

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1260

Short Title: Voter Preregistration and Education. (Public)

Sponsors: Representatives Bryant, Cotham, Burr, Burris-Floyd (Primary Sponsors);
K. Alexander, M. Alexander, Blue, Brubaker, Cleveland, Farmer-Butterfield,
Fisher, Glazier, Goodwin, Harrell, Harrison, Holliman, Jackson, Jeffus, Jones,
Lucas, Luebke, Mackey, Martin, Mobley, Parmon, Sager, Stevens, Underhill,
Weiss, Womble, and Yongue.

Referred to: Election Law and Campaign Finance Reform, if favorable, Education.

April 9, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR PREREGISTRATION OF QUALIFIED INDIVIDUALS WHO
3 ARE SIXTEEN OR SEVENTEEN YEARS OF AGE AND TO EXPAND INSTRUCTION
4 ON THE IMPORTANCE OF VOTING IN THE HIGH SCHOOL SOCIAL STUDIES
5 CURRICULUM AND TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO
6 PROMOTE REGISTRATION AND PREREGISTRATION OF STUDENTS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.(a)** G.S. 163-82.1 is amended by adding a new subsection to read:

9 "(d) Preregistration. – A person who is at least 16 years of age but will not be 18 years of
10 age by the date of the next election and who is otherwise qualified to register may preregister to
11 vote and shall be automatically registered upon reaching the age of eligibility following
12 verification of the person's qualifications and address in accordance with G.S. 163-82.7."

13 **SECTION 1.(b)** G.S. 163-82.3(a) reads as rewritten:

14 "(a) Form Developed by State Board of Elections. – The State Board of Elections shall
15 develop an application form for voter registration. Any person may use the form to apply to do
16 any of the following:

- 17 (1) Register to vote;
18 (2) Change party affiliation or unaffiliated status;
19 (3) Report a change of address within a county;
20 (4) Report a change of ~~name-name~~;
21 (5) Preregister to vote.

22 The county board of elections for the county where the applicant resides shall accept the
23 form as application for any of those purposes if the form is submitted as set out in
24 G.S. 163-82.3."

25 **SECTION 1.(c)** G.S. 163-82.4(d) reads as rewritten:

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

28 (1) The following question and statement:

29 a. "Are you a citizen of the United States of America?" and boxes for
30 the applicant to check to indicate whether the applicant is or is not a
31 citizen of the United States.

32 b. "If you checked 'no' in response to this question, do not submit this
33 form."



1 (2) ~~The question following questions and statement:~~

2 ~~a. "Will you be 18 years of age on or before election day?" and boxes~~
3 ~~for the applicant to check to indicate whether the applicant will be 18~~
4 ~~years of age or older on election day.~~

5 ~~b. "Are you at least 16 years of age and understand that you must be 18~~
6 ~~years of age on or before election day to vote?" and boxes for the~~
7 ~~applicant to check to indicate whether the applicant is at least 16~~
8 ~~years of age and understands that the applicant must be at least 18~~
9 ~~years of age or older by election day to vote.~~

10 ~~c. "If you checked 'no' in response to both of these questions, do not~~
11 ~~submit this form."~~

12 (3) ~~The statement "If you checked 'no' in response to either of these questions,~~
13 ~~do not complete this form."~~

14 **SECTION 1.(d)** G.S. 163-82.6 is amended by adding a new subsection to read:

15 "(f) The county board of elections shall forward by electronic means any application
16 submitted for the purpose of preregistration to the State Board of Elections. No later than 60
17 days prior to the first election in which the applicant will be legally entitled to vote, the State
18 Board of Elections shall notify the appropriate county board of elections to verify the
19 qualifications and address of the applicant in accordance with G.S. 163-82.7."

20 **SECTION 1.(e)** G.S. 163-82.19(a) reads as rewritten:

21 "(a) Voter Registration at Drivers License Offices. – The Division of Motor Vehicles
22 shall, pursuant to the rules adopted by the State Board of Elections, modify its forms so that
23 any eligible person who applies for original issuance, renewal or correction of a drivers license,
24 or special identification card issued under G.S. 20-37.7 may, on a part of the form, complete an
25 application to register to ~~vote~~ vote, or to update ~~his~~ the voter's registration if the voter has
26 changed his or her address or moved from one precinct to another or from one county to
27 ~~another~~ another, or to preregister to vote. The person taking the application shall ask if the
28 applicant is a citizen of the United States. If the applicant states that the applicant is not a
29 citizen of the United States, or declines to answer the question, the person taking the
30 application shall inform the applicant that it is a felony for a person who is not a citizen of the
31 United States to apply to register to vote. Any person who willfully and knowingly and with
32 fraudulent intent gives false information on the application is guilty of a Class I felony. The
33 application shall state in clear language the penalty for violation of this section. The necessary
34 forms shall be prescribed by the State Board of Elections. The form must ask for the previous
35 voter registration address of the voter, if any. If a previous address is listed, and it is not in the
36 county of residence of the applicant, the appropriate county board of elections shall treat the
37 application as an authorization to cancel the previous registration and also process it as such
38 under the procedures of G.S. 163-82.9. If a previous address is listed and that address is in the
39 county where the voter applies to register, the application shall be processed as if it had been
40 submitted under G.S. 163-82.9.

41 Registration shall become effective as provided in G.S. 163-82.7. Applications to register to
42 vote accepted at a drivers license office under this section until the deadline established in
43 G.S. 163-82.6(c)(2) shall be treated as timely made for an election, and no person who
44 completes an application at that drivers license office shall be denied the vote in that election
45 for failure to apply earlier than that deadline.

46 All applications shall be forwarded by the Department of Transportation to the appropriate
47 board of elections not later than five business days after the date of acceptance, according to
48 rules which shall be promulgated by the State Board of Elections. Those rules shall provide for
49 a paperless, instant, electronic transfer of applications to the appropriate board of elections.
50 Applications for preregistration to vote shall be forwarded to the State Board of Elections."

51 **SECTION 1.(f)** G.S. 163-82.23 reads as rewritten:

1 **"§ 163-82.23. Voter registration at public high schools.**

2 Every public high school shall make available to its students and others who are eligible to
3 register and preregister to vote the application forms described in G.S. 163-82.3, and shall keep
4 a sufficient supply of the forms so that they are always available. A local board of education
5 may, but is not required to, designate high school employees to assist in completing the forms.
6 Only employees who volunteer for this duty may be designated by boards of education."

7 **SECTION 1.(g)** G.S. 163-82.25 reads as rewritten:

8 **"§ 163-82.25. Mandated voter registration drive.**

9 The Governor shall proclaim as Citizens Awareness Month the month designated by the
10 State Board of Elections ~~during every even-numbered year~~ annually. During that month, the
11 State Board of Elections shall initiate a statewide voter registration drive and shall adopt rules
12 under which county boards of elections shall conduct the drives. Each county board of elections
13 shall participate in the statewide voter registration drives ~~in accordance with the rules adopted~~
14 ~~by the State Board~~ and conduct voter registration and preregistration drives at public high
15 schools in accordance with local board of education policies, school system administrative
16 procedures, and guidelines of the State Board of Elections."

17 **SECTION 2.** G.S. 115C-81(g1)(1)b. reads as rewritten:

18 "b. Instruction on the importance of voting and otherwise participating in
19 the democratic ~~prøecess~~ process, including instruction on voter
20 registration and preregistration."

21 **SECTION 3.** G.S. 115C-47 is amended by adding a new subdivision to read:

22 "(53) To Encourage Student Voter Registration and Preregistration. – Local boards
23 of education are encouraged to adopt policies to promote student voter
24 registration and preregistration. These policies may include collaboration
25 with county boards of elections to conduct voter registration and
26 preregistration in high schools. Completion and submission of voter
27 registration or preregistration forms shall not be a course requirement or
28 graded assignment for students."

29 **SECTION 4.** This act becomes effective January 1, 2010. Section 2 applies
30 beginning with the 2010-2011 school year.