

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 862

Short Title: Election Integrity/Voter Access Act. (Public)

Sponsors: Representatives Hall, Owens, Spear, and Hill (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Elections.

April 14, 2011

A BILL TO BE ENTITLED

AN ACT TO ENHANCE ELECTION INTEGRITY AND PROTECT VOTER ACCESS.

The General Assembly of North Carolina enacts:

SECTION 1.1. G.S. 163-166.7(a) reads as rewritten:

"(a) Checking Registration. – A person seeking to vote shall enter the voting enclosure through the appropriate entrance. A precinct official assigned to check registration shall at once ask the voter to state current name and residence address. The voter shall answer by stating current name and residence ~~address.~~address and shall present a government issued photo identification or an identification document listed in G.S. 163-166.12(b). If the voter does not present an identification document and is not subject to the provisions of G.S. 163-166.12(a), the voter shall complete an affidavit prescribed by the Board that requires the voter to provide the voter's name, residential address, and date of birth and sign a statement under penalty of perjury that the voter is the voter whose name appears on the registration roll. The affidavit shall clearly state that the penalty for knowingly making a false statement is a Class I felony. In a primary election, that voter shall also be asked to state, and shall state, the political party with which the voter is affiliated or, if unaffiliated, the authorizing party in which the voter wishes to vote. After examination, that official shall state whether that voter is duly registered to vote in that precinct and shall direct that voter to the voting equipment or to the official assigned to distribute official ballots. If a precinct official states that the person is duly registered, the person shall sign the pollbook, other voting record, or voter authorization document in accordance with subsection (c) of this section before voting."

SECTION 1.2. G.S. 163-227.2(b) reads as rewritten:

"(b) Not earlier than the third Thursday before an election, in which absentee ballots are authorized, in which a voter seeks to vote and not later than 1:00 P.M. on the last Saturday before that election, the voter shall appear in person only at the office of the county board of elections, except as provided in subsection (g) of this section. A county board of elections shall conduct one-stop voting on the last Saturday before the election until 1:00 P.M. and may conduct it until 5:00 P.M. on that Saturday. That voter shall enter the voting enclosure at the board office through the appropriate entrance and shall at once state ~~his or her the voter's~~name and place of residence to an authorized member or employee of the board.~~board and shall present a government issued photo identification or an identification document listed in G.S. 163-166.12(b). If the voter does not present an identification document and is not subject to the provisions of G.S. 163-166.12(a), the voter shall complete an affidavit prescribed by the Board that requires the voter to provide the voter's name, residential address, and date of birth~~



1 and sign a statement under penalty of perjury that the voter is the voter whose name appears on
2 the registration roll. The affidavit shall clearly state that the penalty for knowingly making a
3 false statement is a Class I felony. In a primary election, the voter shall also state the political
4 party with which the voter affiliates and in whose primary the voter desires to vote, or if the
5 voter is an unaffiliated voter permitted to vote in the primary of a particular party under
6 G.S. 163-119, the voter shall state the name of the authorizing political party in whose primary
7 he wishes to vote. The board member or employee to whom the voter gives this information
8 shall announce the name and residence of the voter in a distinct tone of voice. After examining
9 the registration records, an employee of the board shall state whether the person seeking to vote
10 is duly registered. If the voter is found to be registered that voter may request that the
11 authorized member or employee of the board furnish the voter with an application form as
12 specified in G.S. 163-227. The voter shall complete the application in the presence of the
13 authorized member or employee of the board, and shall deliver the application to that person."

14 **SECTION 1.3.** Education and publicity requirements. – The public shall be
15 educated about the provisions of this act as follows:

- 16 (1) As counties use their regular processes to notify voters of assignments and
17 reassignments to districts for election to the United States House of
18 Representatives, State Senate, State House of Representatives, or local
19 office, by including information about the provisions of this act.
- 20 (2) As counties send new voter registration cards to voters as a result of new
21 registration, changes of address or other reasons, by including information
22 about the provisions of this act.
- 23 (3) Counties that maintain a board of elections Web site shall include
24 information about the provisions of this act.
- 25 (4) Notices of elections published by county boards of elections under
26 G.S. 163-22(8) for the May 2012 primary and 2012 general election shall
27 include a brief statement that photo identification is required to vote.
- 28 (5) The State Board of Elections shall include on its Web site information about
29 the provisions of this act.
- 30 (6) Counties shall post at the polls and at early voting sites beginning with the
31 May 2012 primary elections information about the provisions of this act.
- 32 (7) The State Board of Education shall include in the Judicial Voter Guide
33 described in G.S. 163-278.69 information about the provisions of this act
34 and shall also include the information in the Voter Guide under
35 G.S. 163-278.99E if it is published separately.
- 36 (8) The State Board of Elections and the county boards of elections shall take
37 reasonable steps to provide public service announcements about the
38 provisions of this act through print, radio, television, online, and social
39 media. The sum of four hundred fifty thousand dollars (\$450,000) is
40 appropriated from the General Fund for the 2011-2012 fiscal year to a
41 special reserve to carry out the provisions of this act. Those funds shall be
42 made available as follows:
 - 43 a. One hundred thousand dollars (\$100,000) to the State Board of
44 Elections.
 - 45 b. Two hundred fifty thousand dollars (\$250,000) to county boards of
46 elections in proportion to the number of registered voters in the
47 county.
 - 48 c. One hundred thousand dollars (\$100,000) to county boards of
49 elections in counties covered by section 5 of the Voting Rights Act of
50 1965, in proportion to the number of registered voters in the county.

1 **SECTION 1.4.** If consistent with the provisions of the Help America Vote Act,
2 funds under Title I and Title II of the Help America Vote Act may be used for the purpose of
3 Section 1.3 of this act.

4 **SECTION 1.5.** The sum of one hundred fifty thousand dollars (\$150,000) is
5 appropriated from the General Fund for the 2011-2013 fiscal years to the State Board of
6 Election for employment and expenses of an investigator to investigate, document, and prepare
7 for prosecution possible evidence of voter fraud, including cases involving voter
8 impersonation.

9 **SECTION 1.6.** Sections 1.1 and 1.2 of this act become effective beginning with the
10 statewide primary election in 2012. Sections 1.3, 1.4, and 1.5 of this act become effective July
11 1, 2011. This section is effective when it becomes law.