

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 724
Redistricting and Elections Committee Substitute Adopted 6/9/21

Short Title: Expand Access to Voter ID & Voting.

(Public)

Sponsors:

Referred to:

June 8, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO EXPAND VOTER ACCESS BY ESTABLISHING A VOTING PORTAL FOR
3 VISUALLY IMPAIRED VOTERS TO VOTE BY ABSENTEE BALLOT ONLINE,
4 ALLOWING FOR THE ONLINE SUBMISSION OF VOTER REGISTRATION
5 APPLICATION FORMS, AND STATING THE INTENT OF THE GENERAL
6 ASSEMBLY TO FUND A PROGRAM TO IDENTIFY AND ASSIST VOTERS NEEDING
7 PHOTO IDENTIFICATION.

8 The General Assembly of North Carolina enacts:

9
10 **PART I. VISUALLY IMPAIRED VOTER ACCESS**

11 **SECTION 1.(a)** Article 20 of Chapter 163 of the General Statutes is amended by
12 adding a new section to read:

13 **"§ 163-231.1. Visually impaired voter access.**

14 (a) Any voter eligible to vote by absentee ballot under G.S. 163-226 who is visually
15 impaired may request to vote by absentee ballot pursuant to G.S. 163-230.2 or G.S. 163-230.3
16 and may vote by absentee ballot online using the visually impaired portal, maintained by the
17 State Board. The State Board shall establish and maintain a portal for the visually impaired to
18 vote an absentee ballot in accordance with this section. Any voter requesting to vote by absentee
19 ballot using the visually impaired portal shall indicate on the request for absentee ballots
20 submitted pursuant to G.S. 163-230.2 or G.S. 163-230.3 that he or she is requesting access to the
21 portal. By submitting this request, the voter is confirming that he or she is visually impaired and
22 meets all other requirements to vote by absentee ballot.

23 (b) Completed absentee ballots cast through the visually impaired portal shall be counted
24 in accordance with G.S. 163-230.1 and G.S. 163-234.

25 (c) Upon receiving a completed request for absentee ballots with an indication that the
26 visually impaired voter requests access to the visually impaired portal, the appropriate county
27 board of elections shall contact the visually impaired voter via electronic mail. The
28 communication must contain a link to the visually impaired portal.

29 (d) In submitting voted absentee ballots through the visually impaired portal, the
30 following shall apply:

31 (1) Notwithstanding G.S. 163-231(b), the voted absentee ballots shall be returned
32 electronically to the county board of elections no later than 7:30 P.M. on the
33 day of the statewide primary or general election or county bond election.

34 (2) The voted absentee ballot shall be witnessed in accordance with
35 G.S. 163-231(a), provided that a notary shall not be permitted unless remote
36 notarization is otherwise allowed by State law.



1 (3) The signatures of the visually impaired voter and witnesses shall be submitted
2 at the same time as the voted ballots. The State Board shall adopt rules to
3 address signatures under this subdivision.

4 (e) Nothing in this section shall prohibit a visually impaired voter from casting a ballot
5 in accordance with any other provision of this Chapter."

6 **SECTION 1.(b)** G.S. 163-230.2(a) reads as rewritten:

7 "(a) Valid Types of Written Requests. – A completed written request form for absentee
8 ballots as required by G.S. 163-230.1 is valid only if it is on a form created by the State Board
9 and signed by the voter requesting absentee ballots or that voter's near relative or verifiable legal
10 guardian. The State Board shall make the blank request form available at its offices, online, and
11 in each county board of elections office, and that blank request form may be reproduced. A voter
12 may call the State Board of Elections or a county board of elections office and request that the
13 blank request form be sent to the voter by mail, e-mail, or fax. The request form created by the
14 State Board shall require at least the following information:

- 15 (1) The name and address of the residence of the voter.
- 16 (2) The name and address of the voter's near relative or verifiable legal guardian
17 if that individual is making the request.
- 18 (3) The address of the voter to which the application and absentee ballots are to
19 be mailed if different from the residence address of the voter.
- 20 (4) One of the following:
 - 21 a. The number of the applicant's North Carolina drivers license issued
22 under Article 2 of Chapter 20 of the General Statutes, including a
23 learner's permit or a provisional license.
 - 24 b. The number of the applicant's special identification card for
25 nonoperators issued under G.S. 20-37.7.
 - 26 c. The last four digits of the applicant's social security number.
- 27 (5) The voter's date of birth.
- 28 (6) The signature of the voter or of the voter's near relative or verifiable legal
29 guardian if that individual is making the request.
- 30 (7) A clear indicator of the date the election generating the request is to be held,
31 except for annual calendar year requests in accordance with G.S. 163-226(b).
- 32 (8) A space for a visually impaired voter to request access to the visually impaired
33 portal, as provided by G.S. 163-231.1."

34 **SECTION 1.(c)** G.S. 163-231(b) reads as rewritten:

35 "(b) Transmitting Executed Absentee Ballots to County Board of Elections. – The sealed
36 container-return envelope in which executed absentee ballots have been placed shall be
37 transmitted to the county board of elections who issued those ballots as follows:

- 38 (1) All ballots issued under the provisions of this Article and Article 21A of this
39 Chapter shall be transmitted by mail or by commercial courier service, at the
40 voter's expense, or delivered in person, or by the voter's near relative or
41 verifiable legal guardian and received by the county board not later than 5:00
42 p.m. on the day of the statewide primary or general election or county bond
43 election. Ballots issued under the provisions of Article 21A of this Chapter or
44 ballots issued pursuant to G.S. 163-231.1 may also be electronically
45 transmitted.

46 "

47 **PART II. ONLINE VOTER REGISTRATION**

48 **SECTION 2.(a)** Article 7A of Chapter 163 of the General Statutes is amended by
49 adding a new section to read:

50 "**§ 163-82.5A. Online voter registration.**
51

1 (a) An individual who meets all of the following criteria may complete and submit a voter
2 registration application form on the State Board's website in accordance with this Article:

3 (1) The individual is either registered to vote or eligible to register to vote.

4 (2) The individual possesses either of the following:

5 a. North Carolina drivers license issued under Article 2 of Chapter 20 of
6 the General Statutes, including a learner's permit or a provisional
7 license.

8 b. Special identification card for nonoperators issued under Article 2B of
9 Chapter 20 of the General Statutes.

10 (b) The State Board shall establish on its website the ability for individuals described in
11 subsection (a) of this section to complete and submit a voter registration application form online
12 to register to vote or update the voter's registration on its website.

13 (c) The State Board's website established under subsection (b) of this section shall allow
14 an individual described in subsection (a) of this section to submit:

15 (1) A voter registration application form to apply to do any of the following:

16 a. Register to vote.

17 b. Change party affiliation or unaffiliated status.

18 c. Report a change of address within a county. If the individual is already
19 registered to vote and the change of address is to another county, it
20 shall be treated as an application to register to vote.

21 d. Report a change of name.

22 (2) Information required to complete a voter registration application form as
23 described in G.S. 163-82.4.

24 (3) The individual's electronic mail address.

25 (4) Authorization to affix the individual's electronic signature to the application
26 to register to vote or update the individual's voter registration, as provided by
27 this section.

28 (d) Upon receipt of an individual's application form and all required information to
29 process that application under this section, the State Board shall verify the North Carolina drivers
30 license, date of birth, and social security number and search for possible duplicate registrations
31 using data provided by the Division of Motor Vehicles in accordance with G.S. 163-82.12. If the
32 individual has a valid drivers license corresponding to the provided date of birth and social
33 security number, and no duplicate registration is found, the State Board shall obtain the
34 individual's electronic signature, as provided in Article 11A of Chapter 66 of the General
35 Statutes, from the Division of Motor Vehicles and forward the application to the appropriate
36 county board of elections for verification in accordance with G.S. 163-82.7.

37 (e) If the State Board cannot verify the North Carolina drivers license, date of birth, or
38 social security number in accordance with G.S. 163-82.12, or the individual fails to provide all
39 of the information required by this section, the State Board shall notify the individual submitting
40 the application that the application cannot be processed as submitted and state the deficiencies
41 which the individual needs to cure. That individual shall be given an opportunity to cure those
42 deficiencies or to otherwise register to vote under this Article.

43 (f) The State Board may adopt rules to implement this section, including rules imposing
44 additional authentication requirements to ensure the security of the internet website required by
45 this section and the data submitted to the State Board.

46 (g) Nothing in this section shall prohibit the State Board from adopting rules that provide
47 for immediate verification of the individual's application."

48 **SECTION 2.(b)** G.S. 163-82.3(a) reads as rewritten:

49 "(a) Form Developed by State Board of Elections. – The State Board of Elections shall
50 develop an application form for voter registration. Any person may use the form to apply to do
51 any of the following:

- 1 (1) Register to vote.
- 2 (2) Change party affiliation or unaffiliated status.
- 3 (3) Report a change of address within a county.
- 4 (4) Report a change of name.

5 The county board of elections for the county where the applicant resides shall accept the form
6 as application for any of those purposes if the form is submitted ~~as set out in G.S. 163-82.3 in~~
7 accordance with G.S. 163-82.5A or G.S. 163-82.6."

8 **SECTION 2.(c)** G.S. 163-82.6 reads as rewritten:

9 **"§ 163-82.6. Acceptance of application forms.**

10 (a) How the Form May Be Submitted. – The county board of elections shall accept any
11 form described in G.S. 163-82.3 if the applicant submits the form in person, by mail, facsimile
12 transmission, transmission of a scanned document, ~~or in person.~~ document, or transmission on
13 the State Board's website. The applicant may delegate the submission of the form to another
14 person. Any person who communicates to an applicant acceptance of that delegation shall deliver
15 that form so that it is received by the appropriate county board of elections in time to satisfy the
16 registration deadline in subdivision (1) or (2) of subsection (d) of this section for the next election.
17 It shall be a Class 2 misdemeanor for any person to communicate to the applicant acceptance of
18 that delegation and then fail to make a good faith effort to deliver the form so that it is received
19 by the county board of elections in time to satisfy the registration deadline in subdivision (1) or
20 (2) of subsection (d) of this section for the next election. It shall be an affirmative defense to a
21 charge of failing to make a good faith effort to deliver a delegated form by the registration
22 deadline that the delegatee informed the applicant that the form would not likely be delivered in
23 time for the applicant to vote in the next election. It shall be a Class 2 misdemeanor for any
24 person to sell or attempt to sell a completed voter registration form or to condition its delivery
25 upon payment.

26 ...

27 (d) Registration Deadlines for a Primary or Election. – In order to be valid for a primary
28 or election, the form:

- 29 (1) If submitted by mail, must be postmarked at least 25 days before the primary
30 or election, except that any mailed application on which the postmark is
31 missing or unclear is validly submitted if received in the mail not later than 20
32 days before the primary or ~~election,~~ election.
- 33 (2) If submitted in person, by facsimile transmission, ~~or by~~ transmission of a
34 scanned document, or transmission on the State Board's website, must be
35 received by the county board of elections by a time established by that board,
36 but no earlier than 5:00 P.M., on the twenty-fifth day before the primary or
37 ~~election,~~ election.
- 38 (3) If submitted through a delegatee who violates the duty set forth in subsection
39 (a) of this section, must be signed by the applicant and given to the delegatee
40 not later than 25 days before the primary or election, except as provided in
41 subsection (f) of this section.

42"

43 **SECTION 2.(d)** This section becomes effective January 1, 2022. The State Board of
44 Elections may begin rulemaking in accordance with G.S. 163-82.5A, as enacted by this act, prior
45 to January 1, 2022, but no temporary or permanent rule shall become effective prior to January
46 1, 2022. The State Board of Elections may initiate any needed requests for proposals for
47 development of the secure internet site, as required by G.S. 163-82.5A, as enacted by this act,
48 prior to January 1, 2022.

49
50 **PART III. FUNDS TO ESTABLISH A PROGRAM TO IDENTIFY AND ASSIST**
51 **VOTERS NEEDING PHOTO IDENTIFICATION**

1 **SECTION 3.** It is the intent of the General Assembly to fund a program in the
2 2021-2022 fiscal year budget in which the State Board of Elections shall identify individuals in
3 this State who need photo identification to vote in person. The program shall include a mobile
4 component to visit individuals identified as needing photo identification to vote in person to
5 ensure such photo identification is created for those individuals.
6

7 **PART IV. EFFECTIVE DATE**

8 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes
9 law.