

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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SENATE BILL 495

Short Title: Automatic & Online Voter Registration. (Public)

Sponsors: Senators Woodard, Clark, and Lowe (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 3, 2019

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR AUTOMATIC VOTER REGISTRATION AT DRIVERS LICENSE OFFICES, PUBLIC AGENCIES, COMMUNITY COLLEGES, AND COLLEGES AND UNIVERSITIES OF THE UNIVERSITY OF NORTH CAROLINA; TO REQUIRE THE STATE BOARD OF ELECTIONS TO IMPLEMENT AN OUTREACH CAMPAIGN INFORMING CITIZENS ABOUT AUTOMATIC VOTER REGISTRATION; AND TO ALLOW INDIVIDUALS WHO MEET THE CRITERIA TO REGISTER TO VOTE OR CHANGE VOTER REGISTRATION ONLINE.

The General Assembly of North Carolina enacts:

**PART I. AUTOMATIC VOTER REGISTRATION**

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

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

...

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

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

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

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



1 election. It shall be a Class 2 misdemeanor for any person to sell or attempt to sell a completed  
2 voter registration form or to condition its delivery upon payment.

3 ...

4 (d) Registration Deadlines for a Primary or Election. – In order to be valid for a primary  
5 or election, the ~~form~~form must comply with one of the following:

- 6 (1) If submitted by mail, must be postmarked at least 25 days before the primary  
7 or election, except that any mailed application on which the postmark is  
8 missing or unclear is validly submitted if received in the mail not later than 20  
9 days before the primary or ~~election~~election.
- 10 (2) If submitted in person, by facsimile transmission, ~~or~~ by transmission of a  
11 scanned document, or by automatic voter registration, must be received by the  
12 county board of elections by a time established by that board, but no earlier  
13 than 5:00 P.M., on the twenty-fifth day before the primary or ~~election~~election.
- 14 (3) If submitted through a delegatee who violates the duty set forth in subsection  
15 (a) of this section, must be signed by the applicant and given to the delegatee  
16 not later than 25 days before the primary or election, except as provided in  
17 subsection (f) of this section.

18 ...."

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

20 "**§ 163A-883. ~~Voter~~ Automatic voter registration at drivers license offices; coordination on**  
21 **data interface.**

22 (a) Automatic Voter Registration at Drivers License Offices. – ~~The~~ Beginning January 1,  
23 2020, the Division of Motor Vehicles shall, pursuant to the rules adopted by in consultation with  
24 the State Board, modify its forms so that implement a method by which any eligible person who  
25 applies for original issuance, renewal or correction of a drivers license, or special identification  
26 card issued under G.S. 20-37.7 may, on a part of the form, complete an application to register  
27 shall be automatically registered to vote, or able to update the voter's registration if the voter has  
28 changed his or her address or moved from one precinct to another or from one county to another.  
29 The person taking the application shall ask if the applicant is a citizen of the United States. If the  
30 applicant states that the applicant is not a citizen of the United States, or declines to answer the  
31 question, the person taking the application shall inform the applicant that it is a felony for a  
32 person who is not a citizen of the United States to apply to register to vote. The application shall  
33 state in clear language the penalty for violation of this section. The necessary forms shall be  
34 prescribed by the State Board. 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 authorization  
37 to cancel the previous registration and also process it as such under the procedures of  
38 G.S. 163A-870. If a previous address is listed and that address is in the county where the voter  
39 applies to register, the application shall be processed as if it had been submitted under  
40 G.S. 163A-870. inform the applicant of the following:

- 41 (1) That the applicant shall be registered to vote or have the applicant's voter  
42 registration record updated, as applicable, unless the applicant declines.
- 43 (2) The qualifications to vote under G.S. 163A-841.
- 44 (3) That the applicant should not register if the applicant does not meet the  
45 qualifications described under subdivision (2) of this subsection.
- 46 (4) That any person who willfully and knowingly and with fraudulent intent gives  
47 false information on the application is guilty of a Class I felony.
- 48 (5) That if the applicant declines to register to vote, the fact that the applicant has  
49 declined to register will remain confidential and be used for voter registration  
50 purposes only.

1           (6) Information regarding the address confidentiality program under Chapter 15C  
2           of the General Statutes, including how to register for the program and how  
3           voter registration may impact participation in the program.

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

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

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

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

29           (b) Any Ineligible Applications Prohibited. – If a person who is ineligible to vote  
30           becomes registered to vote pursuant to this section, the presumption shall be that the person's  
31           registration is deemed officially authorized and shall not be attributed to any fault of the person.  
32           However, any person who willfully and knowingly and with fraudulent intent gives false  
33           information on the application [described in subsection (a) of this section] described under this  
34           section is guilty of a Class I felony.

35           ...

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

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

40           "**§ 163A-884. Voter registration at other public ~~agencies~~ agencies; automatic voter**  
41           registration.

42           ...

43           (b) Duties of Voter Registration ~~Agencies~~ Agencies; Automatic Voter Registration  
44           Information. – A Beginning January 1, 2021, a voter registration agency described in subsection  
45           (a) of this section shall, unless the applicant declines, in writing, to register to vote; in consultation  
46           with the State Board, provide, with each application for service or assistance, and with each  
47           recertification, renewal, or change of address relating to such service or assistance, an application  
48           process for automatic voter registration. The person taking the application shall inform the  
49           applicant of the following:

1           (1) ~~Distribute with each application for service or assistance, and with each~~  
2 ~~recertification, renewal, or change of address relating to such service or~~  
3 ~~assistance:~~

4           a. ~~The voter registration application form described in G.S. 163A-863(a)~~  
5 ~~or (b); or~~

6           b. ~~The voter registration agency's own form, if it is substantially~~  
7 ~~equivalent to the form described in G.S. 163A-863(a) or (b) and has~~  
8 ~~been approved by the State Board, provided that the agency's own~~  
9 ~~form may be a detachable part of the agency's paper application or may~~  
10 ~~be a paperless computer process, as long as the applicant is required to~~  
11 ~~sign an attestation as part of the application to register.~~

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

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

17           (3) ~~Provide to each applicant who does not decline to register to vote the same~~  
18 ~~degree of assistance with regard to the completion of the registration~~  
19 ~~application as is provided by the office with regard to the completion of its~~  
20 ~~own forms.~~That the applicant should not register if the applicant does not meet  
21 the qualifications described under subdivision (2) of this subsection.

22           (4) That any person who willfully and knowingly and with fraudulent intent gives  
23 false information on the application is guilty of a Class I felony.

24           (5) That if the applicant declines to register to vote, the fact that the applicant has  
25 declined to register will remain confidential and be used for voter registration  
26 purposes only.

27           (6) Information regarding the address confidentiality program under Chapter 15C  
28 of the General Statutes, including how to register for the program and how  
29 voter registration may impact participation in the program.

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

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

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

46           ...

47           (f) Confidentiality of Declination to Register. – No information relating to a declination  
48 to register to vote in connection with an application made at a voter registration agency may be  
49 used for any purpose other than voter registration. The State Board shall ensure that information  
50 acquired for purposes of automatic voter registration under this section is kept confidential in

1 accordance with G.S. 163A-863(b), including compliance with any voter registration  
 2 requirements under G.S. 163A-871(d).

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

9 ...

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

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

18 **SECTION 1.5.(a)** G.S. 163A-885 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~~ vote, including  
 29 informing the person of automatic voter registration in accordance with  
 30 G.S. 163A-883 or G.S. 163A-884.

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

36 **"§ 163A-885. Voter registration upon restoration of citizenship.**

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

- 42 (1) Inform the person that the restoration of rights removes the person's  
 43 disqualification from voting, but that in order to vote the person must register  
 44 to vote.
- 45 (2) Provide an opportunity to that person to register to vote, including informing  
 46 the person of automatic voter registration in accordance with ~~G.S. 163A-883~~  
 47 ~~or 163A-884.~~ G.S. 163A-883, 163A-884, 115D-5, or 116-11.

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

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

1 "§ 115D-5. Administration of institutions by State Board of Community Colleges;  
2 personnel exempt from North Carolina Human Resources Act; extension  
3 courses; tuition waiver; in-plant training; contracting, etc., for establishment  
4 and operation of extension units of the community college system; use of existing  
5 public school facilities.facilities; automatic voter registration.  
6

7 ...  
8 (z) Automatic Voter Registration. – Beginning January 1, 2021, the State Board of  
9 Community Colleges, in consultation with the State Board of Elections, shall provide each person  
10 who is enrolled and registering for courses as a student in a State community college the option  
11 for automatic voter registration as follows:

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

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

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

18 c. That the student should not register if the student does not meet the  
19 qualifications described under sub-subdivision b. of this subdivision.

20 d. That any person who willfully and knowingly and with fraudulent  
21 intent gives false information on the application is guilty of a Class I  
22 felony.

23 e. That if the student declines to register to vote, the fact that the student  
24 has declined to register will remain confidential and be used for voter  
25 registration purposes only.

26 f. Information regarding the address confidentiality program under  
27 Chapter 15C of the General Statutes, including how to register for the  
28 program and how voter registration may impact participation in the  
29 program.

30 (2) Requirements. – If the student does not decline voter registration, the person  
31 taking the application shall require the student to provide all information  
32 requested of the student under G.S. 163A-863, including declaring a  
33 preference to be affiliated with a political party or a preference to be an  
34 unaffiliated voter. If the student fails to declare a political party affiliation, the  
35 student's political affiliation shall be designated as unaffiliated. The student  
36 shall provide an electronic signature as required under G.S. 163A-865(b),  
37 subject to the penalty of perjury, by which the student attests that the  
38 information provided by the student is true and the student meets all  
39 qualifications to become a registered voter.

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

47 (4) Transmittal from State community college to board of elections. – The State  
48 community college shall electronically transmit the applications of students  
49 who did not decline voter registration to the appropriate board of elections not  
50 later than five business days after acceptance, according to rules which shall  
be promulgated by the State Board.

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

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

18   **"§ 116-11. Powers and duties generally.**

19           The powers and duties of the Board of Governors shall include the following:

- 20           ...
- 21           (15)   Automatic voter registration. – Beginning January 1, 2021, the Board of  
22           Governors, in consultation with the State Board of Elections, shall provide  
23           each person who is enrolled and registering for courses as a student in a State  
24           college or university in The University of North Carolina System the option  
25           for automatic voter registration as follows:  
26           a.    Information provided to student. – In providing an automatic voter  
27           registration application process, the person taking the application shall  
28           inform the student of the following:  
29                1.   That the student shall be registered to vote or have the student's  
30                voter registration record updated, as applicable, unless the  
31                student declines.  
32                2.   The qualifications to vote under G.S. 163A-841.  
33                3.   That the student should not register if the student does not meet  
34                the qualifications described under sub-sub-subdivision a.2. of  
35                this sub-subdivision.  
36                4.   That any person who willfully and knowingly and with  
37                fraudulent intent gives false information on the application is  
38                guilty of a Class I felony.  
39                5.   That if the student declines to register to vote, the fact that the  
40                student has declined to register will remain confidential and be  
41                used for voter registration purposes only.  
42                6.   Information regarding the address confidentiality program  
43                under Chapter 15C of the General Statutes, including how to  
44                register for the program and how voter registration may impact  
45                participation in the program.  
46           b.   Requirements. – If the student does not decline voter registration, the  
47           person taking the application shall require the student to provide all  
48           information requested of the student under G.S. 163A-863, including  
49           declaring a preference to be affiliated with a political party or a  
50           preference to be an unaffiliated voter. If the student fails to declare a  
51           political party affiliation, the student's political affiliation shall be

1 designated as unaffiliated. The student shall provide an electronic  
 2 signature as required under G.S. 163A-865(b), subject to the penalty  
 3 of perjury, by which the student attests that the information provided  
 4 by the student is true and the student meets all qualifications to become  
 5 a registered voter.

6 c. Confidentiality of declination to register. – No information relating to  
 7 a declination to register to vote in connection with an application made  
 8 at a State college or university in The University of North Carolina  
 9 System may be used for any purpose other than voter registration. The  
 10 State Board shall ensure that information acquired for purposes of  
 11 automatic voter registration under this section is kept confidential in  
 12 accordance with G.S. 163A-863(b), including compliance with any  
 13 voter registration requirements under G.S. 163A-871(d).

14 d. Transmittal from State college or university to board of elections. –  
 15 The State college or university in The University of North Carolina  
 16 System shall electronically transmit the applications of students who  
 17 did not decline voter registration to the appropriate board of elections  
 18 not later than five business days after acceptance, according to rules  
 19 which shall be promulgated by the State Board.

20 e. Twenty-five-day deadline for an election. – Applications to register  
 21 accepted by a State college or university in The University of North  
 22 Carolina System shall entitle a registrant to vote in any primary,  
 23 general, or special election unless the registrant shall have made  
 24 application later than the twenty-fifth calendar day immediately  
 25 preceding the primary, general, or special election, provided that  
 26 nothing shall prohibit State colleges or universities in The University  
 27 of North Carolina System from continuing to accept applications  
 28 during that period.

29 f. Ineligible applications prohibited. – No person shall make application  
 30 to register to vote under this subdivision if that person is ineligible  
 31 because of age, citizenship, lack of residence for the period of time  
 32 provided by law, or conviction of a felony. However, if a person who  
 33 is ineligible to vote becomes registered to vote pursuant to this  
 34 subdivision, the presumption shall be that the person's registration is  
 35 deemed officially authorized and shall not be attributed to any fault of  
 36 the person.

37 g. No requirement to determine eligibility. – Nothing in this subdivision  
 38 shall be construed as requiring State colleges or universities in The  
 39 University of North Carolina System to determine eligibility for voter  
 40 registration and voting."

41 **SECTION 1.8.** The State Board of Elections shall establish and implement an  
 42 education and outreach campaign to inform voters of the automatic voter registration procedures  
 43 established pursuant to this act.

44 **SECTION 1.9.** Sections 1.1 through 1.3 and Section 1.5(a) of this Part become  
 45 effective January 1, 2020. Sections 1.4, 1.5(b), 1.6, and 1.7 of this Part become effective January  
 46 1, 2021. The remainder of this Part is effective when it becomes law.

## 47 **PART II. ONLINE VOTER REGISTRATION**

48 **SECTION 2.1.** G.S. 163A-864 reads as rewritten:

49 **"§ 163A-864. Distribution of application forms.**  
 50



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

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

6             **SECTION 2.2.** Part 2 of Article 17 of Chapter 163A of the General Statutes is  
7 amended by adding a new section to read:

8 **"§ 163A-864.1. Online voter registration.**

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

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

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

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

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

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

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

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

23               a.     Voter registration.

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

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

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

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

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

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

43             **SECTION 2.3.** G.S. 163A-871(a) reads as rewritten:

44       "(a)     Official Record. – The State voter registration system is the official voter registration  
45 list for the conduct of all elections in the State. The State Board and the county board of elections  
46 may keep copies of voter registration data, including voter registration applications, in any  
47 medium and format expressly approved by the Department of Natural and Cultural Resources  
48 pursuant to standards and conditions established by the Department and mutually agreed to by  
49 the Department and the State Board. A completed and signed registration application form, if  
50 available, described in G.S. 163A-862, once approved by the county board of elections, becomes  
51 backup to the official registration record of the voter. Full or partial social security numbers,

1 dates of birth, the identity of the public agency at which the voter registered under  
2 G.S. 163A-884, any electronic mail address submitted under this Article or Part 2 of Article 21  
3 of this Chapter, any electronic data associated with online voter registration under  
4 G.S. 163A-864.1, and drivers license numbers that may be generated in the voter registration  
5 process, by either the State Board or a county board of elections, elections in the voter registration  
6 process, are confidential and shall not be considered public records and subject to disclosure to  
7 the general public under Chapter 132 of the General Statutes. Cumulative data based on those  
8 items of information may be publicly disclosed as long as information about any individual  
9 cannot be discerned from the disclosed data. Disclosure of information in violation of this  
10 subsection shall not give rise to a civil cause of action. This limitation of liability does not apply  
11 to the disclosure of information in violation of this subsection as a result of gross negligence,  
12 wanton conduct, or intentional wrongdoing that would otherwise be actionable. The signature of  
13 the voter, either on the paper application or an electronically captured image of it, may be viewed  
14 by the public but may not be copied or traced except by election officials for election  
15 administration purposes. Any such copy or tracing is not a public record."

16 **SECTION 2.4.** This Part becomes effective December 1, 2019.

17  
18 **PART III. EFFECTIVE DATE**

19 **SECTION 3.1.** Except as otherwise provided, this act is effective when it becomes  
20 law.