GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 854*

Short Title:	Automatic Voter Registration/Drivers License. (Public)

Sponsors:	Senators Lowe, Smith (Primary Sponsors); Bryant, Foushee, and Waddell.

Referred to:	Transportation

May 11, 2016

1   A BILL TO BE ENTITLED
2 AN ACT MANDATING THAT THE DIVISION OF MOTOR VEHICLES OFFER VOTER
3   REGISTRATION WHEN A PERSON SEEKS ISSUANCE OR RENEWAL OF A DRIVERS
4   LICENSE OR VALID NORTH CAROLINA IDENTIFICATION CARD.
5 The General Assembly of North Carolina enacts:
6   **SECTION 1.** G.S. 163-82.19 reads as rewritten:
7 "**§ 163-82.19. Voter registration at drivers license offices; coordination on data interface.**
8   (a)   Voter Registration at Drivers License Offices. – The Division of Motor Vehicles shall,
9 pursuant to the rules adopted by the State Board of Elections, modify its forms so that any eligible
10 person who applies for original issuance, renewal or correction of a drivers license, or special
11 identification card issued under G.S. 20-37.7 ~~may,~~ shall, on a part of the form, complete an
12 application to register to vote, or to update the voter's registration if the voter has changed his or
13 her address or moved from one precinct to another or from one county to another. The person
14 taking the application shall ask if the applicant is a citizen of the United States. If the applicant
15 states that the applicant is not a citizen of the United States, or declines to answer the question, the
16 person taking the application shall inform the applicant that it is a felony for a person who is not a
17 citizen of the United States to apply to register to vote. Any person who willfully and knowingly
18 and with fraudulent intent gives false information on the application is guilty of a Class I felony.
19 The application shall state in clear language the penalty for violation of this section. The necessary
20 forms shall be prescribed by the State Board of Elections. The form must ask for the previous
21 voter registration address of the voter, if any. If a previous address is listed, and it is not in the
22 county of residence of the applicant, the appropriate county board of elections shall treat the
23 application as an authorization to cancel the previous registration and also process it as such under
24 the procedures of G.S. 163-82.9. If a previous address is listed and that address is in the county
25 where the voter applies to register, the application shall be processed as if it had been submitted
26 under G.S. 163-82.9. In addition to providing the information requested in this subsection and
27 listed under G.S. 163-82.4, an applicant shall provide a notation on the form attesting that the
28 applicant meets all the voter eligibility requirements, including United States citizenship, and
29 whether the applicant affirmatively declined to become a registered voter while conducting
30 business at the drivers license office.
31   Registration shall become effective as provided in G.S. 163-82.7. Applications to register to
32 vote accepted at a drivers license office under this section until the deadline established in
33 G.S. 163-82.6(c)(2) shall be treated as timely made for an election, and no person who completes
34 an application at that drivers license office shall be denied the vote in that election for failure to
35 apply earlier than that deadline.

1   ~~All~~ Unless an applicant affirmatively declines to become a registered voter or update the
2   applicant's voter registration while at the drivers license office, all applications shall be forwarded
3   by the Department of Transportation to the appropriate board of elections not later than five
4   business days after the date of acceptance, according to rules which shall be promulgated by the
5   State Board of Elections. Those rules shall provide for a paperless, instant, electronic transfer of
6   applications to the appropriate board of elections.
7   Nothing in this subsection shall be construed as requiring the Department of Transportation to
8   determine eligibility for voter registration and voting.
9   (b)   Coordination on Data Interface. – The Department of Transportation jointly with the
10   State Board of Elections shall develop and operate a computerized interface to match information
11   in the database of the statewide voter registration system with the drivers license information in
12   the Division of Motor Vehicles to the extent required to enable the State Board of Elections and
13   the Department of Transportation to verify the accuracy of the information provided on
14   applications for voter registration, whether the applications were received at drivers license offices
15   or elsewhere. The Department of Transportation and the State Board shall implement the
16   provisions of this subsection so as to comply with section 303 of the Help America Vote Act of
17   2002. The Department of Transportation shall enter into an agreement with the Commissioner of
18   Social Security so as to comply with section 303 of the Help America Vote Act of 2002."
19   **SECTION 2.** There is appropriated from the General Fund to the State Board of
20   Elections the sum of two hundred fifty thousand dollars ($250,000) for the 2016-2017 fiscal year
21   for the purpose of implementing the requirements for automatic voter registration under this act.
22   **SECTION 3.** Section 1 of this act becomes effective January 1, 2017, and applies to
23   elections held on or after that date. The remainder of this act becomes effective July 1, 2016.