§ 163-82.14. List maintenance.

(a) Requirement for List Maintenance. – In accordance with this section, the State Board and county boards of elections shall maintain the list of eligible voters in the State by providing for the following:

(1) The removal of the names of ineligible voters from the official lists of eligible voters.

(2) Updates to the addresses and other necessary data of persons who remain on the official lists of eligible voters.

(a1) 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, in addition to the methods set forth in this section, may use other methods toward the ends set forth in subsection (a) of this section, including address-updating services provided by the Postal 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.

(b) Death. – 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 Executive Director, in a format prescribed by the State Board, the names of deceased persons who were residents of the State. Upon receipt of the list from the Department of Health and Human Services, the Executive Director shall distribute to each county board of elections the names on that list of deceased persons who were residents of that county. 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 deceased each week.

(2) Upon receipt of a signed statement of a near relative or personal representative of the estate of a deceased 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 does not need to send any notice to the address of the 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) At a minimum of once per week, the Executive Director shall compile a list of individuals against whom a final judgment of conviction of a felony within this State has been 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) At a minimum of once per week, the Executive Director 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. 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.

(3) 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 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 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. – In order to remove the names of individuals who have moved out of the county, the following shall occur:

(1) 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 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.

b. A notice of cancellation received under G.S. 163-82.9.

c. A notice of cancellation received from an election jurisdiction outside the State.

(2) 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 the confirmation mailing sent by the county board in accordance with this subdivision and 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 of elections shall send a confirmation 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.

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).

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.

(3) Any 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 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 an annual report, on or before September 1 of each year, of its list maintenance

under this section. The State Board 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. (1953, c. 843; 1955, c. 800; 1963, c. 303, s. 1; 1965, c. 1116, s. 1; 1967, c. 775, s. 1; 1973, c. 793, ss. 25, 28; c. 1223, s. 4; 1975, c. 395; 1977, c. 265, s. 3; 1981, c. 39, s. 1; c. 87, s. 1; c. 308, s. 1; 1983, c. 411, ss. 1, 2; 1985, c. 211, ss. 1, 2; 1987, c. 691, s. 1; 1993 (Reg. Sess., 1994), c. 762, s. 2; 1997-443, s. 11A.117; 1999-453, s. 7(a), (b); 2001-319, ss. 8(a), 11; 2005-428, s. 14; 2007-391, ss. 18, 32; 2008-187, s. 33(a); 2013-381, ss. 18.1, 39.1(b); 2014-111, s. 16; 2017-6, s. 3; 2018-112, s. 4; 2018-146, s. 3.1(a), (b); 2023-140, s. 44(e).)