

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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SENATE BILL 195*

Short Title: Registration and Voting at One-Stop Sites. (Public)

Sponsors: Senators Shaw; Atwater, Berger of Franklin, Clodfelter, Cowell, Dorsett,
and Foriest.

Referred to: Judiciary 1 (Civil).

February 19, 2007

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR IN-PERSON REGISTRATION AND VOTING AT
ONE-STOP ABSENTEE VOTING SITES.

The General Assembly of North Carolina enacts:

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

"§ 163-82.6A. In-person registration and voting at one-stop sites.

(a) Who May Register in Person. – In accordance with the provisions in this
section, an individual who is qualified to register to vote may register in person and then
vote at a one-stop voting site in the person's county of residence during the period for
one-stop voting provided under G.S. 163-227.2. For purposes of this section, a one-stop
voting site includes the county board of elections office, if that office is used for
one-stop voting.

(b) Documentation and Sworn Statement Required. – To register and vote under
this section, the person shall provide proof of residence, complete a registration form as
prescribed in G.S. 163-82.4, and sign a statement under penalty of perjury that the
person is a citizen of the United States and resides at the address given. The presentation
of any of the following valid documents that show the person's name and current
address is required as proof of residence: a North Carolina drivers license, photo
identification from a government agency, utility bill, bank statement, paycheck,
government check, or other government document. The State Board of Elections may
designate additional documents or methods that suffice and shall prescribe procedures
for establishing proof of residence.

(c) Voting With Retrieval Ballot. – A person who registers under this section
shall vote a retrievable absentee ballot as provided in G.S. 163-227.2 immediately after
registering. If a person declines to vote immediately, the registration shall be processed,
and the person may later vote at a one-stop voting site under this section in the same
election.

1 (d) Verification of Registration; Counting of Ballot. – Within two business days
2 of the person's registration under this section, the county board of elections in
3 conjunction with the State Board of Elections shall verify the North Carolina drivers
4 license or Social Security number in accordance with G.S. 163-82.12, update the
5 statewide registration database and search for possible duplicate registrations, and
6 proceed under G.S. 163-82.7 to verify the person's address. The person's vote shall be
7 counted unless the county board determines that the applicant is not qualified to vote in
8 accordance with the provisions of this Chapter.

9 (e) Change of Registration at One-Stop Voting Site. – A person who is already
10 registered to vote in the county may update the information in the registration record in
11 accordance with procedures prescribed by the State Board of Elections, but an
12 individual's party affiliation may not be changed during the one-stop voting period
13 before any first or second partisan primary in which the individual is eligible to vote."

14 **SECTION 2.** G.S. 163-82.6(c), (d), and (e) read as rewritten:

15 "**§ 163-82.6. Acceptance of voter registration application forms.**

16 (c) Registration Deadlines for an Election. – In order to be valid for an election,
17 except as provided in G.S. 163-82.6A, the form:

- 18 (1) If submitted by mail, must be postmarked at least 25 days before the
19 election, except that any mailed application on which the postmark is
20 missing or unclear is validly submitted if received in the mail not later
21 than 20 days before the election,
- 22 (2) If submitted in person, by facsimile transmission, or by transmission of
23 a scanned document, must be received by the county board of elections
24 by a time established by that board, but no earlier than 5:00 P.M., on
25 the twenty-fifth day before the election,
- 26 (3) If submitted through a delegatee who violates the duty set forth in
27 subsection (a) of this section, must be signed by the applicant and
28 given to the delegatee not later than 25 days before the election, except
29 as provided in subsection (d) of this section.

30 (d) Instances When Person May Register and Vote on Election Day. ~~After the~~
31 Standard Registration Deadline. – If a person has become qualified to register and vote
32 between the twenty-fifth day before an election and election day, then that person may
33 apply to register and vote at a one-stop site as provided in G.S. 163-82.6A, or may apply
34 to register on election day by submitting an application form described in G.S. 163-82.3
35 (a) or (b) to:

- 36 (1) A member of the county board of elections;
- 37 (2) The county director of elections; or
- 38 (3) The chief judge or a judge of the precinct in which the person is
39 eligible to vote,

40 and, if the application is approved, that person may vote the same day. The official in
41 subdivisions (1) through (3) of this subsection to whom the application is submitted
42 shall decide whether the applicant is eligible to vote. The applicant shall present to the
43 official written or documentary evidence that the applicant is the person he represents
44 himself to be. The official, if in doubt as to the right of the applicant to register, may

1 require other evidence satisfactory to that official as to the applicant's qualifications. If
2 the official determines that the person is eligible, the person shall be permitted to vote in
3 the election and the county board shall add the person's name to the list of registered
4 voters. If the official denies the application, the person shall be permitted to vote a
5 challenged ballot under the provisions of G.S. 163-88.1, and may appeal the denial to
6 the full county board of elections. The State Board of Elections shall promulgate rules
7 for the county boards of elections to follow in hearing appeals for denial of election day
8 applications to register. No person shall be permitted to register on the day of a second
9 primary unless ~~he shall have become~~ the person becomes qualified to register and vote
10 between the date of the first primary and the date of the succeeding second primary and
11 was not qualified to register and vote in the first primary.

12 (e) For purposes of subsection (d) of this section, persons who "become qualified
13 to register and vote" during a time ~~period;~~ period

14 (1) ~~Include~~ include those who during that time period are naturalized as
15 citizens of the United States or who are restored to citizenship after a
16 conviction of a felony; ~~but~~

17 (2) ~~Do not include persons who reach the age of 18 during that time~~
18 ~~period, if those persons were eligible to register while 17 years old~~
19 ~~during an earlier period."~~

20 **SECTION 3.** G.S. 163-227.2(a) reads as rewritten:

21 "(a) Any voter eligible to vote by absentee ballot under G.S. 163-226 may request
22 an application for absentee ballots, complete the application, and vote under the
23 provisions of this ~~section.~~ section and of G.S. 163-82.6A, as applicable."

24 **SECTION 4.** The State Board of Elections shall monitor the implementation
25 of this act and determine the feasibility and timetable for expanding same-day
26 registration and voting to all voting places on Election Day. The State Board shall report
27 its findings no later than March 1, 2008, to the Joint Legislative Commission on
28 Governmental Operations of the General Assembly.

29 **SECTION 5.** Sections 1, 2, and 3 of this act become effective July 1, 2007,
30 and shall apply to all primaries and elections held on or after that date. The remainder of
31 this act is effective when it becomes law.