GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 239
Mar 16, 2015
HOUSE PRINCIPAL CLERK

H   D

HOUSE DRH40104-LU-25 (12/18)

Short Title:	Restore Early Voting Days.	(Public)
Sponsors:	Representative L. Hall.	
Referred to:		

1   A BILL TO BE ENTITLED
2   AN ACT THAT RESTORES THE NUMBER OF EARLY VOTING DAYS TO THE
3   NUMBER OF DAYS PRIOR TO THE ENACTMENT OF THE VOTER INFORMATION
4   VERIFICATION ACT.
5   The General Assembly of North Carolina enacts:
6   **SECTION 1.** G.S. 163-227.2 reads as rewritten:
7   "**§ 163-227.2.   Alternate procedures for requesting application for absentee ballot;**
8   **"one-stop" voting procedure in board office.**
9   …
10   (b)   **(Effective until January 1, 2016)** Not earlier than the ~~second~~ third Thursday before
11 an election, in which absentee ballots are authorized, in which a voter seeks to vote and not
12 later than 1:00 P.M. on the last Saturday before that election, the voter shall appear in person
13 only at the office of the county board of elections, except as provided in subsection (g) of this
14 section. A county board of elections shall conduct one-stop voting on the last Saturday before
15 the election until 1:00 P.M. and may conduct one-stop voting until 5:00 P.M. on that Saturday.
16 That voter shall enter the voting enclosure at the board office through the appropriate entrance
17 and shall at once state his or her name and place of residence to an authorized member or
18 employee of the board. In a primary election, the voter shall also state the political party with
19 which the voter affiliates and in whose primary the voter desires to vote, or if the voter is an
20 unaffiliated voter permitted to vote in the primary of a particular party under G.S. 163-119, the
21 voter shall state the name of the authorizing political party in whose primary he wishes to vote.
22 The board member or employee to whom the voter gives this information shall announce the
23 name and residence of the voter in a distinct tone of voice. After examining the registration
24 records, an employee of the board shall state whether the person seeking to vote is duly
25 registered. If the voter is found to be registered that voter may request that the authorized
26 member or employee of the board furnish the voter with an application form as specified in
27 G.S. 163-227. The voter shall complete the application in the presence of the authorized
28 member or employee of the board, and shall deliver the application to that person.
29   (b)   **(Effective January 1, 2016)** Not earlier than the ~~second~~ third Thursday before an
30 election, in which absentee ballots are authorized, in which a voter seeks to vote and not later
31 than 1:00 P.M. on the last Saturday before that election, the voter shall appear in person only at
32 the office of the county board of elections, except as provided in subsection (g) of this section.
33 A county board of elections shall conduct one-stop voting on the last Saturday before the
34 election until 1:00 P.M. and may conduct one-stop voting until 5:00 P.M. on that Saturday.
35 That voter shall enter the voting enclosure at the board office through the appropriate entrance
36 and shall at once state his or her name and place of residence to an authorized member or

1   employee of the board and present photo identification in accordance with G.S. 163-166.13. In
2   a primary election, the voter shall also state the political party with which the voter affiliates
3   and in whose primary the voter desires to vote, or if the voter is an unaffiliated voter permitted
4   to vote in the primary of a particular party under G.S. 163-119, the voter shall state the name of
5   the authorizing political party in whose primary he wishes to vote. The board member or
6   employee to whom the voter gives this information shall announce the name and residence of
7   the voter in a distinct tone of voice. After examining the registration records, an employee of
8   the board shall state whether the person seeking to vote is duly registered. If the voter is found
9   to be registered that voter may request that the authorized member or employee of the board
10 furnish the voter with an application form as specified in G.S. 163-227. The voter shall
11 complete the application in the presence of the authorized member or employee of the board,
12 and shall deliver the application to that person.
13   …
14   (g)   Notwithstanding any other provision of this section, a county board of elections by
15 unanimous vote of all its members may provide for one or more sites in that county for
16 absentee ballots to be applied for and cast under this section. Every individual staffing any of
17 those sites shall be a member or full-time employee of the county board of elections or an
18 employee of the county board of elections whom the board has given training equivalent to that
19 given a full-time employee. Those sites must be approved by the State Board of Elections as
20 part of a Plan for Implementation approved by both the county board of elections and by the
21 State Board of Elections which shall also provide adequate security of the ballots and
22 provisions to avoid allowing persons to vote who have already voted. The Plan for
23 Implementation shall include a provision for the presence of political party observers at each
24 one-stop site equivalent to the provisions in G.S. 163-45 for party observers at voting places on
25 election day. A county board of elections may propose in its Plan not to offer one-stop voting at
26 the county board of elections office; the State Board may approve that proposal in a Plan only
27 if the Plan includes at least one site reasonably proximate to the county board of elections
28 office and the State Board finds that the sites in the Plan as a whole provide adequate coverage
29 of the county's electorate. If a county board of elections has considered a proposed Plan or
30 Plans for Implementation and has been unable to reach unanimity in favor of a Plan, a member
31 or members of that county board of elections may petition the State Board of Elections to adopt
32 a plan for it. If petitioned, the State Board may also receive and consider alternative petitions
33 from another member or members of that county board. The State Board of Elections may
34 adopt a Plan for that county. The State Board, in that plan, shall take into consideration factors
35 including geographic, demographic, and partisan interests of that county. ~~Any plan adopted by~~
36 ~~either the county board of elections or the State Board of Elections under this subsection shall~~
37 ~~provide for the same days of operation and same number of hours of operation on each day for~~
38 ~~all sites in that county for that election. The requirement of the previous sentence does not~~
39 ~~apply to the county board of elections office itself nor, if one-stop voting is not conducted at the~~
40 ~~county board of elections office, to the reasonably proximate alternate site approved under this~~
41 ~~subsection.~~
42   …
43   ~~(g2)   Notwithstanding the requirements of subsection (g) and (g1) of this section, for any~~
44 ~~county board of elections that provided for one or more sites during the 2010 or 2012 general~~
45 ~~election, that county shall provide, at a minimum, the following:~~
46   ~~(1)   The county board of elections shall calculate the cumulative total number of~~
47   ~~scheduled voting hours at all sites during the 2012 primary and general~~
48   ~~elections, respectively, that the county provided for absentee ballots to be~~
49   ~~applied for and voted under this section. For elections which include a~~
50   ~~presidential candidate on the ballot, the county shall ensure that at least the~~
51   ~~same number of hours offered in 2012 is offered for absentee ballots to be~~

1   ~~applied for and voted under this section through a combination of hours and~~
2   ~~numbers of one-stop sites during the primary or general election,~~
3   ~~correspondingly.~~
4   ~~(2)   The county board of elections shall calculate the cumulative total number of~~
5   ~~scheduled voting hours at all sites during the 2010 primary and general~~
6   ~~elections, respectively, that the county provided for absentee ballots to be~~
7   ~~applied for and voted under this section. For elections which do not include a~~
8   ~~presidential candidate on the ballot, the county shall ensure that at least the~~
9   ~~same number of hours offered in 2010 is offered for absentee ballots to be~~
10   ~~applied for and voted under this section through a combination of hours and~~
11   ~~numbers of one-stop sites during the primary or general election,~~
12   ~~correspondingly.~~
13   ~~As used in this subsection, the phrase "cumulative total number of scheduled voting hours"~~
14   ~~includes those at the office of the county board of elections or the reasonably proximate~~
15   ~~alternate site approved under subsection (g) of this section.~~
16   ~~The State Board of Elections, to ensure compliance with this subsection, may approve a~~
17   ~~one-stop site in a building that the county board of elections is not entitled under G.S. 163-129~~
18   ~~to demand and use as an election-day voting place, but may deny approval if a member of that~~
19   ~~board presents evidence that other equally suitable sites were available and the use of the sites~~
20   ~~chosen would unfairly advantage or disadvantage geographic, demographic, or partisan~~
21   ~~interests of that county.~~
22   ~~(g3)   A county board of elections by unanimous vote of the board, with all members~~
23   ~~present and voting, may submit a request to the State Board to reduce the number of hours~~
24   ~~established in subsection (g2) of this section for a primary or a general election. The reduction~~
25   ~~shall take effect for that primary or general election only if approved by unanimous vote of the~~
26   ~~State Board with all members present and voting.~~
27   …."
28   **SECTION 2.** This act is effective when it becomes law and applies to elections
29   held on or after September 1, 2015.