

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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HOUSE BILL 755

Short Title: Young People Voting. (Public)

Sponsors: Representatives Queen, Cotham, B. Turner, and Brockman (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Elections.

April 15, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO RESTORE PROGRAMS FOR HIGH SCHOOL VOTER PREREGISTRATION
3 AND ENCOURAGE CIVIC EDUCATION.

4 Whereas, a report from the U.S. Department of Education, Office of the Under
5 Secretary and Office of Postsecondary Education, titled "Advancing Civic Learning and
6 Engagement in Democracy: A Road Map and Call to Action," dated January 2012, states that
7 "Education in America must prepare all students for informed participation in civic and
8 democratic life – so that all Americans are ready to tackle the challenges confronting
9 communities and the nation in the 21st century and so that the United States can continue to
10 serve as a model democracy for people and governments around the world"; and

11 Whereas, the report further provides that unfortunately, civic learning and
12 democratic engagement have become "add-ons rather than essential parts of the core academic
13 mission in too many schools ...", with "many elementary and secondary schools pushing civics
14 and service-learning to the sidelines, mistakenly treating education for citizenship as a
15 distraction from preparing students for ... other core subjects"; and

16 Whereas, Chief Justice Mark Martin of the North Carolina Supreme Court, in his
17 2015 State of the Judiciary Address, noted that the court will be undertaking an initiative
18 involving civics education; and

19 Whereas, in that Address, Chief Justice Martin stated that "[o]ur citizens must
20 understand the vital role that courts perform in protecting our democracy", and that "[t]his
21 dialogue must begin in our schools with our youngest citizens"; and

22 Whereas, Chief Justice Martin further stated that he has "asked two of [his]
23 colleagues on the Supreme Court to work with the State Board of Education and the
24 Department of Public Instruction to enhance our State's civics education curriculum" and
25 "develop a speakers bureau of judges and attorneys who can talk to community groups and
26 school classes about the importance of civic values"; and

27 Whereas, Chief Justice Martin went on to state that "[i]n order to ensure that young
28 people understand the fundamental principles of our society, this work must continue"; and

29 Whereas, to promote the importance of civic education in this State, the General
30 Assembly should take steps to restore programs for high school voter preregistration and
31 encourage civic education; Now, therefore,

32 The General Assembly of North Carolina enacts:

33 **SECTION 1.** G.S. 115C-47(59) reads as rewritten:

34 **"§ 115C-47. Powers and duties generally.**



1 In addition to the powers and duties designated in G.S. 115C-36, local boards of education
2 shall have the power or duty:

3 ...

4 (59) To Encourage Student Voter ~~Registration.~~ Registration and Preregistration.
5 Local boards of education are encouraged to adopt policies to promote
6 student voter registration and preregistration. These policies may
7 include collaboration with county boards of elections to conduct voter
8 registration and preregistration in high schools. Completion and submission
9 of voter registration or preregistration forms shall not be a course
10 requirement or graded assignment for students.

11"

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

13 "(g1) Modifications to the social studies curriculum to instruct students on participation in
14 the democratic process and to give them hands-on experience in participating in the democratic
15 process:

- 16 (1) The State Board of Education shall modify the high school social studies
17 curriculum to include instruction in civic and citizenship education. The
18 State Board of Education is strongly encouraged to include, at a minimum,
19 the following components in the high school civic and citizenship education
20 curriculum:
- 21 a. That students write to a local, State, or federal elected official about
22 an issue that is important to them;
 - 23 b. Instruction on the importance of voting and otherwise participating in
24 the democratic process, including instruction on voter
25 ~~registration;~~ registration and preregistration;
 - 26 c. Information about current events and governmental structure; and
 - 27 d. Information about the democratic process and how laws are made."

28 **SECTION 3.** G.S. 163-82.1 is amended by adding a new subsection to read:

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

33 **SECTION 4.** G.S. 163-82.3(a) is amended by adding a new subdivision to read:

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

- 37 (1) Register to vote.
- 38 (2) Change party affiliation or unaffiliated status.
- 39 (3) Report a change of address within a county.
- 40 (4) Report a change of name.
- 41 (5) Repealed by Session Laws 2013-381, s. 12.1(b), effective September 1,
42 2013.

43 (6) Preregister to vote.

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

47 **SECTION 5.** G.S. 163-82.4(d) reads as rewritten:

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

- 50 (1) The following question and statement:

- 1 a. "Are you a citizen of the United States of America?" and boxes for
2 the applicant to check to indicate whether the applicant is or is not a
3 citizen of the United States.
- 4 b. "If you checked 'no' in response to this question, do not submit this
5 form."
- 6 (2) The following ~~question~~questions and statement:
- 7 a. "Will you be 18 years of age on or before election day?" and boxes
8 for the applicant to check to indicate whether the applicant will be 18
9 years of age or older on election day.
- 10 b. Repealed by Session Laws 2013-381, s. 12.1(c), effective September
11 1, 2013.
- 12 b1. "Are you at least 16 years of age and understand that you must be 18
13 years of age on or before election day to vote?" and boxes for the
14 applicant to check to indicate whether the applicant is at least 16
15 years of age and understands that the applicant must be at least 18
16 years of age or older by election day to vote.
- 17 c. "If you checked 'no' in response to ~~this question~~, both of these
18 questions, do not submit this form."

19 (3) Repealed by Session Laws 2009-541, s. 9(a), effective January 1, 2010."

20 **SECTION 6.** 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, or to update the voter's registration if the voter has changed his
26 or her address or moved from one precinct to another or from one county to ~~another~~another, or
27 to preregister to vote. The person taking the application shall ask if the applicant is a citizen of
28 the United States. If the applicant states that the applicant is not a citizen of the United States,
29 or declines to answer the question, the person taking the application shall inform the applicant
30 that it is a felony for a person who is not a citizen of the United States to apply to register to
31 vote. Any person who willfully and knowingly and with fraudulent intent gives false
32 information on the application is guilty of a Class I felony. The application shall state in clear
33 language the penalty for violation of this section. The necessary forms shall be prescribed by
34 the State Board of Elections. The form must ask for the previous voter registration address of
35 the voter, if any. If a previous address is listed, and it is not in the county of residence of the
36 applicant, the appropriate county board of elections shall treat the application as an
37 authorization to cancel the previous registration and also process it as such under the
38 procedures of G.S. 163-82.9. If a previous address is listed and that address is in the county
39 where the voter applies to register, the application shall be processed as if it had been submitted
40 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 7.** G.S. 163-82.20 reads as rewritten:

1 **"§ 163-82.20. Voter registration at other public agencies.**

2 (a) Voter Registration Agencies. – Every office in this State which accepts:

- 3 (1) Applications for a program of public assistance under Article 2 of Chapter
4 108A of the General Statutes or under Article 13 of Chapter 130A of the
5 General Statutes;
6 (2) Applications for State-funded State or local government programs primarily
7 engaged in providing services to persons with disabilities, with such office
8 designated by the State Board of Elections; or
9 (3) Claims for benefits under Chapter 96 of the General Statutes, the
10 Employment Security Law, is designated as a voter registration agency for
11 purposes of this section.

12 (b) Duties of Voter Registration Agencies. – A voter registration agency described in
13 subsection (a) of this section shall, unless the applicant declines, in writing, to register or
14 preregister to vote:

- 15 (1) Distribute with each application for service or assistance, and with each
16 recertification, renewal, or change of address relating to such service or
17 assistance:
18 a. The voter registration application form described in G.S. 163-82.3(a)
19 or (b); or
20 b. The voter registration agency's own form, if it is substantially
21 equivalent to the form described in G.S. 163-82.3(a) or (b) and has
22 been approved by the State Board of Elections, provided that the
23 agency's own form may be a detachable part of the agency's paper
24 application or may be a paperless computer process, as long as the
25 applicant is required to sign an attestation as part of the application to
26 ~~register~~ register or preregister.
27 (2) Provide a form that contains the elements required by section 7(a)(6)(B) of
28 the National Voter Registration Act; and
29 (3) Provide to each applicant who does not decline to register or preregister
30 to vote the same degree of assistance with regard to the completion of the
31 registration or preregistration application as is provided by the office with
32 regard to the completion of its own forms.

33 (c) Provided that voter registration agencies designated under subdivision (a)(3) of this
34 section shall only be required to provide the services set out in this subsection to applicants for
35 new claims, reopened claims, and changes of address under Chapter 96 of the General Statutes,
36 the Employment Security Law.

37 (d) Home Registration for Disabled. – If a voter registration agency provides services
38 to a person with disability at the person's home, the voter registration agency shall provide the
39 services described in subsection (b) of this section at the person's home.

40 (e) Prohibitions. – Any person providing any service under subsection (b) of this
41 section shall not:

- 42 (1) Seek to influence an applicant's political preference or party registration,
43 except that this shall not be construed to prevent the notice provided by
44 G.S. 163-82.4(c) to be given if the applicant refuses to declare his party
45 affiliation;
46 (2) Display any such political preference or party allegiance;
47 (3) Make any statement to an applicant or take any action the purpose or effect
48 of which is to discourage the applicant from registering or preregistering
49 to vote; or
50 (4) Make any statement to an applicant or take any action the purpose or effect
51 of which is to lead the applicant to believe that a decision to register or

1 preregister or not to register or preregister has any bearing on the availability
2 of services or benefits.

3 (f) Confidentiality of Declination to Register. – No information relating to a declination
4 to register or preregister to vote in connection with an application made at a voter registration
5 agency may be used for any purpose other than voter registration.

6 (g) Transmittal From Agency to Board of Elections. – Any voter registration or
7 preregistration application completed at a voter registration agency shall be accepted by that
8 agency in lieu of the applicant's mailing the application. Any such application so received shall
9 be transmitted to the appropriate board of elections not later than five business days after
10 acceptance, according to rules which shall be promulgated by the State Board of Elections.

11 (h) Twenty-Five-Day Deadline for an Election. – Applications to register accepted by a
12 voter registration agency shall entitle a registrant to vote in any primary, general, or special
13 election unless the registrant shall have made application later than the twenty-fifth calendar
14 day immediately preceding such primary, general, or special election, provided that nothing
15 shall prohibit voter registration agencies from continuing to accept applications during that
16 period.

17 (i) Ineligible Applications Prohibited. – No person shall make application to register or
18 preregister to vote under this section if that person is ineligible on account of age, citizenship,
19 lack of residence for the period of time provided by law, or because of conviction of a felony."

20 **SECTION 8.** G.S. 163-82.23 reads as rewritten:

21 **"§ 163-82.23. Voter registration at public high schools.**

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

27 **SECTION 9.** This act becomes effective January 1, 2016.