

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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HOUSE BILL 589

Short Title: Let NC Vote Act. (Public)

Sponsors: Representatives Meyer, Morey, Farmer-Butterfield, and John (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Elections and Ethics Law, if favorable, Rules, Calendar, and Operations of the House

April 4, 2019

A BILL TO BE ENTITLED

1 AN ACT PROVIDING FOR AUTOMATIC VOTER REGISTRATION AT DRIVERS
2 LICENSE OFFICES, PUBLIC AGENCIES, COMMUNITY COLLEGES, AND
3 COLLEGES AND UNIVERSITIES OF THE UNIVERSITY OF NORTH CAROLINA
4 SYSTEM; REQUIRING THE BIPARTISAN STATE BOARD OF ELECTIONS AND
5 ETHICS ENFORCEMENT TO IMPLEMENT AN OUTREACH CAMPAIGN
6 INFORMING CITIZENS ABOUT AUTOMATIC VOTER REGISTRATION;
7 ALLOWING INDIVIDUALS WHO MEET THE CRITERIA TO REGISTER TO VOTE
8 OR CHANGE VOTER REGISTRATION ONLINE; REESTABLISHING SAME DAY
9 REGISTRATION, INCLUDING ON ELECTION DAY; REESTABLISHING THE
10 PROGRAM TO PREREGISTER SIXTEEN AND SEVENTEEN YEAR OLDS; TO MAKE
11 CHANGES TO PHOTOGRAPHIC IDENTIFICATION TO VOTE IN PERSON; AND TO
12 RESTORE THE LAST SATURDAY OF EARLY ONE-STOP VOTING.

13 The General Assembly of North Carolina enacts:

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15
16 **PART I. UNIVERSAL VOTER REGISTRATION**

17 **SECTION 1.1.** G.S. 163A-862 reads as rewritten:

18 **"§ 163A-862. Voter registration application forms; automatic voter registration at**
19 **certain agencies.**

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

- 22 (1) Register to vote.
- 23 (2) Change party affiliation or unaffiliated status.
- 24 (3) Report a change of address within a county.
- 25 (4) Report a change of name.

26 The county board of elections for the county where the applicant resides shall accept the form
27 as application for any of those purposes if the form is submitted as set out in G.S. 163A-862.

28 (b) Interstate Form. – The county board of elections where an applicant resides shall
29 accept as application for any of the purposes set out in subsection (a) of this section the interstate
30 registration form designed by the Federal Election Commission pursuant to section 9 of the
31 National Voter Registration Act, if the interstate form is submitted in accordance with
32 G.S. 163A-865.



1 (c) ~~Agency Application Form~~Application. – The county board of elections where an
 2 applicant resides shall accept as application for any of the purposes set out in subsection (a) of
 3 this section ~~a form~~automatic voter registration developed pursuant to G.S. 163A-883 or
 4 G.S. 163A-884."

5 **SECTION 1.2.** G.S. 163A-865 reads as rewritten:

6 "**§ 163A-865. Acceptance of application forms.**

7 (a) How the Form May Be Submitted. – The county board of elections shall accept any
 8 form described in G.S. 163A-862 if the applicant submits the form by mail, facsimile
 9 transmission, transmission of a scanned document, or in ~~person~~person or by automatic voter
 10 registration pursuant to G.S. 163A-883, 163A-884, 115D-5, or 116-11. The applicant may
 11 delegate the submission of the form to another person. Any person who communicates to an
 12 applicant acceptance of that delegation shall deliver that form so that it is received by the
 13 appropriate county board of elections in time to satisfy the registration deadline in subdivision
 14 (1) or (2) of subsection (d) of this section for the next election. It shall be a Class 2 misdemeanor
 15 for any person to communicate to the applicant acceptance of that delegation and then fail to
 16 make a good faith effort to deliver the form so that it is received by the county board of elections
 17 in time to satisfy the registration deadline in subdivision (1) or (2) of subsection (d) of this section
 18 for the next election. It shall be an affirmative defense to a charge of failing to make a good faith
 19 effort to deliver a delegated form by the registration deadline that the delegatee informed the
 20 applicant that the form would not likely be delivered in time for the applicant to vote in the next
 21 election. It shall be a Class 2 misdemeanor for any person to sell or attempt to sell a completed
 22 voter registration form or to condition its delivery upon payment.

23 ...

24 (d) Registration Deadlines for a Primary or Election. – In order to be valid for a primary
 25 or election, the form:

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

38"

39 **SECTION 1.3.** G.S. 163A-883 reads as rewritten:

40 "**§ 163A-883. ~~Voter~~ Automatic voter registration at drivers license offices; coordination on**
 41 **data interface.**

42 (a) Automatic Voter Registration at Drivers License Offices. – ~~The~~ Beginning January 1,
 43 2019, the Division of Motor Vehicles shall, pursuant to the rules adopted by in consultation with
 44 the State Board, modify its forms so that implement a method by which any eligible person who
 45 applies for original issuance, renewal or correction of a drivers license, or special identification
 46 card issued under G.S. 20-37.7 may, on a part of the form, complete an application to register shall
 47 be automatically registered to vote, or able to update the voter's registration if the voter has
 48 changed his or her address or moved from one precinct to another or from one county to another.
 49 The person taking the application shall ask if the applicant is a citizen of the United States. If the
 50 applicant states that the applicant is not a citizen of the United States, or declines to answer the
 51 question, the person taking the application shall inform the applicant that it is a felony for a

1 person who is not a citizen of the United States to apply to register to vote. The application shall
2 state in clear language the penalty for violation of this section. The necessary forms shall be
3 prescribed by the State Board. The form must ask for the previous voter registration address of
4 the voter, if any. If a previous address is listed, and it is not in the county of residence of the
5 applicant, the appropriate county board of elections shall treat the application as an authorization
6 to cancel the previous registration and also process it as such under the procedures of
7 G.S. 163A-870. If a previous address is listed and that address is in the county where the voter
8 applies to register, the application shall be processed as if it had been submitted under
9 G.S. 163A-870. inform the applicant of the following:

- 10 (1) That the applicant shall be registered to vote or have the applicant's voter
11 registration record updated, as applicable, unless the applicant declines.
- 12 (2) The qualifications to vote under G.S. 163A-841.
- 13 (3) That the applicant should not register if the applicant does not meet the
14 qualifications described under subdivision (2) of this subsection.
- 15 (4) That any person who willfully and knowingly and with fraudulent intent gives
16 false information on the application is guilty of a Class I felony.
- 17 (5) That if the applicant declines to register to vote, the fact that the applicant has
18 declined to register will remain confidential and be used for voter registration
19 purposes only.
- 20 (6) Information regarding the address confidentiality program under Chapter 15C
21 of the General Statutes, including how to register for the program and how
22 voter registration may impact participation in the program.

23 (a1) Requirements. – If the applicant does not decline voter registration, the person taking
24 the application shall require the applicant to provide all information requested of the applicant
25 under G.S. 163A-863, including declaring a preference to be affiliated with a political party or a
26 preference to be an unaffiliated voter. If the applicant fails to declare a political party affiliation,
27 the applicant's political affiliation shall be designated as unaffiliated. The applicant shall provide
28 an electronic signature as required under G.S. 163A-865(b), subject to the penalty of perjury, by
29 which the applicant attests that the information provided by the applicant is true and the applicant
30 meets all qualifications to become a registered voter.

31 (a2) When Registration Effective. – Registration shall become effective as provided in
32 G.S. 163A-867. Applications to register to vote accepted at a drivers license office under this
33 section until the deadline established in G.S. 163A-865(d)(2) shall be treated as timely made for
34 an election, and no person who completes an application at that drivers license office shall be
35 denied the vote in that election for failure to apply earlier than that deadline.

36 (a3) Transmittal from Department of Transportation to Board of Elections. – All
37 applications shall be forwarded by the~~The~~ Department of Transportation shall electronically
38 transmit the applications of applicants who have not declined voter registration to the appropriate
39 board of elections not later than five business days after the date of acceptance, according to rules
40 which shall be promulgated by the State Board. Those rules shall provide for a paperless, instant,
41 electronic transfer of applications to the appropriate board of elections.

42 (a4) Confidentiality of Declination to Register. – No information relating to a declination
43 to register to vote in connection with a voter registration application at a Division of Motor
44 Vehicles office may be used for any purpose other than voter registration. The State Board shall
45 ensure that information acquired for purposes of automatic voter registration under this section
46 is kept confidential in accordance with G.S. 163A-863(b), including compliance with any voter
47 registration requirements under G.S. 163A-871(d).

48 (b) Ineligible Applications Prohibited. – Any~~If~~ a person who is ineligible to vote
49 becomes registered to vote pursuant to this section, the presumption shall be that the person's
50 registration is deemed officially authorized and shall not be attributed to any fault of the person.
51 However, any person who willfully and knowingly and with fraudulent intent gives false

1 information on the application [~~described in subsection (a) of this section~~]described under this
 2 section is guilty of a Class I felony.

3 (c) Coordination on Data Interface. – The Department of Transportation jointly with the
 4 State Board shall develop and operate a computerized interface to match information in the
 5 database of the statewide voter registration system with the drivers license information in the
 6 Division of Motor Vehicles to the extent required to enable the State Board and the Department
 7 of Transportation to verify the accuracy of the information provided on applications for voter
 8 registration, whether the applications were received at drivers license offices or elsewhere. The
 9 Department of Transportation and the State Board shall implement the provisions of this
 10 subsection so as to comply with section 303 of the Help America Vote Act of 2002. The
 11 Department of Transportation shall enter into an agreement with the Commissioner of Social
 12 Security so as to comply with section 303 of the Help America Vote Act of 2002.

13 (d) No Requirement to Determine Eligibility. – Nothing in this section shall be construed
 14 as requiring the Department of Transportation to determine eligibility for voter registration and
 15 voting."

16 **SECTION 1.4.** G.S. 163A-884 reads as rewritten:

17 "**§ 163A-884. Voter registration at other public ~~agencies~~agencies; automatic voter**
 18 **registration.**

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

- 20 (1) Applications for a program of public assistance under Article 2 of Chapter
 21 108A of the General Statutes or under Article 13 of Chapter 130A of the
 22 General Statutes;
- 23 (2) Applications for State-funded State or local government programs primarily
 24 engaged in providing services to persons with disabilities, with such office
 25 designated by the State Board; or
- 26 (3) Claims for benefits under Chapter 96 of the General Statutes, the Employment
 27 Security Law, is designated as a voter registration agency for purposes of this
 28 section.

29 (b) Duties of Voter Registration ~~Agencies~~Agencies; Automatic Voter Registration
 30 Information. – ~~A~~Beginning January 1, 2020, a voter registration agency described in subsection
 31 (a) of this section shall, unless the applicant declines, in writing, to register to vote; in consultation
 32 with the State Board, provide, with each application for service or assistance, and with each
 33 recertification, renewal, or change of address relating to such service or assistance, an application
 34 process for automatic voter registration. The person taking the application shall inform the
 35 applicant of the following:

- 36 (1) ~~Distribute with each application for service or assistance, and with each~~
 37 ~~recertification, renewal, or change of address relating to such service or~~
 38 ~~assistance:~~
 - 39 a. ~~The voter registration application form described in G.S. 163A-863(a)~~
 40 ~~or (b); or~~
 - 41 b. ~~The voter registration agency's own form, if it is substantially~~
 42 ~~equivalent to the form described in G.S. 163A-863(a) or (b) and has~~
 43 ~~been approved by the State Board, provided that the agency's own~~
 44 ~~form may be a detachable part of the agency's paper application or may~~
 45 ~~be a paperless computer process, as long as the applicant is required to~~
 46 ~~sign an attestation as part of the application to register.~~

47 That the applicant shall be registered to vote or have the applicant's voter
 48 registration record updated, as applicable, unless the applicant declines.

- 49 (2) ~~Provide a form that contains the elements required by section 7(a)(6)(B) of~~
 50 ~~the National Voter Registration Act; and~~The qualifications to vote under
 51 G.S. 163A-841.

- 1 (3) ~~Provide to each applicant who does not decline to register to vote the same~~
2 ~~degree of assistance with regard to the completion of the registration~~
3 ~~application as is provided by the office with regard to the completion of its~~
4 ~~own forms. That the applicant should not register if the applicant does not meet~~
5 ~~the qualifications described under subdivision (2) of this subsection.~~
6 (4) That any person who willfully and knowingly and with fraudulent intent gives
7 false information on the application is guilty of a Class I felony.
8 (5) That if the applicant declines to register to vote, the fact that the applicant has
9 declined to register will remain confidential and be used for voter registration
10 purposes only.
11 (6) Information regarding the address confidentiality program under Chapter 15C
12 of the General Statutes, including how to register for the program and how
13 voter registration may impact participation in the program.

14 (b1) Requirements. – If the applicant does not decline voter registration, the person taking
15 the application shall require the applicant to provide all information requested of the applicant
16 under G.S. 163A-863, including declaring a preference to be affiliated with a political party or a
17 preference to be an unaffiliated voter. If the applicant fails to declare a political party affiliation,
18 the applicant's political affiliation shall be designated as unaffiliated. The applicant shall provide
19 an electronic signature as required under G.S. 163A-865(b), subject to the penalty of perjury, by
20 which the applicant attests that the information provided by the applicant is true and that the
21 applicant meets all qualifications to become a registered voter.

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

26 (d) Home Registration for Disabled. – If a voter registration agency provides services to
27 a person with disability at the person's home, the voter registration agency shall provide the
28 services described in subsection (b) of this section at the person's home. However, the agency is
29 not required to provide automatic voter registration at the person's home.

30 ...

31 (f) Confidentiality of Declination to Register. – No information relating to a declination
32 to register to vote in connection with an application made at a voter registration agency may be
33 used for any purpose other than voter registration. The State Board shall ensure that information
34 acquired for purposes of automatic voter registration under this section is kept confidential in
35 accordance with G.S. 163A-863(b), including compliance with any voter registration
36 requirements under G.S. 163A-871(d).

37 (g) ~~Transmittal From Agency to Board of Elections. – Any voter registration application~~
38 ~~completed at a voter registration agency shall be accepted by that agency in lieu of the applicant's~~
39 ~~mailing the application. Any such application so received shall be transmitted~~The agency shall
40 electronically transmit the applications of applicants who did not decline voter registration to the
41 appropriate board of elections not later than five business days after acceptance, according to
42 rules which shall be promulgated by the State Board.

43 ...

44 (i) Ineligible Applications Prohibited. – No person shall make application to register to
45 vote under this section if that person is ineligible on account of age, citizenship, lack of residence
46 for the period of time provided by law, or because of conviction of a felony. However, if a person
47 who is ineligible to vote becomes registered to vote pursuant to this section, the presumption
48 shall be that the person's registration is deemed officially authorized and shall not be attributed
49 to any fault of the person.

50 (j) No Requirement to Determine Eligibility. – Nothing in this section shall be construed
51 as requiring agencies to determine eligibility for voter registration and voting."

1 **SECTION 1.5.(a)** G.S. 163A-885 reads as rewritten:

2 "**§ 163A-885. Voter registration upon restoration of citizenship.**

3 The State Board, the Division of Adult Correction and Juvenile Justice of the Department of
4 Public Safety, and the Administrative Office of the Courts shall jointly develop and implement
5 educational programs and procedures for persons to apply to register to vote at the time they are
6 restored to citizenship and all filings required have been completed under Chapter 13 of the
7 General Statutes. Those procedures shall be designed to do both of the following:

8 (1) Inform the person that the restoration of rights removes the person's
9 disqualification from voting, but that in order to vote the person must register
10 to vote.

11 (2) Provide an opportunity to that person to register to ~~vote~~ vote, including
12 informing the person of automatic voter registration in accordance with
13 G.S. 163A-883 or G.S. 163A-884.

14 At a minimum, the program shall include a written notice to the person whose citizenship has
15 been restored, informing that person that the person may now register to vote, with a voter
16 registration form enclosed with the notice."

17 **SECTION 1.5.(b)** G.S. 163A-885, as amended by subsection (a) of this section,
18 reads as rewritten:

19 "**§ 163A-885. Voter registration upon restoration of citizenship.**

20 The State Board, the Division of Adult Correction and Juvenile Justice of the Department of
21 Public Safety, and the Administrative Office of the Courts shall jointly develop and implement
22 educational programs and procedures for persons to apply to register to vote at the time they are
23 restored to citizenship and all filings required have been completed under Chapter 13 of the
24 General Statutes. Those procedures shall be designed to do both of the following:

25 (1) Inform the person that the restoration of rights removes the person's
26 disqualification from voting, but that in order to vote the person must register
27 to vote.

28 (2) Provide an opportunity to that person to register to vote, including informing
29 the person of automatic voter registration in accordance with ~~G.S. 163A-883~~
30 ~~or G.S. 163A-884.~~ G.S. 163A-883, 163A-884, 115D-5, or 116-11.

31 At a minimum, the program shall include a written notice to the person whose citizenship has
32 been restored, informing that person that the person may now register to vote, with a voter
33 registration form enclosed with the notice."

34 **SECTION 1.6.** G.S. 115D-5 reads as rewritten:

35 "**§ 115D-5. Administration of institutions by State Board of Community Colleges;**
36 **personnel exempt from North Carolina Human Resources Act; extension**
37 **courses; tuition waiver; in-plant training; contracting, etc., for establishment**
38 **and operation of extension units of the community college system; use of existing**
39 **public school ~~faelities~~ facilities; automatic voter registration.**

40 ...

41 (z) Automatic Voter Registration. – Beginning January 1, 2020, the State Board of
42 Community Colleges, in consultation with the Bipartisan State Board of Elections and Ethics
43 Enforcement, shall provide each person who is enrolled and registering for courses as a student
44 in a State community college the option for automatic voter registration as follows:

45 (1) Information provided to student. – In providing an automatic voter registration
46 application process, the person taking the application shall inform the student
47 of the following:

48 a. That the student shall be registered to vote or have the student's voter
49 registration record updated, as applicable, unless the student declines.

50 b. The qualifications to vote under G.S. 163A-841.

- 1 c. That the student should not register if the student does not meet the
2 qualifications described under sub-subdivision b. of this subdivision.
3 d. That any person who willfully and knowingly and with fraudulent
4 intent gives false information on the application is guilty of a Class I
5 felony.
6 e. That if the student declines to register to vote, the fact that the student
7 has declined to register will remain confidential and be used for voter
8 registration purposes only.
9 f. Information regarding the address confidentiality program under
10 Chapter 15C of the General Statutes, including how to register for the
11 program and how voter registration may impact participation in the
12 program.
- 13 (2) Requirements. – If the student does not decline voter registration, the person
14 taking the application shall require the student to provide all information
15 requested of the student under G.S. 163A-863, including declaring a
16 preference to be affiliated with a political party or a preference to be an
17 unaffiliated voter. If the student fails to declare a political party affiliation, the
18 student's political affiliation shall be designated as unaffiliated. The student
19 shall provide an electronic signature as required under G.S. 163A-865(b),
20 subject to the penalty of perjury, by which the student attests that the
21 information provided by the student is true and the student meets all
22 qualifications to become a registered voter.
- 23 (3) Confidentiality of declination to register. – No information relating to a
24 declination to register to vote in connection with an application made at a State
25 community college may be used for any purpose other than voter registration.
26 The State Board shall ensure that information acquired for purposes of
27 automatic voter registration under this section is kept confidential in
28 accordance with G.S. 163A-863(b), including compliance with any voter
29 registration requirements under G.S. 163A-871(d).
- 30 (4) Transmittal from State community college to board of elections. – The State
31 community college shall electronically transmit the applications of students
32 who did not decline voter registration to the appropriate board of elections not
33 later than five business days after acceptance, according to rules which shall
34 be promulgated by the State Board.
- 35 (5) Twenty-five-day deadline for an election. – Applications to register accepted
36 by a State community college shall entitle a registrant to vote in any primary,
37 general, or special election unless the registrant shall have made application
38 later than the twenty-fifth calendar day immediately preceding such primary,
39 general, or special election, provided that nothing shall prohibit State
40 community colleges from continuing to accept applications during that period.
- 41 (6) Ineligible applications prohibited. – No person shall make application to
42 register to vote under this subsection if that person is ineligible on account of
43 age, citizenship, lack of residence for the period of time provided by law, or
44 because of conviction of a felony. However, if a person who is ineligible to
45 vote becomes registered to vote pursuant to this subsection, the presumption
46 shall be that the person's registration is deemed officially authorized and shall
47 not be attributed to any fault of the person.
- 48 (7) No requirement to determine eligibility. – Nothing in this subsection shall be
49 construed as requiring State community colleges to determine eligibility for
50 voter registration and voting."

51 **SECTION 1.7.** G.S. 116-11 is amended by adding a new subdivision to read:

- 1 "(15) Automatic voter registration. – Beginning January 1, 2020, the Board of
2 Governors, in consultation with the Bipartisan State Board of Elections and
3 Ethics Enforcement, shall provide each person who is enrolled and registering
4 for courses as a student in a State college or university in The University of
5 North Carolina System the option for automatic voter registration as follows:
6 a. Information provided to student. – In providing an automatic voter
7 registration application process, the person taking the application shall
8 inform the student of the following:
9 1. That the student shall be registered to vote or have the student's
10 voter registration record updated, as applicable, unless the
11 student declines.
12 2. The qualifications to vote under G.S. 163A-841.
13 3. That the student should not register if the student does not meet
14 the qualifications described under sub-subdivision a.2. of this
15 sub-subdivision.
16 4. That any person who willfully and knowingly and with
17 fraudulent intent gives false information on the application is
18 guilty of a Class I felony.
19 5. That if the student declines to register to vote, the fact that the
20 student has declined to register will remain confidential and be
21 used for voter registration purposes only.
22 6. Information regarding the address confidentiality program
23 under Chapter 15C of the General Statutes, including how to
24 register for the program and how voter registration may impact
25 participation in the program.
26 b. Requirements. – If the student does not decline voter registration, the
27 person taking the application shall require the student to provide all
28 information requested of the student under G.S. 163A-863, including
29 declaring a preference to be affiliated with a political party or a
30 preference to be an unaffiliated voter. If the student fails to declare a
31 political party affiliation, the student's political affiliation shall be
32 designated as unaffiliated. The student shall provide an electronic
33 signature as required under G.S. 163A-865(b), subject to the penalty
34 of perjury, by which the student attests that the information provided
35 by the student is true and the student meets all qualifications to become
36 a registered voter.
37 c. Confidentiality of declination to register. – No information relating to
38 a declination to register to vote in connection with an application made
39 at a State college or university in The University of North Carolina
40 System may be used for any purpose other than voter registration. The
41 State Board shall ensure that information acquired for purposes of
42 automatic voter registration under this section is kept confidential in
43 accordance with G.S. 163A-863(b), including compliance with any
44 voter registration requirements under G.S. 163A-871(d).
45 d. Transmittal from State college or university to board of elections. –
46 The State college or university in The University of North Carolina
47 System shall electronically transmit the applications of students who
48 did not decline voter registration to the appropriate board of elections
49 not later than five business days after acceptance, according to rules
50 which shall be promulgated by the State Board.

- 1 e. Twenty-five-day deadline for an election. – Applications to register
2 accepted by a State college or university in The University of North
3 Carolina System shall entitle a registrant to vote in any primary,
4 general, or special election unless the registrant shall have made
5 application later than the twenty-fifth calendar day immediately
6 preceding such primary, general, or special election, provided that
7 nothing shall prohibit State colleges or universities in The University
8 of North Carolina System from continuing to accept applications
9 during that period.
- 10 f. Ineligible applications prohibited. – No person shall make application
11 to register to vote under this subdivision if that person is ineligible on
12 account of age, citizenship, lack of residence for the period of time
13 provided by law, or because of conviction of a felony. However, if a
14 person who is ineligible to vote becomes registered to vote pursuant to
15 this subdivision, the presumption shall be that the person's registration
16 is deemed officially authorized and shall not be attributed to any fault
17 of the person.
- 18 g. No requirement to determine eligibility. – Nothing in this subdivision
19 shall be construed as requiring State colleges or universities in The
20 University of North Carolina System to determine eligibility for voter
21 registration and voting."

22 **SECTION 1.8.** The Bipartisan State Board of Elections and Ethics Enforcement
23 shall establish and implement an education and outreach campaign to inform voters of the
24 automatic voter registration procedures established pursuant to this Part.

25 **SECTION 1.9.** Sections 1.1 through 1.3 and Section 1.5(a) of this act become
26 effective January 1, 2020. Sections 1.4, 1.5(b), 1.6, and 1.7 of this act become effective January
27 1, 2021.

28

29 **PART II. SAME DAY VOTER REGISTRATION**

30 **SECTION 2.1.** Article 17 of Chapter 163A of the General Statutes is amended by
31 adding a new section to read:

32 **"§ 163A-866.5. In-person registration and voting.**

33 (a) Who May Register in Person. – In accordance with the provisions in this section, an
34 individual who is qualified to register to vote may register in person and then vote in the person's
35 county of residence on election day or during the period for one-stop voting provided under
36 G.S. 163A-1300. For purposes of this section, a one-stop voting site includes the county board
37 of elections office, if that office is used for one-stop voting.

38 (b) Both Attestation and Proof of Residence Required. – To register and vote under this
39 section, the person shall do both of the following:

40 (1) Complete a voter registration form as prescribed in G.S. 163A-863, including
41 the attestation requirement of G.S. 163A-863(b) that the person meets each
42 eligibility requirement. Such attestation is signed under penalty of a Class I
43 felony under G.S. 163A-1389(13); and

44 (2) Provide proof of residence by presenting any of the following valid documents
45 that show the person's current name and current residence address: a North
46 Carolina drivers license, a photo identification from a government agency, or
47 any of the documents listed in G.S. 163A-1144(a)(2). The State Board of
48 Elections may designate additional documents or methods that suffice and
49 shall prescribe procedures for establishing proof of residence.

50 (c) Voting With Retrievable Ballot. – A person who registers under this section shall vote
51 a retrievable ballot immediately after registering. If a person declines to vote immediately, the

1 registration shall be processed, and the person may later vote at a one-stop voting site under this
2 section in the same election, if the early one-stop period has not closed.

3 (d) Verification of Registration; Counting of Ballot. – Within two business days of the
4 person's registration under this section, the county board of elections in conjunction with the
5 State Board of Elections shall verify the North Carolina drivers license or Social Security number
6 in accordance with G.S. 163A-875, update the statewide registration database and search for
7 possible duplicate registrations, and proceed under G.S. 163A-867 to verify the person's address.
8 The person's vote shall be counted unless the county board determines that the applicant is not
9 qualified to vote in accordance with the provisions of this Chapter.

10 (e) Voting in Primary. – Any person who will become qualified by age to register and
11 vote in the general election for which a partisan or nonpartisan primary is held, even though not
12 so qualified by the date of the primary, may register for the primary and general election prior to
13 the primary and then vote in the primary and general election after being registered in accordance
14 with the provisions of this section."

15 **SECTION 2.2.** G.S. 163A-843 reads as rewritten:

16 "**§ 163A-843. Right to participate or vote in party primary.**

17 No person shall be entitled to vote or otherwise participate in the primary election of any
18 political party unless that person complies with all of the following:

- 19 (1) Is a registered voter.
- 20 (2) Has declared and has had recorded on the registration book or record the fact
21 that the voter affiliates with the political party in whose primary the voter
22 proposes to vote or participate.
- 23 (3) Is in good faith a member of that party.

24 Notwithstanding the previous paragraph, any unaffiliated voter who is authorized under
25 G.S. 163A-989 may also vote in the primary if the voter is otherwise eligible to vote in that
26 primary except for subdivisions (2) and (3) of the previous paragraph.

27 Any person who will become qualified by age to register and vote in the general election for
28 which the primary is held, even though not so qualified by the date of the primary, shall be
29 entitled to register for the primary and general election prior to the primary and then to vote in
30 the primary after being registered. Such person may register not earlier than 60 days nor later
31 than the last day for making application to register under G.S. 163A-865(d) prior to the primary.
32 In addition, persons who will become qualified by age to register and vote in the general election
33 for which the primary is held, who do not register during the special period may register to vote
34 after such period as if they were qualified on the basis of age, but until they are qualified by age
35 to vote, they may vote only in primary elections. Such a person also may register and vote in the
36 primary and general election pursuant to G.S. 163A-866.5."

37 **SECTION 2.3.** G.S. 163A-865(d) reads as rewritten:

38 "(d) Registration Deadlines for a Primary or Election. – In order to be valid for a primary
39 or election, except as provided in G.S. 163-866.5, the form:

- 40 (1) If submitted by mail, must be postmarked at least 25 days before the primary
41 or election, except that any mailed application on which the postmark is
42 missing or unclear is validly submitted if received in the mail not later than 20
43 days before the primary or election,
- 44 (2) If submitted in person, by facsimile transmission, or by transmission of a
45 scanned document, must be received by the county board of elections by a
46 time established by that board, but no earlier than 5:00 P.M., on the
47 twenty-fifth day before the primary or election,
- 48 (3) If submitted through a delegatee who violates the duty set forth in subsection
49 (a) of this section, must be signed by the applicant and given to the delegatee
50 not later than 25 days before the primary or election, except as provided in
51 subsection (f) of this section."

1 **SECTION 2.4.** G.S. 163A-1144(d) reads as rewritten:

2 "(d) Voting When Identification Numbers Do Not Match. – Regardless of whether an
3 individual has registered by mail or by another method, if the individual has provided with the
4 registration form a drivers license number or last four digits of a Social Security number but the
5 computer validation of the number as required by G.S. 163A-875 did not result in a match, and
6 the number has not been otherwise validated by the board of elections, in the first election in
7 which the individual votes that individual shall submit with the ballot the form of identification
8 described in subsection (a) or subsection (b) of this section, depending upon whether the ballot
9 is voted in person or absentee. If that identification is provided and the board of elections does
10 not determine that the individual is otherwise ineligible to vote a ballot, the failure of
11 identification numbers to match shall not prevent that individual from registering to vote and
12 having that individual's vote counted. If the individual registers and votes under
13 G.S. 163A-866.5, the identification documents required in that section, rather than those
14 described in subsection (a) or (b) of this section, apply."

15 **SECTION 2.5.** G.S. 163A-1300(a) reads as rewritten:

16 "(a) Any voter eligible to vote by absentee ballot under G.S. 163A-1295 may request an
17 application for absentee ballots, complete the application, and vote under the provisions of this
18 section and ~~G.S. 163A-1302~~, G.S. 163A-866.5, 163A-1301, 163A-1302, 163A-1303, and
19 163A-1304."

20 **SECTION 2.6.** G.S. 163A-1587 reads as rewritten:

21 **"§ 163A-1587. Right to participate or vote in party primary.**

22 No person shall be entitled to vote or otherwise participate in the primary election of any
23 political party unless that person complies with all of the following:

- 24 (1) Is a registered voter.
25 (2) Has declared and has had recorded on the registration book or record the fact
26 that the voter affiliates with the political party in whose primary the voter
27 proposes to vote or participate.
28 (3) Is in good faith a member of that party.

29 Notwithstanding the previous paragraph, any unaffiliated voter who is authorized under
30 G.S. 163A-989 may also vote in the primary if the voter is otherwise eligible to vote in that
31 primary except for subdivisions (2) and (3) of the previous paragraph.

32 Any person who will become qualified by age to register and vote in the general election for
33 which the primary is held, even though not so qualified by the date of the primary election, shall
34 be entitled to register while the registration books are open during the regular registration period
35 prior to the primary and then to vote in the primary after being registered, provided however,
36 under full-time and permanent registration, such an individual may register not earlier than 60
37 days nor later than the last day for making application to register under G.S. 163A-865(d) prior
38 to the primary. In addition, persons who will become qualified by age to register and vote in the
39 general election for which the primary is held, who do not register during the special period may
40 register to vote after such period as if they were qualified on the basis of age, but until they are
41 qualified by age to vote, they may vote only in primary elections. Such a person also may register
42 and vote in the primary and general election pursuant to G.S. 163-866.5."

43 **SECTION 2.7.** G.S. 163A-1588 reads as rewritten:

44 **"§ 163A-1588. Voting in nonpartisan primary.**

45 Any person who will become qualified by age to register and vote in the general election for
46 which a nonpartisan primary is held, even though not so qualified by the date of the primary,
47 shall be entitled to register for the primary and general election prior to the primary and then to
48 vote in the primary after being registered. Such a person may register not earlier than 60 days nor
49 later than the last day for making application to register under G.S. 163A-865(d) prior to the
50 primary. Such a person also may register and vote in the primary and general election pursuant
51 to G.S. 163A-866.5."

PART III. PREREGISTRATION

SECTION 3.1. G.S. 163A-80 is amended by adding a new subsection to read:

"(d) Preregistration. – A person who is at least 16 years of age but will not be 18 years of age by the date of the next election and who is otherwise qualified to register may preregister to vote and shall be automatically registered upon reaching the age of eligibility following verification of the person's qualifications and address in accordance with G.S. 163A-867."

SECTION 3.2. G.S. 163A-862(a) is amended by adding a new subdivision to read:

"(5) Preregister to vote."

SECTION 3.3. G.S. 163A-863(e) reads as rewritten:

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

(1) The following question and statement:

- a. "Are you a citizen of the United States of America?" and boxes for the applicant to check to indicate whether the applicant is or is not a citizen of the United States.
- b. "If you checked 'no' in response to this question, do not submit this form."

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

- a. "Will you be 18 years of age on or before election day?" and boxes for the applicant to check to indicate whether the applicant will be 18 years of age or older on election day.
- b. "Are you at least 16 years of age and understand that you must be 18 years of age on or before election day to vote?" and boxes for the applicant to check to indicate whether the applicant is at least 16 years of age and understands that the applicant must be at least 18 years of age or older by election day to vote.
- c. "If you checked 'no' in response to ~~this question~~, both of these questions, do not submit this form.""

SECTION 3.4. G.S. 163A-883(a) reads as rewritten:

"(a) Voter Registration at Drivers License Offices. – The Division of Motor Vehicles shall, pursuant to the rules adopted by the State Board, modify its forms so that any eligible person who applies for original issuance, renewal or correction of a drivers license, or special identification card issued under G.S. 20-37.7 may, on a part of the form, complete an application to register to vote, or to update the voter's registration if the voter has changed his or her address or moved from one precinct to another or from one county to ~~another~~ another, or to preregister to vote. The person taking the application shall ask if the applicant is a citizen of the United States. If the applicant states that the applicant is not a citizen of the United States, or declines to answer the question, the person taking the application shall inform the applicant that it is a felony for a person who is not a citizen of the United States to apply to register to vote. The application shall state in clear language the penalty for violation of this section. The necessary forms shall be prescribed by the State Board. The form must ask for the previous voter registration address of the voter, if any. If a previous address is listed, and it is not in the county of residence of the applicant, the appropriate county board of elections shall treat the application as an authorization to cancel the previous registration and also process it as such under the procedures of G.S. 163A-870. If a previous address is listed and that address is in the county where the voter applies to register, the application shall be processed as if it had been submitted under G.S. 163A-870.

Registration shall become effective as provided in G.S. 163A-867. Applications to register to vote accepted at a drivers license office under this section until the deadline established in G.S. 163A-865(d)(2) shall be treated as timely made for an election, and no person who

1 completes an application at that drivers license office shall be denied the vote in that election for
2 failure to apply earlier than that deadline.

3 All applications shall be forwarded by the Department of Transportation to the appropriate
4 board of elections not later than five business days after the date of acceptance, according to rules
5 which shall be promulgated by the State Board. Those rules shall provide for a paperless, instant,
6 electronic transfer of applications to the appropriate board of elections. All applications for
7 preregistration shall be forwarded to the State Board."

8 **SECTION 3.5.** G.S. 163A-884 reads as rewritten:

9 **"§ 163A-884. Voter registration at other public agencies.**

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

- 11 (1) Applications for a program of public assistance under Article 2 of Chapter
12 108A of the General Statutes or under Article 13 of Chapter 130A of the
13 General Statutes;
14 (2) Applications for State-funded State or local government programs primarily
15 engaged in providing services to persons with disabilities, with such office
16 designated by the State Board; or
17 (3) Claims for benefits under Chapter 96 of the General Statutes, the Employment
18 Security Law, is designated as a voter registration agency for purposes of this
19 section.

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

- 23 (1) Distribute with each application for service or assistance, and with each
24 recertification, renewal, or change of address relating to such service or
25 assistance:
26 a. The voter registration application form described in G.S. 163A-863(a)
27 or (b); or
28 b. The voter registration agency's own form, if it is substantially
29 equivalent to the form described in G.S. 163A-863(a) or (b) and has
30 been approved by the State Board, provided that the agency's own
31 form may be a detachable part of the agency's paper application or may
32 be a paperless computer process, as long as the applicant is required to
33 sign an attestation as part of the application to ~~register~~ register or
34 preregister.
35 (2) Provide a form that contains the elements required by section 7(a)(6)(B) of
36 the National Voter Registration Act; and
37 (3) Provide to each applicant who does not decline to register or preregister to
38 vote the same degree of assistance with regard to the completion of the
39 registration application as is provided by the office with regard to the
40 completion of its own forms.

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

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

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

- 50 (1) Seek to influence an applicant's political preference or party registration,
51 except that this shall not be construed to prevent the notice provided by

- 1 G.S. 163A-863(d) to be given if the applicant refuses to declare his party
2 affiliation;
- 3 (2) Display any such political preference or party allegiance;
- 4 (3) Make any statement to an applicant or take any action the purpose or effect of
5 which is to discourage the applicant from registering or preregistering to vote;
6 or
- 7 (4) Make any statement to an applicant or take any action the purpose or effect of
8 which is to lead the applicant to believe that a decision to register or preregister
9 or not to register or preregister has any bearing on the availability of services
10 or benefits.

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

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

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

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

27 **SECTION 3.6.** G.S. 163A-888 reads as rewritten:

28 "**§ 163A-888. Voter registration at public high schools.**

29 Every public high school shall make available to its students and others who are eligible to
30 register and preregister to vote the application forms described in G.S. 163A-862, and shall keep
31 a sufficient supply of the forms so that they are always available. A local board of education may,
32 but is not required to, designate high school employees to assist in completing the forms. Only
33 employees who volunteer for this duty may be designated by boards of education."

34 **SECTION 3.7.** G.S. 115C-81.45(c) reads as rewritten:

35 "(c) Democratic Process and Citizenship Education. –

- 36 (1) The State Board of Education shall include instruction in civic and citizenship
37 education in the standard course of study for high school social studies. The
38 State Board of Education is strongly encouraged to include, at a minimum, the
39 following components in the high school civic and citizenship education
40 standard course of study:
- 41 a. That students write to a local, State, or federal elected official about
42 an issue that is important to them.
 - 43 b. Instruction on the importance of voting and otherwise participating in
44 the democratic process, including instruction on voter
45 registration-registration and preregistration.
 - 46 c. Information about current events and governmental structure.
 - 47 d. Information about the democratic process and how laws are made.
- 48 (2) The State Board of Education shall include instruction in civic and citizenship
49 education in the standard course of study for middle school social studies. The
50 State Board of Education is strongly encouraged to include, at a minimum, the

1 following components in the middle school civic and citizenship education
2 standard course of study:

- 3 a. A tour of representative local government facilities, such as the local
4 jail, the courthouse, or a town hall, to help students understand the way
5 their community is governed.
- 6 b. Allowing students to choose and analyze a community problem and
7 offer public policy recommendations on the problem to local officials.
- 8 c. Information about getting involved in community groups."

9 **SECTION 3.8.** G.S. 115C-47(59) reads as rewritten:

10 "(59) To Encourage Student Voter ~~Registration~~Registration and Preregistration. –
11 Local boards of education are encouraged to adopt policies to promote student
12 voter ~~registration~~registration and preregistration. These policies may include
13 collaboration with county boards of elections to conduct voter registration and
14 preregistration in high schools. Completion and submission of voter
15 registration and preregistration forms shall not be a course requirement or
16 graded assignment for students."

17 **SECTION 3.9.** The State Board of Elections and the Department of Public
18 Instruction are encouraged to improve outreach to high school students on voter registration and
19 preregistration programs when students are eligible to do either, including the curriculum element
20 on instruction in voter registration and preregistration, as provided by G.S. 115C-47(59) and
21 voter registration in public high schools authorized in G.S. 163A-888.

22 23 **PART IV. ONLINE REGISTRATION**

24 **SECTION 4.1.** G.S. 163A-864 reads as rewritten:

25 **"§ 163A-864. Distribution of application forms.**

26 (a) The State Board shall make the forms described in G.S. 163A-862 available for
27 distribution through governmental and private entities, with particular emphasis on making them
28 available for organized voter registration drives.

29 (b) The State Board of Elections shall make the forms available for completion and
30 submission on a secure Internet Web site in accordance with this Article."

31 **SECTION 4.2.** Part 2 of Article 6 of Chapter 163A of the General Statutes is
32 amended by adding a new section to read:

33 **"§ 163A-864.5. Online voter registration.**

34 (a) An individual who meets all of the following criteria may register to vote or change
35 voter registration online:

36 (1) The individual is eligible to register to vote.

37 (2) The individual possesses one of the following that is current and valid:

38 a. North Carolina drivers license issued under Article 2 of Chapter 20 of
39 the General Statutes, including a learner's permit or a provisional
40 license.

41 b. Special identification card for nonoperators issued under G.S. 20-37.7.

42 (b) The State Board shall establish a secure Internet Web site to permit individuals
43 described in subsection (a) of this section to complete and submit voter registration applications
44 online.

45 (c) The secure Web site established under subsection (b) of this section shall allow an
46 individual described in subsection (a) of this section to submit:

47 (1) An application for any of the following:

48 a. Voter registration.

49 b. Reporting of a change of name, address, or party affiliation. If the
50 individual is already registered to vote and the change of address is to
51 another county, it shall be treated as an application to register to vote.

1 (2) Information to establish that the individual is eligible under this section to
2 register online.

3 (3) The individual's e-mail address.

4 (d) Upon receipt of an individual's application under subsection (c) of this section, the
5 county board of elections in conjunction with the State Board of Elections shall verify the North
6 Carolina drivers license or Social Security number in accordance with G.S. 163A-875, update
7 the statewide registration database and search for possible duplicate registrations, and proceed
8 under G.S. 163A-867 to verify the person's address.

9 (e) If the State Board verifies the North Carolina drivers license or Social Security
10 number in accordance with G.S. 163A-875, the Division of Motor Vehicles shall transfer the
11 digital signature of the applicant in the Division of Motor Vehicles records to the State Board.

12 (f) If the State Board cannot verify the North Carolina drivers license or Social Security
13 number in accordance with G.S. 163A-875, the State Board shall so notify the individual
14 submitting the application by e-mail, if provided, and in accordance with this Article. That
15 individual shall be offered an opportunity to register in accordance with G.S. 163A-865 or
16 G.S. 163A-866, as applicable."

17 **SECTION 4.3.** G.S. 163A-871 reads as rewritten:

18 "(a) Official Record. – The State voter registration system is the official voter registration
19 list for the conduct of all elections in the State. The State Board and the county board of elections
20 may keep copies of voter registration data, including voter registration applications, in any
21 medium and format expressly approved by the Department of Natural and Cultural Resources
22 pursuant to standards and conditions established by the Department and mutually agreed to by
23 the Department and the State Board. A completed and signed registration application form, if
24 available, described in G.S. 163A-862, once approved by the county board of elections, becomes
25 backup to the official registration record of the voter. Full or partial social security numbers,
26 dates of birth, the identity of the public agency at which the voter registered under
27 G.S. 163A-884, any electronic mail address submitted under this Article or Part 2 of Article 21
28 of this Chapter, any electronic data associated with online registration under G.S. 163A-864.5,
29 and drivers license numbers that may be generated ~~in the voter registration process, by either the~~
30 voter, the State Board Board, or a county board of elections, elections in the voter registration
31 process are confidential and shall not be considered public records and subject to disclosure to
32 the general public under Chapter 132 of the General Statutes. Cumulative data based on those
33 items of information may be publicly disclosed as long as information about any individual
34 cannot be discerned from the disclosed data. Disclosure of information in violation of this
35 subsection shall not give rise to a civil cause of action. This limitation of liability does not apply
36 to the disclosure of information in violation of this subsection as a result of gross negligence,
37 wanton conduct, or intentional wrongdoing that would otherwise be actionable. The signature of
38 the voter, either on the paper application or an electronically captured image of it, may be viewed
39 by the public but may not be copied or traced except by election officials for election
40 administration purposes. Any such copy or tracing is not a public record."

41 **SECTION 4.4.** This Part becomes effective January 1, 2020.

42

43 **PART V. PHOTOGRAPHIC IDENTIFICATION FOR VOTING IN PERSON**

44 **SECTION 5.1.** Voter photo identification cards, as required by G.S. 163A-869.1, as
45 enacted by this act, shall be available on request no later than July 1, 2019. The State Board shall
46 adopt temporary rules to implement G.S. 163A-869.1, as enacted by this act, no later than April
47 15, 2019.

48 **SECTION 5.2.** G.S. 163A-1145.1 reads as rewritten:

49 "**§ 163A-1145.1. Requirement for photo identification to vote in person.**

1 (a) Photo Identification Required to Vote. – When a registered voter presents to vote in
2 person, the registered voter shall produce any of the following forms of identification that contain
3 a photograph of the registered voter: ~~voter, whether expired or unexpired or without an expiration:~~

4 (1) Any of the following ~~that is valid and unexpired, or has been expired for one~~
5 ~~year or less:~~ following:

- 6 a. A North Carolina drivers license.
7 b. A special identification card for nonoperators issued under
8 G.S. 20-37.7 or other form of nontemporary identification issued by
9 the Division of Motor Vehicles of the Department of Transportation.
10 c. A United States passport.
11 d. A North Carolina voter photo identification card of the registered voter
12 issued pursuant to G.S. 163A-869.1.
13 e. A tribal enrollment card issued by a State or federal recognized tribe.
14 g. A student identification card issued by a constituent institution of The
15 University of North Carolina, a community college, as defined in
16 G.S. 115D-2(2), or eligible private postsecondary institution as
17 defined in G.S. 116-280(3), provided that card is issued in accordance
18 with G.S. 163A-1145.2.
19 h. An employee identification card issued by a state or local government
20 entity, including a charter school, provided that card is issued in
21 accordance with G.S. 163A-1145.3.
22 i. A drivers license or special identification card for nonoperators issued
23 by another state, the District of Columbia, or a territory or
24 commonwealth of the United States, but only if the voter's voter
25 registration was within 90 days of the election.
26 j. A government-issued identification card.

27 (2) Any of the following, ~~regardless of whether the identification contains a~~
28 ~~printed expiration or issuance date:~~ following:

- 29 a. A military identification card issued by the United States government.
30 b. A Veterans Identification Card issued by the United States Department
31 of Veterans Affairs for use at Veterans Administration medical
32 facilities.

33 (3) ~~Any expired form of identification allowed in this subsection presented by a~~
34 ~~registered voter having attained the age of 65 years at the time of presentation~~
35 ~~at the voting place, provided that the identification was unexpired on the~~
36 ~~registered voter's sixty-fifth birthday.~~

37 (b) Verification of Photo Identification. – After presentation of the required identification
38 described in subsection (a) of this section, the precinct officials assigned to check registration
39 shall compare the photograph contained on the required identification with the person presenting
40 to vote. The precinct official shall verify that the photograph is that of the person seeking to vote.
41 If the precinct official disputes that the photograph contained on the required identification is the
42 person presenting to vote, a challenge shall be conducted in accordance with the procedures of
43 G.S. 163A-914. A voter shall be permitted to vote unless the judges of election present
44 unanimously agree that the photo identification presented does not bear a reasonable resemblance
45 to that voter.

46 (c) Provisional Ballot Required Without Photo Identification. – If the registered voter
47 cannot produce the identification as required in subsection (a) of this section, the registered voter
48 may cast a provisional ballot that is counted only if the registered voter brings an acceptable form
49 of photograph identification listed in subsection (a) of this section to the county board of elections
50 no later than the end of business on the business day prior to the canvass by the county board of
51 elections as provided in G.S. 163A-1172. The State Board shall provide the registered voter

1 casting a provisional ballot due to failure to provide photo identification an information sheet on
2 the deadline to return to the county board of elections to present photo identification, and what
3 forms of photo identification are acceptable, in order for the voter's provisional ballot to be
4 counted.

5 (d) Exceptions. – The following exceptions are provided for a registered voter who does
6 not produce an acceptable form of identification as required in subsection (a):

7 (1) Religious Objection. – If a registered voter does not produce an acceptable
8 form of photograph identification due to a religious objection to being
9 photographed, the registered voter may complete an affidavit under penalty of
10 perjury at the voting place and affirm that the registered voter: (i) is the same
11 individual who personally appears at the voting place; (ii) will cast the
12 provisional ballot while voting in person; and (iii) has a religious objection to
13 being photographed. Upon completion of the affidavit, the registered voter
14 may cast a provisional ballot.

15 (2) Reasonable Impediment. – If a registered voter does not produce an acceptable
16 form of photograph identification because the registered voter suffers from a
17 reasonable impediment that prevents the registered voter from presenting
18 photograph identification, the registered voter may complete an affidavit
19 under the penalty of perjury at the voting place and affirm that the registered
20 voter: (i) is the same individual who personally appears at the voting place;
21 (ii) will cast the provisional ballot while voting in person; and (iii) suffers
22 from a reasonable impediment that prevents the registered voter from
23 presenting photograph identification. The registered voter also shall complete
24 a reasonable impediment declaration form provided in subsection (d1) of this
25 section, unless otherwise prohibited by state or federal law. Upon completion
26 of the affidavit, the registered voter may cast a provisional ballot.

27 (3) Natural Disaster. – If a registered voter does not produce an acceptable form
28 of photograph identification due to being a victim of a natural disaster
29 occurring within 100 days before election day that resulted in a disaster
30 declaration by the President of the United States or the Governor of this State,
31 the registered voter may complete an affidavit under penalty of perjury at the
32 voting place and affirm that the registered voter: (i) is the same individual who
33 personally appears at the voting place; (ii) will cast the provisional ballot
34 while voting in person; and (iii) was a victim of a natural disaster occurring
35 within 100 days before election day that resulted in a disaster declaration by
36 the President of the United States or the Governor of this State. Upon
37 completion of the affidavit, the registered voter may cast a provisional ballot.

38 (d1) Reasonable Impediment Declaration Form. – The State Board shall adopt a
39 reasonable impediment declaration form that, at a minimum, includes the following as separate
40 boxes that a registered voter may check to identify the registered voter's reasonable impediment:

41 (1) Inability to obtain photo identification due to:

- 42 a. Lack of transportation.
- 43 b. Disability or illness.
- 44 c. Lack of birth certificate or other underlying documents required.
- 45 d. Work schedule.
- 46 e. Family responsibilities.

47 (2) Lost or stolen photo identification.

48 (3) Photo identification applied for but not yet received by the registered voter
49 voting in person.

50 (4) Other reasonable impediment. If the registered voter checks the "other
51 reasonable impediment" box, a further brief written identification of the

1 reasonable impediment shall be required, including the option to indicate that
2 State or federal law prohibits listing the impediment.

3 (e) County Board Review of Exceptions. – If the county board of elections determines
4 that the registered voter voted a provisional ballot only due to the inability to provide proof of
5 identification and the required affidavit required in subsection (d) of this section is submitted, the
6 county board of elections shall find that the provisional ballot is valid unless the county board
7 has grounds to believe the affidavit is false.

8 (f) Purpose. – The purpose of the identification required pursuant to subsection (a) of this
9 section is to confirm the person presenting to vote is the registered voter on the voter registration
10 records. Any address listed on the identification is not determinative of a registered voter's
11 residence for the purpose of voting. A registered voter's residence for the purpose of voting is
12 determined pursuant to G.S. 163A-842."
13

14 **PART VI. RESTORE LAST SATURDAY OF EARLY ONE-STOP**

15 **SECTION 6.1.** Section 1(c) of S.L. 2018-129 reads as rewritten:

16 "**SECTION 1.(c)** This section is effective when it becomes law and ~~expires January 1,~~
17 ~~2019-applies to elections held on or after that date.~~"
18

19 **PART VII. EFFECTIVE DATE**

20 **SECTION 7.** Except as otherwise provided, this act is effective when it becomes law
21 and applies to elections held on or after that date.