

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 392
HOUSE BILL 295

AN ACT TO PERMIT A REGISTERED VOTER WHO HAS MOVED FROM ONE PRECINCT TO ANOTHER WITHIN THE SAME COUNTY MORE THAN THIRTY DAYS BEFORE AN ELECTION TO RECORD A CHANGE OF ADDRESS ON ELECTION DAY AND VOTE IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS OR AT ANOTHER LOCATION DESIGNATED BY THE BOARD.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-33(10) is amended by changing the period to a semicolon and adding the following: "and to appoint and remove precinct transfer assistants as provided in G.S. 163- 72.3."

Sec. 2. Article 7 of Chapter 163 of the General Statutes is amended by adding the following new section:

"§ 163-72.3. Change of address on election day; authorization to vote. – (a) A registered voter who has moved from one precinct to another within the same county more than 30 days before a primary or election, but who has not submitted a change of address report as provided in G.S. 163-72.2, nevertheless may vote under the following procedure:

- (1) On the day of the primary or election the voter must go to the polling place for the precinct at which the voter is registered.
- (2) Upon determining that the voter is registered in that precinct but moved more than 30 days before, the precinct registrar or a judge shall issue to the voter a certificate of removal on the following form:

'NOTICE OF ELECTION DAY TRANSFER

On this day (name of voter as it appears in registration records), recorded as residing at (address on voter's record), appeared before the undersigned precinct official. This person has not voted this date in this precinct and hereby requests that he or she be permitted to vote after executing the required transfer certificate.

Judge _____ Registrar or
_____ Name and
number of precinct

_____ Signature of voter TAKE THIS CERTIFICATE TO
THE COUNTY BOARD OF ELECTIONS'.

- (3) Upon issuance of the certificate to the voter, the precinct official shall mark the voter's registration record with a 'T' in the appropriate voting square to indicate that the voter has transferred.
- (4) The voter shall take the certificate of removal to the precinct transfer assistant at the county board of elections' office. Upon determining that the voter moved more than 30 days before the election, that the voter now resides in another precinct within the county, and that the voter is otherwise qualified to vote in the election, the precinct transfer assistant shall have the voter complete the proper precinct transfer forms. The precinct transfer assistant shall then provide the voter with the proper ballots for the precinct where the voter now resides. If the voter fails to take the certificate of removal to the precinct transfer assistant at the county board of elections' office by the time the polls close on election day, the voter may at a later date submit a change of address report under G.S. 163-72.2 to become effective as provided by law.
- (5) After marking the ballots in a booth or separate room provided for that purpose, the voter shall place the ballots in an envelope provided by the precinct transfer assistant. That envelope shall have printed or stamped on it the following:

Transfer voter ballot # _____

Assigned precinct _____

The precinct transfer assistant shall write the proper information in the blanks before giving the envelope to the voter.

- (6) The precinct transfer assistant shall enter in a book provided by the board of elections the name of each voter permitted to vote under this section, the number assigned to the voter's ballot and envelope, the precinct in which the voter was previously registered, and the precinct to which the voter has transferred.
- (7) Envelopes containing ballots voted under this section shall be retained by the county board of elections to be counted by the board, or assistants appointed by it, after the polls close on election day. The results of such ballots shall be added to the precinct results for the precinct to which the voter transferred.
- (8) A person voting under this section shall be entitled to the same assistance as provided in G.S. 163-152.
- (9) The precinct officials and precinct transfer assistant may require a person to show identification if needed to establish that the person is entitled to vote under this section.

(b) The county board of elections shall either designate a board employee or appoint another person to serve as a precinct transfer assistant. County boards of elections in counties with 70,000 or more registered voters may appoint two precinct transfer assistants, and boards in counties with 100,000 or more registered voters may

appoint three assistants. In addition, board members and employees may perform the duties of a precinct transfer assistant.

(c) The board may appoint precinct transfer assistants in addition to those authorized by subsection (b) and assign them to locations other than the board of elections' office, provided the board adopts a resolution approving such additional appointments and gives written notice to the State Board of Elections of the additional locations at least 60 days before the election. If additional locations are established, the county board may make the appropriate changes in the forms and procedures to be used under subsection (a).

(d) Each precinct transfer assistant shall be paid at least thirty-five dollars (\$35.00) for the duties performed on election day, and may be paid additional compensation as recommended by the board of elections and authorized by the board of county commissioners."

Sec. 3. This act shall become effective September 1, 1983.

In the General Assembly read three times and ratified, this the 26th day of May, 1983.