

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 724
Redistricting and Elections Committee Substitute Adopted 6/9/21
Third Edition Engrossed 6/16/21

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.**

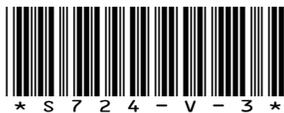
14 (a) Any voter eligible to vote by absentee ballot under G.S. 163-226 who is visually
15 impaired may request to vote by absentee ballot pursuant to G.S. 163-230.2 or G.S. 163-230.3
16 and may vote by absentee ballot online using the visually impaired portal, maintained by the
17 State Board. The State 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.



- 1 (2) The voted absentee ballot shall be witnessed in accordance with
2 G.S. 163-231(a), provided that a notary shall not be permitted unless remote
3 notarization is otherwise allowed by State law.
- 4 (3) The signatures of the visually impaired voter and witnesses shall be submitted
5 at the same time as the voted ballots. The State Board shall adopt rules to
6 address signatures under this subdivision.
- 7 (e) Nothing in this section shall prohibit a visually impaired voter from casting a ballot
8 in accordance with any other provision of this Chapter."

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

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

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

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

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

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

49 "

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51 **PART II. ONLINE VOTER REGISTRATION**

1 **SECTION 2.** G.S. 163-82.19 reads as rewritten:

2 "**§ 163-82.19. Voter registration at drivers license offices; coordination on data interface.**

3 (a) Voter Registration at Drivers License Offices. – The Division of Motor Vehicles
4 shall, pursuant to the rules adopted by the State ~~Board of Elections, Board,~~ modify its forms so
5 that any eligible person who applies for original issuance, renewal or correction of a drivers
6 license, or special identification card issued under G.S. 20-37.7 may, on a part of the form,
7 complete an application to register to vote, or to update the voter's registration if the voter has
8 changed his or her address or moved from one precinct to another or from one county to another.
9 The person taking the application shall ask if the applicant is a citizen of the United States. If the
10 applicant states that the applicant is not a citizen of the United States, or declines to answer the
11 question, the person taking the application shall inform the applicant that it is a felony for a
12 person who is not a citizen of the United States to apply to register to vote. The application shall
13 state in clear language the penalty for violation of this section. The necessary forms shall be
14 prescribed by the State ~~Board of Elections, Board.~~ The form must ask for the previous voter
15 registration address of the voter, if any. If a previous address is listed, and it is not in the county
16 of residence of the applicant, the appropriate county board of elections shall treat the application
17 as an authorization to cancel the previous registration and also process it as such under the
18 procedures of G.S. 163-82.9. If a previous address is listed and that address is in the county where
19 the voter applies to register, the application shall be processed as if it had been submitted under
20 G.S. 163-82.9.

21 (a1) Online Voter Registration. – The State Board and the Division of Motor Vehicles
22 shall jointly develop and maintain an online voter registration system which allows any applicant
23 described in this subsection to complete an application to register to vote or update an existing
24 voter registration, whether or not the applicant is also simultaneously conducting a transaction
25 with the Division of Motor Vehicles, provided that the online voter registration system complies
26 with subsection (a) of this section and G.S. 163-82.4 as to the form of voter registration. This
27 section shall not authorize a registered voter to update the information required by G.S. 163-
28 82.4(a)(6) or (a)(8) through the online voter registration system. The Division of Motor Vehicles
29 shall be responsible for validating the applicant's identity, protecting and securing data
30 maintained in the online voter registration system, and maintaining the security of the online
31 voter registration system. The State Board shall be responsible for forwarding the online voter
32 registration applications to the appropriate county board of elections in accordance with
33 subsection (a3) of this section. For purposes of this subsection, only an individual who meets all
34 of the following criteria may submit an online voter registration application:

35 (1) The individual is either eligible to register to vote in this State or currently
36 registered to vote in this State.

37 (2) The individual has previously been issued either of the following by the
38 Division of Motor Vehicles:

39 a. A drivers license issued under Article 2 of Chapter 20 of the General
40 Statutes, including a learner's permit or a provisional license.

41 b. A special identification card for nonoperators issued under Article 2B
42 of Chapter 20 of the General Statutes.

43 (a2) Effect of Registration. – Registration shall become effective as provided in
44 G.S. 163-82.7. Applications to register to vote accepted at a ~~drivers license office~~ under this
45 section until the deadline established in G.S. 163-82.6(d)(2) shall be treated as timely made for
46 an election, and no person who completes an application at ~~that drivers license office~~ under this
47 section shall be denied the vote in that election for failure to apply earlier than that deadline.

48 (a3) Processing of Registration. – All applications to register to vote shall be forwarded
49 by the ~~Department of Transportation~~ to the appropriate board of elections not later than five
50 business days after the date of acceptance, according to rules ~~which shall be promulgated~~ adopted
51 by the State ~~Board of Elections, Board.~~ Those rules shall provide for a paperless, instant,

1 electronic transfer of applications to the appropriate board of ~~elections~~.elections, whether the
2 application is received in the drivers license office or online.

3 (b) Violation. – Any person who willfully and knowingly and with fraudulent intent gives
4 false information on ~~the~~ a voter registration application ~~{described in subsection (a) of this~~
5 ~~section}~~ submitted under this section is guilty of a Class I felony.

6 (c) Coordination on Data Interface. – The Department of Transportation jointly with the
7 State Board of ~~Elections~~ shall develop and operate a computerized interface to match information
8 in the database of the statewide voter registration system with the drivers license information in
9 the Division of Motor Vehicles to the extent required to enable the State Board of ~~Elections~~ and
10 the Department of Transportation to verify the accuracy of the information provided on
11 applications for voter registration, whether the applications were received at drivers license
12 ~~offices~~ offices, online, or elsewhere. The Department of Transportation and the State Board shall
13 implement the provisions of this subsection so as to comply with section 303 of the Help America
14 Vote Act of 2002. The Department of Transportation shall enter into an agreement with the
15 Commissioner of Social Security so as to comply with section 303 of the Help America Vote Act
16 of 2002."
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18 **PART III. FUNDS TO ESTABLISH A PROGRAM TO IDENTIFY AND ASSIST** 19 **VOTERS NEEDING PHOTO IDENTIFICATION**

20 **SECTION 3.** It is the intent of the General Assembly to fund a program in the
21 2021-2022 fiscal year budget in which the State Board of Elections shall identify individuals in
22 this State who need photo identification to vote in person. The program shall include a mobile
23 component to visit individuals identified as needing photo identification to vote in person to
24 ensure such photo identification is created for those individuals.
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26 **PART IV. EFFECTIVE DATE**

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