

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 1147

Short Title: Absentee Ballot Requests. (Public)

Sponsors: Representatives Nesbitt; and Alexander.

Referred to: Election Law and Campaign Finance Reform.

April 10, 2003

A BILL TO BE ENTITLED
AN ACT TO REMOVE RECENTLY ENACTED RESTRICTIONS ON
REQUESTING ABSENTEE BALLOTS.

Whereas, the North Carolina General Assembly has for three decades taken the lead in removing barriers to its citizens in exercising their right to vote:

- * In 1973 creating "one-stop" absentee voting at county board of elections offices for voters who expected to be absent on election day.
- * In 1983 streamlining absentee voting by mail so voters could initiate the process simply by mailing in a written request, to which the board of elections would respond with a package containing both a formal application and an absentee ballot.
- * In 1983 and 1992 initiating voter registration at drivers license agencies and voter registration by mail before those reforms were required by Congress.
- * In 1999 removing the "excuse" requirement from one-stop voting in general elections so that all voters were free to vote during the three weeks before election day, and allowing county boards of elections to designate additional one-stop sites beyond the board office for voters' convenience, creating an institution popularly known as "early voting."
- * Finally, in 2001 removing the excuse requirement from all absentee voting, one-stop and mail, so that any registered voter was free to vote at a time convenient to them.

Whereas, after this steady, careful work to open doors to voters, the General Assembly on the last day of the 2002 Session abruptly shut one of those doors by enacting G.S. 163-230.2, placing needless restrictions on a voter's right to request a mailed absentee application and ballot.

Whereas, G.S. 163-230.2 says an absentee ballot request "is valid only if it is written entirely by the requester personally, or is on a form generated by the county board of elections and signed by the requester."

1 Whereas, G.S. 163-230.2 prohibits a county board of elections from issuing a
2 request form to anyone but the voter seeking to vote by absentee ballot or the voter's
3 near relative or legal guardian.

4 Whereas, G.S. 163-230.2 seems designed to thwart absentee-request mailing
5 drives.

6 Whereas, the absentee-request mailing drive is a technique developed by political
7 parties and candidates: They mail to voters they feel will favor them standard absentee
8 ballot request forms, sometimes already filled out with the information about that voter
9 that election boards will need to process the application efficiently, together with an
10 encouragement to voters to send in the request and vote a certain way.

11 Whereas, in the United States, voter turnout as a percentage of voting age
12 population frequently drops below 50%, and turnout has dropped below 50% even in
13 presidential election years, and in North Carolina turnout is often even lower.

14 Whereas, in that context, whenever parties or candidates make honest efforts to
15 target their favorable voters and encourage them to exercise their right to vote, they are
16 acting for the common good and in fact are fulfilling their highest calling.

17 Whereas, the absentee-request mailing drive is a voter turnout technique
18 available to all political parties and candidates and favors only those who make use of it.

19 Whereas, although North Carolina law has for 20 years allowed any registered
20 voter to initiate the absentee ballot process with a simple written request, election
21 officials have developed voluntary absentee ballot request forms in hopes of getting
22 standardized information that can be accurately and efficiently processed.

23 Whereas, the absentee-request mailing drive, in addition to its benefit to
24 democracy of increasing turnout, also benefits the integrity of election administration by
25 disseminating standard request forms that are more likely to yield complete, reliable
26 information than handwritten requests; Now, therefore,

27 The General Assembly of North Carolina enacts:

28 **SECTION 1.** G.S. 163-230.2 is repealed.

29 **SECTION 2.** This act is effective when it becomes law.