judicial support staff member member, if so designated by the chief  
49          district court judge pursuant to G.S. 9-6(b), at any time five business days before the date ~~upon~~  
50          ~~which~~ the person is summoned to appear. ~~Upon~~ At the request of the court, medical  
51          documentation of any disability may be submitted. Any privileged medical information or

1 protected health information described in this section ~~shall be~~ is confidential and ~~shall be~~ is  
2 exempt from the provisions of Chapter 132 of the General Statutes or any other provision  
3 requiring information and records held by State agencies to be made public or accessible to the  
4 public.

5 (c) A person may request either a temporary or permanent exemption under this section,  
6 and the ~~judge-judge, clerk of superior court,~~ or judicial support staff member may accept or reject  
7 either in the exercise of discretion conferred by G.S. 9-6(b), including the substitution of a  
8 temporary exemption for a requested permanent exemption. In the case of supplemental jurors  
9 summoned under G.S. 9-11, notice may be given when summoned. In case the chief district court  
10 judge, or the ~~judge-judge, clerk of superior court,~~ or judicial support staff member designated by  
11 the chief district court judge pursuant to G.S. 9-6(b), rejects the request for exemption, the  
12 prospective juror shall be immediately notified by the judicial support staff member or the clerk  
13 of court by telephone, letter, or personally."

14 **SECTION 44.(d)** Article 1 of Chapter 9 of the General Statutes is amended by  
15 adding a new section to read:

16 **"§ 9-6.2. Reports of excusals from jury duty based on disqualification.**

17 (a) The name and address provided by each person who requests to be excused from jury  
18 duty on the basis that the person is not qualified to serve as a juror, along with the reason for that  
19 request, shall be retained by the clerk of superior court for the remainder of the biennium as  
20 described in G.S. 9-2. The records retained by the clerk are not public records under G.S. 132-1.  
21 The clerk of superior court may destroy the records at the end of each biennium as described in  
22 G.S. 9-2.

23 (b) The clerk of superior court shall, at least on a semiannual basis, communicate  
24 information regarding requests to be excused from jury duty on the basis that the person is not a  
25 citizen of the United States to the State Board of Elections, including the person's name, address,  
26 date of birth, and other personal information from the master jury list, along with the reasons for  
27 the person's disqualification and the date of disqualification. The State Board of Elections shall  
28 use this information to conduct list maintenance efforts in accordance with G.S. 163-82.14. The  
29 list of persons requesting to be disqualified from jury duty due to lack of being a citizen of the  
30 United States shall be a public record, subject to G.S. 163-82.10(a1).

31 (c) Nothing in this section shall be construed as a restriction on the authority of a local  
32 board of elections or the State Board of Elections to determine a person's eligibility to vote."

33 **SECTION 44.(e)** G.S. 163-82.14 reads as rewritten:

34 **"§ 163-82.14. List maintenance.**

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

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

43 (a1) ~~That program~~ Methods of List Maintenance; Cross State Checks. – List maintenance  
44 efforts under this section shall be nondiscriminatory and shall comply with the provisions of the  
45 Voting Rights Act of 1965, as amended, and with the provisions of the National Voter  
46 Registration Act. The State Board of Elections, Board, in addition to the methods set forth in this  
47 section, may use other methods toward the ends set forth in subdivisions (1) and (2) of this  
48 subsection, subsection (a) of this section, including address-updating services provided by the  
49 Postal Service, Service and entering into data sharing agreements with other states to cross-check  
50 information on voter registration and voting records. Any data sharing agreement shall require  
51 the other state or states to comply with G.S. 163-82.10 and G.S. 163-82.10B. Each county board

1 of elections shall conduct systematic efforts to remove names from its list of registered voters in  
2 accordance with this section and with the program adopted by the State Board. The county boards  
3 of elections shall complete their list maintenance mailing program by April 15 of every  
4 odd-numbered year, unless the State Board of Elections approves a different date for the county.

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

7 (1) At a minimum of once per week, the Department of Health and Human  
8 Services shall furnish free of charge to the State Board of Elections every  
9 month, Executive Director, in a format prescribed by the State Board of  
10 Elections, Board, the names of deceased persons who were residents of the  
11 State. The State Board of Elections Upon receipt of the list from the  
12 Department of Health and Human Services, the Executive Director shall  
13 distribute every month to each county board of elections the names on that list  
14 of deceased persons who were residents of that county. The Department of  
15 Health and Human Services shall base each list upon information supplied by  
16 death certifications it received during the preceding month. Upon the receipt  
17 of those names, each county board of elections shall remove from its voter  
18 registration records any person the list shows to be dead, deceased each week.

19 (2) Each county board of elections shall also remove from its voter registration  
20 records a person identified as deceased by Upon receipt of a signed statement  
21 of a near relative or personal representative of the estate of the a deceased  
22 voter, voter indicating that the person has died, a county board of elections  
23 shall remove the person identified as deceased from its voter registration  
24 records within one week of receipt of the signed statement. The county board  
25 need not does not need to send any notice to the address of the person so  
26 removed person before removing the person from its voter registration  
27 records.

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

30 (1) Report of Conviction Within the State. – The State Board of Elections, on or  
31 before the fifteenth day of every month, At a minimum of once per week, the  
32 Executive Director shall report to the county board of elections of that county  
33 the name, county of residence, and residence address if available, of each  
34 individual compile a list of individuals against whom a final judgment of  
35 conviction of a felony within this State has been entered in that county in the  
36 preceding calendar month entered. The Executive Director shall report to each  
37 appropriate county board of elections the names of individuals from that  
38 county appearing on such list each week.

39 (2) Report of Federal Conviction. – The At a minimum of once per week, the  
40 Executive Director of the State Board of Elections, upon receipt of shall  
41 compile a list of individuals against whom a federal conviction has been  
42 reported, based on a notice of conviction sent by a United States Attorney  
43 pursuant to section 8(g) of the National Voter Registration Act, Act. The  
44 Executive Director shall notify the report to each appropriate county boards  
45 board of elections of the conviction names of individuals from that county  
46 appearing on such list each week.

47 (3) County Board's Duty Upon Receiving Report of Conviction. – When a county  
48 board of elections receives a notice pursuant to subdivision (1) or (2) of this  
49 subsection relating to a resident of that county and that person is registered to  
50 vote in that county, the county board of elections shall, after giving 30 days'  
51 written notice to the voter at his registration address, the address associated

1           with that voter registration, and if the voter makes no objection, remove the  
2           person's name from its registration records. If the voter notifies the county  
3           board of elections of his objection to the removal within 30 days of the notice,  
4           the ~~chairman~~ chair of the county board of elections shall enter a challenge  
5           under G.S. 163-85(c)(5), and the notice the county board of elections received  
6           pursuant to this subsection shall be prima facie evidence for the preliminary  
7           hearing that the registrant was convicted of a felony.

8           (c1) Noncitizens. –

9           (1) Within 30 days of receipt of the communication in accordance with  
10          G.S. 9-6.2, the State Board shall do each of the following:

11          a. Review the voter registration and citizenship status of each person  
12          identified, including the matching of available information in State and  
13          federal databases.

14          b. Distribute to each county board of elections a report of the persons  
15          identified who are registered to vote in that county. The report shall  
16          include the information provided by the clerk of superior court under  
17          G.S. 9-6.2, the voter registration number of the person, and the results  
18          of the State Board review of the person's voter registration and  
19          citizenship status. The State Board shall not include a person's name  
20          in the report if the State Board review determines that the individual  
21          became a citizen of the United States after the date of that person's jury  
22          disqualification.

23          c. In the event that the prospective juror voted prior to becoming a United  
24          States citizen, the State Board shall furnish the State Bureau of  
25          Investigation and the district attorney a copy of its investigation for  
26          prosecution of the violation as provided in G.S. 163-278.

27          (2) Within 30 days of receipt by a county board of elections of a report pursuant  
28          to this subsection relating to a person registered to vote in that county, the  
29          following shall occur:

30          a. The county board of elections shall give 30 days' written notice to the  
31          voter by sending notice to the voter's residential address and, if  
32          different from the voter's residential address, the voter's registration  
33          address and mailing address. If the voter makes no objection, the  
34          county board of elections shall remove the person's name from its  
35          registration records and shall provide written notice of the removal to  
36          the voter in the same manner as notice was previously provided under  
37          this sub-subdivision. The county board of elections shall indicate  
38          within the statewide computerized voter registration system any  
39          individual removed from the voter registration records on the basis of  
40          noncitizenship status.

41          b. If, within 30 days of the date on which notice was sent of the removal  
42          of a voter's name from registration records pursuant to sub-subdivision  
43          a. of this subdivision, the voter notifies the county board of elections  
44          of the voter's objection to the removal, the chair of the county board  
45          of elections shall enter a challenge under G.S. 163-85(c)(7) and the  
46          notice provided to the county board of elections by the receipt of the  
47          report from the State Board pursuant to this subdivision shall establish  
48          a rebuttable presumption in the preliminary hearing heard pursuant to  
49          G.S. 163-85(d) that the person is not a citizen of the United States. The  
50          voter may appear with evidence to rebut the presumption, including

1 any federal documentation of citizenship or evidence that the voter did  
 2 not request to be excused from jury duty on the basis of noncitizenship.

- 3 (3) Except as provided by State and federal law, the records retained pursuant to  
 4 this subsection are public records under G.S. 132-1, notwithstanding the  
 5 requirements of G.S. 20-43.4(c). The State Board and county board of  
 6 elections shall retain the electronic records for four years and may destroy the  
 7 records thereafter.

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

- 13 (1) ~~Gives~~ At a minimum of once per week, a county board of elections shall  
 14 remove from its voter registration records the names of individuals who give  
 15 confirmation in writing of a change of address for voting purposes out of the  
 16 county. "Confirmation in writing" for purposes of this subdivision shall  
 17 ~~include:~~ include any of the following:

- 18 a. A report to the county board from the Department of Transportation  
 19 or from a voter registration agency listed in G.S. 163-82.20 that the  
 20 voter has reported a change of address for voting purposes outside the  
 21 ~~county;~~ county.  
 22 b. A notice of cancellation received under ~~G.S. 163-82.9;~~  
 23 ~~or~~ G.S. 163-82.9.  
 24 c. A notice of cancellation received from an election jurisdiction outside  
 25 the State.

- 26 (2) ~~Fails~~ Following each congressional election, the county board of elections  
 27 shall send to each registered voter who has not voted or confirmed the voter's  
 28 address by another means a confirmation mailing. The county board of  
 29 elections shall remove from its voter registration records the names of  
 30 individuals who fail to respond to a the confirmation mailing sent by the  
 31 county board in accordance with this subdivision and does who do not vote or  
 32 appear to vote in an election beginning on the date of the notice and ending  
 33 on the day after the date of the second general election for the United States  
 34 House of Representatives that occurs after the date of the notice. A county  
 35 board sends of elections shall send a confirmation notice in accordance with  
 36 ~~this subdivision if the notice:~~ that complies with all of the following:

- 37 a. Is a postage prepaid and preaddressed return card, sent by forwardable  
 38 mail, on which the registrant may state current ~~address;~~ address.  
 39 b. Contains or is accompanied by a notice to the effect that if the  
 40 registrant did not change residence but remained in the county, the  
 41 registrant should return the card not later than the deadline for  
 42 registration by mail in ~~G.S. 163-82.6(d)(1); and~~ G.S. 163-82.6(d)(1).  
 43 c. Contains or is accompanied by information as to how the registrant  
 44 may continue to be eligible to vote if the registrant has moved outside  
 45 the county.

46 ~~A county board shall send a confirmation mailing in accordance with this~~  
 47 ~~subdivision to every registrant after every congressional election if the county~~  
 48 ~~board has not confirmed the registrant's address by another means.~~

- 49 (3) Any registrant-registered voter who is removed from the list of registered  
 50 voters pursuant to this subsection shall be reinstated if the voter appears to  
 51 vote and gives oral or written affirmation that the voter has not moved out of



1 the county but has maintained residence continuously within the county. That  
2 person shall be allowed to vote as provided in G.S. 163-82.15(f).

3 (e) Cooperation on List Maintenance Efforts. – The State Board of Elections has the  
4 authority to perform list maintenance under this section with the same authority as a county  
5 board.

6 (f) Annual Report on List Maintenance Efforts. – County board of elections shall submit  
7 to the State Board of Elections an annual report, on or before September 1 of each year, of its list  
8 maintenance under this section. The State Board of Elections shall compile annual reports  
9 received from the county board of elections and submit the reports to the Joint Legislative  
10 Elections Oversight Committee on or before October 1 of each year."

11 **SECTION 44.(f)** This section becomes effective July 1, 2024.

12 **SECTION 45.** In any notice given to a voter prior to an election regarding the  
13 requirement to show photo identification to vote in person, whether by mail or posted on a  
14 website, the State Board of Elections and a county board of elections shall clearly and initially  
15 state in the notice the following: "Voters will now be asked to present a valid photo identification  
16 when voting in person. If you do not have a valid photo ID card, you may obtain one from your  
17 county board of elections prior to the election, through the end of the early voting period. If you  
18 do not have a valid photo ID card on election day, you may still vote and have your vote counted  
19 by signing an affidavit of reasonable impediment as to why you have not presented a valid photo  
20 ID."

21 **SECTION 46.** The Department of Information Technology shall study and report to  
22 the General Assembly, on or before March 1, 2024, as to the feasibility of replacing the statewide  
23 voter registration system, including the timetable for replacement and the possibility of  
24 establishing periodic communications, up to and including daily, between the State Board of  
25 Elections and the Department of Health and Human Services, Division of Vital Records; the  
26 Division of Motor Vehicles; Division of Prisons of the Department of Adult Corrections; and the  
27 Administrative Office of the Courts for the purposes of list maintenance and voter registration.  
28 The report shall be delivered to the Joint Legislative Commission on Governmental Operations.

29 **SECTION 47.** The State Board of Elections shall educate the public on the changes  
30 to the deadline for returning completed applications and marked mail-in absentee ballots to the  
31 county boards of elections contained in this legislation by including the information in any  
32 mailing to North Carolina residential addresses of registered voters, including any mailing sent  
33 regarding the implementation of photo identification to vote, in 2023 and 2024.

34 **SECTION 48.(a)** The State Board of Elections shall select 10 counties in the State  
35 in which to conduct a pilot program during the primary held in 2024 for signature verification on  
36 executed mail-in absentee ballots. In selecting the 10 counties for the pilot, the State Board of  
37 Elections shall seek diversity of population size, regional location, and demographic  
38 composition. The pilot program shall consist of county boards of elections using signature  
39 verification software to check the signatures of voters noted on all executed mail-in absentee  
40 ballots received by the county boards of elections in the 2024 primary. The State Board of  
41 Elections shall select the signature verification software and ensure that the software is available  
42 for all 10 counties to use in the 2024 primary. The State Board shall assist the selected county  
43 boards of elections in implementing the signature verification software, including assisting the  
44 selected county boards of elections in any training needed on how the software is to be used for  
45 signature matching on executed mail-in absentee ballots.

46 **SECTION 48.(b)** The State Board of Elections shall closely monitor the pilot  
47 program established in this section. The selected county boards of elections shall report to the  
48 State Board of Elections its findings on the use of the signature verification software during the  
49 2024 primary, including all of the following:

- 1 (1) Whether the signature verification software was used for all returned mail-in  
2 absentee ballots, and what the voter signature on the executed mail-in absentee  
3 ballot was matched against.
- 4 (2) How many executed mail-in absentee ballots were counted by the county  
5 board of elections in the 2024 primary.
- 6 (3) How many executed mail-in absentee ballots were flagged by the signature  
7 verification software, and any information known on how close of a match the  
8 signatures must be for the signature match software to not flag the voter's  
9 signature.
- 10 (4) Information on how the signature matching software flagged an executed  
11 mail-in absentee ballot with a signature that did not match the signature on  
12 file for the voter, including any known information on the rate of error in the  
13 software.

14 **SECTION 48.(c)** In implementing the pilot program established in this section, no  
15 executed mail-in absentee ballot shall be rejected by the county board of elections for failing any  
16 signature verification. All executed mail-in absentee ballots that are otherwise eligible to be  
17 counted in accordance with Chapter 163 of the General Statutes shall be counted.

18 **SECTION 48.(d)** The State Board of Elections shall report its findings, along with  
19 any recommendations, to the General Assembly on or before May 1, 2024. The report shall be  
20 delivered to the Joint Legislative Elections Oversight Committee and shall also include the  
21 following:

- 22 (1) A compilation of the information reported from the selected county boards of  
23 elections as required by subsection (b) of this section.
- 24 (2) The estimated cost to implement signature verification for mail-in absentee  
25 ballots statewide.
- 26 (3) Any suggested law changes to fully implement signature verification  
27 statewide for mail-in absentee ballots, including suggestions on a process for  
28 how a voter can cure a deficiency related to signature verification of mail-in  
29 absentee ballots.
- 30 (4) Any other information relevant to signature verification of mail-in absentee  
31 ballots.

32 **SECTION 49.** If any provision of this act or its application to any person, group of  
33 persons, or circumstances is held invalid, the invalidity does not affect other provisions or  
34 applications of this act that can be given effect without the invalid provisions or application and,  
35 to this end, the provisions of this act are severable.

36 **SECTION 50.** Sections 1 through 36 and Sections 38 through 43 of this act become  
37 effective January 1, 2024, and apply to elections on or after that date. Except as otherwise  
38 provided, this act is effective when it becomes law.