

NORTH CAROLINA GENERAL ASSEMBLY  
1961 SESSION

CHAPTER 35  
SENATE BILL 19

AN ACT TO REQUIRE THE BOARDS OF ELECTIONS OF HENDERSON COUNTY AND THE CITY OF HENDERSONVILLE TO ORDER A COMPLETE NEW REGISTRATION, TO INSTITUTE THE MORE MODERN LOOSE-LEAF SYSTEM OF REGISTRATION, AND TO EFFECT OTHER ELECTION REFORMS, ALL IN HENDERSONVILLE COUNTY AND THE CITY OF HENDERSONVILLE.

The General Assembly of North Carolina do enact:

Section 1. Promptly after the effective date of this Act and prior to the next succeeding general election, the Board of Elections of Henderson County shall order a complete new registration of the voters of said county and the board of commissioners of said county shall appropriate and provide the funds necessary therefor.

Sec. 2. In connection with the re-registration provided for in Section I of this Act the board of elections shall institute in all precincts of Henderson County the modern loose-leaf and visible registration book system of registration provided for in G. S. 163-43. In instituting said modern loose-leaf and visible system of registration the registration shall be made and kept upon such form or forms as shall be prescribed by the county board of elections, shall contain all information necessary to show qualification to register and shall be signed and sworn to by the registering elector. An exact typewritten, mimeographed or printed duplicate or copy of each original registration certificate shall be made by the county board of elections, which copy shall be kept by the county board of elections in a safe place to be provided by the County Board of Commissioners of Henderson County. The original registration certificates shall be placed in the proper precinct loose-leaf registration books, and properly certified by the county board of elections shall be the official precinct registration books of Henderson County for the purpose of holding all primaries, general elections and other elections whatsoever.

Sec. 3. At all primaries, general elections and other elections whatsoever held in Henderson County after the effective date of this Act, every elector presenting himself at the polls to vote and applying to the registrar for ballots shall be required by such registrar, if such additional proof of identification be deemed by him necessary, to execute his signature upon a permanent bound book kept for that purpose. The registrar shall thereupon compare such signature with the signature of the elector shown on the original registration certificate, and shall not issue ballots to such applicant therefor unless and until said registrar is satisfied that the signature executed for identification

was signed by the same person signing the original registration certificate. Any elector refused ballots by the registrar under the provisions of this Section shall be deemed as an absent voter whose absentee ballot has been challenged and the challenge sustained. In such case the elector shall be furnished ballots and permitted to mark the same. The ballots shall then be signed by the elector and returned to the registrar who shall safeguard them separate from other ballots cast and transmit them uncounted to the county board of elections, to which the elector may appeal personally or through a duly authorized representative on canvass day, the same as now designated under general law, to sustain the validity of his ballots. If the validity of the ballots is sustained upon such appeal, then the same shall be counted and added by the board to the returns from the proper precinct. The provisions of this Section shall not apply to those electors who cannot write because of physical or other disability satisfactorily shown to the registrar.

Sec. 4. The county board of elections shall in addition to their other duties examine the registration books of Henderson County following each general election and shall purge therefrom the registration of all persons who have not voted at either of the two (2) next preceding general elections, provided, however, that the original registration certificates of all persons purged from the rolls shall be safely kept for a period of five (5) years thereafter; and, provided further, that nothing herein contained shall prevent the person or persons so purged from re-registering thereafter in the manner provided by law.

Sec. 5. Promptly after the effective date of this Act and prior to the next succeeding general election, the Board of Elections of the City of Hendersonville shall order a complete new registration of the voters of said city and the city council of said city shall appropriate and provide the funds necessary therefor.

Sec. 6. In connection with the re-registration provided for in Section 1 of this Act the board of elections shall institute in all precincts of the City of Hendersonville the modern loose-leaf and visible registration book system of registration provided for in G. S. 163-43. In instituting said modern loose-leaf and visible system of registration the registration shall be made and kept upon such form or forms as shall be prescribed by the city board of elections, shall contain all information necessary to show qualification to register and shall be signed and sworn to by the registering elector. An exact typewritten, mimeographed or printed duplicate or copy of each original registration certificate shall be made by the city board of elections, which copy shall be kept by the city board of elections in a safe place to be provided by the City Council of the City of Hendersonville. The original registration certificates shall be placed in the proper precinct loose-leaf registration books, and properly certified by the city board of elections shall be the official precinct registration books of the City of Hendersonville for the purpose of holding all primaries, general elections and other elections whatsoever.

Sec. 7. At all primaries, general elections and other elections whatsoever held in the City of Hendersonville after the effective date of this Act, every elector presenting himself at the polls to vote and applying to the registrar for ballots shall be required by such registrar, if such additional proof of identification be deemed by him necessary, to execute his signature upon a permanent bound book kept for that purpose.

The registrar shall thereupon compare such signature with the signature of the elector shown on the original registration certificate, and shall not issue ballots to such applicant therefor unless and until said registrar is satisfied that the signature executed for identification was signed by the same person signing the original registration certificate. Any elector refused ballots by the registrar under the provisions of this Section shall be deemed as an absent voter whose absentee ballot has been challenged and the challenge sustained. In such case the elector shall be furnished ballots and permitted to mark the same. The ballots shall then be signed by the elector and returned to the registrar who shall safeguard them separate from other ballots cast and transmit them uncounted to the city board of elections, to which the elector may appeal personally or through a duly authorized representative on canvass day, the same as now designated under general law, to sustain the validity of his ballots. If the validity of the ballots is sustained upon such appeal, then the same shall be counted and added by the board to the returns from the proper precinct. The provisions of this Section shall not apply to those electors who cannot write because of physical or other disability satisfactorily shown to the registrar.

Sec. 8. The city board of elections shall in addition to their other duties examine the registration books of the City of Hendersonville following each general election and shall purge therefrom the registration of all persons who have not voted at either of the two (2) next preceding general elections, provided, however, that the original registration certificates of all persons purged from the rolls shall be safely kept for a period of five (5) years thereafter; and, provided further, that nothing herein contained shall prevent the person or persons so purged from re-registering thereafter in the same manner as provided by law.

Sec. 9. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable; and, except as herein provided, the provisions of the general law shall be deemed controlling.

Sec. 10. This Act shall apply only to Henderson County and the City of Hendersonville.

Sec. 11. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 12. This Act shall be in full force and effect from and after July 1, 1961.

In the General Assembly read three times and ratified, this the 14th day of March, 1961.