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SESSION 2001

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HOUSE BILL 1195
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Senate Judiciary I Committee Substitute Favorable 10/2/01

Short Title: Annual Absentee/Forsyth Superior Ct. Judge.

(Public)

Sponsors:

Referred to:

April 12, 2001

A BILL TO BE ENTITLED

AN ACT TO GIVE ILL AND DISABLED CIVILIANS THE SAME RIGHT AS
MILITARY PERSONNEL TO REQUEST ABSENTEE BALLOTS FOR AN
ENTIRE CALENDAR YEAR AND BY PRESCRIBING A METHOD FOR
MAKING ABSENTEE BALLOT REQUESTS, AND TO REALIGN THE
SUPERIOR COURT DISTRICTS IN FORSYTH COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-226 is amended by adding a new subsection to read:

"(a2) Annual Request by Person With Sickness or Physical Disability. – If the applicant so requests and reports in the application that the voter has a sickness or physical disability that is expected to last the remainder of the calendar year, the application shall constitute a request for an absentee ballot for all of the primaries and elections held during the calendar year when the application is received."

SECTION 2. Article 20 of the General Statutes is amended by adding a new section to read:

"§ 163-230.2. Method of requesting absentee ballots.

(a) Valid Types of Written Requests. – A written request for an absentee ballot as required by G.S. 163-230.1 is valid only if it is written entirely by the requester personally, or is on a form generated by the county board of elections and signed by the requester. The county board of elections shall issue a request form only to the voter seeking to vote by absentee ballot or to a person authorized by G.S. 163-230.1 to make a request for the voter. If a requester, due to disability or illiteracy, is unable to complete a written request, that requester may receive assistance in writing that request from an individual of that requester's choice.

(b) Invalid Types of Written Requests. – A request is not valid if it does not comply with subsection (a) of this section. If a county board of elections receives a request for an absentee ballot that does not comply with subsection (a) of this section, the board shall not issue an application and ballot under G.S. 163-230.1.

1 (c) Rules by State Board. – The State Board of Elections shall adopt rules for the
2 enforcement of this section."

3 **SECTION 3.** G.S. 7A-41(b) reads as rewritten:

4 (b) For superior court districts of less than a whole county, or with part of one
5 county with part of another, the composition of the district and the number of judges is
6 as follows:

- 7 (1) Superior Court District 7B consists of County Commissioner Districts
8 1, 2 and 3 of Wilson County, Blocks 127 and 128 of Census Tract 6 of
9 Wilson County, and Townships 12 and 14 of Edgecombe County. It
10 has one judge.
- 11 (2) Superior Court District 7C consists of the remainder of Edgecombe
12 and Wilson Counties not in Judicial District 7B. It has one judge.
- 13 (3) Superior Court District 10A consists of Wake County Precincts 01-12,
14 01-13, 01-14, 01-18, 01-19, 01-20, 01-22, 01-25, 01-26, 01-28, 01-34,
15 01-35, 01-40, 01-50, 17-03, and 17-07. It has two judges.
- 16 (4) Superior Court District 10B consists of Wake County Precincts 01-01,
17 01-02, 01-03, 01-04, 01-05, 01-06, 01-07, 01-07A, 01-09, 01-10,
18 01-11, 01-16, 01-21, 01-23, 01-27, 01-29, 01-31, 01-32, 01-33, 01-36,
19 01-41, 01-48, 01-49, 03-00, 04-01, 04-02, 04-03, 04-04, 04-05, 04-06,
20 04-07, 04-08, 04-09, 04-10, 04-11, 04-12, 04-13, 04-14, 04-15, 04-16,
21 04-17, 04-18, 04-19, 04-20, 05-01, 05-02, 06-01, 06-02, 06-03, 07-01,
22 07-10, 11-01, 11-02, 12-01, 12-02, 12-03, 12-04, 12-05, 12-06, 18-01,
23 18-02, 18-03, 18-04, 18-05, 18-06, 18-07, 18-08, 20-01, 20-02, 20-03,
24 20-04, 20-05, 20-06, 20-07, 20-08, 20-09, and 20-10. It has two
25 judges.
- 26 (5) Superior Court District 10C consists of Wake County Precincts 02-01,
27 02-02, 02-03, 02-04, 02-05, 02-06, 07-02, 07-12, 08-01, 08-02, 08-03,
28 08-04, 08-05, 08-06, 08-07, 08-08, 09-01, 09-02, 09-03, 10-01, 10-02,
29 10-03, 10-04, 14-01, 14-02, 15-01, 15-02, 15-03, 15-04, 16-01, 16-02,
30 16-03, 16-04, 16-05, 16-06, 16-07, 19-01, 19-02, 19-03, 19-04, 19-05,
31 19-06, 19-07, and 19-08. It has one judge.
- 32 (6) Superior Court District 10D consists of Wake County Precincts 01-15,
33 01-17, 01-30, 01-37, 01-38, 01-39, 01-42, 01-43, 01-44, 01-45, 01-46,
34 01-47, 01-51, 07-03, 07-04, 07-05, 07-06, 07-07, 07-07A, 07-09,
35 07-11, 13-01, 13-02, 13-03, 13-04, 13-05, 17-01, 17-02, 17-04, 17-05,
36 17-06, and 17-08. It has one judge.
- 37 (7) Superior Court District 12A consists of that part of Cross Creek
38 Precinct #18 north of Raeford Road, Montclair Precinct, that part of
39 Precinct 71-1 not in Judicial District 12B, Precinct 71-2, Morganton #2
40 Precinct, Cottonade Precinct, Cumberland Precincts 1 and 2, and
41 Brentwood Precinct. It has one judge.

- 1 (8) Superior Court District 12B consists of all of State House of
2 Representatives District 17, except for Westarea Precinct, and it also
3 includes that part of Cross Creek Precinct #15 east of Village Drive. It
4 has one judge.
- 5 (9) Superior Court District 12C consists of the remainder of Cumberland
6 County not in Superior Court Districts 12A or 12B. It has two judges.
- 7 (10) Superior Court District 14A consists of Durham Precincts 9, 11, 12,
8 13, 14, 15, 18, 34, 40, 41, and 42, and that part of Durham Precinct 39
9 east of North Carolina Highway #751. It has one judge.
- 10 (11) Superior Court District 14B consists of the remainder of Durham
11 County not in Superior Court District 14A. It has three judges.
- 12 (12) Superior Court District 18A consists of Fentress Precincts 1 and 2;
13 Greensboro Precincts 4, 5, 6, 46, 52, 67, 68, 69, 70, 71, 72, 73, 74, and
14 75; North Clay Precinct; Pleasant Garden Precincts 1 and 2; and South
15 Clay Precinct. It has one judge.
- 16 (13) Superior Court District 18B consists of High Point Precincts 1, 2, 3, 4,
17 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24,
18 25, 26, and 27; HP Precinct; Jamestown Precincts 1 and 5; North Deep
19 River Precinct; and South Deep River Precinct. It has one judge.
- 20 (14) Superior Court District 18C consists of Center Grove Precincts 1, 2,
21 and 3; Friendship Precincts 1, 2, 3, 4, and 5; Greensboro Precincts 17,
22 30, 31, 32, 33, 34, 36, 37, 38, 39, 40A, 40B, 41, 42, 43, 64, 65, and 66;
23 Jamestown Precincts 2, 3, and 4; Monroe Precinct 3; North Center
24 Grove Precinct; Oak Ridge Precincts 1 and 2; Summerfield Precincts
25 1, 2, 3, and 4; and Stokesdale Precinct. It has one judge.
- 26 (15) Superior Court District 18D consists of Greensboro Precincts 1, 11,
27 12, 13, 14, 15, 16, 19, 35, 44, 45, 47, 48, 49, 50, 51, 53, 54, 55, 56, 57,
28 58, 59, 60, 61, 62, and 63; and Sumner Precincts 1, 2, 3, and 4. It has
29 one judge.
- 30 (16) Superior Court District 18E consists of Gibsonville Precinct; Greene
31 Precinct; Greensboro Precincts 2, 3, 7, 8, 9, 10, 18, 20, 21, 22, 23, 24,
32 25, 26, 27, 28, and 29; Jefferson Precincts 1, 2, 3, and 4; Monroe
33 Precincts 1 and 2; North Madison Precinct; North Washington
34 Precinct; Rock Creek Precincts 1 and 2; South Madison Precinct; and
35 South Washington Precinct. It has one judge.
- 36 (17) Superior Court District 21A consists of ~~the Southwest Ward of~~
37 ~~Winston Salem, and Precincts 80-6, 80-7, 80-8, 3-1, 9-1, 13-1, 13-2,~~
38 ~~13-3, 7-1, 7-2, 7-3, 5-1, 5-2, 5-3, 12-2, and 12-3.~~ Forsyth County
39 Precincts 051, 052, 053, 054, 055, 071, 072, 073, 074, 075, 091, 092,
40 122, 123, 131, 132, 133, 701, 702, 703, 704, 705, 706, 707, 708, 709,
41 806, 807, and 808. It has one judge.

- 1 (18) Superior Court District 21B consists of ~~the Northwest Ward, the South~~
2 ~~Ward, and the Southeast Ward of Winston Salem, and Precincts 4-1~~
3 ~~and 4-2.~~ Forsyth County Precincts 042, 043, 501, 502, 503, 504, 505,
4 506, 507, 601, 602, 603, 604, 605, 606, 607, 901, 902, 903, 904, 905,
5 and 907. It has one judge.
- 6 (19) Superior Court District 21C consists of ~~Precincts 80-1, 80-2, 80-3,~~
7 ~~80-4, 80-5, 80-9, 10-2, 10-3, 3-2, 3-3, 11-1, 11-2, 2-1, 6-1, 6-2, 6-3,~~
8 ~~6-4, 1-1, 1-2, and 1-3.~~ Forsyth County Precincts 011, 012, 013, 014,
9 015, 021, 031, 032, 033, 034, 061, 062, 063, 064, 065, 066, 067, 068,
10 101, 111, 112, 801, 802, 803, 804, 805, 809, 906, 908, and 909. It has
11 one judge.
- 12 (20) Superior Court District 21D consists of ~~the North Ward, the Northeast~~
13 ~~Ward, and the East Ward of Winston Salem, and Precincts 8-2 and~~
14 ~~8-3.~~ Forsyth County Precincts 081, 082, 083, 201, 203, 204, 205, 206,
15 207, 301, 302, 303, 304, 305, 306, 401, 402, 403, 404, and 405. It has
16 one judge.
- 17 (21) Superior Court District 26A consists of Charlotte Precincts 11, 12, 13,
18 14, 15, 16, 22, 23, 24, 25, 26, 27, 31, 33, 39, 41, 42, 46, 52, 54, 55, 56,
19 58, 60, 77, 78, and 82, and Long Creek Precinct #2 of Mecklenburg
20 County. It has two judges.
- 21 (22) Superior Court District 26B consists of Charlotte Precincts 1, 2, 3, 4,
22 5, 6, 7, 8, 9, 10, 17, 18, 20, 21, 28, 29, 30, 32, 34, 35, 36, 37, 38, 43,
23 44, 45, 47, 51, 61, 62, 63, 65, 66, 67, 68, 69, 71, 74, 83, 84, and 86,
24 Crab Orchard Precincts 1 and 2, and Mallard Creek Precinct 1. It has
25 two judges.
- 26 (23) Superior Court District 26C consists of the remainder of Mecklenburg
27 County not in Superior Court Districts 26A or 26B. It has two judges.
- 28 (24) Superior Court District 19B1 consists of all of Montgomery County
29 except for Star Precinct, the following precincts of Moore County: #8
30 West End, #9 Eastwood, #11 Vass, #12 Little River, #14 Taylortown,
31 #17 South Southern Pines, #19 North Southern Pines; #20 West
32 Aberdeen, #21 East Aberdeen, #22 Pinedene, #23 Pinebluff, and the
33 remainder of Randolph County not in Superior Court District 19B2. It
34 has one judge.
- 35 (25) Superior Court District 19B2 consists of Star Precinct in Montgomery
36 County, the remainder of Moore County not in Superior Court District
37 19B1, and the following precincts of Randolph County: Archdale I,
38 Archdale II, Archdale III, Brower, Coleridge, Franklinville, Grant,
39 Level Cross, Liberty, New Market North, New Market South, Pleasant
40 Grove, Prospect, Providence, Ramseur, Richland, Staley, Trinity East,
41 and Trinity West. It has one judge."

42 **SECTION 4.** G.S. 7A-41(c) reads as rewritten:

1 "(c) In subsection (b) above:

- 2 (1) The names and boundaries of townships are as they were legally
3 defined and in effect as of January 1, 1980, and recognized in the 1980
4 U.S. Census;
- 5 (2) For Guilford County, the precincts are as they were legally defined and
6 recognized as voting districts of the same name in the 2000 U.S.
7 Census, except Greensboro Precincts 40A and 40B are as they were
8 modified by the Guilford County Board of Elections and are as shown
9 on the Legislative Services Office's redistricting computer database on
10 May 1, 2001;
- 11 (2a) For Wake County, the precincts are as they were adopted by the Wake
12 County Board of Elections and in effect as of January 1, 2001.
- 13 (3) For Mecklenburg and Durham Counties, precinct boundaries are as
14 shown on the current maps in use by the appropriate county board of
15 elections as of January 31, 1984, in accordance with G.S. 163-128(b);
- 16 (4) For Wilson County, commissioner districts are those in use for election
17 of members of the county board of commissioners as of January 1,
18 1987;
- 19 (5) For Cumberland County, House District 17 is in accordance with the
20 boundaries in effect on January 1, 1987. Precincts are in accordance
21 with those as approved by the United States Department of Justice on
22 February 28, 1986;
- 23 (6) For Forsyth County, ~~the boundaries of wards and precincts are those in~~
24 ~~effect on "WARD MAP 1985", published November 1985 by the City~~
25 ~~of Winston-Salem and Forsyth County; the precincts are as they were~~
26 legally defined and recognized in the 2000 U.S. Census as of January
27 1, 2001; and
- 28 (7) The names and boundaries of precincts in Montgomery, Moore, and
29 Randolph Counties are those in existence on March 15, 1999.

30 If any changes in precinct boundaries, wards, commissioner districts, or House of
31 Representative districts have been made since the dates specified, or are made, those
32 changes shall not change the boundaries of the superior court districts; provided that if
33 any of those boundaries have changed, a precinct is divided by a superior court judicial
34 district boundary, and the precinct was not so divided at the time of enactment of this
35 section in 1987, the boundaries of the superior court judicial district are changed to
36 place the entirety of the precinct in the superior court judicial district where the majority
37 of the residents of the precinct reside, according to the 1990 Federal Census if:

- 38 (1) Such change does not result in placing a superior court judge in
39 another superior court district;
- 40 (2) Such change does not make a district that has an effective racial
41 minority electorate not have an effective racial minority electorate; and

- 1 (3) The change is approved by the county board of elections where the
2 precinct is located, State Board of Elections and by the Secretary of
3 State upon finding that the change:
4 a. Will improve election administration; and
5 b. Complies with subdivisions (1) and (2) of this subsection."

6 **SECTION 5.** This act is effective when it becomes law. Sections 3 and 4 of
7 this act apply to appointments made on or after January 1, 2002, and primaries and
8 elections held on or after January 1, 2002. The remainder of this act applies to
9 primaries and elections held on or after January 1, 2002.