

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 93
HOUSE BILL 153

AN ACT TO PROVIDE PROCEDURES FOR PERSONS ENTITLED TO VOTE ABSENTEE
BALLOTS PURSUANT TO G.S. 163-245 TO VOTE IN PERSON UNDER CERTAIN
CONDITIONS.

The General Assembly of North Carolina enacts:

Section 1. Article 21 of Chapter 163 of the General Statutes is hereby amended by adding three new sections at the end thereof to be designated and to read as follows:

"§ 163-254. **Registration, voting on primary or election day.** — Notwithstanding any other provisions of Chapter 163 of the General Statutes, any person entitled to vote an absentee ballot pursuant to G.S. 163-245 shall be permitted to register in person at any time including the day of a primary or election. Should such person's eligibility to register or vote as provided in G.S. 163-245 terminate after the registration records have closed prior to a primary or election, such person, if he appears in person, shall be entitled to register if otherwise qualified during the time the records are closed, or on the primary or election day, and shall be permitted to vote if such person is otherwise qualified.

"§ 163-255. **Absentee voting at office of board of elections.** — Notwithstanding any other provisions of Chapter 163 of the General Statutes, any person eligible to vote an absentee ballot pursuant to G.S. 163-245 shall be permitted to vote an absentee ballot pursuant to G.S. 163-227.2 if the person has not already voted an absentee ballot which has been returned to the board of elections, and if he will not be in the county on the day of the primary or election.

In the event an absentee application or ballot has already been mailed to such person applying to vote pursuant to G.S. 163-227.2, the board of elections shall void the application and ballot unless the voted absentee ballot has been received by the board of elections. Such person shall be eligible to vote pursuant to G.S. 163-227.2 no later than 6:00 p.m. on the day next preceding the primary, second primary or election.

"§ 163-256. **Regulations by State Board of Elections.** — The State Board of Elections shall adopt rules and regulations to carry out the intent and purpose of G.S. 163-254 and G.S. 163-255, and to ensure that a proper list of persons voting under said sections shall be maintained by the boards of elections, and to ensure proper registration records, and such rules and regulations shall not be subject to the provisions of G.S. 150A-9."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 18th day of March, 1977.