

February 19, 2009

S 253. STATUTORILY ESTABLISH DIVISION OF EMERG. MGMT. Filed 2/19/09. *TO STATUTORILY ESTABLISH THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.*

Enacts a new Part 7 in GS Chapter 143B, Article 11, to establish the Division of Emergency Management (Division) within the Department of Crime Control and Public Safety to exercise the powers and duties already conferred on the Division by GS Chapter 166A (North Carolina Emergency Management Act) and any other powers vested by law. Makes conforming changes to GS 143B-475 and GS 166A-4.

Intro. by Snow.

GS 143B, 166A

May 5, 2009

S 253. STATUTORILY ESTABLISH DIVISION OF EMERG. MGMT. Filed 2/19/09. Senate committee substitute makes the following changes to 1st edition. Makes technical changes only, including clarifying that Section 1 amends GS 143B-475(a).

July 29, 2009

S 253. ABSENTEE VOTING IMPROVEMENTS (NEW). Filed 2/19/09. House committee substitute makes the following changes to 2nd edition. Deletes the contents of the 2nd edition and replaces it with *AN ACT TO MAKE IMPROVEMENTS TO THE ABSENTEE VOTING LAWS, ESPECIALLY TO IMPROVE THE ABILITY OF MILITARY AND OVERSEAS VOTERS TO CAST TIMELY BALLOTS.*

Amends GS 163-248 to direct the State Board of Elections (Board) to approve an official register that records whatever information and official action may be required by Article 21 of GS Chapter 163 with regards to military absentee ballot applications and the ballots issued (was, required the Board to furnish the chairman of each county board of elections with a book containing this information). Permits the register to be kept by electronic data processing equipment and directs that a copy or a supplement of new information be printed out each business day. Also amends provisions regarding *absentee ballot form* (ballot) and *container-return envelope* (envelope) to provide that the ballots and envelopes be printed and in the hands of the proper election officials and the envelopes be available for use not later than 60 days before the statewide general election in even-numbered years and not later than 50 days before the primary or any other election (was, not later than 50 days before the primary election). Adds a requirement that absentee ballots, container-return envelopes, and instruction sheets for municipal elections be made available no later than 30 days before an election. Also makes conforming changes to GS 163-229 designating the same timeline regarding the application on container-return envelopes and instruction sheets. Amends GS 163-230.1(a2) to provide that a county board of elections may receive written requests for applications at any time (was, earlier than 50 days) prior to the election; however, the county board of elections may not mail or issue in person to the voter applications and ballots any earlier than 60 days prior to the statewide election in an even-numbered year, or earlier than 50 days prior to any other election except as provided in GS 163-227.2. Also makes a conforming change to GS 163-227.3(a) regarding the timeline for providing absentee ballots.

Amends GS 163-248(c) to provide that the information printed on the container-return envelope is to include the precinct in which the applicant is registered (was, in which the applicant's ballots are to be voted). Reduces the number of required witness signatures on the *Certificate of Absentee Voter* to one (was, two). Makes additional conforming changes regarding the required witness signature to GS 163-231(a) and GS 163-250. Also amends the certificate to add a check box certifying that the individual is a US citizen currently outside of the US. Provides that the instruction sheets to voters on how to prepare the absentee ballots are to be printed and available for use no later than the date of the ballot availability (was, not later than 60 days before the primary or election).

Amends GS 163-228 to delete the requirement that the information recorded by the county board of elections in each county in the official register approved by the Board contain the reason assigned for requesting the absentee ballot. Provides that the register is to be open to the inspection of any registered voter of the county at any time within 60 days (was, 50 days) before an election in which absentee ballots were authorized or any other time when there is good and sufficient reason assigned for its inspection.

Enacts new GS 163-258 providing for the exercise of emergency powers by the Board in the event that an international, national, or local emergency arises that makes compliance with GS Chapter 163, Article 21, or the Uniformed and Overseas Citizens Absentee Voting Act impossible or unreasonable. Any emergency rule prescribed by the Board under this provision would become effective when filed with the Codifier of Rules.

Amends GS 163-231(b) to permit late absentee ballots issued under Articles 20 and 21 of GS Chapter 163 to be accepted, provided they are postmarked by the day of the statewide primary or general election or county bond election and are received by the county board of elections no later than three days after the election by 5:00 p.m.

Enacts new GS 163-232.1 to require the county board of elections to prepare a list of all absentee ballots issued under Articles 20 and 21 of GS Chapter 163 which do not appear on the list prepared pursuant to GS 163-232 but have been approved by the county board of elections pursuant to amended GS 163-231(b). Requires the chairman of the county board of elections to execute a certificate under oath to verify the list. Directs the lists be posted in a conspicuous location for public inspection and requires one copy of the lists to be mailed to the State Board of Elections no later than 10:00 a.m. of the next business day following the deadline for receipt of the absentee ballots. Provides a means for challenging the ballots and for providing a copy of the lists to the county chairman of each political party. Lists must be retained by the county board of elections for 22 months, at which point they may be destroyed.

Amends GS 163-89(a) to permit challenges of absentee ballots to be made no earlier than noon on the day following the election and no later than 5:00 p.m. on the next business day following the deadline for receipt of the absentee ballots.

Makes conforming changes to GS 163-234 regarding the counting of absentee ballots accepted pursuant to the procedures set forth in GS 163-231(b).

Amends GS 163-22(k) to authorize the State Board of Elections to allow counties to mail out absentee ballots as soon as the ballots are available if the law requires ballots to be available for mailing 60 days before the general election, and the ballots are not available 60 days before the general election.

Makes conforming changes to GS 163-229, GS 163-231, and GS 163-250. Makes technical changes.

Effective with respect to elections held on or after January 1, 2010.

September 1, 2009

SL 2009-537 (S 253). ABSENTEE VOTING IMPROVEMENTS. AN ACT TO MAKE IMPROVEMENTS TO THE ABSENTEE VOTING LAWS, ESPECIALLY TO IMPROVE THE ABILITY OF MILITARY AND OVERSEAS VOTERS TO CAST TIMELY BALLOTS. Summarized in *Daily Bulletin* 7/29/09. Enacted August 28, 2009. Effective January 1, 2010.