

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

H

3

HOUSE BILL 1074

Committee Substitute Reported Without Prejudice 4/21/99

Committee Substitute #2 Favorable 4/23/99

Short Title: Election Law Changes – 1.

(Public)

Sponsors:

Referred to:

April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT A SIGNED VOTER REGISTRATION FORM BE DELIVERED TO THE BOARD OF ELECTIONS BY ANYONE DELEGATED THAT RESPONSIBILITY AND MAKE VIOLATION A CLASS 2 MISDEMEANOR; TO ESTABLISH THE CLASS 2 MISDEMEANOR OF AN ELECTION OFFICIAL OR EMPLOYEE ALTERING VOTER REGISTRATION RECORDS WITHOUT WRITTEN AUTHORIZATION; AND TO ALLOW COUNTIES TO USE A VOTING PLACE OUTSIDE THE PRECINCT, WITH APPROVAL BY THE STATE BOARD OF ELECTIONS.

The General Assembly of North Carolina enacts:

– REQUIRING THAT A SIGNED VOTER REGISTRATION FORM BE DELIVERED TO THE BOARD OF ELECTIONS BY ANYONE DELEGATED THAT RESPONSIBILITY.

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

§ 163-82.5A. Duty to deliver form executed by another to county board of elections.

Any person who has been delegated the responsibility of submitting a signed voter registration application form pursuant to G.S. 163-82.6(a) shall deliver that form to

1 the county board of elections not later than five calendar days after gaining possession of
2 the signed form. No person shall sell or attempt to sell completed voter registration forms
3 or to condition their delivery on payment. A violation of this section is a Class 2
4 misdemeanor."

5 Section 1.(b) This section becomes effective October 1, 1999, and applies to all
6 offenses committed on and after that date.

7 – ESTABLISHING THE CLASS 2 MISDEMEANOR OF AN ELECTION OFFICIAL
8 OR EMPLOYEE ALTERING VOTER REGISTRATION RECORDS WITHOUT
9 WRITTEN AUTHORIZATION.

10 Section 2.(a) G.S. 163-274 is amended by adding a new subdivision to read:

11 "(1a) For any member, director, or employee of a board of
12 elections to alter a voter registration application or other voter
13 registration record without the written authorization of the
14 applicant or voter;".

15 Section 2.(b) This section becomes effective October 1, 1999, and applies to all
16 offenses committed on and after that date.

17 – ALLOWING COUNTIES TO USE A VOTING PLACE OUTSIDE THE PRECINCT,
18 WITH APPROVAL BY THE STATE BOARD OF ELECTIONS.

19 Section 3.(a) Article 12 of Chapter 163 of the General Statutes is amended by
20 adding a new section to read:

21 **"§ 163-130A. Out-of-precinct voting places.**

22 A county board of elections, by unanimous vote of all its members, may establish a
23 voting place for a precinct that is located outside that precinct. The county board's
24 proposal is subject to approval by the State Board of Elections. The county board shall
25 submit its proposal in writing to the State Board. Approval by the State Board of
26 Elections of the county's proposed plan shall be conditioned upon the county board of
27 elections' demonstrating that:

28 (1) No facilities adequate to serve as a voting place are located in the
29 precinct;

30 (2) Adequate notification and publicity is provided to notify voters in the
31 precinct of the new polling location;

32 (3) The plan does not unfairly favor or disfavor voters with regard to race or
33 party affiliation; and

34 (4) The new voting place meets all requirements for voting places including
35 accessibility for elderly and disabled voters.

36 Any approval granted by the State Board of Elections for a voting place outside the
37 precinct is effective only for one primary and election and must be reevaluated by the
38 county board of elections and the State Board of Elections annually to determine whether
39 it is still the only available alternative for that precinct."

40 Section 3.(b) This section is effective when this act becomes law and expires
41 January 1, 2002.

42 Section 4. This act is effective when it becomes law.