

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 788

Short Title: Straight-Ticket Provisional Voting. (Public)

Sponsors: Representatives Bryant and Hall (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Rules, Calendar, and Operations of the House.

April 7, 2011

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT STRAIGHT-TICKET VOTES CAST BY AN INDIVIDUAL
VOTING BY PROVISIONAL BALLOT SHALL BE COUNTED FOR ANY PARTISAN
BALLOT ITEM IN THE ELECTION DISTRICT IN WHICH THAT VOTER WOULD
HAVE BEEN QUALIFIED BY RESIDENCY TO VOTE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-165.6(e) reads as rewritten:

"(e) Straight-Party Voting. – Each official ballot shall be arranged so that the voter may cast one vote for a party's nominees for all offices except President and Vice President. A vote for President and Vice President shall be cast separately from a straight-party vote. The official ballot shall be prepared so that a voter may cast a straight-party vote, but then make an exception to that straight-party vote by voting for a candidate not nominated by that party or by voting for fewer than all the candidates nominated by that party. Instructions for general election ballots shall clearly advise voters of the rules in this subsection and of the statutes providing for the counting of ballots. The official ballot shall include a means for the voter to designate that, if the voter is voting a provisional ballot in an election district in which the voter is not qualified by residency to vote, the voter intends the straight-party vote to apply to all candidates of that party in the election district in which the voter would be qualified by residency to vote."

SECTION 2. G.S. 163-182.8(a) is amended by adding a new subdivision to read:

"(4a) Notwithstanding subdivision (4) of this subsection, if an individual voting a provisional ballot is registered in the county as provided in G.S. 163-82.1, votes a straight-party ticket, and indicates on the ballot that the voter intends the straight-party vote to apply to all candidates of that party in the election district in which the voter would have been qualified by residency to vote as provided in G.S. 163-55 and G.S. 163-57, the board shall count that vote pursuant to the guidelines in G.S. 163-182.1(a)(7) for the partisan ballot items on the official ballot which the voter would have been qualified by residency to vote."

SECTION 3. This act becomes effective January 1, 2012, and applies to all elections occurring on or after that date.

