A BILL TO BE ENTITLED

AN ACT TO RESTORE CONFIDENCE IN GOVERNMENT BY ESTABLISHING THE VOTER INFORMATION VERIFICATION ACT TO PROMOTE THE ELECTORAL PROCESS THROUGH EDUCATION AND INCREASED REGISTRATION OF VOTERS AND BY REQUIRING VOTERS TO PROVIDE PHOTO IDENTIFICATION BEFORE VOTING TO PROTECT THE RIGHT OF EACH REGISTERED VOTER TO CAST A SECURE VOTE WITH REASONABLE SECURITY MEASURES THAT CONFIRM VOTER IDENTITY AS ACCURATELY AS POSSIBLE WITHOUT RESTRICTION.

The General Assembly of North Carolina enacts:

PART I. SHORT TITLE

SECTION 1.1. This act shall be known and cited as the Voter Information Verification Act.

PART II. PHOTO IDENTIFICATION

SECTION 2.1. Article 14A of Chapter 163 of the General Statutes is amended by adding a new section to read:

"§ 163-166.13. Photo identification requirement for voting in person.

(a) Every qualified voter voting in person in accordance with this Article, G.S. 163-82.6A, 163-166.7, 163-166.9, 163-227.2, or 163-182.1A shall present photo identification bearing any reasonable resemblance to that voter to a local election official at the voting place before voting, except as follows:

(1) For a registered voter voting curbside, that voter shall present identification under G.S. 163-166.9.

(2) For a registered voter who has a sincerely held religious objection to being photographed and has filed a declaration in accordance with G.S. 163-82.7A at least 25 days before the election in which that voter is voting in person, that voter shall not be required to provide photo identification.

(3) For a registered voter who is 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 or the Governor of this State who declares the...
lack of photo identification due to the natural disaster on a form provided by
the State Board, that voter shall not be required to provide photo
identification in any county subject to such declaration. The form shall be
available from the State Board of Elections, from each county board of
elections in a county subject to the disaster declaration, and at each polling
place and one-stop early voting site in that county. The voter shall submit the
completed form at the time of voting.

(b) Any voter who complies with subsection (a) of this section shall be permitted to
vote.

c) Any voter who does not comply with subsection (a) of this section shall be
permitted to vote a provisional official ballot which shall be counted in accordance with
G.S. 163-182.1A.

d) The local election official to whom the photo identification is presented shall
determine if the photo identification bears any reasonable resemblance to the voter presenting
the photo identification. If it is determined that the photo identification does not bear any
reasonable resemblance to the voter, the local election official shall comply with
G.S. 163-166.14.

e) As used in this section, "photo identification" means any one of the following that
contains a photograph of the registered voter. In addition, the photo identification shall have a
printed expiration date and has not expired, provided that any voter having attained the age of
70 years at the time of presentation at the voting place shall be permitted to present an expired
form of any of the following that was unexpired on the voter's 70th birthday. Notwithstanding
the previous sentence, in the case of identification under subdivisions (4) through (6) of this
subsection, if it does not contain a printed expiration date, it shall be acceptable if it has a
printed issuance date that is not more than eight years before it is presented for voting:

(1) A North Carolina drivers license issued under Article 2 of Chapter 20 of the
General Statutes, including a learner's permit or a provisional license.
(2) A special identification card for nonoperators issued under G.S. 20-37.7.
(3) A United States passport.
(4) A United States military identification card.
(5) A Veterans Identification Card issued by the United States Department of
Veterans Affairs for use at Veterans Administration medical facilities.
(6) A tribal enrollment card issued by a federally recognized tribe or a tribe
recognized by this State under Chapter 71A of the General Statutes.
(7) A drivers license or nonoperators identification card 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."

SECTION 2.2. Article 14A of Chapter 163 of the General Statutes is amended by
adding a new section to read:

"§ 163-166.14. Evaluation of determination of nonreasonable resemblance of photo
identification.

(a) Any local election official that determines the photo identification presented by a
voter in accordance with G.S. 163-166.13 does not bear any reasonable resemblance to that
voter shall notify the judges of election of the determination.

(b) When notified under subsection (a) of this section, the judges of election present
shall review the photo identification presented and the voter to determine if the photo
identification bears any reasonable resemblance to that voter. The judges of election present
may consider information presented by the voter in addition to the photo identification and
shall construe all evidence presented in a light most favorable to the voter.
(c) A voter subject to subsections (a) and (b) of this section shall be permitted to vote unless the judges of election present unanimously agree that the photo identification presented does not bear any reasonable resemblance to that voter. The failure of the judges of election present to unanimously agree that photo identification presented by a voter does not bear any reasonable resemblance to that voter shall be dispositive of any challenges that may otherwise be made under G.S. 163-85(c)(10).

(d) A voter subject to subsections (a) and (b) of this section shall be permitted to vote a provisional ballot in accordance with G.S. 163-88.1 if the judges of election present unanimously agree that the photo identification presented does not bear any reasonable resemblance to that voter.

(e) At any time after the voter presents photo identification to a local election official other than on election day, the county board of elections shall have available to the local election official judges of election for the review required under subsection (b) of this section, appointed in the manner as is in Article 5 of this Chapter, except that the individuals (i) may reside anywhere in the county or (ii) be an employee of the county or the State. Neither the local election official nor the judges of election may be a county board member. The county board is not required to have the same judges of election available throughout the time period a voter may present photo identification other than on election day but shall have at least two judges, who are not of the same political party affiliation, available at all times during that period.

(f) Any local or State employee appointed to serve as a judge of election may hold that office in addition to the number permitted by G.S. 128-1.1.

(g) The county board of elections shall cause to be made a record of all voters subject to subsection (c) of this section. The record shall include all of the following:

1. The name and address of the voter.
2. The name of the local election official under subsection (a) of this section.
3. The names and a record of how each judge of election voted under subsection (b) of this section.
4. The date of the determinations under subsections (a) and (b) of this section.
5. A brief description of the photo identification presented by the voter.

(h) For purposes of this section, the term “judges of election” shall have the following meanings:

1. On election day, the chief judge and judges of election as appointed under Article 5 of this Chapter.
2. Any time other than on election day, the individuals appointed under subsection (e) of this section.

(i) The State Board shall adopt rules for the administration of this section.”

SECTION 2.3. Article 7A of Chapter 163 of the General Statutes is amended by adding a new section to read:

“§ 163-82.7A. Declaration of religious objection to photograph.

(a) At the time of approval of the application to register to vote, a voter with a sincerely held religious objection to being photographed may execute a declaration before an election official to that effect to be incorporated as part of the official record of voter registration.

(b) At any time after the voter has registered to vote that the voter has determined the voter has a sincerely held religious objection to being photographed, that voter may execute a declaration before an election official to be incorporated as part of the official record of that voter's voter registration.

(c) At any time after a voter has executed a declaration before an election official under this section and that voter no longer has a sincerely held religious objection to being photographed, that voter may request the cancellation of the declaration in writing to the county board.
(d) All declarations under subsections (a) and (b) of this section shall include a statement by the voter that the voter has a sincerely held religious objection to being photographed and a requirement for the signature of the voter, which includes a notice that a false or fraudulent declaration is a Class I felony pursuant to G.S. 163-275(13).

(e) The State Board shall adopt rules to establish a standard form for the administration of this section.

SECTION 2.4. G.S. 163-82.6A(b) reads as rewritten:

"(b) Both Attestation and Proof of Residence Required. – To vote under this section, a voter shall present photo identification in accordance with G.S. 163-166.13. This requirement is separate from the requirement to provide proof of residence under subdivision (2) of this subsection. To register and vote under this section, the person shall do both of the following:

1. Complete a voter registration form as prescribed in G.S. 163-82.4, including the attestation requirement of G.S. 163-82.4(b) that the person meets each eligibility requirement. Such attestation is signed under penalty of a Class I felony under G.S. 163-275(13); and

2. Provide proof of residence by presenting any of the following valid documents that show the person’s current name and current residence address: a North Carolina driver’s license, a photo identification from a government agency, or any of the documents listed in G.S. 163-166.12(a)(2). The State Board of Elections may designate additional documents or methods that suffice and shall prescribe procedures for establishing proof of residence."

SECTION 2.5. G.S. 163-166.7(a) reads as rewritten:

"(a) Checking Registration. – A person seeking to vote shall enter the voting enclosure through the appropriate entrance. A precinct official assigned to check registration shall at once ask the voter to state current name and residence address. The voter shall answer by stating current name and residence address and presenting photo identification in accordance with G.S. 163-166.13. 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 determine 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 2.6. G.S. 163-166.9 reads as rewritten:

"§ 163-166.9. Curbside voting.

(a) In any election or referendum, if any qualified voter is able to travel to the voting place, but because of age or physical disability and physical barriers encountered at the voting place is unable to enter the voting enclosure to vote in person without physical assistance, that voter shall be allowed to vote either in the vehicle conveying that voter or in the immediate proximity of the voting place.

(b) Any qualified voter voting under this section shall comply with G.S. 163-166.13(a) by one of the following means:

1. Presenting photo identification in accordance with G.S. 163-166.13(a).


(c) The State Board of Elections shall promulgate rules for the administration of this section.

SECTION 2.7. G.S. 163-227.2(b) reads as rewritten:

"(b) Not earlier than the third Thursday before an election, in which absentee ballots are authorized, in which a voter seeks to vote and not later than 1:00 P.M. on the last Saturday before that election, the voter shall appear in person only at the office of the county board of

elections, except as provided in subsection (g) of this section. A county board of elections shall
conduct one-stop voting on the last Saturday before the election until 1:00 P.M. and may
conduct it until 5:00 P.M. on that Saturday. 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. Board and present photo
identification in accordance with G.S. 163-166.13. 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. 163-119, 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. 163-227. 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 2.8. Article 15A of Chapter 163 of the General Statutes is amended by
adding a new section to read:

"§ 163-182.1A. Counting of provisional official ballots cast due to failure to provide photo
identification when voting in person.

(a) Unless disqualified for some other reason provided by law, the county board of
elections shall find that a voter's provisional official ballot cast wholly or partly as a result of
failing to present photo identification when voting in person in accordance with
G.S. 163-166.13 is valid and direct that the provisional ballot be opened and counted in
accordance with this Chapter if the voter complies with this section.

(b) A voter who casts a provisional official ballot wholly or partly as a result of failing
to present photo identification when voting in person in accordance with G.S. 163-166.13 may
comply with this section by appearing in person at the county board of elections and doing one
of the following:

(1) Presenting photo identification as defined in G.S. 163-166.13(e) that bears
any reasonable resemblance to the voter. The local election official to whom
the photo identification is presented shall determine if the photo
identification bears any reasonable resemblance to that voter. If not, that
local election official shall comply with G.S. 163-166.14.

(2) Presenting any of the documents listed in G.S. 163-166.12(a)(2) and
declaring that the voter has a sincerely held religious objection to being
photographed. That voter shall also be offered an opportunity to execute a
declaration under G.S. 163-82.7A for future elections.

(c) All identification under subsection (b) of this section shall be presented to the
county board of elections not later than 12:00 noon the day prior to the time set for the
convening of the election canvass pursuant to G.S. 163-182.5.

(d) If the county board of elections determines that a voter has also cast a provisional
official ballot for a cause other than the voter's failure to provide photo identification in
accordance with G.S. 163-166.13, the county board shall do all of the following:

(1) Note on the envelope containing the provisional official ballot that the voter
has complied with the proof of identification requirement.

(2) Proceed to determine any other reasons for which the provisional official
ballot was cast provisionally before ruling on the validity of the voter's
provisional official ballot."

SECTION 2.9. G.S. 163-87 reads as rewritten:
§ 163-87. 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 precinct 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 precinct 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.
4. If the challenge is made with respect to voting in a partisan primary, that the person is a registered voter of another political party.
5. The voter does not present photo identification in accordance with G.S. 163-166.13.

The chief judge, judge, or assistant appointed under G.S. 163-41 or 163-42 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. 163-85(c)(3), the voter may still transfer his 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 his registration under G.S. 163-82.15(e) may be challenged at the precinct to which the registration is being transferred."

PART III. IMPLEMENTATION

SECTION 3.1. G.S. 20-37.7(d) reads as rewritten:

"(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 years old.
3. The applicant is homeless, 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. 163-166.13. 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. 163-166.13. The Division shall verify that voter registration prior to issuing the special identification card.
6. Any declaration shall prominently include the penalty under G.S. 163-275(13) for falsely making the declaration.

The applicant is appearing before the Division for the purpose of registering to vote in accordance with G.S. 163-82.19 and does not have other photo
identification acceptable under G.S. 163-166.13. 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. 163-166.13. Any
declaration shall prominently include the penalty under G.S. 163-275(13) for
falsely making the declaration."

SECTION 3.2. G.S. 130A-93.1 is amended by adding a new subsection to read:
"(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. 163-166.13. Any declaration shall prominently include the penalty under
G.S. 163-275(13) for falsely or fraudulently making the declaration."

SECTION 3.3. 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, register
of deeds, in accordance with G.S. 130A-93, may issue without charge a
Birth Certificate 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. 163-166.13. Any declaration shall prominently
include the penalty under G.S. 163-275(13) for falsely or fraudulently
making the declaration."

SECTION 3.4. G.S. 163-275(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 voting, including declarations made under
this Chapter, G.S. 20-37.7(d)(5), 130A-93.1(c), and 161-10(a)(8);"

PART IV. ABSENTEE VOTING

SECTION 4.1. G.S. 163-229(b) reads as rewritten:
"(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
can 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 of Elections, 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 Article, Article.

(2) A space for identification of the envelope with the voter, voter and the
voter’s signature.
The container-return envelope shall be printed in accordance with the instructions of the State Board of Elections."

SECTION 4.2. G.S. 163-230.1 reads as rewritten:

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

(a) A qualified voter who is eligible to vote by absentee ballot under G.S. 163-226(a) desires to vote by absentee ballot, or that voter's near relative or verifiable legal guardian, shall complete a request form in writing an application for absentee ballots an absentee application and absentee ballots so that the county board of elections receives the completed request form not later than 5:00 P.M. on the Tuesday before the election. That completed written request form shall be signed by the voter, the voter's near relative, or the voter's verifiable legal guardian in compliance with G.S. 163-230.2. The county board of elections 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. Upon receiving the application, completed request form, the county board of elections shall cause to be mailed to that voter in a single package that includes all of the following:

1. The official ballots the voter is entitled to vote;
3. An instruction sheet.

The ballots, envelope, and instructions shall be mailed to the voter by the county board's chairman, member, officer, or employee as determined by the board and entered in the register as provided by this Article.

(a1) 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 written the request under subsection (a) of this section in person for absentee ballots to the board of elections of the county in which the voter is registered after 5:00 p.m. on the Tuesday before the election but not later than 5:00 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 entered 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; and

(3) An instruction sheet.

(a2) 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 of Elections 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 of Elections.

(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. on the Tuesday before the election under the provisions of subsection (a1) 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. No election official shall issue applications for absentee ballots except in compliance with this Article.

(b) 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.

(c) 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.

(c1) Required Meeting of County Board of Elections. – During the period commencing
on the third 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. 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,
aplications, 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 chairman or any other member of the board individually.

(d) Repealed by Session Laws 1999-455, s. 10.

(e) The State Board of Elections, by rule or by instruction to the county board of
elections, shall establish procedures to provide appropriate safeguards in the implementation of
this section.

(f) For the purpose of this Article, "near relative" means spouse, brother, sister, parent,
grandparent, child, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law,
stepparent, or stepchild.

SECTION 4.3. G.S. 163-230.2 reads as rewritten:


(a) Valid Types of Written Requests. – A completed written request form for an
absentee ballot as required by G.S. 163-230.1 is valid only if it is written entirely by the
requester personally, or is on a form generated created by the county board of elections State
Board and signed by the requester, voter requesting absentee ballots or that voter’s near relative
or verifiable legal guardian. The county board of elections shall issue a request form only to the
voter seeking to vote by absentee ballot or to a person authorized by G.S. 163-230.1 to make a
request for the voter. If a requester, due to disability or illiteracy, is unable to complete a
written request, that requester may receive assistance in writing that request from an individual
of that requester's choice. The State Board shall make the form available at its offices, online,
and in each county board of elections office, and that form may be reproduced. A voter may
make a request in person or by writing to the county board for the form to request an absentee
ballot. The request form for an absentee ballot 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 or more of the following in the order of preference:
The number of the voter'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.

The number of the voter's special identification card for nonoperators issued under G.S. 20-37.7.

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.

(a1) A completed request form for an absentee ballot shall be deemed a request to update the official record of voter registration for that voter and shall be confirmed in writing in accordance with G.S. 163-82.14(d).

(a2) The completed request form for an absentee ballot shall be delivered to the county board of elections. If the voter does not include the information requested in subdivision (a)(4) of this section, a copy of a document listed in G.S. 163-166.12(a)(2) shall accompany the completed request form.

(a3) Upon receiving a completed request form for an absentee ballot, the county board shall verify the voter registration. If verified, the absentee ballots and certification form shall be mailed to the voter, unless personally delivered to the requester in accordance with G.S. 163-230(a1). If the voter's official record of voter registration conflicts with the completed request form for an absentee ballot or cannot be verified, the voter shall be so notified. If the county board cannot resolve the differences, no application or absentee ballots shall be issued.

(b) Invalid Types of Written Requests. – A request is not valid if it does not comply with subsection (a) of this section. If a county board of elections receives a request for an absentee ballot that does not comply with subsection (a) of this section, the board shall not issue an application and ballot under G.S. 163-230.1.

(c) Rules by State Board. – The State Board of Elections shall adopt rules for the enforcement of this section."

SECTION 4.4. G.S. 163-231 reads as rewritten:

"§ 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(b1), 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 the ballots to sign the application and certificate as witnesses and to indicate those persons' addresses.

The person 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 the person's assistance and the person is otherwise authorized by law to give assistance. The person in whose presence the ballot was marked shall sign the application and certificate as a witness and shall indicate that person's address. 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.

(a1) Repealed by Session Laws 1987, c. 583, s. 1.

(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 them as follows: All ballots issued under the provisions of Articles 20 and 21A of this Chapter and Article 21A of this Chapter shall be transmitted by mail or by commercial courier service, at the voter's expense, or delivered in person, or by the voter's near relative or verifiable legal guardian not later than 5:00 p.m. on the day before the statewide primary or general election or county bond election. Ballots issued under the provisions of Article 21A of this Chapter may also be electronically transmitted. If ballots are received later than that hour, those absentee ballots shall not be accepted unless (i) federal law so requires, (ii) if ballots issued under Article 20 of this Chapter, the absentee ballots are postmarked by 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., or (iii) if ballots issued under Article 21A of this Chapter, the absentee ballots 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. Ballots issued under Article 20 of this Chapter not postmarked by the day of the election shall not be accepted by the county board of elections.

SECTION 4.5. G.S. 163-226 is amended by adding a new subsection to read:

"(d) The Term "Verifiable Legal Guardian." – An individual appointed guardian under Chapter 35A of the General Statutes. For a corporation appointed as a guardian under that Chapter, the corporation may submit a list of 10 named individuals to the State Board of Elections who may act for that corporation under this Article."

SECTION 4.6(a) G.S. 163-226.3(a)(4) 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:

(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 and 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. 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 15 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 and certificate as a witness for the patient.

SECTION 4.6(b). The State Board of Elections shall adopt rules prior to October 1, 2013, concerning the multipartisan teams authorized by G.S. 163-226.3(a)(4), as amended by subsection (a) of this section, to ensure that each county has no later than the day absentee voting begins for each primary and election trained teams to promptly assist patients and residents of any hospital, clinic, nursing home, or rest home in that county in casting absentee ballots as provided by law. Such rules shall be initially established as temporary rules in accordance with Chapter 150B of the General Statutes.

PART V. REGISTRATION AND EDUCATION

SECTION 5.1. G.S. 163-82.20 is amended by adding a new subsection to read:

"(j) Additional Public Agencies Permitted to Offer Registration. – If approved by the State Board of Elections, the county board of elections, and the county board of commissioners, a county may offer voter registration in accordance with this section through the following additional public offices:

(1) Senior centers or facilities operated by the county.
(2) Parks and recreation services operated by the county."

SECTION 5.2. The State Board of Elections shall disseminate information about photo identification requirements for voting, provide information on how to obtain photo identification appropriate for voting, and assist any registered voter without photo identification appropriate for voting with obtaining such photo identification. Information may be distributed through public service announcements, print, radio, television, online, and social media. The State Board shall work with public agencies, private partners, and nonprofits to identify voters without photo identification appropriate for voting and assist those voters in securing the photo identification appropriate for voting. All outreach efforts to notify voters of the photo identification requirements shall be accessible to the elderly and persons with disabilities. The State Board of Elections shall work with county boards of elections in those counties where there is no Division of Motor Vehicles drivers license office open five days a week to (i) widely communicate information about the availability and schedules of Division of Motor Vehicles mobile units and (ii) provide volunteers to assist voters with obtaining photo identification through mobile units or through any local government that makes photo identification available.

SECTION 5.3. Education and Publicity Requirements. – The public shall be educated about the photo identification to vote requirements of this act as follows:

(1) As counties use their regular processes to notify voters of assignments and reassignments to districts for election to the United States House of Representatives, State Senate, State House of Representatives, or local office, by including information about the provisions of this act.
(2) As counties send new voter registration cards to voters as a result of new registration, changes of address, or other reasons, by including information about the provisions of this act.
(3) Counties that maintain a board of elections Web site shall include information about the provisions of this act.
Notices of elections published by county boards of elections under G.S. 163-22(8) for the 2014 primary and 2014 general election shall include a brief statement that photo identification will be required to vote in person beginning in 2016.

(5) The State Board of Elections shall include on its Web site information about the provisions of this act.

(6) Counties shall post at the polls and at early voting sites beginning with the 2014 primary elections information about the provisions of this act.

(7) The State Board of Elections shall distribute information about the photo identification requirements to groups and organizations serving persons with disabilities or the elderly.

(8) The State Board of Elections, the Division of Motor Vehicles, and county boards of elections in counties where there is no Division of Motor Vehicles drivers license office open five days a week shall include information about mobile unit schedules on existing Web sites, shall distribute information about these schedules to registered voters identified without photo identification, and shall publicize information about the mobile unit schedules through other available means.

(9) The State Board of Elections and county boards of elections shall direct volunteers to assist registered voters and shall publicize available assistance in obtaining photo identification where available through local governments in counties where there is no Division of Motor Vehicles drivers license office open five days a week.

SECTION 5.4. The State Board of Elections shall include in all forms prepared by the Board a prominent statement that submitting fraudulently or falsely completed declarations is a Class I felony under Chapter 163 of the General Statutes.

SECTION 5.5. By April 1, 2014, the State Board of Elections shall review and make recommendations to the Joint Legislative Elections Oversight Committee on the steps recommended by the Board to implement the use of electronic and digital information in all polling places statewide. The review shall address all of the following:

(1) Obtaining digital photographs of registered voters and verifying identity of those voters.

(2) Maintaining information stored electronically in a secure fashion.

(3) Utilizing electronically stored information, including digital photographs and electronic signatures, to create electronic pollbooks.

(4) Using electronic pollbooks to assist in identifying individuals attempting to vote more than once in an election.

(5) A proposed plan for a pilot project to implement electronic pollbooks, including the taking of digital photographs at the polling place to supplement the electronic pollbooks.

(6) Any other related matter identified by the State Board impacting the use of digital and electronic information in the voting place.

PART VI. SEVERABILITY AND EFFECTIVE DATE

SECTION 6.1. If any provision of this act or its application 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 6.2. This act becomes effective as follows:

(1) Parts I and VI of this act are effective when this act becomes law.
Part II of this act becomes effective January 1, 2016, and applies to primaries and elections conducted on or after that date.

Part III of this act becomes effective January 1, 2014.

Part IV of this act becomes effective January 1, 2014, and applies to primaries and elections held on or after that date, except that Section 4.6(b) is effective when it becomes law.

Part V of this act becomes effective October 1, 2013.

At any primary and election between May 1, 2014, and January 1, 2016, any registered voter may present that voter's photo identification to the elections officials at the voting place but may not be required to do so. At each primary and election between May 1, 2014, and January 1, 2016, each voter presenting in person shall be notified that photo identification will be needed to vote beginning in 2016 and be asked if that voter has one of the forms of photo identification appropriate for voting. If that voter indicates he or she does not have one or more of the types of photo identification appropriate for voting, that voter shall be asked to sign an acknowledgment of the photo identification requirement and be given a list of types of photo identification and information on how to obtain those types of photo identification. The list of names of those voters who signed an acknowledgment is a public record.