AN ACT TO IMPLEMENT THE CONSTITUTIONAL AMENDMENT REQUIRING PHOTOGRAPHIC IDENTIFICATION TO VOTE.

The General Assembly of North Carolina enacts:

PART I: IMPLEMENTATION OF THE CONSTITUTIONAL REQUIREMENT REQUIRING PHOTOGRAPHIC IDENTIFICATION TO VOTE

SECTION 1.1(a) Article 17 of Chapter 163A of the General Statutes is amended by adding a new section to read:


(a) The county board of elections shall, in accordance with this section, issue without charge voter photo identification cards upon request to registered voters. The voter photo identification cards shall contain a photograph of the voter and the voter registration number for that voter. The voter photo identification card shall be used for voting purposes only and shall expire eight years from the date of issuance.

(b) The State Board shall make available to county boards of elections the equipment necessary to print voter photo identification cards. County boards of elections shall operate and maintain the equipment necessary to print voter photo identification cards.

(c) County boards of elections shall maintain a secure database containing the photographs of registered voters taken for the purpose of issuing voter photo identification cards.

(d) The State Board shall adopt rules to ensure at a minimum, but not limited to, the following:

(1) A registered voter seeking to obtain a voter photo identification card shall provide the voter’s date of birth and the last four digits of the voter’s social security number.

(2) Voter photo identification cards shall be issued at any time, except during the time period between the end of the voter registration deadline for a primary or election as provided in G.S. 163A-865 and election day for each primary and election.

(3) If the registered voter loses or defaces the voter’s photo identification card, the voter may obtain a duplicate card without charge from his or her county board of elections upon request in person, or by telephone or mail."

SECTION 1.1(b) Voter photo identification cards, as required by G.S 163A-869.1, as enacted by this act, shall be available on request no later than May 1, 2019. The State Board shall adopt temporary rules to implement G.S. 163A-869.1, as enacted by this act, no later than April 15, 2019.
SECTION 1.2(a) Article 20 of Chapter 163A of the General Statutes is amended by adding a new section to read:

§ 163A-1145.1. Requirement for photo identification to vote in person.
(a) Photo Identification Required to Vote. – When a voter presents to vote in person, the voter shall produce any of the following forms of identification that contain a photograph of the voter:

(1) Any of the following that is valid and unexpired, or has been expired for one year or less:
   a. A North Carolina drivers license.
   b. A special identification card for nonoperators issued under G.S. 20-37.7 or other form of nontemporary identification issued by the Division of Motor Vehicles of the Department of Transportation.
   c. A United States passport.
   d. A North Carolina voter photo identification card of the voter issued pursuant to G.S. 163A-869.1.
   e. A tribal enrollment card issued by a federally recognized tribe.
   f. A tribal enrollment card issued by a tribe recognized by this State under Chapter 71A of the General Statutes, provided that card meets all of the following criteria:
      1. Is issued in accordance with a process approved by the State Board that requires an application and proof of identity equivalent to the process for approving a college or university identification card in G.S. 163A-1145.2.
      2. Is signed by an elected official of the tribe.
   g. A student identification card issued by a constituent institution of The University of North Carolina, the North Carolina Community College system, or eligible private postsecondary institution as defined in G.S. 116-280(3), provided that card is issued in accordance with G.S. 163A-1145.2.
   h. An employee identification card issued by a state or local government entity, including a charter school, provided that card is issued in accordance with G.S. 163A-1145.3.
   i. A drivers license or special identification card for nonoperators issued by another state, the District of Columbia, or a territory or commonwealth of the United States, but only if the voter's voter registration was within 90 days of the election.

(2) Any of the following, regardless of whether the identification contains a printed expiration or issuance date:
   a. A military identification card issued by the United States government.
   b. A Veterans Identification Card issued by the United States Department of Veterans Affairs for use at Veterans Administration medical facilities.

(3) Any expired form of identification allowed in this subsection presented by a voter having attained the age of 65 years at the time of presentation at the voting place, provided that the identification was unexpired on the voter's sixty-fifth birthday.

(b) Verification of Photo Identification. – After presentation of the required identification described in subsection (a) of this section, the precinct officials assigned to check registration shall compare the photograph contained on the required identification with the person presenting to vote. The precinct official shall verify that the photograph is that of the person seeking to vote. If the precinct official disputes that the photograph contained on the required identification is the
person presenting to vote, a challenge shall be conducted in accordance with the procedures of G.S. 163A-914.

(c) Provisional Ballot Required Without Photo Identification. – If the registered voter cannot produce the identification as required in subsection (a) of this section, the voter may cast a provisional ballot that is counted only if the voter brings an acceptable form of photograph identification listed in subsection (a) of this section to the county board of elections no later than the end of business on the business day prior to the canvass by the county board of elections as provided in G.S. 163A-1172.

(d) Exceptions. – The following exceptions are provided for a voter who does not produce a valid and current photograph identification as required in subsection (a):

(1) Religious Objection. – If a voter does not produce an acceptable form of photograph identification due to a religious objection to being photographed, the voter may complete an affidavit under penalty of perjury at the voting place and affirm that the voter: (i) is the same individual who personally appears at the voting place; (ii) will cast the provisional ballot while voting in person; and (iii) has a religious objection to being photographed. Upon completion of the affidavit, the voter may cast a provisional ballot.

(2) Reasonable Impediment. – If a voter does not produce an acceptable form of photograph identification because the voter suffers from a reasonable impediment that prevents the voter from presenting photograph identification, the voter may complete an affidavit under the penalty of perjury at the voting place and affirm that the voter: (i) is the same individual who personally appears at the voting place; (ii) will cast the provisional ballot while voting in person; and (iii) suffers from a reasonable impediment that prevents the voter from presenting photograph identification. The voter also shall list the impediment, unless otherwise prohibited by state or federal law. Upon completion of the affidavit, the voter may cast a provisional ballot.

(3) Natural Disaster. – If a voter does not produce an acceptable form of photograph identification due to being a victim of a natural disaster occurring within 60 days before election day that resulted in a disaster declaration by the President of the United States and the Governor of this State, the voter may complete an affidavit under the penalty of perjury at the voting place and affirm that the voter: (i) is the same individual who personally appears at the voting place; (ii) will cast the provisional ballot while voting in person; and (iii) was a victim of a natural disaster occurring within 60 days before election day that resulted in a disaster declaration by the President of the United States and the Governor of this State. Upon completion of the affidavit, the voter may cast a provisional ballot.

(e) County Board Review of Exceptions. – If the county board of elections determines that the voter voted a provisional ballot only due to the inability to provide proof of identification and the required affidavit required in subsection (d) of this section is submitted, the county board of elections shall find that the provisional ballot is valid unless the county board has grounds to believe the affidavit is false.

(f) Purpose. – The purpose of the identification required pursuant to subsection (a) of this section is to confirm the person presenting to vote is the voter on the voter registration records. Any address listed on the identification is not determinative of a voter's residence for the purpose of voting. A voter's residence for the purpose of voting is determined pursuant to G.S. 163A-842.

SECTION 1.2(b) Article 20 of Chapter 163A of the General Statutes is amended by adding a new section to read:

"§ 163A-1145.2. Approval of student identification cards for voting identification.
(a) The State Board shall approve the use of student identification cards issued by a constituent institution of The University of North Carolina, the North Carolina Community College system, or eligible private postsecondary institution as defined in G.S. 116-280(3) for voting identification under G.S. 163A-1145.1 if the following criteria are met:

1. The chancellor, president, or registrar of the university or college submits a signed letter to the Executive Director of the State Board under penalty of perjury that the following are true:
   a. The identification cards that are issued by the university or college contain photographs of students taken by the university or college or its agents or contractors.
   b. The identification cards are issued after an enrollment process that includes methods of confirming the identity of the student that include, but are not limited to, the social security number, citizenship status, and birthdate of the student.
   c. The equipment for producing the identification cards is kept in a secure location.
   d. Misuse of the equipment for producing the identification cards would be grounds for student discipline or termination of an employee.
   e. University or college officials would report any misuse of student identification card equipment to law enforcement if G.S. 163A-1389(19) was potentially violated.
   f. The cards issued by the university or college contain a date of expiration, effective January 1, 2021.
   g. The university or college provides copies of standard identification cards to the State Board to assist with training purposes.

2. The university or college complies with any other reasonable security measures determined by the State Board to be necessary for the protection and security of the student identification process.

(b) The State Board shall approve the use of student identification cards issued by a constituent institution of The University of North Carolina, the North Carolina Community College system, or eligible private postsecondary institution as defined in G.S. 116-280(3) every four years.

(c) The State Board shall produce a list of participating universities and colleges every four years. The list shall be published on the State Board's Web site and distributed to every county board of elections.

SECTION 1.2(c) Article 20 of Chapter 163A of the General Statutes is amended by adding a new section to read:

"§ 163A-1145.3. Approval of employee identification cards for voting identification.

(a) The State Board shall approve the use of employee identification card issued by a state or local government entity, including a charter school, for voting identification under G.S. 163A-1145.1 if the following criteria are met:

1. The head elected official or lead human resources employee of the state or local government entity or charter school submits a signed letter to the Executive Director of the State Board under penalty of perjury that the following are true:
   a. The identification cards that are issued by the state or local government entity contain photographs of the employees taken by the employing entity or its agents or contractors.
   b. The identification cards are issued after an employment application process that includes methods of confirming the identity of the
employee that include, but are not limited to, the social security number, citizenship status, and birthdate of the employee.

c. The equipment for producing the identification cards is kept in a secure location.
d. Misuse of the equipment for producing the identification cards would be grounds for termination of an employee.
e. State or local officials would report any misuse of student identification card equipment to law enforcement if G.S. 163A-1389(19) was potentially violated.
f. The cards issued by the state or local government entity contain a date of expiration, effective January 1, 2021.
g. The state or local government entity provides copies of standard identification cards to the State Board to assist with training purposes.

(2) The state or local government entity complies with any other reasonable security measures determined by the State Board to be necessary for the protection and security of the employee identification process.

(b) The State Board shall approve the use of employee identification cards issued by a state or local government entity, including a charter school, every four years.
(c) The State Board shall produce a list of participating employing entities every four years. The list shall be published on the State Board's Web site and distributed to every county board of elections.

SECTION 1.2(d) Notwithstanding G.S. 163A-1145.1, 163A-1145.2, and 163A-1145.3, the State Board shall approve (i) tribal enrollment cards issued by a tribe recognized by this State under Chapter 71A of the General Statutes; (ii) student identification cards issued by a constituent institution of The University of North Carolina, the North Carolina Community College system, or eligible private postsecondary institution as defined in G.S. 116-280(3); and (iii) employee identification cards issued by a state or local government entity, for use as voting identification under G.S. 163A-1145.1 no later than March 15, 2019, for use in primaries and elections held in 2019 and 2020, and again no later than May 15, 2021, for elections held on or after that date. The State Board shall adopt temporary rules on reasonable security measures for use of student or employee identification cards for voting identification in G.S. 163A-1145.2 and G.S. 163A-1145.3 no later than February 1, 2019. The State Board shall adopt permanent rules on reasonable security measures for use of student or employee identification cards for voting identification in G.S. 163A-1145.2 and G.S. 163A-1145.3 no later than May 15, 2021. The State Board shall produce the initial list of participating institutions and employing entities no later than April 1, 2019.

SECTION 1.2(e) Notwithstanding G.S. 163A-1145.1, 163A-1145.2, and 163A-1145.3, a student identification card issued by a constituent institution of The University of North Carolina, the North Carolina Community College system, or eligible private postsecondary institution as defined in G.S. 116-280(3) or an employee identification card issued by state or local government entity that does not contain an expiration date shall be eligible for use in any election held before January 1, 2021.

SECTION 1.2(f) Notwithstanding G.S. 163A-1145.1(d)(2), for elections held in 2019, any voter who does not present a photograph identification listed as acceptable in G.S. 163A-1145.1(a) when presenting to vote in person shall be allowed to complete a reasonable impediment affidavit and cast a provisional ballot, listing as the impediment not being aware of the requirement to present photograph identification when voting in person or failing to bring photograph identification to the voting place.

SECTION 1.3 G.S. 20-37.7 reads as rewritten:

§ 20-37.7. Special identification card.
(d) Expiration and Fee. – A special identification card issued to a person for the first time under this section expires when a drivers license issued on the same day to that person would expire. A special identification card renewed under this section expires when a drivers license renewed by the card holder on the same day would expire.

The fee for a special identification card is the same as the fee set in G.S. 20-14 for a duplicate license. The fee does not apply to a special identification card issued to a resident of this State as follows:

1. The applicant is legally blind.
2. The applicant is at least 70-17 years old.
3. The applicant or who has been issued a drivers license but the drivers license is cancelled under G.S. 20-15, in accordance with G.S. 20-9(e) and (g), as a result of a physical or mental disability or disease.
4. The applicant is homeless. To obtain a special identification card without paying a fee, a homeless person must present a letter to the Division from the director of a facility that provides care or shelter to homeless persons verifying that the person is homeless.
5. The applicant is registered to vote in this State and does not have photo identification acceptable under G.S. 163A-1145. To obtain a special identification card without paying a fee, a registered voter shall sign a declaration stating the registered voter is registered and does not have other photo identification acceptable under G.S. 163A-1145. The Division shall verify that voter registration prior to issuing the special identification card. Any declaration shall prominently include the penalty under G.S. 163A-1389(13) for falsely making the declaration.
6. The applicant is appearing before the Division for the purpose of registering to vote in accordance with G.S. 163A-883 and does not have other photo identification acceptable under G.S. 163A-1145. To obtain a special identification card without paying a fee, that applicant shall sign a declaration stating that applicant is registering to vote and does not have other photo identification acceptable under G.S. 163A-1145. Any declaration shall prominently include the penalty under G.S. 163A-1389(13) for falsely making the declaration.
7. The applicant has a developmental disability. To obtain a special identification card without paying a fee pursuant to this subdivision, an applicant must present a letter from his or her primary care provider certifying that the applicant has a developmental disability. For purposes of this subdivision, the term "developmental disability" has the same meaning as in G.S. 122C-3.

(d2) Notwithstanding subsection (b) of this section, for a person whose valid drivers license, permit, or endorsement, is required to be seized or surrendered due to cancellation, disqualification, suspension, or revocation under applicable State law, the Division shall issue a special identification card to that person without application, if eligible to receive a special identification card, upon receipt of the seized or surrendered document. The Division shall issue and mail, via first-class mail to that person's address on file, a special identification card pursuant to this subsection at no charge.

...
G.S. 163A-1145-G.S. 163A-1145.1. In a primary election, that voter shall also be asked to state, and shall state, the political party with which the voter is affiliated or, if unaffiliated, the authorizing party in which the voter wishes to vote. After examination, that official shall state whether that voter is duly registered to vote in that precinct and shall direct that voter to the voting equipment or to the official assigned to distribute official ballots. If a precinct official states that the person is duly registered, the person shall sign the pollbook, other voting record, or voter authorization document in accordance with subsection (c) of this section before voting."

SECTION 1.4(b) G.S. 163A-1300(b) reads as rewritten:

"(b) Not earlier than the third Wednesday before an election, in which absentee ballots are authorized, in which a voter seeks to vote and not later than 7:00 P.M. on the last Friday before that election, the voter shall appear in person only at the office of the county board of elections, except as provided in G.S. 163A-1303. That voter shall enter the voting enclosure at the board office through the appropriate entrance and shall at once state his or her name and place of residence to an authorized member or employee of the board and present photo identification in accordance with G.S. 163A-1145-G.S. 163A-1145.1. In a primary election, the voter shall also state the political party with which the voter affiliates and in whose primary the voter desires to vote, or if the voter is an unaffiliated voter permitted to vote in the primary of a particular party under G.S. 163A-989, the voter shall state the name of the authorizing political party in whose primary he wishes to vote. The board member or employee 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 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 form as specified in G.S. 163A-1391. 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."

SECTION 1.5(a) The Bipartisan State Board of Elections and Ethics Enforcement (State Board) shall establish an aggressive voter education program concerning the provisions contained in this legislation. The State Board shall educate the public as follows:

1. Post information concerning changes contained in this legislation in a conspicuous location at each county board of elections, the State Board's office, and their respective websites.

2. Train precinct officials at training sessions required as provided in G.S. 163A-889 to answer questions by voters concerning the changes in this legislation.

3. Require documentation describing the changes in this legislation to be disseminated by precinct officials at every election held following the effective date of this act.

4. Coordinate with each county board of elections so that at least two seminars are conducted in each county prior to September 1, 2019.

5. Coordinate with local and service organizations to provide for additional informational seminars at a local or statewide level.

6. Coordinate with local media outlets, county boards of commissions, and county boards of elections to disseminate information in a way that would reasonably inform the public concerning the changes in this legislation, including disseminating the information in Spanish and other languages deemed necessary.

7. Provide educational materials regarding the provisions of this act, the requirements to vote absentee, early, or on election day, a description of voting by provisional ballot, and the availability of a free North Carolina voter photo identification card pursuant to G.S. 163A-869.1 to underserved and minority communities.
notify each registered voter who does not have a North Carolina issued drivers license or identification card a notice of the provisions of this act by no later than September 1, 2019. This notice must include the requirements to vote absentee, early, or on election day and a description of voting by provisional ballot. It must also state the availability of a free North Carolina voter photo identification card pursuant to G.S. 163A-869.1.

Mail information to all registered voters twice in 2019 and twice in 2020 that, at a minimum, describes forms of acceptable photo identification when presenting to vote in person, the options for provisional voting for registered voters who do not present the required photo identification, and a description of voting mail-in absentee.

In addition to the items above, the State Board may implement additional educational programs in its discretion.

SECTION 1.5(b) The State Board is directed to create a list containing all registered voters of North Carolina who are otherwise qualified to vote but do not have a North Carolina drivers license or other form of identification containing a photograph issued by the Division of Motor Vehicles of the Department of Transportation, as of September 1, 2019. The list must be made available to any registered voter upon request. The State Board may charge a reasonable fee for the provision of the list in order to recover associated costs of producing the list. The Division of Motor Vehicles must provide the list of persons with a North Carolina drivers license or other form of identification containing a photograph issued by the Division of Motor Vehicles at no cost to the State Board.

SECTION 1.5(c) County boards of elections shall make available information describing the changes in this legislation, including acceptable forms of photograph identification, to all voters in the 2019 municipal primary and election and at the 2020 primary election.

PART II: REPEAL OF UNCODIFIED SECTIONS OF THE VOTER INFORMATION VERIFICATION ACT

SECTION 2(a) Sections 1.1, 5.2, 5.4, and 5.5 of S.L. 2013-381 are repealed.

SECTION 2(b) Section 5.3 of S.L. 2013-381, as amended by Section 8(g) of S.L. 2015-103, is repealed.

PART III: REPEAL OF CODIFIED SECTIONS OF THE VOTER INFORMATION VERIFICATION ACT AND RELATED STATUTES

SECTION 3.1(a) G.S. 163A-868 is repealed.

SECTION 3.1(b) G.S. 163A-869(e) reads as rewritten:

"(e) Display of Card May Not Be Required to Vote. – No county board of elections may require that a voter registration card be displayed in order to vote. A county board of elections may notify a voter that the voter’s registration card may be used for the required identification in conjunction with a reasonable impediment declaration in accordance with G.S. 163A-1147."

SECTION 3.1(c) G.S. 163A-913 reads as rewritten:

"§ 163A-913. Challenges allowed on day of primary or election.

On the day of a primary or election, at the time a registered voter offers to vote, 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, 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. 163A-911(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) Except as provided in G.S. 163A-1145(d) and G.S. 163A-1146, the voter does not present photo identification in accordance with G.S. 163A-1145.

(4a) The voter does not present photo identification in accordance with G.S. 163A-1145.1.

The chief judge, judge, or assistant appointed under G.S. 163A-815 or 163A-818 may enter challenges under this section against voters in the precinct 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. 163A-911(c)(3), the voter may still transfer that voter's registration under G.S. 163A-878(e) if eligible under that section, and the registration shall not be cancelled under G.S. 163A-919(a) if the transfer is made. A person who has transferred that voter's registration under G.S. 163A-911(c)(3) may be challenged at the precinct to which the registration is being transferred."

SECTION 3.1(d) G.S. 163A-1140(b) is repealed.
SECTION 3.1(e) G.S. 163A-1145 is repealed.
SECTION 3.1(f) G.S. 163A-1146 is repealed.
SECTION 3.1(g) G.S. 163A-1147 is repealed.
SECTION 3.1(h) G.S. 163A-1167 is repealed.
SECTION 3.1(i) G.S. 163A-1168 is repealed.
SECTION 3.1(j) G.S. 163A-1301 is repealed.
SECTION 3.2(a) G.S. 130A-93.1(c) reads as rewritten:
"(c) Upon verification of voter registration, the State Registrar shall not charge any fee under subsection (a) of this section to a registered voter who signs a declaration stating the registered voter is registered to vote in this State and does not have a certified copy of that registered voter's birth certificate or marriage license necessary to obtain photo identification acceptable under G.S. 163A-1145. G.S. 163A-1145.1 Any declaration shall prominently include the penalty under G.S. 163A-1389(13) for falsely or fraudulently making the declaration."

SECTION 3.2(b) G.S. 161-10(a)(8) reads as rewritten:
"(8) Certified Copies of Birth and Death Certificates and Marriage Licenses. – For furnishing a certified copy of a death or birth certificate or marriage license ten dollars ($10.00). Provided however, a register of deeds, in accordance with G.S. 130A-93, may issue without charge a certified birth certificate to any person over the age of 62 years. Provided, however, upon verification of voter registration, a register of deeds, in accordance with G.S. 130A-93, shall issue without charge a certified copy of a birth certificate or a certified copy of a marriage license to any registered voter who declares the registered voter is registered to vote in this State and does not have a certified copy of that registered voter's birth certificate or marriage license necessary to obtain photo identification acceptable under G.S. 163A-1145. G.S. 163A-1145.1 Any declaration shall prominently include the penalty under G.S. 163A-1389(13) for falsely or fraudulently making the declaration."

SECTION 3.2(c) G.S. 163A-1389(13) reads as rewritten:
"(13) For any person falsely to make or present any certificate or other paper to qualify any person fraudulently as a voter, or to attempt thereby to secure to any person the privilege of voting, including declarations made under this Subchapter, G.S. 20-37.7(d)(5), 20-37.7(d)(6), 130A-93.1(c), Subchapter, G.S. 130A-93.1(c), and G.S. 161-10(a)(8)."

SECTION 3.2(d) G.S. 163A-1389 is amended by adding a new subdivision to read:
“(19) To counterfeit, sell, lend to, or knowingly permit the use of, by one not entitled thereto, a form of photo identification provided in G.S. 163A-1145.1 for the purposes of voting.”

SECTION 3.3 G.S. 163A-821 reads as rewritten:

§ 163A-821. Observers; appointment.

(a) The chair of each political party in the county shall have the right to designate two observers to attend each voting place at each primary and election and such observers may, at the option of the designating party chair, be relieved during the day of the primary or election after serving no less than four hours and provided the list required by this section to be filed by each chair contains the names of all persons authorized to represent such chair's political party. The chair of each political party in the county shall have the right to designate 10 additional at-large observers who are residents of that county who may attend any voting place in that county. The chair of each political party in the State shall have the right to designate up to 100 additional at-large observers who are residents of the State who may attend any voting place in the State. The list submitted by the chair of the political party may be amended between the one-stop period under G.S. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304 and general election day to substitute one or all at-large observers for election day. Not more than two observers from the same political party shall be permitted in the voting enclosure at any time, except that in addition one of the at-large observers from each party may also be in the voting enclosure. This right shall not extend to the chair of a political party during a primary unless that party is participating in the primary. In any election in which an unaffiliated candidate is named on the ballot, the candidate or the candidate's campaign manager shall have the right to appoint two observers for each voting place consistent with the provisions specified herein. Persons appointed as observers by the chair of a county political party must be registered voters of the county for which appointed and must have good moral character. Persons appointed as observers by the chair of a State political party must be registered voters of the State and must have good moral character. No person who is a candidate on the ballot in a primary or election may serve as an observer or runner in that primary or election. Observers shall take no oath of office.

(b) Individuals authorized to appoint observers must submit in writing to the chief judge of each precinct a signed list of the observers appointed for that precinct, except that the list of at-large observers authorized in subsection (a) of this section shall be submitted to the county director of elections. Individuals authorized to appoint observers must, prior to 10:00 A.M. on the fifth day prior to any primary or general election, submit in writing to the chair of the county board of elections two signed copies of a list of observers appointed by them, designating the precinct or at-large status for which each observer is appointed. Before the opening of the voting place on the day of a primary or general election, the chair shall deliver one copy of the list to the chief judge for each affected precinct, except that the list of at-large observers shall be provided by the county director of elections to the chief judge. The chair shall retain the other copy. The chair, or the chief judge and judges for each affected precinct, may for good cause reject any appointee and require that another be appointed. The names of any persons appointed in place of those persons rejected shall be furnished in writing to the chief judge of each affected precinct no later than the time for opening the voting place on the day of any primary or general election, either by the chair of the county board of elections or the person making the substitute appointment.

If party chairs appoint observers at one-stop sites under G.S. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304, those party chairs shall provide a list of the observers appointed before 10:00 A.M. on the fifth day before the observer is to observe. At-large observers may serve at any one-stop site.

...."

SECTION 3.4(a) G.S. 163A-867(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 that first election and may not vote by absentee ballot except in person under G.S. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304. The county board of elections shall establish a procedure at the voting site for:

a. Obtaining the correct address of any person described in this subdivision who appears to vote in person; and
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. 163A-916."

SECTION 3.4(b) G.S. 163A-1133(b) reads as rewritten:

"(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 sites under G.S. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304. 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 site."

SECTION 3.4(c) G.S. 163A-1134(e) reads as rewritten:

"(e) Buffer Zone and Area for Election-Related Activity at One-Stop Sites. – Except as modified in this subsection, the provisions of this section shall apply to one-stop voting sites in G.S. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304.

(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 voting at the site."

SECTION 3.4(d) G.S. 163A-1298(a) reads as rewritten:

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

(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. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304; 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. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304 except as provided in that section.

(3) For a voter who votes an absentee ballot under the procedures authorized by G.S. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304 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. 163A-1302, or to receive assistance except as provided in G.S. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304.

…."

SECTION 3.4(e) G.S. 163A-1300(a) reads as rewritten:
"(a) Any voter eligible to vote by absentee ballot under G.S. 163A-1295 may request an
application for absentee ballots, complete the application, and vote under the provisions of this

SECTION 3.4(f) G.S. 163A-1300(i) reads as rewritten:
"(i) Notwithstanding the provisions of G.S. 163A-916(a) and (b), a challenge may be
entered against a voter at a one-stop site under G.S. 163A-1303 or during one-stop voting at the
county board office. The challenge may be entered by a person conducting one-stop voting under
this section and G.S. 163A-1301, 163A-1302, G.S. 163A-1302, 163A-1303, and 163A-1304 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. 163A-916(e)."

SECTION 3.4(g) G.S. 163A-1303 reads as rewritten:
"§ 163A-1303. Sites and hours for one-stop voting.
(a) Notwithstanding any other provision of G.S. 163A-1300, 163A-1301, 163A-1302,
this section, and G.S. 163A-1304, 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 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. 163A-821 for party observers at voting places
on election day. A county board of elections may propose in its Plan not to offer one-stop voting
at the county board of elections office; the State Board may approve that proposal in a Plan only
if the Plan 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 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, 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 that county. The State
Board, in that plan, shall take into consideration factors including geographic, demographic, and
partisan interests of that county.
(b) The State Board shall not approve, either in a Plan approved unanimously by a county
board of elections or in an alternative Plan proposed by a member or members of that board, a
one-stop site in a building that the county board of elections is not entitled under G.S. 163A-1046
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 unfairly advantage
or disadvantage geographic, demographic, or partisan interests of that county. In providing the
site or sites for one-stop absentee voting under G.S. 163A-1300, 163A-1301, 163A-1302, this
section, and G.S. 163A-1304, 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 voting under these sections. 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
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 voting under G.S. 163A-1300, 163A-1301,
163A-1302, this section, and G.S. 163A-1304. 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.

..."

SECTION 3.4(h)  G.S. 163A-1306 reads as rewritten:

"§ 163A-1306. Register of absentee requests, applications, and ballots issued; a public
record.

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 being requested, and, if
applicable, the name and address of the voter's near relative or verifiable legal
guardian who requested the application and ballots for the voter.
(2) Number of assigned voter's application when issued.
(3) Precinct in which applicant is registered.
(4) Address to which ballots are to be mailed, or, if the voter voted pursuant to
G.S. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304, a
notation of that fact.
(5) Date request for application for ballots is received by the county board of
elections.
(6) The voter's party affiliation.
(7) The date the ballots were mailed or delivered to the voter.
(8) Whatever additional information and official action may be required by this
Part.

The State Board may provide for the register to be kept by electronic data processing
equipment, and a copy shall be printed out each business day or a supplement printed out each
business day of new information.

The register of absentee requests, applications and ballots issued 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."

SECTION 3.4(i)  G.S. 163A-1308(c) reads as rewritten:

"(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, the 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. 163A-1307(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. 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. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304. No election official shall issue applications for absentee ballots except in compliance with this Part."

SECTION 3.4(j) G.S. 163A-1310(c) reads as rewritten:
"(c) For purposes of this section, "Delivered in person" includes delivering the ballot to an election official at a one-stop voting site under G.S. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304 during any time that site is open for voting. The ballots shall be kept securely and delivered by election officials at that site to the county board of elections office for processing."

SECTION 3.4(k) G.S. 163A-1315 reads as rewritten:

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

... (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. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304, 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. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304 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. 163A-916(e).
As soon as the absentee ballots have been counted and the names of the
absentee voters entered in the pollbook as required herein, 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 therein.
The county board of elections shall be responsible for the safekeeping of the
pollbook of absentee voters.
(7) Upon completion of the tally to be entered on the absentee abstract prescribed by the
State Board. The abstract shall be signed by the members of the board in
attendance and the original mailed immediately to the State Board. The county
board of elections may have a separate count on the abstract for one-stop
absentee ballots under G.S. 163A-1300, 163A-1301, 163A-1302, 163A-1303,
and 163A-1304.

..."
SECTION 3.4(n) G.S. 163A-1520(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 voting period provided in G.S. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304 for the primary and no more than 28 days nor fewer than seven days before the one-stop voting period provided in G.S. 163A-1300, 163A-1301, 163A-1302, 163A-1303, and 163A-1304 for the general election."

PART IV. APPROPRIATION

SECTION 4. The Bipartisan State Board of Elections and Ethics Enforcement may spend the entirety of the Voter Education Fund for the implementation of this act.

PART V. EFFECTIVE DATE

SECTION 5. Except as otherwise provided, this act is effective when it becomes law.