

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 485
SENATE BILL 347

AN ACT TO CLARIFY THE POWER OF COUNTY BOARDS OF ELECTIONS TO HOLD REQUIRED MEETINGS FOR APPROVAL OF ABSENTEE BALLOTS AT ALTERNATE TIMES, AND MAKING CONFORMING CHANGES CONCERNING ABSENTEE VOTING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-230(2)a. is rewritten to read:

"a. Required Meeting of County Board of Elections. During the period commencing 60 days before an election, and until 30 days before the election, in which absentee ballots are authorized, the county board of elections shall hold one or more public meetings each week on a day and at an hour to be determined by the board for the purpose of action on applications for absentee ballots. Each member of the board shall be notified in writing of the day and hour such meetings shall be conducted. During the period opening 30 days before an election in which absentee ballots are authorized and closing at 5:00 P.M. on the ~~Thursday~~ Tuesday before the election, the county board of elections shall hold public meetings at 10:00 A.M. on Tuesday and Friday of each week, and it shall also hold public meetings at 10:00 A.M. on the eighth, sixth, ~~third~~ fourth and first days immediately preceding election day. These meetings shall be held at the county courthouse or at the elections board's office at the hour fixed by law. At these meetings the county board of elections shall pass upon applications for absentee ballots.

Upon a majority vote, the county board of elections may hold ~~the required~~ any such public meetings at an hour other than 10:00 A.M., and it may hold more than one session on each ~~Tuesday and Friday it is required to meet~~ day it meets and may set the hours of any additional sessions. If the board desires to exercise either or both of the options granted by the preceding sentence, it shall do so ~~prior to the date on which it is required to hold its first public meeting under the provisions of this subdivision and in time to give the notice required by the fourth paragraph of this lettered portion of this subdivision no later than 70 days before the election~~; thereafter, no change shall be made in the hours or dates fixed for the board's public meetings on absentee ballot applications.

~~It shall not be necessary for the~~ The chairman of the county board of elections ~~to~~ shall give notice to other board members of ~~weekly~~ the schedule of meetings of the board ~~which are fixed as to time and place by this section.~~

If the county board of elections changes the time of holding its ~~Tuesday and Friday~~ meetings or provides for additional meetings ~~on Tuesdays and Fridays~~ in accordance

with the terms of this subdivision, notice of the change in hour and notice of the schedule of additional meetings, if any, shall be published in a newspaper circulated in the county, and a notice thereof shall be posted at the courthouse door of the county, at least ~~one week prior to the time fixed for holding the first meeting under this subdivision~~ 65 days prior to the election. Similar notice shall also be given of the dates and hours of the weekly meetings held until 30 days before the election.

The county board of elections shall not be required to hold any of the meetings prescribed by this subdivision unless, since its last preceding meeting, it actually has received one or more applications for absentee ballots which it has not passed upon. When no meeting is to be held for this reason, the chairman shall notify each of the other members of the county board of elections that the scheduled public meeting will be not held and state the reasons for its cancellation."

Sec. 2. G.S. 163-22(k), G.S. 163-227(a), G.S. 163-229(b), G.S. 163-229(c), G.S. 163-230(2)a., G.S. 163-248(b), G.S. 163-248(c) and G.S. 163-227.3(a) are amended by deleting "60 days", each place those words appear, and substituting "50 days".

Sec. 3. G.S. 163-156(b)(3), G.S. 163-156(b)(7), G.S. 163-156(c)(3), G.S. 163-156(c)(5) are repealed.

Sec. 4. G.S. 120-20.1 is amended by adding a new subsection to read:

"(b1) In any part of a law enacted in the format provided by this section, the material deleted from existing law and the material being added to existing law are the only changes made, the setting out of material not deleted or added is for illustration only, and the fact that two different acts amend the same law, when one or more of those is in the format provided by this section, does not in itself create a conflict."

Sec. 5. Sections 1, 2, and 3 of this act shall become effective with respect to elections held on or after September 1, 1987, except that Section 2 of this act shall expire with respect to elections held on or after September 1, 1989. Section 4 of this act is effective upon ratification.

In the General Assembly read three times and ratified this the 26th day of June, 1987.