

1 REGISTRATION FORMS; TO APPLY THE IDENTIFICATION REQUIREMENT
2 TO VOTERS WHOSE DRIVERS LICENSE NUMBERS OR SOCIAL SECURITY
3 NUMBERS CANNOT BE MATCHED IN A COMPUTER CHECK; TO PROVIDE
4 FOR NOTICE IN THE APPOINTMENT OF OBSERVERS AND RUNNERS; TO
5 PROHIBIT TAKING THE PICTURE OF A VOTER WHILE INSIDE,
6 ENTERING, OR EXITING THE VOTING ENCLOSURE; TO MAKE THE
7 STATE BOARD OF ELECTIONS RESPONSIBLE FOR BALLOT CODING;
8 AND TO REQUIRE COUNTY BOARDS OF ELECTIONS TO COMPLY WITH
9 SPECIFICATIONS FOR BALLOT PRINTERS AND TO MAINTAIN THEIR
10 SOFTWARE WARRANTIES.

11 The General Assembly of North Carolina enacts:

12 **SECTION 1.(a)** G.S. 163-231(b) reads as rewritten:

13 "(b) Transmitting Executed Absentee Ballots to County Board of Elections. – The
14 sealed container-return envelope in which executed absentee ballots have been placed
15 shall be transmitted to the county board of elections who issued them as follows: All
16 ballots issued under the provisions of Articles 20 and 21 of this Chapter shall be
17 transmitted by mail or by commercial courier service, at the voter's expense, or
18 delivered in person, or by the voter's near relative or verifiable legal guardian not later
19 than 5:00 p.m. on the day ~~before~~of the statewide primary or general election or county
20 bond election. If such ballots are received later than that hour, they shall not be accepted
21 for unless federal law so requires."

22 **SECTION 1.(b)** G.S. 163-234(1) reads as rewritten:

23 "(1) Only those absentee ballots returned to the county board of elections
24 no later than 5:00 p.m. on ~~the day before~~ election day in a properly
25 executed container-return envelope shall be counted, except to the
26 extent federal law requires otherwise."

27 **SECTION 1.(c)** G.S. 163-89(a) reads as rewritten:

28 "(a) Time for Challenge. – The absentee ballot of any voter may be challenged on
29 the day of any statewide primary or general election or county bond election beginning
30 no earlier than noon and ending no later than 5:00 P.M., or by the chief judge at the time
31 of closing of the polls as provided in G.S. 163-232 and G.S. 163-251(b). If an absentee
32 ballot has been received after 5:00 P.M. on the day before the election but before the
33 deadline for accepting absentee ballots provided in G.S. 163-234(1) of 5:00 P.M. on the
34 day of the election, the deadline for challenging that ballot shall be 5:00 P.M. on the day
35 after the election."

36 **SECTION 1.(d)** G.S. 163-232 reads as rewritten:

37 "**§ 163-232. Certified list of executed absentee ballots; distribution of list.**

38 (a) Certified List. – The county board of elections shall prepare, or cause to be
39 prepared, a list in at least quadruplicate, of all absentee ballots returned to the county
40 board of elections to be counted, which have been approved by the county board of
41 elections, and which have been received as of 5:00 p.m. on the day before the election.
42 At the end of the list, the chairman shall execute the following certificate under oath:

43 "State of North Carolina

44 County of _____

1 I, _____, chairman of the _____ County board of elections, do
 2 hereby certify that the foregoing is a list of all executed absentee ballots to be voted in
 3 the election to be conducted on the _____ day of _____,
 4 which have been approved by the county board of elections and which have been
 5 returned no later than 5:00 p.m. on the day before the election. I certify that the
 6 chairman, member, officer, or employee of the board of elections has not delivered
 7 ballots for absentee voting to any person other than the voter, by mail or by commercial
 8 courier service or in person, except as provided by law, and have not mailed or
 9 delivered ballots when the request for the ballot was received after the deadline
 10 provided by law.

11 This the _____ day of _____, _____

 (Signature of chairman of
 county board of elections)

15 Sworn to and subscribed before me this _____ day of _____.

16 Witness my hand and official seal.

 (Signature of officer
 administering oath)

 (Title of officer)"

22 No later than 10:00 a.m. on election day, the county board of elections shall cause
 23 one copy of the list of executed absentee ballots, which may be a continuing countywide
 24 list or a separate list for each precinct, to be immediately deposited as "first-class" mail
 25 to the State Board of Elections. The board shall retain one copy in the board office for
 26 public inspection and the board shall cause two copies of the appropriate precinct list to
 27 be delivered to the chief judge of each precinct in the county. The county board of
 28 elections shall be authorized to call upon the sheriff of the county to distribute the list to
 29 the precincts. In addition the county board of elections shall, upon request, provide a
 30 copy of the complete list to the chairman of each political party, recognized under the
 31 provisions of G.S. 163-96, represented in the county.

32 The chief judge shall post one copy of the list immediately in a conspicuous location
 33 in the voting place and retain one copy until all challenges of absentee ballots have been
 34 heard by the county board of elections. Challenges shall be made to absentee ballots as
 35 provided in G.S. 163-89.

36 ~~After receipt of the list of absentee voters required by this section the chief judge~~
 37 ~~shall call the name of each person recorded on the list and enter an "A" in the~~
 38 ~~appropriate voting square on the voter's permanent registration record, or a similar entry~~
 39 ~~on the computer list used at the polls. The computer lists used at the polls shall be~~
 40 generated by the county board of elections and shall indicate all persons who have voted
 41 absentee. If such person is already recorded as having voted in that election, the chief
 42 judge shall enter a challenge which shall be presented to the county board of elections
 43 for resolution by the board of elections prior to certification of results by the board.

1 (b) Supplemental Lists. – Where feasible, the county board of elections shall
2 provide to the precinct officials a supplemental list of voters whose absentee
3 applications and ballots have been received after 5:00 P.M. on the day before the
4 election, but before the deadline provided in G.S. 163-234(1) for acceptance of absentee
5 ballots at 5:00 P.M. on election day. In any event, the county board of elections shall
6 make public a supplemental list of all absentee voters whose absentee ballots were
7 received after 5:00 P.M. on the day before the election but before 5:00 P.M. on election
8 day. The State Board of Elections shall provide the supplemental list and instructions on
9 how to make the supplemental list public, and the county board of elections shall make
10 the list public as soon as practicable.

11 (c) Retention of Lists. – All lists required by this section shall be retained by the
12 county board of elections for a period of 22 months after which they may then be
13 destroyed."

14 **SECTION 1.(e)** This section becomes effective January 1, 2008.

15 **SECTION 2.(a)** G.S. 163-278.32 reads as rewritten:

16 "**§ 163-278.32. Statements under oath.**

17 Any statement required to be filed under this Article shall be signed and certified as
18 true and correct by the individual, media, candidate, treasurer or others required to file
19 it, and shall be certified as true and correct to the best of the knowledge of the
20 individual, media, candidate, treasurer or others filing the statement; provided further
21 that the candidate shall certify as true and correct to the best of his knowledge the
22 organizational report and appointment of treasurer filed for the candidate or the
23 candidate's principal campaign committee. ~~Any~~ A certification under this Article shall
24 be treated as under oath, and any person making a certification under this Article
25 knowing the information to be untrue may be prosecuted for perjury under G.S. 14-209.
26 is guilty of a Class I felony."

27 **SECTION 2.(b)** G.S. 163-278.27 is amended by adding a new subsection to
28 read:

29 "(a1) A violation of G.S. 278.32 by making a certification knowing the information
30 to be untrue is a Class I felony."

31 **SECTION 3.(a)** G.S. 163-278.34(a) reads as rewritten:

32 "(a) **Civil Penalties for Late Filing.** – Except as provided in G.S. 163-278.9 and
33 G.S. 163-278.9A, all reports, statements or other documents required by this Article to
34 be filed with the Board shall be filed either by manual delivery to or by mail addressed
35 to the Board. Timely filing shall be complete if postmarked on the day the reports,
36 statements or other documents are to be delivered to the Board. If a report, statement or
37 other document is not filed within the time required by this Article, then the individual,
38 person, media, candidate, political committee, referendum committee or treasurer
39 responsible for filing shall pay to the State Board of Elections election enforcement
40 costs and a civil late penalty as follows:

41 (1) Two hundred fifty dollars (\$250.00) per day for each day the filing is
42 late for a report that affects statewide elections, not to exceed a total of
43 ten thousand dollars (\$10,000); and

- 1 (2) Fifty dollars (\$50.00) per day for each day the filing is late for a report
2 that affects only nonstatewide elections, not to exceed a total of five
3 hundred dollars (\$500.00).

4 If the form is filed by mail, no civil late penalty shall be assessed for any day after
5 the date of postmark. No civil late penalty shall be assessed for any day when the Board
6 office at which the report is due is closed. The State Board shall immediately notify, or
7 cause to be notified, late filers, from which reports are apparently due, by mail, of the
8 penalties under this section. The State Board of Elections may waive a late penalty if it
9 determines there is good cause for the waiver.

10 If the Board determines by clear and convincing evidence that the late filing
11 constitutes a willful attempt to conceal contributions or expenditures, the Board may
12 assess a civil penalty in an amount to be determined by that Board, plus the costs of
13 investigation, assessment, and collection. The civil penalty shall not exceed three times
14 the amount of the contributions and expenditures willfully attempted to be concealed."

15 **SECTION 3.(b)** This section is effective when this act becomes law and
16 applies to all offenses committed on or after that date.

17 **SECTION 4.** G.S. 163-278.6(14) reads as rewritten:

18 "(14) The term "political committee" means a combination of two or more
19 individuals, such as any person, committee, association, organization,
20 or other entity that makes, or accepts anything of value to make,
21 contributions or expenditures and has one or more of the following
22 characteristics:

- 23 a. Is controlled by a candidate;
24 b. Is a political party or executive committee of a political party or
25 is controlled by a political party or executive committee of a
26 political party;
27 c. Is created by a corporation, business entity, insurance company,
28 labor union, or professional association pursuant to
29 G.S. 163-278.19(b); or
30 d. Has as a major purpose to support or oppose the nomination or
31 election of one or more clearly identified candidates.

32 Supporting or opposing the election of clearly identified candidates
33 includes supporting or opposing the candidates of a clearly identified
34 political party.

35 ~~An entity is rebuttably presumed to have as a major purpose to~~
36 ~~support or oppose the nomination or election of one or more clearly~~
37 ~~identified candidates if it contributes or expends or both contributes~~
38 ~~and expends during an election cycle more than three thousand dollars~~
39 ~~(\$3,000). The presumption may be rebutted by showing that the~~
40 ~~contributions and expenditures giving rise to the presumption were not~~
41 ~~a major part of activities of the organization during the election cycle.~~
42 ~~Contributions to referendum committees and expenditures to support~~
43 ~~or oppose ballot issues shall not be facts considered to give rise to the~~

1 presumption or otherwise be used in determining whether an entity is a
2 political committee.

3 If the entity qualifies as a "political committee" under
4 sub-subdivision a., b., c., or d. of this subdivision, it continues to be a
5 political committee if it receives contributions or makes expenditures
6 or maintains assets or liabilities. A political committee ceases to exist
7 when it winds up its operations, disposes of its assets, and files its final
8 report.

9 Special definitions of "political action committee" and "candidate
10 campaign committee" that apply only in Part 1A of this Article are set
11 forth in G.S. 163-278.38Z."

12 **SECTION 5.** G.S. 163-278.69(a) reads as rewritten:

13 "(a) Judicial Voter Guide. – The Board shall publish a Judicial Voter Guide that
14 explains the functions of the appellate courts and the laws concerning the election of
15 appellate judges, the purpose and function of the Public Campaign Fund, and the laws
16 concerning voter registration. The Board shall distribute the Guide to as many
17 voting-age individuals in the State as practical, through a mailing to all residences or
18 other means it deems effective. The distribution shall occur no more than ~~428~~ days nor
19 fewer than seven days before the one-stop voting period provided in G.S. 163-227.2 for
20 the primary and no more than ~~428~~ days nor fewer than seven days before the one-stop
21 voting period provided in G.S. 163-227.2 for the general election."

22 **SECTION 6.** G.S. 163-33.1 reads as rewritten:

23 "**§ 163-33.1. Power of chairman to administer oaths.**

24 The chairman of the county board of elections is authorized to administer to election
25 officials specified in ~~G.S. 163-80~~ Articles 4, 5, and 20 of this Chapter the required oath,
26 and may also administer the required oath to witnesses appearing before the county
27 board at a duly called public hearing."

28 **SECTION 7.(a)** G.S. 163-132.1B reads as rewritten:

29 "**§ 163-132.1B. Participation in 2010 Census Redistricting Data Program of the**
30 **United States Bureau of the Census.**

31 (a) Purpose. – The State of North Carolina shall participate in the 2010 Census
32 Redistricting Data Program, conducted pursuant to P.L. 94-171, of the United States
33 Bureau of the Census, so that the State will receive 2010 Census data by voting precinct
34 and be able to revise districts at all levels without splitting precincts and in compliance
35 with the United States and North Carolina Constitutions and the Voting Rights Act of
36 1965, as amended.

37 (a1) Reporting of Voting Tabulation Districts. – The Executive Director of the
38 State Board of Elections shall report to the Bureau of the Census as this State's voting
39 tabulation districts the voting precincts as of January 1, 2009. The Executive Director
40 shall make that report no later than January 1, 2010.

41 (a2) Reporting from Unchanged Voting Tabulation Districts. – After January 1,
42 2009, every county board of elections shall report all election returns by voting
43 tabulation districts as required by G.S. 163-132.5G. No county board of elections may
44 alter the voting tabulation districts reported to the Census Bureau by the Executive

1 Director of the State Board of Elections. The county board of elections may change the
2 boundaries of the county's precincts so that those precincts differ from the county's
3 voting tabulation districts, but only to the extent permitted by G.S. 163-132.3.

4 (b) Additional Rules. – In addition to directives promulgated by the Executive
5 Director of the State Board of Elections under G.S. 163-132.4, the Legislative Services
6 Commission may promulgate rules to implement this section."

7 **SECTION 7.(b)** G.S. 163-132.3 reads as rewritten:

8 **"§ 163-132.3. Alterations to approved precinct boundaries.**

9 (a) No county board of elections may change any precinct boundary ~~except in~~
10 ~~one of the following ways:~~

11 (1) ~~By dividing an existing precinct into one or more new precincts,~~
12 ~~without involving other existing precincts. The lines on which the~~
13 ~~precincts are divided shall follow census blocks established under the~~
14 ~~latest U.S. Census.~~

15 (2) ~~By combining one or more existing precincts into a new precinct. If~~
16 ~~one or more precincts are combined into a single precinct, the new~~
17 ~~precinct shall not be divided until at least four years after the effective~~
18 ~~date of the combination.~~

19 (3) ~~By moving a precinct boundary that does not follow a census block~~
20 ~~boundary established under the latest U.S. Census so that that precinct~~
21 ~~boundary does follow such a census block boundary.~~

22 unless the Executive Director of the State Board of Elections determines that the county
23 board has a current capability of complying with G.S. 163-132.1B(a2) by reporting all
24 election returns by voting tabulation district as required by G.S. 163-132.5G. If the
25 Executive Director so determines, the county board may make any changes to precinct
26 boundaries, provided that All all proposed new precincts shall consist solely of
27 contiguous territory.

28 ~~This section does not prohibit a county from continuing to use precincts that were~~
29 ~~allowed under the Combined Reporting Unit provisions of G.S. 163-132.1(c)(6).~~

30 The county boards of elections shall report precinct boundary changes by filing with
31 ~~the Legislative Services Office on current official census maps or on other maps or~~
32 ~~electronic databases approved by the Executive Director the new boundaries of these~~
33 ~~precincts, to the Executive Director in the manner the Executive Director directs. The~~
34 ~~Executive Director may require a county board of elections to file a written description~~
35 ~~of the boundaries of any precinct or part thereof. No newly created or altered precinct~~
36 ~~boundary is effective until approved by the Executive Director of the State Board as~~
37 ~~being in compliance with this section.~~

38 (b) The Executive Director of the State Board of Elections ~~and the Legislative~~
39 ~~Services Office~~ shall examine the maps of the proposed new or altered precincts and
40 any required written descriptions. ~~After its examination of the maps and their written~~
41 ~~descriptions, the Legislative Services Office shall submit to the Executive Director of~~
42 ~~the State Board of Elections its opinion as to whether all of the proposed precinct~~
43 ~~boundaries are in compliance with subsection (a) of this section, with notations as to~~
44 ~~where those boundaries do not comply with these standards. If the Executive Director of~~

1 the State Board determines that all precinct boundaries are in compliance with this
2 section, the Executive Director of the State Board shall approve the maps and written
3 descriptions as filed and these precincts shall be the official precincts.

4 (c) If the Executive Director of the State Board determines that the proposed
5 precinct boundaries are not in compliance with subsection (a) of this section, the
6 Executive Director shall not approve those precinct boundaries. The Executive Director
7 shall notify the county board of elections of his disapproval specifying the reasons. The
8 county board of elections may then resubmit new precinct maps and written descriptions
9 to cure the reasons for their disapproval.

10 (d) Repealed by Session Laws 2004-127, s. 1(a), effective August 15, 2004, and
11 applicable to precincts established or changed on or after that date.

12 (e) ~~During the period beginning October 1, 2002, and ending August 15, 2004,~~
13 ~~no county board of elections may change any precinct boundary. However, a county~~
14 ~~that has a precinct line that does not follow a 2000 Census Block Boundary may change~~
15 ~~that precinct line to conform to the way that precinct is shown on the General~~
16 ~~Assembly's redistricting database, provided the total population of the area moved from~~
17 ~~one precinct to another is not greater than ten percent (10%) of the total population of~~
18 ~~either precinct. A county board of elections proposing a change to a precinct during this~~
19 ~~period shall submit that change to the Legislative Services Office, which shall examine~~
20 ~~the proposed change and give its opinion of its compliance with this subsection to the~~
21 ~~Executive Director of the State Board of Elections. If the proposed change is in~~
22 ~~compliance with this subsection, the Executive Director shall approve it."~~

23 **SECTION 7.(c)** G.S. 163-132.5G reads as rewritten:

24 "**§ 163-132.5G. Voting data maintained by precinct-voting tabulation district.**

25 To the extent that it can do so without compromising the secrecy of an individual's
26 ballot, each county board of elections shall maintain voting data by precinct-voting
27 tabulation district so that precinct-voting tabulation district returns for each item on the
28 ballot shall include the votes cast by residents of the precinct-voting tabulation district
29 who voted by provisional ballot and by absentee ballot, both mail and ~~one-stop-~~
30 one-stop, and who in any way voted outside the voting tabulation district. The county
31 board shall not be required to report provisional and absentee voting data by precinct
32 voting tabulation district until 60 days after the election. The State Board of Elections
33 shall adopt rules for the enforcement of this section with the goal that all voting data
34 shall be reported by precinct by the 2006 election.section."

35 **SECTION 7.(d)** G.S. 163-165.7(a)(3) reads as rewritten:

36 "(3) That the voting system must have the capacity to include in precinct
37 voting tabulation district returns the votes cast by voters outside of the
38 voter's precinct-voting tabulation district as required by
39 G.S. 163-132.5G."

40 **SECTION 7.(e)** G.S. 163-132.5F reads as rewritten:

41 "**§ 163-132.5F. U.S. Census data by precinct-voting tabulation district.**

42 The State shall request the U.S. Census-Bureau of the Census for each decennial
43 census to provide summaries of census data by precinct-voting tabulation district and
44 shall participate in any U.S. Bureau of the Census' program to effectuate this provision."

1 **SECTION 7.(f)** Subsections 7(b) through 7(e) of this section become
2 effective January 1, 2009. The remainder of this section is effective when this act
3 becomes law.

4 **SECTION 8.** Article 14A of Chapter 163 of the General Statutes is amended
5 by adding a new section to read:

6 **"§ 163-165.5B. Ballots may be combined.**

7 Notwithstanding any other statute or local act, a county board of elections, with the
8 approval of the State Board of Elections, may combine ballot items on the same official
9 ballot."

10 **SECTION 9.(a)** G.S. 163-122(a)(2) reads as rewritten:

11 "(2) If the office is a district office ~~comprised of two or more counties,~~
12 under the jurisdiction of the State Board of Elections under
13 G.S. 163-182.4(b), file written petitions with the State Board of
14 Elections supporting ~~his~~that voter's candidacy for a specified office.
15 These petitions must be filed with the State Board of Elections on or
16 before 12:00 noon on the last Friday in June preceding the general
17 election and must be signed by qualified voters of the district equal in
18 number to four percent (4%) of the total number of registered voters in
19 the district as reflected by the voter registration records of the State
20 Board of Elections as of January 1 of the year in which the general
21 election is to be held. Each petition shall be presented to the chairman
22 of the board of elections of the county in which the signatures were
23 obtained. The chairman shall examine the names on the petition and
24 the procedure for certification and deadline for submission to the
25 county board shall be the same as specified in (1) above."

26 **SECTION 9.(b)** G.S. 163-123(c)(2) reads as rewritten:

27 "(2) If the office is a district office ~~comprising all or part of two or more~~
28 ~~counties,~~under the jurisdiction of the State Board of Elections under
29 G.S. 163-182.4(b), file written petitions with the State Board of
30 Elections supporting ~~his~~that applicant's candidacy for a specified
31 office. These petitions must be filed with the State Board of Elections
32 on or before noon on the 90th day before the general election and must
33 be signed by 250 qualified voters. Before being filed with the State
34 Board of Elections, each petition shall be presented to the board of
35 elections of the county in which the signatures were obtained. A
36 petition presented to a county board of elections shall contain only
37 names of voters registered in that county who are eligible to vote for
38 that office. The chairman of the county board shall examine the names
39 on the petition and the procedure for certification shall be the same as
40 specified in subdivision (1)."

41 **SECTION 10.(a)** G.S. 163-165.1(e) reads as rewritten:

42 "(e) Voted ballots and paper and electronic records of individual voted ballots
43 shall be treated as confidential, and no person other than elections officials performing
44 their duties may have access to voted ballots or paper or electronic records of individual

1 voted ballots except by court order or order of the appropriate board of elections as part
2 of the resolution of an election protest or investigation of an alleged election irregularity
3 or violation. Voted ballots and paper and electronic records of individual voted ballots
4 shall not be disclosed to members of the public in such a way as to disclose how a
5 particular voter voted, unless a court orders otherwise. Any person who has access to an
6 official voted ballot or record and knowingly discloses in violation of this section how
7 an individual has voted that ballot is guilty of a Class 1 misdemeanor."

8 **SECTION 10.(b)** G.S. 163-274 reads as rewritten:

9 **"§ 163-274. Certain acts declared misdemeanors.**

10 (a) Class 2 Misdemeanors. – Any person who shall, in connection with any
11 primary or election in this State, do any of the acts and things declared in this ~~section~~
12 subsection to be unlawful, shall be guilty of a Class 2 misdemeanor. It shall be
13 unlawful:

- 14 (1) For any person to fail, as an officer or as a judge or chief judge of a
15 primary or election, or as a member of any board of elections, to
16 prepare the books, ballots, and return blanks which it is his duty under
17 the law to prepare, or to distribute the same as required by law, or to
18 perform any other duty imposed upon him within the time and in the
19 manner required by law;
- 20 (1a) For any member, director, or employee of a board of elections to alter
21 a voter registration application or other voter registration record
22 without either the written authorization of the applicant or voter or the
23 written authorization of the State Board of Elections;
- 24 (2) For any person to continue or attempt to act as a judge or chief judge
25 of a primary or election, or as a member of any board of elections,
26 after having been legally removed from such position and after having
27 been given notice of such removal;
- 28 (3) For any person to break up or by force or violence to stay or interfere
29 with the holding of any primary or election, to interfere with the
30 possession of any ballot box, election book, ballot, or return sheet by
31 those entitled to possession of the same under the law, or to interfere in
32 any manner with the performance of any duty imposed by law upon
33 any election officer or member of any board of elections;
- 34 (4) For any person to be guilty of any boisterous conduct so as to disturb
35 any member of any election board or any chief judge or judge of
36 election in the performance of his duties as imposed by law;
- 37 (5) For any person to bet or wager any money or other thing of value on
38 any election;
- 39 (5a) Repealed by Session Laws 1999-455, s. 21, applicable to elections
40 held on or after January 1, 2000.
- 41 (6) For any person, directly or indirectly, to discharge or threaten to
42 discharge from employment, or otherwise intimidate or oppose any
43 legally qualified voter on account of any vote such voter may cast or

- 1 consider or intend to cast, or not to cast, or which he may have failed
 2 to cast;
- 3 (7) For any person to publish in a newspaper or pamphlet or otherwise,
 4 any charge derogatory to any candidate or calculated to affect the
 5 candidate's chances of nomination or election, unless such publication
 6 be signed by the party giving publicity to and being responsible for
 7 such charge;
- 8 (8) For any person to publish or cause to be circulated derogatory reports
 9 with reference to any candidate in any primary or election, knowing
 10 such report to be false or in reckless disregard of its truth or falsity,
 11 when such report is calculated or intended to affect the chances of such
 12 candidate for nomination or election;
- 13 (9) For any person to give or promise, in return for political support or
 14 influence, any political appointment or support for political office;
- 15 (10) For any chairman of a county board of elections or other returning
 16 officer to fail or neglect, willfully or of malice, to perform any duty,
 17 act, matter or thing required or directed in the time, manner and form
 18 in which said duty, matter or thing is required to be performed in
 19 relation to any primary, general or special election and the returns
 20 thereof;
- 21 (11) For any clerk of the superior court to refuse to make and give to any
 22 person applying in writing for the same a duly certified copy of the
 23 returns of any primary or election or of a tabulated statement to a
 24 primary or election, the returns of which are by law deposited in his
 25 office, upon the tender of the fees therefor;
- 26 (12) For any person willfully and knowingly to impose upon any blind or
 27 illiterate voter a ballot in any primary or election contrary to the wish
 28 or desire of such voter, by falsely representing to such voter that the
 29 ballot proposed to him is such as he desires; or
- 30 (13) Except as authorized by G.S. 163-82.15, for any person to provide
 31 false information, or sign the name of any other person, to a written
 32 report under G.S. 163-82.15.

33 (b) Class 1 Misdemeanor. – Any person who shall, in connection with any
 34 primary or election in this State, do any of the acts and things declared in this subsection
 35 to be unlawful shall be guilty of a Class 1 misdemeanor. It shall be unlawful for any
 36 person who has access to an official voted ballot or record to knowingly disclose in
 37 violation of G.S. 163-165.1(e) how an individual has voted that ballot."

38 **SECTION 10.(c)** This section becomes effective December 1, 2007, and
 39 applies to any offense occurring on or after that date.

40 **SECTION 11.** G.S. 163-165.5(5) reads as rewritten:

41 **"§ 163-165.5. Contents of official ballots.**

42 Each official ballot shall contain all the following elements:

43 ...

1 (5) A means by which the voter may cast write-in votes, as provided in
2 G.S. 163-123. No space for write-ins is required unless a write-in
3 candidate has qualified under G.S. 163-123 or unless the ballot item is
4 exempt from G.S. 163-123.

5"

6 **SECTION 12.** G.S. 163-182.15(2) reads as rewritten:

7 "(2) The certificate shall be issued ~~10 days~~ on the tenth day after the final
8 decision of the State Board, unless the State Board has ordered a new
9 election or the issuance of the certificate is stayed by the Superior
10 Court of Wake County pursuant to G.S. 163-182.14."

11 **SECTION 13.** G.S. 163-182.12 reads as rewritten:

12 **"§ 163-182.12. Authority of State Board of Elections over protests.**

13 The State Board of Elections may consider protests that were not filed in compliance
14 with G.S. 163-182.9, may initiate and consider complaints on its own motion, may
15 intervene and take jurisdiction over protests pending before a county board, and may
16 take any other action necessary to assure that an election is determined without taint of
17 fraud or corruption and without irregularities that may have changed the result of an
18 election. Where a known group of voters cast votes that were lost beyond ~~retrieval,~~
19 retrieval or where a known group of voters was given an incorrect ballot style, the State
20 Board of Elections may authorize a county board of elections to allow those voters to
21 recast their ~~ballots~~ votes during a period of two weeks after the ~~election.~~ canvass by the
22 State Board of Elections required in G.S. 163-182.5(c). If there is no State Board
23 canvass after the election, the State Board may authorize the county board to allow the
24 recasting of votes during the two weeks after the county canvass set in
25 G.S. 163-182.5(a). If the State Board approves a recasting of votes under this section,
26 any procedures the county board uses to contact those voters and allow them to recast
27 their votes shall be subject to approval by the State Board. Those recast votes shall be
28 added to the returns and included in the canvass. The recasting of those votes shall not
29 be deemed a new election for purposes of G.S. 163-182.13."

30 **SECTION 14.** G.S. 163-166.4 is amended by adding a new subsection to
31 read:

32 "(d) Buffer Zone at One-Stop Sites. – The provisions of this section shall apply to
33 one-stop voting sites in G.S. 163-227.2, except that the notice in subsection (c) of this
34 section shall be provided no later than 10 days before the opening of one-stop voting at
35 the site."

36 **SECTION 15.(a)** Article 4A of Chapter 163 of the General Statutes reads as
37 rewritten:

38 "Article 4A.

39 "Political Activities by Board of Elections ~~Members.~~ Members and Employees.

40 **"§ 163-38. Applicability of Article.**

41 This Article applies to members and employees of the State Board of Elections and
42 of each county and municipal board of elections. With regard to prohibitions in this
43 Article concerning candidates, referenda, and committees, the prohibitions do not apply
44 if the candidate or referendum will not be on the ballot in an area within the jurisdiction

1 of the board, or if the political committee or referendum committee is not involved with
2 an election or referendum that will be on the ballot in an area within the jurisdiction of
3 the board.

4 **"§ 163-39. Limitation on political activities.**

5 No individual subject to this Article shall:

- 6 (1) Make written or oral statements intended for general distribution or
7 dissemination to the public at large supporting or opposing the
8 nomination or election of one or more clearly identified candidates for
9 public office.
10 (2) Make written or oral statements intended for general distribution or
11 dissemination to the public at large supporting or opposing the passage
12 of one or more clearly identified referendum proposals.
13 (3) Solicit contributions for a candidate, political committee, or
14 referendum committee.

15 Individual expressions of opinion, support, or opposition not intended for general public
16 distribution shall not be deemed a violation of this Article. Nothing in this Article shall
17 be deemed to prohibit participation in a political party convention as a delegate. Nothing
18 in this Article shall be deemed to prohibit a board member or board employee from
19 making a contribution to a candidate, political committee, or referendum committee.

20 **"§ 163-40. Violation may be ground for removal.**

21 A violation of this Article may be a ground to remove a State Board of Elections
22 member under G.S. 143B-16, a county board of elections member under G.S. 163-22(c),
23 or a municipal board of elections member under G.S. 163-280(i). A violation of this
24 Article may be a ground for dismissal of an employee of the State Board of Elections or
25 of a county board of elections. No criminal penalty shall be imposed for a violation of
26 this Article.

27 **"§ 163-40.1. Definitions.**

28 The provisions of Article 22A of this Chapter apply to the definition and proof of
29 terms used in this Article."

30 **SECTION 15.(b)** This section becomes effective January 1, 2008.

31 **SECTION 16.** G.S. 130A-50(a) reads as rewritten:

32 "(a) The Department shall send a copy of the resolution creating the sanitary
33 district to the ~~county~~ board or boards of county commissioners of the county or counties
34 in which all or part of the district is located. The Department shall file or cause to be
35 filed with the county board or boards of elections in the same county or counties a map
36 of the district. With the map it shall include supporting documents. That map and
37 documents shall be filed within 10 business days after the creation of the district and
38 amended within 10 days after any change to the boundaries of the district. The board or
39 boards of commissioners shall hold a meeting or joint meeting for the purpose of
40 electing the members of the sanitary district board."

41 **SECTION 17.(a)** G.S. 163-82.6(a) reads as rewritten:

42 "(a) How the Form May Be Submitted. – The county board of elections shall
43 accept any form described in G.S. 163-82.3 if the applicant submits the form by mail,
44 facsimile transmission, transmission of a scanned document, or in person. The applicant

1 may delegate the submission of the form to another person. Any person who
2 communicates to an applicant acceptance of that delegation shall deliver that form so
3 that it is received by the appropriate county board of elections in time to satisfy the
4 registration deadline in subdivision (1) or (2) of subsection (c) of this section for the
5 next election.

6 (a1) Misdemeanors. – It shall be a Class 2 misdemeanor for any person to do any
7 of the following:

8 (1) ~~to~~To communicate to the applicant acceptance of ~~that~~the delegation
9 described in subsection (a) of this section and then fail to make a good
10 faith effort to deliver the form so that it is received by the county board
11 of elections in time to satisfy the registration deadline in subdivision
12 (1) or (2) of subsection (c) of this section for the next election. It shall
13 be an affirmative defense to a charge of failing to make a good faith
14 effort to deliver a delegated form by the registration deadline that the
15 delegatee informed the applicant that the form would not likely be
16 delivered in time for the applicant to vote in the next election.

17 (2) ~~It shall be a Class 2 misdemeanor for any person to~~To sell or attempt
18 to sell a completed voter registration form or to condition its delivery
19 upon payment.

20 (3) To change a person's information on a voter registration form prior to
21 its delivery to a county board of elections.

22 (4) To coerce a person into marking a party affiliation other than the party
23 affiliation the person desires.

24 (5) To offer a person a voter registration form that has a party affiliation
25 premarked unless the person receiving the form has requested the
26 premarking."

27 **SECTION 17.(b)** G.S. 163-274 is amended by adding a new subdivision to
28 read:

29 "(14) For any person to commit any of the voter registration violations set
30 forth in G.S. 163-82.6(a1)."

31 **SECTION 17.(c)** This section becomes effective December 1, 2007, and
32 applies to any offense committed on or after that date.

33 **SECTION 18.(a)** G.S. 163-275 is amended by adding a new subdivision to
34 read:

35 "(18) For any person, knowing that a person is not a citizen of the United
36 States, to instruct or coerce that person to register to vote or to vote."

37 **SECTION 18.(b)** This section becomes effective December 1, 2007, and
38 applies to any offense committed on or after that date.

39 **SECTION 19.** G.S. 163-82.14(c)(1) reads as rewritten:

40 "(1) Report of Conviction Within the State. – The ~~clerk of superior court,~~
41 State Board of Elections, on or before the fifteenth day of every
42 month, shall report to the county board of elections of that county the
43 name, county of residence, and residence address if available, of each
44 individual against whom a final judgment of conviction of a felony has

1 been entered in that county in the preceding calendar month.—Any
2 county board of elections receiving such a report about an individual
3 who is a resident of another county in this State shall forward a copy
4 of that report to the board of elections of that county as soon as
5 possible."

6 **SECTION 20.** G.S. 163-82.10(a) reads as rewritten:

7 "(a) Official Record. – The State voter registration system is the official voter
8 registration list for the conduct of all elections in the State. A completed and signed
9 registration application form, if available, described in G.S. 163-82.3, once approved by
10 the county board of elections, becomes backup to the official registration record of the
11 voter. ~~Electronically captured images of the signatures of voters, full~~ Full or partial
12 social security numbers, dates of birth, the identity of the public agency at which the
13 voter registered under G.S. 163-82.20, and drivers license numbers that may be
14 generated in the voter registration process, by either the State Board of Elections or a
15 county board of elections, are confidential and shall not be considered public records
16 and subject to disclosure to the general public under Chapter 132 of the General
17 Statutes. Cumulative data based on those items of information may be publicly
18 disclosed as long as information about any individual cannot be discerned from the
19 disclosed data. Disclosure of drivers license numbers or dates of birth information in
20 violation of this subsection shall not give rise to a civil cause of action. This limitation
21 of liability does not apply to the disclosure of ~~drivers license numbers or dates of birth~~
22 information in violation of this subsection as a result of gross negligence, wanton
23 conduct, or intentional wrongdoing that would otherwise be actionable. The signature of
24 the voter, either on the paper application or an electronically captured image of it, may
25 be viewed by the public but may not be copied or traced except by election officials for
26 election administration purposes. Any such copy or tracing is not a public record. The
27 county board of elections shall maintain custody of any paper hard copy registration
28 records of voters in the county and shall keep them in a place where they are secure."

29 **SECTION 21.** G.S. 163-82.4(e) reads as rewritten:

30 "(e) Correcting Registration Forms. – If the voter fails to ~~answer the question set~~
31 ~~out in subdivision (1) of subsection (d) of this section,~~ complete any required item on
32 the voter registration form but provides enough information on the form to enable the
33 county board of elections to identify and contact the voter, the voter shall be notified of
34 the omission and given the opportunity to complete the form ~~at any time before casting~~
35 ~~a vote in the election on election day.~~ at least by 5:00 P.M. on the day before the county
36 canvass as set in G.S. 163-182.5(b). If the voter corrects that omission within that time,
37 ~~the voter may vote in the election.~~ time and is determined by the county board of
38 elections to be eligible to vote, the board shall permit the voter to vote. If the
39 information is not corrected by election day, the voter shall be allowed to vote a
40 provisional official ballot. If the correct information is provided to the county board of
41 elections by at least 5:00 P.M. on the day before the county canvass, the board shall
42 count any portion of the provisional official ballot that the voter is eligible to vote."

43 **SECTION 22.** G.S. 163-166.12 reads as rewritten:

44 "**§ 163-166.12. Requirements for certain voters who register by mail.**

1 (a) Voting in Person. – An individual who has registered to vote by mail on or
2 after January 1, 2003, and has not previously voted in an election that includes a ballot
3 item for federal office in North Carolina, shall present to a local election official at a
4 voting place before voting there one of the following:

5 (1) A current and valid photo identification.

6 (2) A copy of one of the following documents that shows the name and
7 address of the voter: a current utility bill, bank statement, government
8 check, paycheck, or other government document.

9 (b) Voting Mail-In Absentee. – An individual who has registered to vote by mail
10 on or after January 1, 2003, and has not previously voted in an election that includes a
11 ballot item for federal office in North Carolina, in order to cast a mail-in absentee vote,
12 shall submit with the mailed-in absentee ballot one of the following:

13 (1) A copy of a current and valid photo identification.

14 (2) A copy of one of the following documents that shows the name and
15 address of the voter: a current utility bill, bank statement, government
16 check, paycheck, or other government document.

17 (b1) The county board of elections shall note the type of identification proof
18 submitted by the voter under the provisions of subsection (a) or (b) of this section and
19 may dispose of the tendered copy of identification proof as soon as the type of proof is
20 noted in the voter registration records.

21 (b2) Voting When Identification Numbers Do Not Match. – If an individual has
22 registered and provided a drivers license number or last four digits of a Social Security
23 number but the computer validation of the number as required by G.S. 163-82.12 did
24 not result in a match, and the number has not been otherwise validated by the board of
25 elections, in the first election in which the individual votes that individual shall submit
26 with the ballot the form of identification required in subsection (a) or subsection (b) of
27 this section, depending upon whether the ballot is voted in person or absentee. If that
28 identification is provided and unless the board of elections determines that an individual
29 is otherwise ineligible to vote a ballot, the failure of identification numbers to match
30 shall not prevent an individual from registering to vote or a vote from being counted.

31 (c) The Right to Vote Provisionally. – If an individual is required under
32 subsection ~~(a) or (b)~~ (a), (b), or (b2) of this section to present identification in order to
33 vote, but that individual does not present the required identification, that individual may
34 vote a provisional official ballot. If the voter is at the voting place, the voter may vote
35 provisionally there without unnecessary delay. If the voter is voting by mail-in absentee
36 ballot, the mailed ballot without the required identification shall be treated as a
37 provisional official ballot.

38 (d) Exemptions. – This section does not apply to any of the following:

39 (1) An individual who registers by mail and submits as part of the
40 registration application either of the following:

41 a. A copy of a current and valid photo identification.

42 b. A copy of one of the following documents that shows the name
43 and address of the voter: a current utility bill, bank statement,
44 government check, paycheck, or other government document.

- 1 (2) An individual who registers by mail and submits as part of the
2 registration application the individual's drivers license number or at
3 least the last four digits of the individual's social security number
4 where an election official matches either or both of the numbers
5 submitted with an existing State identification record bearing the same
6 number, name, and date of birth contained in the submitted
7 registration. If any individual's number does not match, the individual
8 shall provide identification as required in subsection (b2) of this
9 section in the first election in which the individual votes.
- 10 (3) An individual who is entitled to vote by absentee ballot under the
11 Uniformed and Overseas Citizens Absentee Voting Act.
- 12 (4) An individual who is entitled to vote otherwise than in person under
13 section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and
14 Handicapped Act.
- 15 (5) An individual who is entitled to vote otherwise than in person under
16 any other federal law."

17 **SECTION 23.** G.S. 163-45 reads as rewritten:

18 **"§ 163-45. Observers; appointment.**

19 The chair of each political party in the county shall have the right to designate two
20 observers to attend each voting place at each primary and election and such observers
21 may, at the option of the designating party chair, be relieved during the day of the
22 primary or election after serving no less than four hours and provided the list required
23 by this section to be filed by each chair contains the names of all persons authorized to
24 represent such chair's political party. Not more than two observers from the same
25 political party shall be permitted in the voting enclosure at any time. This right shall not
26 extend to the chair of a political party during a primary unless that party is participating
27 in the primary. In any election in which an unaffiliated candidate is named on the ballot,
28 the candidate or the candidate's campaign manager shall have the right to appoint two
29 observers for each voting place consistent with the provisions specified herein. Persons
30 appointed as observers must be registered voters of the county for which appointed and
31 must have good moral character. No person who is a candidate on the ballot in a
32 primary or election may serve as an observer or runner in that primary or election.
33 Observers shall take no oath of office.

34 Individuals authorized to appoint observers must submit in writing to the chief judge
35 of each precinct a signed list of the observers appointed for that precinct. Individuals
36 authorized to appoint observers must, prior to 10:00 A.M. on the fifth day prior to any
37 primary or general election, submit in writing to the chair of the county board of
38 elections two signed copies of a list of observers appointed by them, designating the
39 precinct for which each observer is appointed. Before the opening of the voting place on
40 the day of a primary or general election, the chair shall deliver one copy of the list to the
41 chief judge for each affected precinct. The chair shall retain the other copy. The chair,
42 or the chief judge and judges for each affected precinct, may for good cause reject any
43 appointee and require that another be appointed. The names of any persons appointed in
44 place of those persons rejected shall be furnished in writing to the chief judge of each

1 affected precinct no later than the time for opening the voting place on the day of any
2 primary or general election, either by the chair of the county board of elections or the
3 person making the substitute appointment.

4 If party chairs appoint observers at one-stop sites under G.S. 163-227.2, those party
5 chairs shall provide a list of the observers appointed before 10:00 A.M. on the fifth day
6 before the observer is to observe.

7 An observer shall do no electioneering at the voting place, and shall in no manner
8 impede the voting process or interfere or communicate with or observe any voter in
9 casting a ballot, but, subject to these restrictions, the chief judge and judges of elections
10 shall permit the observer to make such observation and take such notes as the observer
11 may desire.

12 Whether or not the observer attends to the polls for the requisite time provided by
13 this section, each observer shall be entitled to obtain at times specified by the State
14 Board of Elections, but not less than three times during election day with the spacing
15 not less than one hour apart, a list of the persons who have voted in the precinct so far in
16 that election day. Counties that use an "authorization to vote document" instead of poll
17 books may comply with the requirement in the previous sentence by permitting each
18 observer to inspect election records so that the observer may create a list of persons who
19 have voted in the precinct so far that election day; each observer shall be entitled to
20 make the inspection at times specified by the State Board of Elections, but not less than
21 three times during election day with the spacing not less than one hour apart.

22 Instead of having an observer receive the voting list, the county party chair may send
23 a runner to do ~~so~~, so, even if an observer has not been appointed for that precinct. The
24 runner may be the precinct party chair or any person named by the county party chair.
25 Each county party chair using runners in an election shall provide to the county board of
26 elections before 10:00 A.M. on the fifth day before election day a list of the runners to
27 be used. That party chair must notify the chair of the county board of elections or the
28 board chair's designee of the names of all runners to be used in each precinct before the
29 runner goes to the precinct. The runner may receive a voter list from the precinct on the
30 same schedule as an observer. Whether obtained by observer or runner, each party is
31 entitled to only one voter list at each of the scheduled times. No runner may enter the
32 voting enclosure except when necessary to announce that runner's presence and to
33 receive the list. The runner must leave immediately after being provided with the list."

34 **SECTION 24.** G.S. 163-166.3 reads as rewritten:

35 **"§ 163-166.3. Limited access to the voting enclosure.**

36 (a) Persons Who May Enter Voting Enclosure. – During the time allowed for
37 voting in the voting place, only the following persons may enter the voting enclosure:

38 (1) An election official.

39 (2) An observer appointed pursuant to G.S. 163-45.

40 (2a) A runner appointed pursuant to G.S. 163-45, but only to the extent
41 necessary to announce that runner's presence and to receive the voter
42 list as provided in G.S. 163-45.

43 (3) A person seeking to vote in that voting place on that day but only
44 while in the process of voting or seeking to vote.

- 1 (4) A voter in that precinct while entering or explaining a challenge
2 pursuant to G.S. 163-87 or G.S. 163-88.
- 3 (5) A person authorized under G.S. 163-166.8 to assist a voter but, except
4 as provided in subdivision (6) of this section, only while assisting that
5 voter.
- 6 (6) Minor children of the voter under the age of 18, or minor children
7 under the age of 18 in the care of the voter, but only while
8 accompanying the voter and while under the control of the voter.
- 9 (7) Persons conducting or participating in a simulated election within the
10 voting place or voting enclosure, if that simulated election is approved
11 by the county board of elections.
- 12 (8) Any other person determined by election officials to have an urgent
13 need to enter the voting enclosure but only to the extent necessary to
14 address that need.

15 (b) Photographing Voters Prohibited. – No person shall photograph, videotape, or
16 otherwise record the image of any voter within the voting enclosure or entering or
17 leaving the voting enclosure, except with the permission of both the voter and the chief
18 judge of the precinct. If the voter is a candidate, the permission of the voter is all that is
19 necessary, not also that of the chief judge. This subsection shall also apply to one-stop
20 sites under G.S. 163-227.2."

21 **SECTION 25.** G.S. 163-165.3 reads as rewritten:

22 "**§ 163-165.3. Responsibilities for preparing official ballots.**

23 (a) ~~State Board to Certify Official Ballots and Instructions to Voters.~~
24 Responsibilities. – The State Board of Elections shall certify the official ballots and
25 voter instructions to be used in every election that is subject to this Article. In
26 conducting its certification, the State Board shall adhere to the following:

- 27 (1) No later than January 31 of every calendar year, the State Board shall
28 establish a schedule for the certification of all official ballots and
29 instructions during that year. The schedule shall include a time for
30 county boards of elections to submit their official ballots and
31 instructions to the State Board for certification and times for the State
32 Board to complete the certification.
- 33 (2) The State Board of Elections shall compose model ballot instructions,
34 which county boards of elections may amend subject to approval by
35 the State Board as part of the certification process. The State Board of
36 Elections may permit a county board of elections to place instructions
37 elsewhere than on the official ballot itself, where placing them on the
38 official ballot would be impractical.
- 39 (3) With regard only to multicounty ballot items on the official ballot, the
40 State Board shall certify the accuracy of the content on the official
41 ballot.
- 42 (4) With regard to the entire official ballot, the State Board shall certify
43 that the content and arrangement of the official ballot are in substantial

1 compliance with the provisions of this Article and standards adopted
2 by the State Board.

3 (5) The State Board shall proofread the official ballot of every county, if
4 practical, prior to final production.

5 (6) The State Board is not required to certify or review every official
6 ballot style in the county but may require county boards to submit and
7 may review a composite official ballot showing races that will appear
8 in every district in the county.

9 The State Board shall be responsible for all ballot coding and shall contract with a
10 qualified vendor or supervise trained election staff to produce the data necessary for
11 equipment programming.

12 (b) ~~County Board to Prepare and Produce Official Ballots and Instructions.~~
13 Responsibilities. – Each county board of elections shall prepare and produce official
14 ballots for all elections in that county. The county board of elections shall submit the
15 format of each official ballot and set of instructions to the State Board of Elections for
16 review and certification in accordance with the schedule established by the State Board.
17 The county board of elections shall follow the directions of the State Board in placing
18 candidates, referenda, and other material on official ballots and in placing instructions.

19 (c) Late Changes in Ballots. – The State Board shall promulgate rules for late
20 changes in ballots. The rules shall provide for the reprinting, where practical, of official
21 ballots as a result of replacement candidates to fill vacancies in accordance with
22 G.S. 163-114 or other late changes. If an official ballot is not reprinted, a vote for a
23 candidate who has been replaced in accordance with G.S. 163-114 will count for the
24 replacement candidate.

25 (d) Special Ballots. – The State Board of Elections, with the approval of a county
26 board of elections, may produce special official ballots, such as those for disabled
27 voters, where production by the State Board would be more practical than production by
28 the county board."

29 **SECTION 26.** G.S. 163-165.9 reads as rewritten:

30 **"§ 163-165.9. Voting systems: powers and duties of county board of elections.**

31 (a) Before approving the adoption and acquisition of any voting system by the
32 board of county commissioners, the county board of elections shall do all of the
33 following:

34 (1) Recommend to the board of county commissioners which type of
35 voting system should be acquired by the county.

36 (2) Witness a demonstration, in that county or at a site designated by the
37 State Board of Elections, of the type of voting system to be
38 recommended and also witness a demonstration of at least one other
39 type of voting system certified by the State Board of Elections.

40 (3) Test, during an election, the proposed voting system in at least one
41 precinct in the county where the voting system would be used if
42 adopted.

1 (b) After the acquisition of any voting system, the county board of elections shall
2 comply with any requirements of the State Board of Elections regarding training and
3 support of the voting system.~~system~~ by completing all of the following:

4 (1) The county board of elections shall comply with all specifications of
5 its voting system vendor for ballot printers. The county board of
6 elections is authorized to contract with noncertified ballot printing
7 vendors, so long as the noncertified ballot printing vendor meets all
8 specifications and all quality assurance requirements as set by the State
9 Board of Elections.

10 (2) The county board of elections shall maintain software license and
11 maintenance agreements necessary to maintain the warranty of its
12 voting system."

13 **SECTION 27.** Except as otherwise provided in this act, this act is effective
14 when it becomes law.