

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

**SESSION LAW 2023-140
SENATE BILL 747**

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 following in-kind donations:

a. Use of a voting site, if that voting site is used for the purpose of conducting elections.

b. Food or beverages for precinct officials or other workers at the voting place or county board of elections office.

c. Ink pens and personal protection equipment to be used in an election."

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

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

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

(b) County boards of commissioners shall not accept private monetary donations or in-kind contributions, directly or indirectly, for conducting elections or employing individuals



on a temporary basis. This subsection 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 6. G.S. 163-37.1(f) reads as rewritten:

"(f) Neither appointment as a precinct official or assistant under of 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 G.S. 163-27.2."

SECTION 7.(a) G.S. 163-45 is repealed.

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

"§ 163-45.1. Observers.

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

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

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

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

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

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

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

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

(e) No more than three observers from the same political party shall be in the voting enclosure at any time. Observers appointed to serve at a particular voting place may be relieved during the day after serving no less than four hours. Observers appointed to serve countywide or statewide may be relieved anytime throughout the day. Observers shall not appear on the ballot as a candidate or serve as an election official in the primary or election in which the observer is serving as an observer. Observers shall take no oath of office.

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

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

- (1) Taking notes in the voting place, including using an electronic device to take notes.
 - (2) Listening to conversations between a voter and election official that take place in the voting place, provided the conversation is related to election administration.
 - (3) Moving about the voting place, including the designated area for curbside voting.
 - (4) Leaving and reentering the voting enclosure.
 - (5) Communicating via phone outside of the voting enclosure.
 - (6) Witnessing any opening and closing procedures at the voting place.
- (h) Observers shall not do any of the following inside the voting place:
- (1) Look at, photograph, videotape, or otherwise record the image of any voter's marked ballot.
 - (2) Impede the ingress or egress of any voter into the voting place.
 - (3) Inhibit or interfere with any election official in the performance of his or her duties, including interfering with the transport of sealed ballot boxes, election equipment, or election results to the county board of elections.
 - (4) Engage in electioneering.
 - (5) Make or receive phone calls while in the voting place.
- (i) An observer may take photographs inside the voting place before the voting begins and after voting has concluded, provided that the taking of photographs does not impair any election official in executing opening and closing procedures or compromise the security of ballots, election equipment, or election results. The State Board shall adopt rules to implement this subsection.
- (j) A chief judge may remove an observer who engages in prohibited behavior under this section. A chief judge may also remove an observer for good cause, which shall include evidence that the observer could impact the conduct of the election. Whenever possible, the chief judge shall first issue a verbal or written warning to the observer. The warning must include the time and nature of the offense, and the chief judge must provide the observer a reasonable opportunity to correct the behavior. If the chief judge determines the observer should be removed, the chief judge must immediately notify the director of the county board of elections. The director of the county board of elections must immediately notify the appointing authority so that a replacement observer can be appointed. Nothing in this section prohibits a chief judge from reporting an alleged violation of State or federal law to the appropriate authority.
- (k) The State Board shall develop a uniform process for all county boards of elections and the State Board to implement for all of the following:
- (1) The filing and hearing of challenges of the appointment of an observer pursuant to subsection (f) of this section.
 - (2) The hearing of appeals on challenges of the appointment of an observer.
 - (3) The hearing of appeals on the removal of an observer from the voting place pursuant to subsection (j) of this section.
- (l) An observer may obtain copies of the list of persons who have voted at each voting place during the times the voting place is open for voting. Counties using an "authorization to vote document" instead of pollbooks to indicate which persons have voted are in compliance with this requirement if they allow observers to inspect election records so that the observer can create a list of who has voted at each voting place. The State Board shall determine the times at which these lists may be obtained. However, observers must be able to obtain copies of the list at least three times each day with at least one hour between obtaining the copies."

SECTION 7.(c) Article 5 of Chapter 163 of the General Statutes is amended by adding a new section to read:
"§ 163-45.2. Runners.

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

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

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

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

"(i) Observers. – The proponents and opponents for an alcoholic beverage election, as determined by the local board of elections, shall have the right to appoint two observers to attend each voting place. The persons authorized to appoint observers shall, ~~three days before the election, by noon on the business day before the observer is scheduled to serve,~~ submit in writing to the ~~chief judge of each precinct~~ county board of elections a signed list of the observers appointed for ~~that precinct, voting places in that county.~~ Before each voting place opens for voting, the county board of elections shall provide a copy of the list of appointed observers for each voting place to the chief judge for that respective voting place. The persons appointed as observers shall be registered voters of the ~~precinct for which appointed, county in which appointed to serve.~~ The chief judge and judges for the ~~precinct voting place~~ may for good cause reject any appointee and require that another appointed challenge the appointment of an observer in accordance with G.S. 163-45.1. Observers shall do no electioneering at the voting place nor in any manner impede the voting process, interfere or communicate with or observe any voter in casting his ballot. Observers shall be permitted in the voting place to make such observation and to take such notes as they may desire."

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

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

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

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

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

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

"§ 163-82.6B. Same-day registration.

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

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

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

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

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

(c) An applicant who registers under this section shall vote a retrievable ballot as provided in G.S. 163-166.45 immediately after submitting the voter registration application form.

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

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

(1) A current utility bill.

(2) A current bank statement.

(3) A current government check.

(4) A current paycheck.

(5) Another current government document.

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

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

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

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

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

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

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

a. Obtaining the correct address of any person described in this 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 to him or her the following oath or affirmation, omitting the portions in brackets if the challenge is heard ~~on the day of~~ for an election other than a primary:

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

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

(b) Precinct election officials conducting hearings on challenges 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 have authority to administer the necessary oaths or affirmations to all witnesses brought before them to testify to the qualifications of the person challenged.

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

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

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

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

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

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

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

...."

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

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

SECTION 16.5. G.S. 163-111(e) reads as rewritten:

"(e) Date of Second Primary; Procedures. – If a second primary is required under the provisions of this section, the appropriate board of elections, State or county, shall order that it be held 10 weeks after the first primary ~~if any of the offices for which a second primary is required are for a candidate for the office of United States Senate or member of the United States House of Representatives.~~ Otherwise, the second primary shall be held seven weeks after the first primary.

There shall be no registration of voters between the dates of the first and second primaries. Persons whose qualifications to register and vote mature after the day of the first primary and before the day of the second primary may register on the day of the second primary and, when thus registered, shall be entitled to vote in the second primary. The second primary is a continuation of the first primary and any voter who files a proper and timely written affirmation of change of address within the county under the provisions of G.S. 163-82.15, in the first primary may vote in the second primary without having to refile that written affirmation if the voter is otherwise qualified to vote in the second primary. Subject to this provision for registration, the second primary shall be held under the laws, rules, and regulations provided for the first primary."

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

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

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

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

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

- (1) Municipal elections or special district elections conducted under Subchapter IX of this Chapter.
- (2) Nonpartisan board of education elections conducted under G.S. 115C-37."

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

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

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

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

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

- (2) ~~In reporting returns, the~~ The county board shall report, by precinct for each item on the ballot, the number of voters who did not select a choice for that item on the ~~ballot~~ ballot.
- (3) ~~and~~ The county board shall report, by precinct for each item on the ballot, the number of voters who selected more choices than available for that item on the ballot.
- (4) The county board shall report ballots cast during early voting under Part 5 of Article 14A of this Chapter separately from mail-in absentee ballots cast under Article 20 or 21A of this Chapter.

...."

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

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

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

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

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

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

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

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

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

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

...

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

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

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

...

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

- (1) Subsection (c) of this section shall not apply.
- (2) The notice in subsection (d) of this section shall be provided no later than 10 days before the opening of ~~one-stop-early~~ voting at the site."

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

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

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

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

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

"§ 163-166.11. Provisional voting requirements.

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

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

casting a provisional official ballot can ascertain whether and to what extent the ballot was counted and, if the ballot was not counted in whole or in part, the reason it was not counted. The State Board of Elections or the county board of elections shall establish a system for so informing a provisional voter. ~~It shall make the system voter, which shall be available to every provisional voter without charge, charge and it shall build into it contain~~ reasonable procedures to protect the security, confidentiality, and integrity of the voter's personal information and vote.

- (5) The cast provisional official ballot and the written affirmation shall be secured by election officials at the voting place according to guidelines and procedures adopted by the State Board of Elections. ~~Board.~~ At the close of the polls, election officials shall transmit the provisional official ballots cast at that voting place to the county board of elections for prompt verification according to guidelines and procedures adopted by the State Board of Elections. ~~Board.~~ No later than 12:00 P.M. two days after the close of the polls, the county board of elections shall publish the number of provisional ballots cast on election day, cast by ~~one-stop absentee early~~ voting, cast by mail-in absentee ballots received as of election day, and cast by military and overseas absentee ballots cast under Article 21A of this Chapter and received as of election day."

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

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

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

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

SECTION 27.(b) Article 14A of Chapter 163 of the General Statutes, as amended by this act, reads as rewritten:

"Article 14A.

"Voting.

...

"Part 4. Election Day Voting.

"§ 163-166.25. Hours for voting.

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

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

(c) Any voter who votes after the statutory poll closing time of 7:30 P.M. by virtue of a federal or State court order or any other lawful order, including an order of a county board of elections, shall be allowed to vote, under the provisions of that order, only by using a provisional official ballot. Any special provisional official ballots cast under this ~~section-subsection~~ shall be separated, counted, and held apart from other provisional ballots cast by other voters not under the effect of the order extending the closing time of the voting place. If the court order has not

been reversed or stayed by the time of the county canvass, the total for that category of provisional ballots shall be added to the official canvass.

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

SECTION 27.(c) Article 14A of Chapter 163 of the General Statutes, as amended by this act, reads as rewritten:

"Article 14A.

"Voting.

...

"Part 5. Early Voting.

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

(a) ~~Notwithstanding any other provision of G.S. 163-227.2, 163-227.5, and this section, a~~ county board of elections by unanimous vote of all its members may provide for one or more sites in that county for ~~absentee~~ ballots to be applied for and cast under ~~these sections.~~ Every this Part. Except for individuals appointed to early voting sites pursuant to subsection (a1) of this section, every individual staffing any of those sites shall be a member or full-time employee of the county board of elections or an employee of the county board of elections whom the board has given training equivalent to that given a full-time employee. Those sites must be approved by the State Board as part of a Plan for Implementation approved by both the county board of elections and by the State Board which shall also provide adequate security of the ballots and provisions to avoid allowing persons to vote who have already voted. ~~The Plan for Implementation shall include a provision for the presence of political party observers at each one-stop site equivalent to the provisions in G.S. 163-45 for party observers at voting places on election day.~~ A county board of elections may propose in its Plan for Implementation not to offer ~~one-stop~~ early voting at the county board of elections office; the State Board may approve that proposal in a Plan for Implementation only if the Plan for Implementation includes at least one site reasonably proximate to the county board of elections office and the State Board finds that the sites in the Plan for Implementation as a whole provide adequate coverage of the county's electorate. If a county board of elections has considered a proposed Plan or Plans for Implementation and has been unable to reach unanimity in favor of a ~~Plan,~~ Plan for Implementation, a member or members of that county board of elections may petition the State Board to adopt a plan for it. If petitioned, the State Board may also receive and consider alternative petitions from another member or members of that county board. The State Board may adopt a Plan for Implementation for that county. The State Board, in that plan, shall take into consideration whether the Plan for Implementation disproportionately favors any party, racial or ethnic group, or candidate.

(a1) For each early voting site other than the county board of elections office, precinct officials shall be appointed by the county board of elections for each primary or election. The chair of each political party in the county shall recommend individuals who are otherwise qualified to serve as precinct officials at early voting sites. If such recommendations are received by the county board of elections no later than the fifth business day preceding the date on which appointments are to be made, the county board of elections shall make appointments from the list of recommendations. In making the appointments pursuant to this subsection, precinct officials shall be appointed according to all of the following:

- (1) A chief judge and judges shall be appointed to each early voting site for each day of early voting in the same manner as allocated to each precinct in the county as provided in G.S. 163-41 where possible; provided, however, that a chief judge shall be appointed to each early voting site for each day of early voting.
- (2) Assistants shall be appointed to each early voting site in the same manner as allocated to each precinct in the county as provided in G.S. 163-42 where possible.

- (3) The provisions of G.S. 163-41.1, 163-41.2, and 163-42.1 apply to early voting sites.
- (4) Multiple chief judges, judges, and assistants may be appointed to serve at each early voting site so that chief judges, judges, and assistants may serve for partial shifts throughout each day of early voting or serve for less than the full number of days of early voting.

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

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

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

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

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

(e) Notwithstanding ~~G.S. 163-227.2~~ G.S. 163-166.40 and subdivisions (c)(2) and (c)(3) of this section, a county board of elections by unanimous vote of all its members may propose a Plan for Implementation providing for sites in that county for ~~absentee ballots~~ cast during early voting to be applied for and cast in elections for all entities conducted in odd-numbered years. The proposed Plan for Implementation shall specify the hours of operation for the county board of elections for an election conducted in that county for that odd-numbered year. If the county board of elections is unable to reach unanimity in favor of a Plan for Implementation for that odd-numbered year, a member or members of the county board of elections may petition the State Board to adopt a Plan for Implementation for the county, and the State Board may adopt a Plan for Implementation for that county. However, throughout the period required by ~~G.S. 163-227.2(b)~~ G.S. 163-166.40(b), any Plan ~~of~~ for Implementation approved under this subsection shall provide for a minimum of regular business hours consistent with daily hours presently observed by the county board of elections for the county board of elections, or its alternate, and for uniform locations, days, and hours for all other additional ~~one-stop early voting~~ sites in that county.

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

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

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

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

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

- (1) ~~State his or her name~~name to an authorized member or employee of the board or election official.
- (2) ~~and State the voter's~~place of residence to an authorized member or employee of the board~~board or election official.~~
- (3) ~~and present~~Present photo identification in accordance with G.S. 163-166.16.
- (4) ~~In a primary election, the voter shall also state~~State the political party with which the voter affiliates and in whose primary the voter desires to ~~vote, or if~~vote. If the voter is an unaffiliated voter ~~permitted to vote~~voting in the primary of a particular party under G.S. 163-119, the voter shall state the name of the ~~authorizing~~political party in whose primary he~~the voter~~ wishes to vote.

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

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

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

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

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

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

(g) A voter who has moved within the county more than 30 days before election day but has not reported the move to the board of elections shall not be required on that account to vote a provisional ballot at the ~~one stop~~early voting site, as long as the ~~one stop~~early voting site has available all the information necessary to determine whether a voter is registered to vote in the

county and which ballot the voter is eligible to vote based on the voter's proper residence address. The voter with that kind of unreported move shall be allowed to vote the same kind of absentee ballot as other ~~one-stop voters.~~ voters voting a ballot during early voting.

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

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

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

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

If a county uses a voting system with retrievable ballots, that county's board of elections may by resolution elect to conduct ~~one-stop absentee~~ early voting according to the provisions of this ~~section.~~ Part. In a county in which the board has opted to do so, a ~~one-stop voter~~ during early voting shall cast the ballot and then shall deposit the ballot in the ballot box or voting system in the same manner as if such box or system was in use in a precinct on election day. At the end of each business day, or at any time when there will be no employee or officer of the board of elections on the premises, the ballot box or system shall be secured in accordance with a plan approved by the State ~~Board of Elections,~~ Board, which shall include that no additional ballots have been placed in the box or system. Any county board desiring to conduct ~~one-stop~~ early voting according to this section shall submit a plan for doing so to the State ~~Board of Elections.~~ Board. The State Board shall adopt standards for conducting ~~one-stop~~ early voting under this section and shall approve any county plan that adheres to its standards. The county board shall adhere to its State Board-approved plan. The plan shall provide that each ~~one-stop~~ ballot cast during early voting shall have a ballot number ~~on it in accordance with G.S. 163-230.1(e), or shall have an equivalent identifier to allow for retrievability.~~ The ballot number or equivalent identifier shall not be a public record.

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

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

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

- (1) Name of voter for whom ~~application and ballots are a~~ ballot is being requested.
- (2) Number of assigned voter's ~~application~~ ballot when issued.
- (3) The precinct in which the voter is registered.
- (4) The date the voter voted ~~early "one-stop."~~ early.
- (5) The voter's party affiliation.

(6) Whatever additional information and official action may be required by this ~~Article~~Part.

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

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

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

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

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

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

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

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

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

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

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

...

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

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

- (3) The rules shall provide for accurate unofficial reporting of the results from the precinct to the county board of elections with reasonable speed on the night of the election.
- (4) The rules shall provide for the prompt and secure transmission of official ballots from the voting place to the county board of elections.

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

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

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

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

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

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

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

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

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

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

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

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

"(b1) Report on Revisions to Elections Records After Certification. – The State Board shall submit an annual report on any revisions made to any voter's voter history records other than

routine updates following each election, including the rationale for and timing of the revisions, to the Joint Legislative Elections Oversight Committee and the Joint Legislative Oversight Committee on General Government no later than October 1 of each year."

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

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

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

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

In case of the absence, ineligibility or resignation of any elector chosen, or if the proper number of electors shall for any cause be deficient, the first and second alternates, respectively, who were nominated under G.S. 163-1(c), shall fill the first two vacancies. If the alternates are absent, ineligible, resign, or were not chosen, or if there are more than two vacancies, then the electors present at the required meeting shall forthwith elect from the citizens of the State a sufficient number of persons to fill the deficiency, and the persons chosen shall be deemed qualified electors to vote for President and Vice-President of the United States."

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

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

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

"Article 20.

"Absentee Ballot.

...

"§ 163-226.3. Certain acts declared felonies.

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

- (1) For any person except the voter's near relative or the voter's verifiable legal guardian to assist the voter to vote an absentee ballot when the voter is voting an absentee ~~ballot other than under the procedure described in G.S. 163-227.2, 163-227.5, and 163-227.6;~~ ballot; provided that if there is not a near relative or legal guardian available to assist the voter, the voter may request some other person to give assistance.
- (2) ~~For any person to assist a voter to vote an absentee ballot under the absentee voting procedure authorized by G.S. 163-227.2, 163-227.5, and 163-227.6 except as provided in that section.~~
- (3) For a voter who votes ~~an absentee ballot under the procedures authorized by G.S. 163-227.2, 163-227.5, and 163-227.6~~ a ballot in accordance with Part 5 of Article 14A of this Chapter to vote that voter's ~~absentee~~ ballot outside of the voting booth or private room provided to the voter for that purpose ~~in or adjacent to the office of the county board of elections or at the additional site provided by G.S. 163-227.2,~~ or to receive assistance except as provided in ~~G.S. 163-227.2, 163-227.5, and 163-227.6.~~ Article 14A of this Chapter.
- (4) For any owner, manager, director, employee, or other person, other than the voter's near relative or verifiable legal guardian, to (i) make a written request pursuant to G.S. 163-230.1 or (ii) sign an application or certificate as a witness, on behalf of a registered voter, who is a patient in any hospital, clinic, nursing home or rest home in this State or for any owner, manager, director, employee, or other person other than the voter's near relative or verifiable legal guardian, to mark the voter's absentee ballot or assist such a voter in marking an absentee ballot. This subdivision does not apply to members, employees, or volunteers of the county board of elections, if those members, employees, or volunteers are working as part of a multipartisan team trained and authorized by the county board of elections to assist voters with absentee ballots. Each county board of elections shall train and authorize such teams, pursuant to procedures which shall be adopted by the State ~~Board of Elections.~~ Board. If neither the voter's near relative nor a verifiable legal guardian is available to assist the voter, and a multipartisan team is not available to assist the voter within seven calendar days of a telephonic request to the county board of elections, the voter may obtain such assistance from any person other than (i) an owner, manager, director, employee of the hospital, clinic, nursing home, or rest home in which the voter is a patient or resident; (ii) an individual who holds any elective office under the United States, this State, or any political subdivision of this State; (iii) an individual who is a candidate for nomination or election to such office; or (iv) an individual who holds any office in a State, congressional district, county, or precinct political party or organization, or who is a campaign manager or treasurer for any candidate or political party; provided that a delegate to a convention shall not be considered a party office. None of the persons listed in (i) through (iv) of this subdivision may sign the application or certificate as a witness for the patient.
- (5) For any person to take into that person's possession for delivery to a voter or for return to a county board of elections the absentee ballot of any voter, provided, however, that this prohibition shall not apply to a voter's near relative or the voter's verifiable legal guardian.

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

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

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

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

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

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

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

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

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

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

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

- (1) The voter's certification of eligibility to vote the enclosed ballot and of having voted the enclosed ballot in accordance with this Part.
- (2) A space for identification of the envelope with the voter and the voter's signature.
- (3) A space for the identification of the two persons witnessing the casting of the absentee ballot in accordance with G.S. 163-231, those persons' signatures, those persons' printed names, and those persons' addresses.

- (4) A space for the name and address of any person who, as permitted under G.S. 163-226.3(a), assisted the voter if the voter is unable to complete and sign the certification and that individual's signature.
- (5) A space for approval by the county board of elections.
- (6) A space to allow reporting of a change of name as provided by G.S. 163-82.16.
- (7) A prominent display of the unlawful acts under G.S. 163-226.3 and G.S. 163-275, except if there is not room on the envelope, the State Board may provide for that disclosure to be made on a separate piece of paper to be included along with the container-return envelope.
- (8) An area to attach additional documentation necessary to comply with the identification requirements in accordance with State Board rules, as provided in G.S. 163-230.1.
- (9) A bar code or other unique ~~identifier~~-identifier, affixed by the county board of elections, to allow both the county board of elections and the voter to track the ballot following return of the voted ballot to the county board of elections by the voter.

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

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

...

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

...

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

- (1) The date by which a completed request form as described in subsection (a) of this section must be received by a county board of elections.
- (2) The means by which the voter's marked absentee ballot must be returned to the county board of elections.
- (3) The date and time the voter's completed absentee ballot must be received by the county board of elections in order to be counted.

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

soon as each item of that information becomes available. The county board of elections shall personally deliver to the requester in a single package:

- (1) The official ballots the voter is entitled to vote.
- (2) A container-return envelope for the ballots, printed in accordance with G.S. 163-229.
- (3) An instruction sheet.
- (4) A clear statement of the requirement for a photocopy of identification described in G.S. 163-166.16(a) or an affidavit as described in G.S. 163-166.16(d)(1), (d)(2), or (d)(3) with the returned application and voted ballots.

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

- (1) On the top margin of each ballot the applicant is entitled to vote, the chair, a member, officer, or employee of the board of elections shall write or type the words "Absentee Ballot No. ____ " or an abbreviation approved by the State Board and insert in the blank space the number assigned the applicant's application in the register of absentee requests, applications, and ballots issued. That person shall not write, type, or print any other matter upon the ballots transmitted to the absentee voter. Alternatively, the board of elections may cause to be barcoded on the ballot the voter's application number, if that barcoding system is approved by the State Board.
- (2) The chair, member, officer, or employee of the board of elections shall fold and place the ballots (identified in accordance with the preceding instruction) in a container-return envelope and write or type in the appropriate blanks thereon, in accordance with the terms of G.S. 163-229(b), the absentee voter's name, the absentee voter's application number, and the designation of the precinct in which the voter is registered. If the ballot is barcoded under this section, the envelope may be barcoded rather than having the actual number appear. The person placing the ballots in the envelopes shall leave the container-return envelope holding the ballots unsealed.
- (3) The chair, member, officer, or employee of the board of elections shall then place the unsealed container-return envelope holding the ballots together with printed instructions for voting and returning the ballots, in an envelope addressed to the voter at the post office address stated in the request, seal the envelope, and mail it at the expense of the county board of elections: Provided, that in case of a request received after 5:00 ~~p.m.~~ P.M. on the Tuesday before the election under the provisions of subsection (b) of this section, in lieu of transmitting the ballots to the voter in person or by mail, the chair, member, officer, or employee of the board of elections may deliver the sealed envelope containing the instruction sheet and the container-return envelope holding the ballots to a near relative or verifiable legal guardian of the voter.

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

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

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

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

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

The identification of the two persons witnessing the casting of the absentee ballot in accordance with G.S. 163-231(a) is not a curable deficiency. Any container-return envelope with a curable deficiency that is transmitted to the county board shall be considered timely if cure documentation is received no later than 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. Cure documentation may be transmitted via e-mail to the county board of elections if the deficiency is one described in subdivision (3) of this subsection. The notification of voters regarding curable deficiencies is an administrative task that may be performed by county board staff and is not required to be performed at an absentee meeting as provided for in subsection (f) of this section. The voter shall be notified of curable deficiencies by mail, and by telephone or email if the telephone number or email address was provided by the voter on the request form for absentee ballots.

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

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

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

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

...

"§ 163-230.2. Method of requesting absentee ballots.

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

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

...

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

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

- (1) Mark the voter's ballots, or cause them to be marked by that person in the voter's presence according to the voter's instruction.
- (2) Fold each ballot separately, or cause each of them to be folded in the voter's presence.
- (3) Place the folded ballots in the container-return envelope and securely seal it, or have this done in the voter's presence.
- (4) Make the application printed on the container-return envelope according to the provisions of G.S. 163-229(b) and make the certificate printed on the container-return envelope according to the provisions of G.S. 163-229(b).
- (5) Require those two persons in whose presence the voter marked that voter's ballots to sign and print their names on the application and certificate as witnesses and to indicate those persons' addresses. Failure to list a ZIP code does not invalidate the application and certificate. Failure to include a printed witness name does not invalidate the application and certificate if the identity of an individual can solely be ascertained by the witness's signature.
- (6) Do one of the following:

- a. Have the application notarized. The notary public may be the person in whose presence the voter marked that voter's ballot.
- b. Have the two persons in whose presence the voter marked that voter's ballots to certify that the voter is the registered voter submitting the marked ballots.

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

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

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

- (1) All ballots issued under the provisions of this Article and Article 21A of this Chapter shall be transmitted ~~by mail by one of the following means:~~
 - a. Mail or by commercial courier service, at the voter's expense, or delivered and received by the county board not later than 7:30 P.M. on the day of the statewide primary or general election or county bond election.
 - b. Delivered in person, or by the voter or the voter's near relative or verifiable legal guardian and received by guardian, to the county board not later than 5:00 p.m.-7:30 P.M. on the day of the statewide primary or general election or county bond election.
 - c. Ballots Electronically transmitted to the county board, if the ballot was issued under the provisions of Article 21A of this Chapter may also be 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.
- (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.
- (3) The number of provisional ballots cast.

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

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

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

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

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

- (1) Only those absentee ballots returned to the county board of elections ~~no later than 5:00 p.m. on the day before election day~~ in a properly executed container-return envelope ~~or absentee ballots and~~ received pursuant to G.S. 163-231(b)(2)b. or c. G.S. 163-231 shall be counted, ~~except to the extent~~

federal law requires otherwise counted. Absentee ballots not received pursuant to all requirements in G.S. 163-231 shall not be deemed to be valid and shall not be counted. Absentee ballots received prior to election day shall be counted on election day. An absentee ballot returned in an executed container-return envelope containing a deficiency listed in G.S. 163-230.1(e) shall be counted if documentation curing the deficiency is timely received by the county board of elections in accordance with the requirements of G.S. 163-230.1(e).

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

The county board of elections may begin counting absentee ballots issued under Article 21A of this Chapter between the hours of 9:00 ~~a.m.~~ A.M. and 5:00 ~~p.m.~~ P.M. and may begin counting all absentee ballots between the hours of 2:00 ~~p.m.~~ P.M. and 5:00 ~~p.m.~~ P.M. upon the adoption of a resolution at least two weeks prior to the election in which the hour and place of counting absentee ballots shall be stated. The resolution also may provide for an additional meeting 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. on election day~~ as provided in subdivision (11) of this section. A copy of the resolution shall be published once a week for two weeks prior to the election, in a newspaper having general circulation in the county. Notice may additionally be made on a radio or television station or both, but the notice shall be in addition to the newspaper and other required notice. The count shall be continuous until completed and the members shall not separate or leave the counting place except for unavoidable necessity, except that if the count has been completed prior to the time the polls close, it shall be suspended until that time pending receipt of any additional ballots. Nothing in this section prohibits a county board of elections from taking preparatory steps for the count earlier than the times specified in this section, as long as the preparatory steps do not reveal to any individual not engaged in the actual count election results before the times specified in this subdivision for the count to begin. By way of illustration and not limitation, a preparatory step for the count would be the entry of tally cards from direct record electronic voting units into a computer for processing. The board shall not announce the result of the count before 7:30 ~~p.m.~~ P.M.

- (3) Notwithstanding subdivision (2) of this section, a county board of elections may, at each meeting at which it approves absentee ballot applications pursuant to G.S. 163-230.1(e) and (f), remove those ballots from their envelopes and have them read by an optical scanning machine, without printing the totals on the scanner. The board shall complete the counting of these ballots at the times provided in subdivision (2) of this section. The State Board of Elections shall provide instructions to county boards of elections for executing this procedure, and the instructions shall be designed to ensure the accuracy of the count, the participation of board members of both parties, and

the secrecy of the results before election day. This subdivision applies only in counties that use optical scan devices to count absentee ballots.

- (4) The counting of absentee ballots shall not commence until a majority and at least one board member of each political party represented on the board is present and that fact is publicly declared and entered in the official minutes of the county board.
- (5) The county board of elections may employ such assistants as deemed necessary to count the absentee ballots, but each board member present shall be responsible for and observe and supervise the opening and tallying of the ballots.
- (6) As each ballot envelope is opened, the board shall cause to be entered into a pollbook designated "Pollbook of Absentee Voters" the name of the absentee voter, or if the pollbook is computer-generated, the board shall check off the name. Preserving secrecy, the ballots shall be placed in the appropriate ballot boxes, at least one of which shall be provided for each type of ballot. ~~The "Pollbook of Absentee Voters" shall also contain the names of all persons who voted under G.S. 163-227.2, 163-227.5, and 163-227.6, but those names may be printed by computer for inclusion in the pollbook.~~

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

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

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

As soon as the absentee ballots have been counted and the names of the 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.

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

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

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

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

- (1) For any person who has access to an official voted ballot or record to knowingly disclose in violation of G.S. 163-165.1(e) how an individual has voted that ballot.

- (2) For any person to impersonate a chief judge, judge of election, or other precinct official while in the discharge of duties in the registration of voters or in conducting any primary or election.
- (3) For any person other than the State Board or a county board of elections, or any employee of the State Board or a county board of elections, to affix or print any identifier for the purpose of tracking the form on any absentee ballot request form."

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) The Bureau shall, upon request of the Governor, investigate and prepare evidence in the event of any lynching or mob violence in the State; ~~shall investigate all cases arising from frauds in connection with elections when requested to do so by the Board of Elections, State~~ and when so directed by the Governor. Such investigation, however, shall in no wise interfere with the power of the Attorney General to make such investigation as the Attorney General is authorized to make under the laws of the State. The Bureau is authorized further, at the request of the Governor, to investigate cases of frauds arising under the Social Security Laws of the State, of violations of the gaming laws, and lottery laws, and matters of similar kind when called upon by the Governor so to do. In all such cases it shall be the duty of the Department to keep such records as may be necessary and to prepare evidence in the cases investigated, for the use of enforcement officers and for the trial of causes. The services of employees of the Bureau may be required by the Governor in connection with the investigation of any crime committed anywhere in the State when called upon by the enforcement officers of the State, and when, in the judgment

of the Governor, such services may be rendered with advantage to the enforcement of the criminal law. The State Bureau of Investigation is hereby authorized to investigate without request the attempted arson of, or arson of, damage of, theft from, or theft of, or misuse of, any State-owned personal property, buildings, or other real property or any assault upon or threats against any legislative officer named in G.S. 147-2(1), (2), or (3), any executive officer named in G.S. 147-3(c), or any court officer as defined in G.S. 14-16.10(1).

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

...."

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

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

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

"§ 163-302. Absentee and early voting.

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

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

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

"(b) Compliant Political Signs Permitted. – During the period beginning on the 30th day before the beginning date of "~~one-stop~~" early voting under ~~G.S. 163-227.2~~ G.S. 163-166.40 and ending on the 10th day after the primary or election day, persons may place political signs in the

right-of-way of the State highway system as provided in this section. Signs must be placed in compliance with subsection (d) of this section and must be removed by the end of the period prescribed in this subsection. Any political sign remaining in the right-of-way of the State highway system more than 30 days after the end of the period prescribed in this subsection shall be deemed unlawfully placed and abandoned property, and a person may remove and dispose of such political sign without penalty."

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

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

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

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

"§ 9-3. Qualifications of prospective jurors.

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

- (1) ~~are citizens of the State~~ Is a citizen of the United States.
- (2) Is a resident of the State.
- (3) ~~and residents~~ Is a resident of the county, county.
- (4) ~~who have~~ Has not served as jurors-a juror during the preceding two years years.
- (5) ~~or who have~~ Has not served a full term of service as a grand jurors-juror during the preceding six years,-years.
- (6) ~~who are~~ Is 18 years of age or over, over.
- (7) ~~who are~~ Is physically and mentally competent, competent.
- (8) ~~who can~~ Can understand the English language, language.
- (9) ~~who have~~ Has not been convicted of a felony or pleaded guilty or nolo contendere to an indictment charging a felony (or felony, or if convicted of a felony or having pleaded plead guilty or nolo contendere to an indictment charging a felony have felony, has had their-that person's citizenship restored pursuant to law)-, law.
- (10) ~~and who have~~ Has not been adjudged non compos mentis.

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

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

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

...

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

(b) Pursuant to the foregoing policy, each chief district court judge shall promulgate procedures whereby the chief district court judge or any district court judge of the chief district court judge's district court district designated by the chief district court judge, prior to the date that a jury session (or sessions) of superior or district court convenes, shall receive, hear, and pass on applications for excuses from jury duty. The procedures shall provide for the time and place, publicly announced, at which applications for excuses will be heard, and prospective jurors

who have been summoned for service shall be so informed. The chief district court judge, after consultation with and with the consent of the clerk of superior court, may delegate the authority to receive, hear, and pass on applications for excuses from jury duty to the clerk of superior court. The chief district judge may also assign the duty of passing on applications for excuses from jury service to judicial support staff. In all cases concerning excuses, the clerk of superior court or judicial support staff shall notify prospective jurors of the disposition of their excuses.

...

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

...."

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

"§ 9-6.1. Requests to be excused.

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

(b) Any person summoned as a juror who has a disability that could interfere with the person's ability to serve as a juror and who wishes to be excused, deferred, or exempted may make the request without appearing in person by filing a signed statement of the ground of the request, including a brief explanation of the disability that interferes with the person's ability to serve as a juror, with the chief district court judge of that district, or the district court ~~judge-judge, clerk of superior court,~~ or judicial support staff member-member, if so designated by the chief district court judge pursuant to G.S. 9-6(b), at any time five business days before the date upon which the person is summoned to appear. Upon ~~At the request of the court,~~ medical documentation of any disability may be submitted. Any privileged medical information or protected health information described in this section shall be is confidential and shall be is exempt from the provisions of Chapter 132 of the General Statutes or any other provision requiring information and records held by State agencies to be made public or accessible to the public.

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

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

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

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

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

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

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

"§ 163-82.14. List maintenance.

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

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

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

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

- (1) At a minimum of once per week, the Department of Health and Human Services shall furnish free of charge to the State Board of Elections every month, Executive Director, in a format prescribed by the State Board of Elections, Board, the names of deceased persons who were residents of the State. The State Board of Elections Upon receipt of the list from the Department of Health and Human Services, the Executive Director shall distribute every month to each county board of elections the names on that list of deceased persons who were residents of that county. The Department of Health and Human Services shall base each list upon information supplied by death certifications it received during the preceding month. Upon the receipt of those names, each county board of elections shall remove from its voter registration records any person the list shows to be dead, deceased each week.
- (2) Each county board of elections shall also remove from its voter registration records a person identified as deceased by Upon receipt of a signed statement of a near relative or personal representative of the estate of the a deceased

~~voter.~~ voter indicating that the person has died, a county board of elections shall remove the person identified as deceased from its voter registration records within one week of receipt of the signed statement. The county board need not does not need to send any notice to the address of the person so removed. person before removing the person from its voter registration records.

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

- (1) Report of Conviction Within the State. – The State Board of Elections, on or before the fifteenth day of every month, At a minimum of once per week, the Executive Director shall report to the county board of elections of that county the name, county of residence, and residence address if available, of each individual compile a list of individuals against whom a final judgment of conviction of a felony within this State has been entered in that county in the preceding calendar month. entered. The Executive Director shall report to each appropriate county board of elections the names of individuals from that county appearing on such list each week.
- (2) Report of Federal Conviction. – The At a minimum of once per week, the Executive Director of the State Board of Elections, upon receipt of shall compile a list of individuals against whom a federal conviction has been reported, based on a notice of conviction sent by a United States Attorney pursuant to section 8(g) of the National Voter Registration Act, Act. The Executive Director shall notify the report to each appropriate county boards board of elections of the conviction. names of individuals from that county appearing on such list each week.
- (3) County Board's Duty Upon Receiving Report of Conviction. – When a county board of elections receives a notice pursuant to subdivision (1) or (2) of this subsection relating to a resident of that county and that person is registered to vote in that county, the county board of elections shall, after giving 30 days' written notice to the voter at his registration address, the address associated with that voter registration, and if the voter makes no objection, remove the person's name from its registration records. If the voter notifies the county board of elections of his objection to the removal within 30 days of the notice, the chairman chair of the county board of elections shall enter a challenge under G.S. 163-85(c)(5), and the notice the county board of elections received pursuant to this subsection shall be prima facie evidence for the preliminary hearing that the registrant was convicted of a felony.

(c1) Noncitizens. –

- (1) Within 30 days of receipt of the communication in accordance with G.S. 9-6.2, the State Board shall do each of the following:
 - a. Review the voter registration and citizenship status of each person identified, including the matching of available information in State and federal databases.
 - b. Distribute to each county board of elections a report of the persons identified who are registered to vote in that county. The report shall include the information provided by the clerk of superior court under G.S. 9-6.2, the voter registration number of the person, and the results of the State Board review of the person's voter registration and citizenship status. The State Board shall not include a person's name in the report if the State Board review determines that the individual

became a citizen of the United States after the date of that person's jury disqualification.

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

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

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

b. If, within 30 days of the date on which notice was sent of the removal of a voter's name from registration records pursuant to sub-subdivision a. of this subdivision, the voter notifies the county board of elections of the voter's objection to the removal, the chair of the county board of elections shall enter a challenge under G.S. 163-85(c)(7) and the notice provided to the county board of elections by the receipt of the report from the State Board pursuant to this subdivision shall establish a rebuttable presumption in the preliminary hearing heard pursuant to G.S. 163-85(d) that the person is not a citizen of the United States. The voter may appear with evidence to rebut the presumption, including any federal documentation of citizenship or evidence that the voter did not request to be excused from jury duty on the basis of noncitizenship.

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

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

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

a. A report to the county board from the Department of Transportation or from a voter registration agency listed in G.S. 163-82.20 that the voter has reported a change of address for voting purposes outside the county; county.

- b. A notice of cancellation received under ~~G.S. 163-82.9;~~ G.S. 163-82.9.
 - c. A notice of cancellation received from an election jurisdiction outside the State.
- (2) ~~Fails~~ Following each congressional election, the county board of elections shall send to each registered voter who has not voted or confirmed the voter's address by another means a confirmation mailing. The county board of elections shall remove from its voter registration records the names of individuals who fail to respond to a ~~the~~ confirmation mailing sent by the county board in accordance with this subdivision and ~~does who do not~~ vote or appear to vote in an election beginning on the date of the notice and ending on the day after the date of the second general election for the United States House of Representatives that occurs after the date of the notice. A county board sends of elections shall send a confirmation notice in accordance with this subdivision if the notice that complies with all of the following:
- a. Is a postage prepaid and preaddressed return card, sent by forwardable mail, on which the registrant may state current ~~address;~~ address.
 - b. Contains or is accompanied by a notice to the effect that if the registrant did not change residence but remained in the county, the registrant should return the card not later than the deadline for registration by mail in ~~G.S. 163-82.6(d)(1); and~~ G.S. 163-82.6(d)(1).
 - c. Contains or is accompanied by information as to how the registrant may continue to be eligible to vote if the registrant has moved outside the county.

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

- (3) ~~Any registrant~~ registered voter who is removed from the list of registered voters pursuant to this subsection shall be reinstated if the voter appears to vote and gives oral or written affirmation that the voter has not moved out of the county but has maintained residence continuously within the county. That person shall be allowed to vote as provided in G.S. 163-82.15(f).

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

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

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

SECTION 45.(a) The State Board of Elections and county boards of elections shall conduct a robust public education effort regarding the photo identification requirement to vote. The websites of the State Board of Elections and each county board of elections shall include a prominent notice or icon linking to a notice regarding the photo identification requirement to vote. The notice shall clearly and initially state the following: "Voters will now be asked to present a valid photo identification when voting in person. If you do not have a valid photo ID card, you may obtain one from your county board of elections prior to the election, through the end of the early voting period. If you do not have a valid photo ID card on election day, you may still vote and have your vote counted by signing an affidavit of reasonable impediment as to why you have not presented a valid photo ID."

SECTION 45.(b) This section expires on December 31, 2024.

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

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

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

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

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

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

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

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

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

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

In the General Assembly read three times and ratified this the 17th day of August, 2023.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

VETO Roy Cooper
Governor

Became law notwithstanding the objections of the Governor at 2:25 p.m. this 10th day of October, 2023.

s/ Mr. James White
House Principal Clerk