

February 12, 2001

S 120. FAIR ELECTION ACT. TO REFORM THE ELECTION LAWS FOR THE PURPOSE OF MAKING VOTING SIMPLER AND FAIRER. Amends GS 163-140(b)(1) by deleting the provision that the official ballot for presidential electors may not be combined with any other official ballots. Adds a new subsection to GS 163 providing that regardless of the voting system used, if a ballot allows a voter to vote a straight-party ticket for some items, the ballot item for presidential electors shall be subject to that straight-party vote. Requires that when a voter appears for one-stop or standard voting, the voter must display one the following types of identification: (1) NC driver's license, (2) special identification card issued under GS 20-37.7, (3) passport, (4) identification card issued by the US Dep't of Defense, or (5) social security card and one other type of identification showing the name and a picture of the voter. A voter who does not show the required identification shall be allowed to vote; the ballot shall be sealed in an envelope on which it must be noted that proper identification was not shown. The county board of elections shall determine if the voter is eligible to vote and if so, shall count it the ballot. The State Board of Elections shall promulgate rules providing instructions for county boards of elections in methods of determining the eligibility of persons who apply to vote without presenting identification. Further amends the one-stop voting provisions to provide that the excuse requirements of GS 163-226(a) do not apply "to one-stop voting" (currently, the excuse requirements do not apply only when the one-stop voting is in a general election). Also provides that one-stop voting may begin not earlier than the first business day after the 18th day before an election (currently one-stop voting may begin not earlier than the first business day after the 25th day before an election). Deletes the requirement that any site for one-stop voting other than the county board of elections office must be in any building or part of a building that the county board of elections is entitled to demand to use as a voting place. Adds provision that by unanimous vote, a county board of elections may propose not to offer one-stop voting at the county board of elections office but rely exclusively on other sites; if so, the State Board of Elections may approve the proposal only if it finds that the other sites provide adequate coverage of the county's electorate. Amends GS 163-82.19 (voter registration at driver's license offices) to provide that State Board of Elections rules regarding forwarding of applications by the Dep't of Transportation to the appropriate board of elections shall provide for a paperless, instant, electronic transfer of applications. Amends GS 163-140.1 (political party alignment on ballots) by deleting the requirement that the political party columns be aligned in strict alphabetical order and instead provides that eligible parties rotate order each three years and that if there are more than two eligible parties, their order shall be determined by lot, with no party being eligible for the left column for three years after it has had that column. Amends GS 163-82.14(d)(2) to provide that the county board shall send a confirmation mailing to every registrant after every congressional election if it has not otherwise confirmed the registrant's address (currently a confirmation is sent if the registrant has not voted in two successive presidential elections or in any election in between). Amends GS Art. 1 Ch. 120 by adding new subsection providing that an act that revises Senate or House districts shall consist exclusively of single-member districts. Amends GS 120 Art. 1 and GS 163 Art. 17 by adding new subsections providing that an act that revises Senate and House districts or districts for the U.S. House of Representatives shall divide counties only where necessary to achieve single-member districts and to comply with state and federal law in achieving required population equality and avoiding racial discrimination. Amends GS 163-160 to provide that the State Board of Elections may not approve a voting system that has not been approved by the National Association of State Election Directors and that it may not approve a punch-card voting system. Amends GS 163-170 by adding a new subsection providing that the State Board of Elections shall prescribe procedures and standards for counting and recounting votes for each type of voting system that must be followed uniformly throughout the state in all places where that type of voting system is used. Amends GS 163-140(a) to provide that no general election ballot shall be used that requires the voter to punch out a hole with a stylus or other tool. Amends GS 163-140(b)(1) by adding a provision stating that a ballot for presidential electors shall not have two parallel sets of columns with some of the parties in one column and other parties in a second column. Effective Jan. 1, 2002.

Intro. by Rucho.

Ref. to Judiciary II	GS 120, 163
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