

1 TO PROVIDE FOR THE CORRECTION OF AN OMISSION ON THE VOTER
2 REGISTRATION FORM; TO AUTHORIZE PARTICIPATION IN THE 2010
3 CENSUS REDISTRICTING DATA PROGRAM; AND TO AUTHORIZE
4 BOARDS OF ELECTIONS TO ALLOW KNOWN VOTERS WHOSE VOTES
5 WERE LOST TO RECAST THEIR BALLOTS DURING A TWO-WEEK PERIOD
6 AFTER THE ELECTION.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.(a)** G.S. 163-45 reads as rewritten:

9 **"§ 163-45. Observers; appointment.**

10 The ~~chairman-chair~~ of each political party in the county shall have the right to
11 designate two observers to attend each voting place at each primary and election and
12 such observers may, at the option of the designating party ~~chairman, chair~~, be relieved
13 during the day of the primary or election after serving no less than four hours and
14 provided the list required by this section to be filed by each ~~chairman-chair~~ contains the
15 names of all persons authorized to represent such ~~chairman's chair's~~ political party. Not
16 more than two observers from the same political party shall be permitted in the voting
17 enclosure at any time. This right shall not extend to the ~~chairman-chair~~ of a political
18 party during a primary unless that party is participating in the primary. In any election in
19 which an unaffiliated candidate is named on the ballot, the candidate or the candidate's
20 campaign manager shall have the right to appoint two observers for each voting place
21 consistent with the provisions specified herein. Persons appointed as observers must be
22 registered voters of the county for which appointed and must have good moral
23 character. No person who is a candidate on the ballot in a primary or election may serve
24 as an observer or runner in that primary or election. Observers shall take no oath of
25 office.

26 Individuals authorized to appoint observers must submit in writing to the chief judge
27 of each precinct a signed list of the observers appointed for that precinct. Individuals
28 authorized to appoint observers must, prior to 10:00 A.M. on the fifth day prior to any
29 primary or general election, submit in writing to the ~~chairman-chair~~ of the county board
30 of elections two signed copies of a list of observers appointed by them, designating the
31 precinct for which each observer is appointed. Before the opening of the voting place on
32 the day of a primary or general election, the ~~chairman-chair~~ shall deliver one copy of the
33 list to the chief judge for each affected precinct. ~~He~~ The chair shall retain the other
34 copy. The ~~chairman, chair~~, or the chief judge and judges for each affected precinct, may
35 for good cause reject any appointee and require that another be appointed. The names of
36 any persons appointed in place of those persons rejected shall be furnished in writing to
37 the chief judge of each affected precinct no later than the time for opening the voting
38 place on the day of any primary or general election, either by the ~~chairman-chair~~ of the
39 county board of elections or the person making the substitute appointment.

40 An observer shall do no electioneering at the voting place, and ~~he~~ shall in no manner
41 impede the voting process or interfere or communicate with or observe any voter in
42 casting ~~his~~ a ballot, but, subject to these restrictions, the chief judge and judges of
43 elections shall permit ~~him~~ the observer to make such observation and take such notes as
44 he the observer may desire.

1 Whether or not the observer attends to the polls for the requisite time provided by
2 this section, each observer shall be entitled to obtain at times specified by the State
3 Board of Elections, but not less than three times during election day with the spacing
4 not less than one hour apart, a list of the persons who have voted in the precinct so far in
5 that election day. Counties that use an "authorization to vote document" instead of poll
6 books may comply with the requirement in the previous sentence by permitting each
7 observer to inspect election records so that the observer may create a list of persons who
8 have voted in the precinct so far that election day; each observer shall be entitled to
9 make the inspection at times specified by the State Board of Elections, but not less than
10 three times during election day with the spacing not less than one hour apart. Instead of
11 having an observer receive the voting list, the county party chair may send a runner to
12 do so. The runner may be the precinct party chair or any person named by the county
13 party chair. That party chair must notify the chair of the county board of elections or the
14 board chair's designee of the names of all runners to be used in each precinct before the
15 runner goes to the precinct. The runner may receive a voter list from the precinct on the
16 same schedule as an observer. Whether obtained by observer or runner, each party is
17 entitled to only one voter list at each of the scheduled times. No runner may enter the
18 voting enclosure except when necessary to announce that runner's presence and to
19 receive the list. The runner must leave immediately after being provided with the list."

20 **SECTION 1.(b)** G.S. 163-166.3 reads as rewritten:

21 **"§ 163-166.3. Limited access to the voting enclosure.**

22 During the time allowed for voting in the voting place, only the following persons
23 may enter the voting enclosure:

- 24 (1) An election official.
- 25 (2) An observer appointed pursuant to G.S. 163-45.
- 26 (2a) A runner appointed pursuant to G.S. 163-45, but only to the extent
27 necessary to announce that runner's presence and to receive the voter
28 list as provided in G.S. 163-45.
- 29 (3) A person seeking to vote in that voting place on that day but only
30 while in the process of voting or seeking to vote.
- 31 (4) A voter in that precinct while entering or explaining a challenge
32 pursuant to G.S. 163-87 or G.S. 163-88.
- 33 (5) A person authorized under G.S. 163-166.8 to assist a voter but, except
34 as provided in subdivision (6) of this section, only while assisting that
35 voter.
- 36 (6) Minor children of the voter under the age of 18, or minor children
37 under the age of 18 in the care of the voter, but only while
38 accompanying the voter and while under the control of the voter.
- 39 (7) Persons conducting or participating in a simulated election within the
40 voting place or voting enclosure, if that simulated election is approved
41 by the county board of elections.
- 42 (8) Any other person determined by election officials to have an urgent
43 need to enter the voting enclosure but only to the extent necessary to
44 address that need."

1 **SECTION 2.** G.S. 163-165.10 reads as rewritten:

2 "**§ 163-165.10. Adequacy of voting system for each precinct.**

3 The county board of elections shall make available for each precinct voting place an
4 adequate quantity of official ballots or ~~equipment so that all voters qualified to vote at~~
5 ~~the precinct may do so.~~ equipment. When the board of county commissioners has
6 decided to adopt and purchase or lease a voting system for voting places under the
7 provisions of G.S. 165-165.8, the board of county commissioners shall, as soon as
8 practical, provide for each of those voting places sufficient equipment of the approved
9 voting system in complete working order. If it is impractical to furnish each voting
10 place with the equipment of the approved voting system, that which has been obtained
11 may be placed in voting places chosen by the county board of elections. In that case, the
12 county board of elections shall choose the voting places and allocate the equipment in a
13 way that as nearly as practicable provides equal access to the voting system for each
14 voter. The county board of elections shall appoint as many voting system custodians as
15 may be necessary for the proper preparation of the system for each election and for its
16 maintenance, storage, and care. The Executive Director of the State Board of Elections
17 may permit a county board of elections to provide more than one type of voting system
18 in a precinct, but only upon a finding that doing so is necessary to comply with federal
19 or State law."

20 **SECTION 3.(a)** Article 7A of Chapter 163 of the General Statutes is
21 amended by adding a new section to read:

22 "**§ 163-82.15A. Administrative change of registration when county line is adjusted.**

23 When a boundary between counties is established by legislation or under
24 G.S. 153A-18, the Executive Director shall direct the county boards of elections
25 involved to administratively change the voter registration of any voter whose county of
26 residence is altered by the establishment of the boundary. The voter shall not be
27 required to submit a new application to register, and the provisions of G.S. 163-57 shall
28 apply to the determination of residency. The Executive Director shall prescribe a
29 method of notifying the voter of the change of county registration, the correct precinct,
30 and other relevant information."

31 **SECTION 3.(b)** G.S. 163-57 reads as rewritten:

32 "**§ 163-57. Residence defined for registration and voting.**

33 All election officials in determining the residence of a person offering to register or
34 vote, shall be governed by the following rules, so far as they may apply:

35 (1) That place shall be considered the residence of a person in which that
36 person's habitation is fixed, and to which, whenever that person is
37 absent, has the intention of returning.

38 a. In the event that a person's habitation is divided by a State,
39 county, municipal, precinct, ward, or other election district, then
40 the location of the bedroom or usual sleeping area for that
41 person with respect to the location of the boundary line at issue
42 shall be controlling as the residency of that person.

43 b. If the person disputes the determination of residency, the person
44 may request a hearing before the county board of elections

1 making the determination of residency. The procedures for
2 notice of hearing and the conduct of the hearing shall be as
3 provided in G.S. 163-86. The presentation of an accurate and
4 current determination of a person's residence and the boundary
5 line at issue by map or other means available shall constitute
6 prima facie evidence of the geographic location of the residence
7 of that person.

- 8 (2) A person shall not be considered to have lost that person's residence if
9 that person leaves home and goes into another ~~state or county~~state,
10 county, municipality, precinct, ward, or other election district of this
11 State, for temporary purposes only, with the intention of returning.
- 12 (3) A person shall not be considered to have gained a residence in any
13 ~~county~~county, municipality, precinct, ward, or other election district
14 of this State, into which that person comes for temporary purposes
15 only, without the intention of making that ~~county~~county, municipality,
16 precinct, ward, or other election district a permanent place of abode.
- 17 (4) If a person removes to another ~~state or county~~state, county,
18 municipality, precinct, ward, or other election district within this State,
19 with the intention of making that ~~state or county~~state, county,
20 municipality, precinct, ward, or other election district a permanent
21 residence, that person shall be considered to have lost residence in the
22 ~~state or county~~state, county, municipality, precinct, ward, or other
23 election district from which that person has removed.
- 24 (5) If a person removes to another ~~state or county~~state, county,
25 municipality, precinct, ward, or other election district within this State,
26 with the intention of remaining there an indefinite time and making
27 that ~~state or county~~state, county, municipality, precinct, ward, or other
28 election district that person's place of residence, that person shall be
29 considered to have lost that person's place of residence in this ~~State or~~
30 ~~the county~~State, county, municipality, precinct, ward, or other election
31 district from which that person has removed, notwithstanding that
32 person may entertain an intention to return at some future time.
- 33 (6) If a person goes into another ~~state or county~~state, county,
34 municipality, precinct, ward, or other election district, or into the
35 District of Columbia, and while there exercises the right of a citizen by
36 voting in an election, that person shall be considered to have lost
37 residence in this ~~State or county~~State, county, municipality, precinct,
38 ward, or other election district.
- 39 (7) School teachers who remove to a ~~county~~county, municipality,
40 precinct, ward, or other election district for the purpose of teaching in
41 the schools of that county temporarily and with the intention or
42 expectation of returning during vacation periods to live in the ~~county~~
43 state, county, municipality, precinct, ward, or other election district in
44 which their parents or other relatives reside, and who do not have the

1 intention of becoming residents of the ~~county~~state, county,
2 municipality, precinct, ward, or other election district to which they
3 have moved to teach, for purposes of registration and voting shall be
4 considered residents of the ~~county~~state, county, municipality, precinct,
5 ward, or other election district in which their parents or other relatives
6 reside.

7 (8) If a person removes to the District of Columbia or other federal
8 territory to engage in the government service, that person shall not be
9 considered to have lost residence in this State during the period of such
10 service unless that person votes in the place to which the person
11 removed, and the place at which that person resided at the time of that
12 person's removal shall be considered and held to be the place of
13 residence.

14 (9) If a person removes to a ~~county~~county, municipality, precinct, ward,
15 or other election district to engage in the service of the State
16 government, that person shall not be considered to have lost residence
17 in the ~~county~~county, municipality, precinct, ward, or other election
18 district from which that person removed, unless that person votes in
19 the place to which the person removed, and the place at which that
20 person resided at the time of that person's removal shall be considered
21 and held to be the place of residence.

22 (9a) The establishment of a secondary residence by an elected official
23 outside the district of the elected official shall not constitute prima
24 facie evidence of a change of residence.

25 (10) For the purpose of voting a spouse shall be eligible to establish a
26 separate domicile.

27 (11) So long as a student intends to make the student's home in the
28 community where the student is physically present for the purpose of
29 attending school while the student is attending school and has no intent
30 to return to the student's former home after graduation, the student may
31 claim the college community as the student's domicile. The student
32 need not also intend to stay in the college community beyond
33 graduation in order to establish domicile there. This subdivision is
34 intended to codify the case law."

35 **SECTION 4.** G.S. 163-182.9(b)(4) reads as rewritten:

36 "(4) The timing for filing a protest shall be as follows:

37 a. If the protest concerns the manner in which votes were counted
38 or results tabulated, the protest shall be filed before the
39 beginning of the county board of election's canvass meeting.

40 b. If the protest concerns the manner in which votes were counted
41 or results tabulated and the protest states good cause for delay
42 in filing, the protest may be filed until ~~6:00~~5:00 P.M. on the
43 second business day after the county board of elections has
44 completed its canvass and declared the results.

- 1 c. If the protest concerns an irregularity other than vote counting
2 or result tabulation, the protest shall be filed no later than ~~6:00~~
3 5:00 P.M. on the second business day after the county board has
4 completed its canvass and declared the results.
- 5 d. If the protest concerns an irregularity on a matter other than
6 vote counting or result tabulation and the protest is filed before
7 election day, the protest proceedings shall be stayed, unless a
8 party defending against the protest moves otherwise, until after
9 election day if any one of the following conditions exists:
- 10 1. The ballot has been printed.
 - 11 2. The voter registration deadline for that election has
12 passed.
 - 13 3. Any of the proceedings will occur within 30 days before
14 election day."

15 **SECTION 5.(a)** G.S. 163-227.2(e) reads as rewritten:

16 "(e) The voter shall vote that voter's absentee ballot in a voting booth in the office
17 of the county board of elections, and the county board of elections shall provide a voting
18 booth for that purpose, provided however, that the county board of elections may in the
19 alternative provide a private room for the voter adjacent to the office of the board, in
20 which case the voter shall vote that voter's absentee ballot in that room. ~~If the voter~~
21 ~~needs assistance in getting to and from the voting booth and in preparing and marking~~
22 ~~that voter's ballots or if the voter is a blind voter, only a member of the county board of~~
23 ~~elections, the director of elections, an employee of the board of elections authorized by~~
24 ~~the board, a near relative of the voter or the voter's verifiable legal guardian shall be~~
25 ~~entitled to assist the voter. A voter at a one-stop site shall be entitled to the same~~
26 assistance as a voter at a voting place on election day under G.S. 163-166.8. The State
27 Board of Elections shall, where appropriate, adapt the rules it adopts under
28 G.S. 163-166.8 to one-stop voting."

29 **SECTION 5.(b)** G.S. 163-226.3(a) reads as rewritten:

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

- 33 (1) For any person except the voter's near relative or the voter's verifiable
34 legal guardian to assist the voter to vote an absentee ballot when the
35 voter is voting an absentee ballot other than under the procedure
36 described in G.S. 163-227.2; provided that if there is not a near relative
37 or legal guardian available to assist the voter, the voter may request
38 some other person to give assistance;
- 39 (2) For any person to assist a voter to vote an absentee ballot under the
40 absentee voting procedure authorized by G.S. 163-227.2 except a
41 ~~member of the county board of elections, the director of elections, an~~
42 ~~employee of the board authorized by the board, the voter's near relative~~
43 ~~or the voter's verifiable legal guardian; as provided in that section;~~

- 1 (3) For a voter who votes an absentee ballot under the procedures
2 authorized by G.S. 163-227.2 to vote that voter's absentee ballot
3 outside of the voting booth or private room provided to the voter for
4 that purpose in or adjacent to the office of the county board of
5 elections or at the additional site provided by G.S. 163-227.2(f1), or to
6 receive assistance ~~in getting to and from the voting booth or private~~
7 ~~room and in preparing and marking that voter's ballots from any~~
8 ~~person other than a member of the county board of elections, the~~
9 ~~director of elections, an employee of the board of elections authorized~~
10 ~~by the board, a near relative of the voter or the voter's verifiable legal~~
11 ~~guardian; except as provided in G.S. 163-227.2;~~
- 12 (4) For any owner, manager, director, employee, or other person, other
13 than the voter's near relative or verifiable legal guardian, to make a
14 written request pursuant to G.S. 163-230.1 or an application on behalf
15 of a registered voter who is a patient in any hospital, clinic, nursing
16 home or rest home in this State or for any owner, manager, director,
17 employee, or other person other than the voter's near relative or
18 verifiable legal guardian, to mark the voter's absentee ballot or assist
19 such a voter in marking an absentee ballot;
- 20 (5) Repealed by Session Laws 1987, c. 583, s. 8.
- 21 (6) For any person to take into that person's possession for delivery to a
22 voter or for return to a county board of elections the absentee ballot of
23 any voter, provided, however, that this prohibition shall not apply to a
24 voter's near relative or the voter's verifiable legal guardian;
- 25 (7) Except as provided in subsections (1), (2), (3) and (4) of this section,
26 G.S. 163-231(a), G.S. 163-250(a), and G.S. 163-227.2(e), for any voter
27 to permit another person to assist the voter in marking that voter's
28 absentee ballot, to be in the voter's presence when a voter votes an
29 absentee ballot, or to observe the voter mark that voter's absentee
30 ballot."

31 **SECTION 6.(a)** G.S. 163-227.2 is amended by adding a new subsection to
32 read:

33 "(e2) A voter who has moved within the county more than 30 days before election
34 day but has not reported the move to the board of elections shall not be required on that
35 account to vote a provisional ballot at the one-stop site, as long as the one-stop site has
36 available all the information necessary to determine whether a voter is registered to vote
37 in the county and which ballot the voter is eligible to vote based on the voter's proper
38 residence address. The voter with that kind of unreported move shall be allowed to vote
39 the same kind of absentee ballot as other one-stop voters."

40 **SECTION 6.(b)** G.S. 163-166.11 is amended by adding a new subdivision
41 to read:

42 "(2a) A voter who has moved within the county more than 30 days before
43 election day but has not reported the move to the board of elections
44 shall not be required on that account to vote a provisional ballot at the

1 one-stop site, as long as the one-stop site has available all the
 2 information necessary to determine whether a voter is registered to
 3 vote in the county and which ballot the voter is eligible to vote based
 4 on the voter's proper residence address. The voter with that kind of
 5 unreported move shall be allowed to vote the same kind of absentee
 6 ballot as other one-stop voters as provided in G.S. 163-227.2(e2)."

7 **SECTION 7.** G.S. 163-227.2(c) reads as rewritten:

8 "(c) If the application is properly filled out, the authorized member or employee
 9 shall enter the voter's name in the register of absentee requests, applications, and ballots
 10 issued; ~~shall furnish the voter with the instruction sheets called for by G.S. 163-229(e);~~
 11 ~~and issued and~~ shall furnish the voter with the ballots to which the application for
 12 absentee ballots applies. The voter thereupon shall vote in accordance with subsection
 13 (e) of this section.

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

22 **SECTION 8.** G.S. 163-107(a) reads as rewritten:

23 "(a) Fee Schedule. – At the time of filing a notice of candidacy, each candidate
 24 shall pay to the board of elections with which he files under the provisions of
 25 G.S. 163-106 a filing fee for the office he seeks in the amount specified in the following
 26 tabulation:

Office Sought	Amount of Filing Fee
Governor	One percent (1%) of the annual salary of the office sought
Lieutenant Governor	One percent (1%) of the annual salary of the office sought
All State executive offices	One percent (1%) of the annual salary of the office sought
All District Attorneys of the General Court of Justice	One percent (1%) of the annual salary of the office sought
United States Senator	One percent (1%) of the annual salary of the office sought
Members of the United States House of Representatives	One percent (1%) of the annual salary of the office sought
State Senator	One percent (1%) of the annual salary of the office sought
Member of the State House of Representatives	One percent (1%) of the annual salary of the office sought

1	All county offices not compensated by fees	One percent (1%) of the annual salary of
2		the office sought
3	County commissioners, if compensated	Ten dollars (\$10.00)
4	entirely by fees	
5	Members of county board of education,	Five dollars (\$5.00)
6	if compensated entirely by fees	
7	Sheriff, if compensated entirely by fees	Forty dollars (\$40.00), plus one percent
8		(1%) of the income of the office above
9		four thousand dollars (\$4,000)
10	Clerk of superior court, if compensated	Forty dollars (\$40.00), plus one percent
11	entirely by fees	(1%) of the income of the office above
12		four thousand dollars (\$4,000)
13	Register of deeds, if compensated	Forty dollars (\$40.00), plus one percent
14	entirely by fees	(1%) of the income of the office above
15		four thousand dollars (\$4,000)
16	Any other county office, if compensated	Twenty dollars (\$20.00), plus one percent
17	entirely by fees	(1%) of the income of the office above
18		two thousand dollars (\$2,000)
19	All county offices compensated partly	One percent (1%) of the first annual
20	by salary and partly by fees	salary to be received (exclusive of
21		fees)

22 The salary of any office that is the basis for calculating the filing fee is the starting
 23 salary for the office, rather than the salary received by the incumbent, if different. If no
 24 starting salary can be determined for the office, then the salary used for calculation is
 25 the salary of the incumbent, as of January 1 of the election year."

26 **SECTION 9.** G.S. 163-82.9 reads as rewritten:

27 **"§ 163-82.9. Cancellation of prior registration.**

28 If an applicant indicates on an application form described in G.S. 163-82.3 a current
 29 registration to vote in any other county, municipality, or state, the county board of
 30 elections, upon registering the person to vote, shall send a notice to the appropriate
 31 officials in the other county, municipality, or state and shall ask them to cancel the
 32 person's voter registration there. If an applicant completes an application form described
 33 in G.S. 163-82.3 except that the applicant neglects to complete the portion of the form
 34 that authorizes cancellation of previous registration in another county, the State Board
 35 of Elections shall notify the county board of elections in the previous county of the new
 36 registration, and the board in the previous county shall cancel the registration. The State
 37 Board of Elections shall adopt rules to prevent disenfranchisement in the
 38 implementation of this section. Those rules shall include adequate notice to the person
 39 whose previous registration is to be cancelled."

40 **SECTION 10.(a)** G.S. 163-82.10(b) reads as rewritten:

41 "(b) Access to Registration Records. – Upon request by that person, the county
 42 board of elections shall provide to any person a list of the registered voters of the county
 43 or of any precinct or precincts in the county. The county board may furnish selective
 44 lists according to party affiliation, gender, race, date of registration, precinct name,

1 precinct identification code, congressional district, senate district, representative district,
2 and, where applicable, county commissioner district, city governing board district, fire
3 district, soil and water conservation district, and voter history including primary,
4 general, and special districts, or any other reasonable category. No list produced under
5 this section shall contain a voter's date of birth. However, lists may be produced
6 according to voters' ages. ~~The Both the following shall apply if a county maintains or~~
7 ~~has its voter registration list maintained on a computer: to all counties:~~

8 (1) ~~In addition to the typed, mimeographed, photocopied, computer~~
9 ~~printout or label lists, the~~ The county board of elections shall make the
10 voter registration information available to the public on electronic or
11 magnetic medium. ~~Magnetic medium for the purpose of this section~~
12 ~~shall consist of nine track tape or 3.5 inch diskettes and 5.25 inch~~
13 ~~diskettes readily accessible using MS DOS or Microsoft Windows~~
14 ~~operating systems or both such systems; and~~ For purposes of this
15 section, "electronic or magnetic medium" means any of the media in
16 use by the State Board of Elections at the time of the request.

17 (2) Information requested on electronic or magnetic medium shall contain
18 the following: voter name, county voter identification number,
19 residential address, mailing address, sex, race, age but not date of
20 birth, party affiliation, precinct name, precinct identification code,
21 congressional district, senate district, representative district, and,
22 where applicable, county commissioner district, city governing board
23 district, fire district, soil and water conservation district, and any other
24 district information available, and voter history including primary,
25 general, and special districts, or any other reasonable
26 category, category.

27 ~~provided that this subsection shall not require a county to computerize its lists, but if a~~
28 ~~county does computerize it shall comply with subdivisions (1) and (2) of this~~
29 ~~subsection. The county board shall require each person to whom a list is furnished to~~
30 ~~reimburse the board for the actual cost incurred in preparing it, except as provided in~~
31 ~~subsection (c) of this section. Actual cost for the purpose of this section shall not~~
32 ~~include the cost of any equipment or any imputed overhead expenses. It may include the~~
33 ~~actual cost of paper, labels, and magnetic medium. The purchaser at its discretion may~~
34 ~~provide the magnetic medium. When furnishing information under this subsection to a~~
35 ~~purchaser on a magnetic medium provided by the county board or the purchaser, the~~
36 ~~county board may impose a service charge of up to twenty-five dollars (\$25.00)."~~

37 **SECTION 10.(b)** G.S. 163-82.10(c) reads as rewritten:

38 "(c) Free Lists. ~~Free lists of all registered voters in the county shall be provided~~
39 ~~in the following cases:~~

40 (1) A county board ~~that maintains voter records on computer~~ shall
41 provide, upon written request, one free list ~~to~~ of all the registered
42 voters in the county to

43 a. ~~The~~ the State chair of each political ~~party;~~ party and

1 ~~b. The~~ to the county chair of each political party once in every
2 odd-numbered year, once during the first six calendar months of
3 every even-numbered year, and once during the latter six
4 calendar months of every even-numbered year.

5 ~~(2) A county board that does not maintain voter records on computer shall~~
6 ~~provide one free paper list every two years to the county chair of each~~
7 ~~political party.~~

8 Each free list shall include the name, address, gender, age but not date of birth, race,
9 political affiliation, voting history, precinct, precinct name, precinct identification code,
10 congressional district, senate district, representative district, and, where applicable,
11 county commissioner district, city governing board district, fire district, soil and water
12 conservation district, and voter history including primary, general, and special districts
13 of each registered voter. ~~The free paper list to the county party chairs shall group voters~~
14 ~~by precinct.~~ All free lists shall be provided as soon as practicable on one of any
15 electronic or magnetic media, but no later than 30 days after written request. Each State
16 party chair shall provide ~~the discs or tapes~~ the information on the media received from
17 the county boards or a copy of the media containing the data itself to candidates of that
18 party who request the ~~discs or tapes~~ data in writing. ~~Each State party chair shall return~~
19 ~~discs and tapes to the county boards within 30 days after receiving them.~~ As used in this
20 section, "political party" means a political party as defined in G.S. 163-96."

21 **SECTION 11.(a)** G.S. 163-182.5(b) reads as rewritten:

22 "(b) Canvassing by County Board of Elections. – The county board of elections
23 shall meet at 11:00 A.M. on the ~~seventh-tenth~~ day after every election held on the same
24 day as a general election in November of the even-numbered year, and at 11:00 A.M. on
25 the seventh day after every other election, to complete the canvass of votes cast and to
26 authenticate the count in every ballot item in the county by determining that the votes
27 have been counted and tabulated correctly. If, despite due diligence by election officials,
28 the initial counting of all the votes has not been completed by that time, the county
29 board may hold the canvass meeting a reasonable time thereafter. The canvass meeting
30 shall be at the county board of elections office, unless the county board, by unanimous
31 vote of all its members, designates another site within the county. The county board
32 shall examine the returns from precincts, from absentee official ballots, and from
33 provisional official ballots and shall conduct the canvass."

34 **SECTION 11.(b)** G.S. 163-182.7 reads as rewritten:

35 "**§ 163-182.7. Ordering recounts.**

36 (a) Discretionary Recounts. – The county board of elections or the State Board of
37 Elections may order a recount when necessary to complete the canvass in an election.
38 The county board may not order a recount where the State Board of Elections has
39 already denied a recount to the petitioner.

40 (b) Mandatory Recounts for Ballot Items Within the Jurisdiction of the County
41 Board of Elections. – In a ballot item within the jurisdiction of the county board of
42 elections, a candidate shall have the right to demand a recount of the votes if the
43 difference between the votes for that candidate and the votes for a prevailing candidate
44 is not more than one percent (1%) of the total votes cast in the ballot item, or in the case

1 of a multiseat ballot item not more than one percent (1%) of the votes cast for those two
2 candidates. The demand for a recount must be made in writing and must be received by
3 the county board of elections by 5:00 P.M. on the first business day after the canvass.
4 The recount shall be conducted under the supervision of the county board of elections.

5 (c) Mandatory Recounts for Ballot Items Within the Jurisdiction of the State
6 Board of Elections. – In a ballot item within the jurisdiction of the State Board of
7 Elections, a candidate shall have the right to demand a recount of the votes if the
8 difference between the votes for that candidate and the votes for a prevailing candidate
9 are not more than the following:

- 10 (1) For a nonstatewide ballot item, one percent (1%) of the total votes cast
11 in the ballot item, or in the case of a multiseat ballot item, one percent
12 (1%) of the votes cast for those two candidates.
13 (2) For a statewide ballot item, one-half of one percent (0.5%) of the votes
14 cast in the ballot item, or in the case of a multiseat ballot item, one-half
15 of one percent (0.5%) of the votes cast for those two candidates, or
16 10,000 votes, whichever is less.

17 The demand for a recount must be in writing and must be received by the State Board of
18 Elections by noon on the second ~~Thursday after the election.~~ business day after the
19 county canvass. ~~If on that Thursday at that time~~ the available returns show a candidate
20 not entitled to a mandatory recount, but the Executive Director determines subsequently
21 that the margin is within the threshold set out in this subsection, the Executive Director
22 shall notify the eligible candidate immediately and that candidate shall be entitled to a
23 recount if that candidate so demands within 48 hours of notice. The recount shall be
24 conducted under the supervision of the State Board of Elections.

25 (d) Rules for Conducting Recounts. – The State Board of Elections shall
26 promulgate rules for conducting recounts. Those rules shall be subject to the following
27 guidelines:

- 28 (1) The rules shall specify, with respect to each type of voting system,
29 when and to what extent the recount shall consist of machine recounts
30 and hand-to-eye recounts.
31 (2) The rules shall provide guidance in interpretation of the voter's choice.
32 (3) The rules shall specify how the goals of multipartisan participation,
33 opportunity for public observation, and good order shall be balanced."

34 **SECTION 12.** G.S. 163-166.7(c) reads as rewritten:

35 "(c) The State Board of Elections shall promulgate rules for the process of voting.
36 Those rules shall emphasize the appearance as well as the reality of dignity, good order,
37 impartiality, and the convenience and privacy of the voter. Those rules, at a minimum,
38 shall include procedures to ensure that all the following occur:

- 39 (1) The voting system remains secure throughout the period voting is
40 being conducted.
41 (2) Only properly voted official ballots are introduced into the voting
42 system.
43 (3) Except as provided by G.S. 163-166.9, no official ballots leave the
44 voting enclosure during the time voting is being conducted there.

- 1 (4) All improperly voted official ballots are returned to the precinct
2 officials and marked as spoiled.
- 3 (5) Voters leave the voting place promptly after voting.
- 4 (6) Voters not clearly eligible to vote in the precinct but who seek to vote
5 there are given proper assistance in voting a provisional official ballot
6 or guidance to another voting place where they are eligible to vote.
- 7 (7) Information gleaned through the voting process that would be helpful
8 to the accurate maintenance of the voter registration records is
9 recorded and delivered to the county board of elections.
- 10 (8) The registration records are kept secure. The State Board of Elections
11 shall permit the use of electronic registration records in the voting
12 place in lieu of or in addition to a paper pollbook or other registration
13 record.
- 14 (9) Party observers are given access as provided by G.S. 163-45 to current
15 information about which voters have voted.
- 16 (10) The voter, before voting, shall sign that voter's name on the pollbook,
17 other voting record, or voter authorization document. If the voter is
18 unable to sign, a precinct official shall enter the person's name on the
19 same document before the voter votes."

20 **SECTION 13.** G.S. 163-182.15 is amended by adding a subsection to read:

21 "(d) Determining Results. – In a primary for party nomination, the results shall be
22 determined in accordance with G.S. 163-111 and the certificate issued accordingly. In a
23 general election, the individuals having the highest number of votes for each office shall
24 be declared elected to the office, and the certificate shall be issued accordingly. In a
25 referendum, the ballot proposal receiving the highest number of votes shall be declared
26 to have prevailed, and the certificate shall be issued accordingly."

27 **SECTION 14.** G.S. 163-82.14(d) reads as rewritten:

28 "(d) Change of Address. – A county board of elections shall conduct a systematic
29 program to remove from its list of registered voters those who have moved out of the
30 county, and to update the registration records of persons who have moved within the
31 county. The county board shall remove a person from its list if the registrant:

- 32 (1) Gives confirmation in writing of a change of address for voting
33 purposes out of the county. "Confirmation in writing" for purposes of
34 this subdivision shall include:
 - 35 a. A report to the county board from the Department of
36 Transportation or from a voter registration agency listed in
37 G.S. 163-82.20 that the voter has reported a change of address
38 for voting purposes outside the county;
 - 39 b. A notice of cancellation received under G.S. 163-82.9; or
 - 40 c. A notice of cancellation received from an election jurisdiction
41 outside the State.
- 42 (2) Fails to respond to a confirmation mailing sent by the county board in
43 accordance with this subdivision and does not vote or appear to vote in
44 an election beginning on the date of the notice and ending on the day

1 after the date of the second general election for the United States
 2 House of Representatives that occurs after the date of the notice. A
 3 county board sends a confirmation notice in accordance with this
 4 subdivision if the notice:

- 5 a. Is a postage prepaid and preaddressed return card, sent by
 6 forwardable mail, on which the registrant may state current
 7 address;
- 8 b. Contains or is accompanied by a notice to the effect that if the
 9 registrant did not change residence but remained in the county,
 10 the registrant should return the card not later than the deadline
 11 for registration by mail in G.S. 163-82.6(c)(1); and
- 12 c. Contains or is accompanied by information as to how the
 13 registrant may continue to be eligible to vote if the registrant
 14 has moved outside the county.

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

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

25 **SECTION 15.** G.S. 163-82.4 reads as rewritten:

26 **"§ 163-82.4. Contents of application form.**

27 (a) Information Requested of Applicant. – The form required by G.S. 163-82.3(a)
 28 shall request the applicant's:

- 29 (1) Name,
- 30 (2) Date of birth,
- 31 (3) Residence address,
- 32 (4) County of residence,
- 33 (5) Date of application,
- 34 (6) Gender,
- 35 (7) Race,
- 36 (7a) Ethnicity,
- 37 (8) Political party affiliation, if any, in accordance with subsection (c) of
 38 this section,
- 39 (9) Telephone number (to assist the county board of elections in
 40 contacting the voter if needed in processing the application),
- 41 (10) Drivers license number or, if the applicant does not have a drivers
 42 license number, the last four digits of the applicant's social security
 43 number,

1 and any other information the State Board finds is necessary to enable officials of the
2 county where the person resides to satisfactorily process the application. The form shall
3 require the applicant to state whether currently registered to vote anywhere, and at what
4 address, so that any prior registration can be cancelled. The portions of the form
5 concerning race and ethnicity shall include as a choice any category shown by the most
6 recent decennial federal census to compose at least one percent (1%) of the total
7 population of North Carolina. The county board shall make a diligent effort to complete
8 for the registration records any information requested on the form that the applicant
9 does not complete, but no application shall be denied because an applicant does not
10 state race, ethnicity, gender, or telephone number. The application shall conspicuously
11 state that provision of the applicant's telephone number is optional. If the county board
12 maintains voter records on computer, the free list provided under this subsection shall
13 include telephone numbers if the county board enters the telephone number into its
14 computer records of voters.

15 (a1) No Drivers License or Social Security Number Issued. – The State Board
16 shall assign a unique identifier number to an applicant for voter registration if the
17 applicant has not been issued either a current and valid drivers license or a social
18 security number. That unique identifier number shall serve to identify that applicant for
19 voter registration purposes.

20 (b) Notice of Requirements, Attestation, Notice of Penalty, and Notice of
21 Confidentiality. – The form required by G.S. 163-82.3(a) shall contain, in uniform type,
22 the following:

- 23 (1) A statement that specifies each eligibility requirement (including
24 citizenship) and an attestation that the applicant meets each such
25 requirement, with a requirement for the signature of the applicant,
26 under penalty of a Class I felony under G.S. 163-275(13).
- 27 (2) A statement that, if the applicant declines to register to vote, the fact
28 that the applicant has declined to register will remain confidential and
29 will be used only for voter registration purposes.
- 30 (3) A statement that, if the applicant does register to vote, the office at
31 which the applicant submits a voter registration application will remain
32 confidential and will be used only for voter registration purposes.

33 (c) Party Affiliation or Unaffiliated Status. – The application form described in
34 G.S. 163-82.3(a) shall provide a place for the applicant to state a preference to be
35 affiliated with one of the political parties in G.S. 163-96, or a preference to be an
36 "unaffiliated" voter. Every person who applies to register shall state his preference. If
37 the applicant fails to declare a preference for a party or for unaffiliated status, that
38 person shall be listed as "unaffiliated", except that if the person is already registered to
39 vote in the county and that person's registration already contains a party affiliation, the
40 county board shall not change the registrant's status to "unaffiliated" unless the
41 registrant clearly indicates a desire in accordance with G.S. 163-82.17 for such a
42 change. An unaffiliated registrant shall not be eligible to vote in any political party
43 primary, except as provided in G.S. 163-119, but may vote in any other primary or
44 general election. The application form shall so state.

1 (d) Citizenship and Age Questions. – Voter registration application forms shall
2 include all of the following:

- 3 (1) The question "Are you a citizen of the United States of America?" and
4 boxes for the applicant to check to indicate whether the applicant is or
5 is not a citizen of the United States.
6 (2) The question "Will you be 18 years of age on or before election day?"
7 and boxes for the applicant to check to indicate whether the applicant
8 will be 18 years of age or older on election day.
9 (3) The statement "If you checked 'no' in response to either of these
10 questions, do not complete this form."

11 (e) Correcting Registration Forms. – If the voter fails to answer the question set
12 out in subdivision (1) of ~~this subsection (d) of this section~~, the ~~person filling out the~~
13 ~~registration voter~~ shall be notified of the omission and given the opportunity to complete
14 the form ~~in a timely manner in order to be registered for the next election at any time~~
15 ~~before casting a vote in the election on election day. If the voter corrects that omission~~
16 ~~within that time, the voter may vote in the election."~~

17 **SECTION 16.** G.S. 163-132.1 reads as rewritten:

18 **"§ 163-132.1. Participation in ~~2000~~2010 Census Redistricting Data Program of the**
19 **United States Bureau of the Census.**

20 (a) Purpose. – The State of North Carolina shall participate in the ~~2000~~2010
21 Census Redistricting Data Program, conducted pursuant to P.L. 94-171, of the United
22 States Bureau of the Census, ~~including Phase I (Block Boundary Suggestion Program)~~
23 ~~and Phase II (concerning the designation of precincts on 2000 Census maps or~~
24 ~~databases)~~, so that the State will receive ~~2000~~2010 Census data by voting precinct and
25 be able to revise districts at all levels without splitting precincts and in compliance with
26 the United States and North Carolina Constitutions and the Voting Rights Act of 1965,
27 as amended.

28 (b) ~~Phase I (Block Boundary Suggestion Program).~~ – The State shall participate
29 ~~in the Block Boundary Suggestion Program of the United States Bureau of the Census~~
30 ~~so that the maps the Census Bureau will use in the 2000 Census will contain adequate~~
31 ~~features to permit reporting of Census data by precinct for use in the 2001 redistricting~~
32 ~~efforts. The Legislative Services Office shall send preliminary maps produced by the~~
33 ~~Census Bureau in preparation for the 2000 Census, as soon as practical after the maps~~
34 ~~are available, to the county boards of elections to determine which of their precincts~~
35 ~~have boundaries that are not coterminous with a physical feature, a current township~~
36 ~~boundary, or a current municipal boundary, as shown on those preliminary 2000 Census~~
37 ~~maps. The Legislative Services Office shall:~~

- 38 (1) ~~Assist county boards of elections in identifying the precincts with~~
39 ~~boundaries not shown on the preliminary Census maps and in~~
40 ~~identifying physical features the county boards may wish to have~~
41 ~~available for future precinct boundaries;~~
42 (2) ~~Place those boundaries and features on maps deemed appropriate by~~
43 ~~the State Board;~~

- 1 (3) Request the U.S. Census Bureau to hold for census block identification
2 in the 2000 U.S. Census all physical features the county boards have
3 identified as current or potential precinct boundaries; and
4 (4) Request the U.S. Census Bureau to hold for census block identification
5 in the 2000 U.S. Census all other physical features already on 1990
6 Census maps.
- 7 (e) Phase II.—The State shall participate in Phase II of the 2000 Census
8 Redistricting Data Program so that, to the extent practical, the precinct boundaries of all
9 North Carolina counties will appear on the 2000 Census maps or database. The State's
10 effort shall be conducted as follows:
- 11 (1) By January 1, 1998, or as soon thereafter as they become available, the
12 Legislative Services Office shall provide the county boards of
13 elections with access, on paper or electronically, to the Census
14 Bureau's maps for Phase II of the Census Redistricting Data Program.
- 15 (2) After receiving the maps, the county boards of elections shall
16 designate their precinct lines along the lines the Census Bureau
17 indicates on the maps it will hold as block boundaries for the 2000
18 Census. Where necessary, the county boards of elections shall alter
19 precincts, including any precincts approved under the provisions of
20 G.S. 163-132.1A, 163-132.2, or 163-132.3 or designated by local act,
21 to conform to lines the Census Bureau indicates it will hold as Census
22 block boundaries as shown on the official block maps to be used for
23 the 2000 Census and to consist only of contiguous territory. The
24 county boards of elections, at a time deemed necessary by the
25 Executive Director of the State Board of Elections, shall file with the
26 Legislative Services Office the maps on which they have designated
27 their precincts pursuant to this subsection.
- 28 (3) After examining the maps, the Legislative Services Office shall submit
29 to the Executive Director of the State Board of Elections its opinion as
30 to whether the county board of elections has complied with the
31 provisions of this subsection, with notations as to where those
32 boundaries do not comply with these standards.
- 33 (4) If the Executive Director determines that the county board of elections
34 has complied, he shall approve the precinct boundaries as filed and
35 those precincts shall be the official precincts.
- 36 (5) If the Executive Director determines that the county board of elections
37 has not complied, he shall not approve those precinct boundaries but
38 shall alter the precinct boundaries so that each precinct consists solely
39 of contiguous territory and that each precinct's boundaries are
40 coterminous with 2000 Census block boundaries nearest to the precinct
41 boundaries shown by the county boards on the maps. These altered
42 precincts shall then be the official precincts.
- 43 (6) Upon the adoption of a resolution by a county board of elections and
44 instead of altering precinct lines as required by G.S. 163-132.1(c)(5),

1 ~~the Executive Director may combine for Census reporting purposes~~
2 ~~only two or more adjacent precincts of the county into a Combined~~
3 ~~Reporting Unit, if the Executive Director finds that:~~

- 4 a. ~~The boundaries of the Combined Reporting Unit conform with~~
5 ~~the Census block boundaries as shown on the official block~~
6 ~~maps to be used in the 2000 Census;~~
7 b. ~~The Combined Reporting Unit consists only of contiguous~~
8 ~~territory;~~
9 c. ~~The precincts of which the Combined Reporting Unit consists~~
10 ~~were bounded as of January 1, 1996, by ridgelines, as certified~~
11 ~~on official county maps by the county manager of the relevant~~
12 ~~county, or if there is no county manager the chair of the board~~
13 ~~of commissioners, and the boundaries failed to comply with~~
14 ~~subdivision (2) of this subsection only because those ridgelines~~
15 ~~were unrecognized as Census block boundaries in the 2000~~
16 ~~official Census maps;~~
17 d. ~~The Combined Reporting Unit does not contain a majority of~~
18 ~~the territory of more than one township; and~~
19 e. ~~To alter those precinct boundaries would result in significant~~
20 ~~voter dislocation.~~

21 ~~If the Executive Director recognizes a Combined Reporting Unit~~
22 ~~for specific precincts, the official boundaries of those individual~~
23 ~~precincts forming the Combined Reporting Unit shall be those which~~
24 ~~the Legislative Services Office submitted to the Executive Director~~
25 ~~under subdivision (3) of this subsection.~~

- 26 (7) ~~The Executive Director shall file the completed maps with the Census~~
27 ~~Bureau and request that the Census Bureau provide summaries of 2000~~
28 ~~Census data by precinct and Combined Reporting Units.~~

29 (d) ~~Freezing of Precincts.~~

- 30 (1) ~~Notwithstanding the provisions of G.S. 163-132.3, after the Executive~~
31 ~~Director approves the precincts in accordance with subsection (c) of~~
32 ~~this section and before January 2, 2002, no county board of elections~~
33 ~~may establish, alter, discontinue, or create any precinct except by~~
34 ~~division of one precinct into two or more precincts using lines that the~~
35 ~~Census Bureau has indicated it will use as 2000 Census block~~
36 ~~boundaries for that division. Provided that, whenever an annexation~~
37 ~~ordinance adopted under Parts 1, 2, or 3 of Article 4A of Chapter 160A~~
38 ~~of the General Statutes, or a local act of the General Assembly~~
39 ~~annexing property to a municipality, becomes effective during the~~
40 ~~period beginning with the date of the annexation as reported through~~
41 ~~the U.S. Census Bureau's 1998 Boundary and Annexation Survey or a~~
42 ~~subsequent edition of that survey and ending January 2, 2002, and any~~
43 ~~part of the boundary of the area being annexed which is actually~~
44 ~~contiguous to the city is also a precinct boundary for elections~~

1 administered by the county board of elections then the county board of
2 elections may exercise one of the following options:

3 a. ~~Direct by resolution that the annexed area is automatically~~
4 ~~moved into the "city precinct", provided that if the annexed area~~
5 ~~is adjacent to more than one city precinct, the board of elections~~
6 ~~shall place the area in any one or more of the adjacent city~~
7 ~~precincts.~~

8 b. ~~Adopt a resolution moving the precinct boundary to a line that~~
9 ~~the Census Bureau has indicated it will use as a 2000 block~~
10 ~~boundary.~~

11 (2) ~~The Executive Director of the State Board of Elections may permit~~
12 ~~during the freeze a correction to a county's precincts as they were~~
13 ~~approved pursuant to subsection (c) of this section where one of the~~
14 ~~following sets of conditions is present:~~

15 a. ~~A precinct was designated pursuant to subsection (c)~~
16 ~~inaccurately, and the United States Bureau of the Census agrees~~
17 ~~to include the corrected precinct on its database for the 2000~~
18 ~~Census.~~

19 b. ~~The boundary of a precinct designated pursuant to subsection~~
20 ~~(c) of this section was subsequently removed by the United~~
21 ~~States Bureau of the Census as an acceptable feature for a~~
22 ~~precinct line based upon a determination by the Bureau that the~~
23 ~~feature did not exist as shown, and the county board of elections~~
24 ~~agrees by resolution to an alternative boundary for the precinct~~
25 ~~on a feature the Bureau does find acceptable.~~

26 (3) ~~The county board of elections may move a precinct line from a~~
27 ~~township line to another line the Census Bureau has indicated will be a~~
28 ~~2000 block boundary if a Boundary and Annexation Survey issued~~
29 ~~during the freeze shows that the township line has moved to a location~~
30 ~~the county board of elections considers unsuitable. This subdivision~~
31 ~~does not apply if local legislation enacted by the General Assembly~~
32 ~~governs the relationship between a county's township lines and~~
33 ~~precinct lines.~~

34 (4) ~~The county board of elections shall submit any proposed change made~~
35 ~~during the freeze under this subsection to the Legislative Services~~
36 ~~Office, which shall review the proposal and write a letter advising the~~
37 ~~Executive Director of its opinion as to the legal compliance of the~~
38 ~~proposal. If the proposal complies with the law, the Executive Director~~
39 ~~shall approve the proposal. No newly created or altered precinct~~
40 ~~boundary is effective until approved by the Executive Director as~~
41 ~~being in compliance with the provisions of this subsection.~~

42 (d1) ~~Right to Postpone Effective Date Until January 1, 2000.—A county board of~~
43 ~~elections may postpone the effective date of the precincts designated in Phase II until~~
44 ~~January 1, 2000.~~

1 ~~(d2) Special Permission to Postpone Effective Date Until January 1, 2001. — The~~
2 ~~Executive Director may permit a county board of elections to postpone the effective~~
3 ~~date of precinct lines designated under Phase II until January 1, 2001, upon written~~
4 ~~application by the county board of elections, if the Executive Director finds both of the~~
5 ~~following:~~

6 ~~(1) That the Phase II designated lines would create a split precinct in 2000~~
7 ~~for county commissioner, board of education, judicial, State~~
8 ~~legislative, or congressional district elections and that a split could be~~
9 ~~avoided by using the pre Phase II precinct.~~

10 ~~(2) That the county can provide reasonably reliable voter registration data~~
11 ~~for April and October of 2000 by the Phase II designated precincts.~~

12 ~~In granting an exception under this subsection, the Executive Director shall allow an~~
13 ~~exception only for the precincts that would result in splits and for any adjacent precincts~~
14 ~~for which pre Phase II precincts must be used to avoid geographic overlap or~~
15 ~~discontinuity. Every county board of elections granted an exception under this~~
16 ~~subsection shall provide to the State Board of Elections voter registration data for April~~
17 ~~and October of 2000 by the Phase II designated precincts.~~

18 ~~(e) Municipal and Township Boundaries. — Notwithstanding the provisions of~~
19 ~~subsections (c) and (d) of this section, the county boards of elections may designate~~
20 ~~precinct boundaries on municipal or township boundaries that are not designated on the~~
21 ~~2000 official Census block maps, according to directives promulgated by the Executive~~
22 ~~Director of the State Board of Elections and adopted to insure that all precincts shall be~~
23 ~~included on the 2000 Census database.~~

24 ~~(f) Additional Rules. — In addition to the directives promulgated by the~~
25 ~~Executive Director of the State Board of Elections under G.S. 163-132.4, the Legislative~~
26 ~~Services Commission may promulgate rules to implement this section."~~

27 **SECTION 17.** G.S. 163-182.12 reads as rewritten:

28 **"§ 163-182.12. Authority of State Board of Elections over protests.**

29 The State Board of Elections may consider protests that were not filed in compliance
30 with G.S. 163-182.9, may initiate and consider complaints on its own motion, may
31 intervene and take jurisdiction over protests pending before a county board, and may
32 take any other action necessary to assure that an election is determined without taint of
33 fraud or ~~corruption~~. corruption and without irregularities that may have changed the
34 result of an election. Where a known group of voters cast votes that were lost beyond
35 retrieval, the State Board of Elections may authorize a county board of elections to
36 allow those voters to recast their ballots during a period of two weeks after the election.
37 If the State Board approves a recasting of votes under this section, any procedures the
38 county board uses to contact those voters and allow them to recast their votes shall be
39 subject to approval by the State Board. Those recast votes shall be added to the returns
40 and included in the canvass. The recasting of those votes shall not be deemed a new
41 election for purposes of G.S. 163-182.13."

42 **SECTION 18.** Sections 2, 6, 7, 8, 10, 12, 13, 14, 15, and 16 of this act are
43 effective when this act becomes law and apply to all primaries and elections held on or

- 1 after that date. The remainder of this act becomes effective January 1, 2006, and applies
- 2 to all primaries and elections held on or after that date.