

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

1

HOUSE BILL 944

Short Title: Protect the Integrity of NC Elections Act. (Public)

Sponsors: Representatives Ball, Lewis, Warren, and Dahle (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Elections and Ethics Law, if favorable, Rules, Calendar, and Operations of the House

April 25, 2019

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THREE ADDITIONAL COMPLIANCE INVESTIGATOR POSITIONS AND TWO DATA ANALYST POSITIONS WITH THE NORTH CAROLINA STATE BOARD OF ELECTIONS, REQUIRE COUNTY BOARDS OF ELECTIONS TO MAINTAIN A RECORD OF WHO IS REQUESTING OR DELIVERING A REQUEST FORM FOR ABSENTEE APPLICATION AND BALLOTS, AND MAKE IT A CRIMINAL OFFENSE FOR A PERSON TO SELL OR ATTEMPT TO SELL A COMPLETED WRITTEN REQUEST FORM FOR AN ABSENTEE APPLICATION AND BALLOT OR CONDITION ITS DELIVERY UPON PAYMENT.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the State Board of Elections the sum of three hundred forty-five thousand five hundred sixty-four dollars (\$345,564) recurring for each year of the 2019-2021 fiscal biennium for salaries and benefits for (i) three additional elections and compliance investigator positions and (ii) two elections specialist/data analyst positions to expand resources in handling data analysis.

SECTION 2. G.S. 163A-1306, as amended by Section 3.4(h) of S.L. 2018-144, reads as rewritten:

"§ 163A-1306. Register of absentee requests, applications, and ballots issued; a public record.

The State Board shall approve an official register in which the county board of elections in each county of the State shall record the following information:

- (1) Name of voter for whom application and ballots are being requested, and, if applicable, the name and address of the voter's near relative or verifiable legal guardian who requested the application and ballots for the voter.
- (1a) Name of person and entity, if applicable, delivering a written request form for an absentee application and ballot. Failure to collect the information required under this subdivision shall not prevent the issuance of an absentee ballot.
- (2) Number of assigned voter's application when issued.
- (3) Precinct in which applicant is registered.
- (4) Address to which ballots are to be mailed, or, if the voter voted pursuant to G.S. 163A-1300, 163A-1302, 163A-1303, and 163A-1304, a notation of that fact.
- (5) Date request for application for ballots is received by the county board of elections.



- 1 (6) The voter's party affiliation.
2 (7) The date the ballots were mailed or delivered to the voter.
3 (8) Whatever additional information and official action may be required by this
4 Part.

5 The State Board may provide for the register to be kept by electronic data processing
6 equipment, and a copy shall be printed out each business day or a supplement printed out each
7 business day of new information.

8 The register of absentee requests, applications and ballots issued shall constitute a public
9 record and shall be opened to the inspection of any registered voter of the county within 60 days
10 before and 30 days after an election in which absentee ballots were authorized, or at any other
11 time when good and sufficient reason may be assigned for its inspection."

12 **SECTION 3.** G.S. 163A-1317 is amended by adding a new subsection to read:

13 "(d1) Sell or Attempt to Sell Completed Written Request Form for Absentee Ballot Made a
14 Class 2 Misdemeanor. – If any person sells or attempts to sell a completed written request form
15 for an absentee application and ballot or conditions its delivery upon payment under the
16 provisions of this Part, the person is guilty of a Class 2 misdemeanor."

17 **SECTION 4.** G.S. 163A-1388(a) is amended by adding a new subdivision to read:

18 "(a) Class 2 Misdemeanors. – Any person who shall, in connection with any primary or
19 election in this State, do any of the acts and things declared in this subsection to be unlawful,
20 shall be guilty of a Class 2 misdemeanor. It shall be unlawful to do any of the following:

21 ...

22 (17) For any person to be compensated based on the number of written requests for
23 absentee ballots under G.S. 163A-1309."

24 **SECTION 5.** Section 1 of this act becomes effective July 1, 2019. The remainder of
25 this act is effective when it becomes law and applies to elections held on or after that date.