

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 1077

Short Title: Helene/Extend Certain Deadlines. (Public)

Sponsors: Representatives Rudow, Morey, and Harrison (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Rules, Calendar, and Operations of the House

October 24, 2024

A BILL TO BE ENTITLED
AN ACT TO EXTEND THE VOTER REGISTRATION DEADLINE AND ABSENTEE
BALLOT RETURN DEADLINE IN CERTAIN COUNTIES IMPACTED BY
HURRICANE HELENE AND ITS AFTERMATH.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-82.6(d) reads as rewritten:

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

- (1) If submitted by mail, must be postmarked ~~at least 25 days before the primary or election, by~~ Wednesday, October 16, 2024, except that any mailed application on which the postmark is missing or unclear is validly submitted if received in the mail not later than 20 days before the primary or election,
- (2) If submitted in person, by facsimile transmission, or by transmission of a scanned document, must be received by the county board of elections by a ~~time established by that board, but no earlier than 5:00 P.M., on the twenty-fifth day before the primary or election,~~ Wednesday, October 16, 2024,
- (3) If submitted through a delegatee who violates the duty set forth in subsection (a) of this section, must be signed by the applicant and given to the delegatee not later than ~~25 days before the primary or election,~~ Wednesday, October 16, 2024, except as provided in subsection (f) of this section."

SECTION 2.(a) G.S. 163-231(b) reads as rewritten:

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

- (1) All ballots issued under the provisions of this Article and Article 21A of this Chapter shall be transmitted by one of the following means:
 - a. Mail or commercial courier service, at the voter's expense, and received by the county board not later than ~~7:30 P.M. on the day of the statewide primary or general election or county bond election,~~ 5:00 P.M. Friday, November 8, 2024.
 - b. Delivered in person, by the voter or the voter's near relative or verifiable legal guardian, to the county board not later than ~~7:30 P.M. on the day of the statewide primary or general election or county bond election,~~ 5:00 P.M. Friday, November 8, 2024.



c. Electronically transmitted to the county board, if the ballot was issued under the provisions of Article 21A of this Chapter.

(2) If ballots are received later than the hour stated in subdivision (1) of this subsection, those ballots shall not be accepted unless required by federal law or the ballots are received in accordance with Article 21A of this Chapter or the State Board or court order extended the closing time of the polls for every poll in the county in accordance with G.S. 163-166.25. If the State Board or court order so extended the closing time of the polls, the ballots shall be received by the closing time as extended by the State Board or court order in order to be counted."

SECTION 2.(b) G.S. 163-232.1(a) reads as rewritten:

"(a) The county board of elections shall prepare, or cause to be prepared, a list in at least triplicate, of all absentee ballots issued under this Article returned to the county board of elections to be counted, which have been approved by the county board of elections, have not been included on the certified list prepared pursuant to G.S. 163-232, and have been received by the county board of elections not later than ~~7:30 P.M., or the time provided in G.S. 163-231(b), on the day of the statewide primary or general election or county bond election.~~ 5:00 P.M. Friday, November 8, 2024. The list shall be supplemented with new information each business day following the day of the election until the deadline for receipt of such absentee ballots. At the end of the list, the chair shall execute the following certificate under oath:

"State of North Carolina

County of ____

I, ____, chair of the ____ County Board of Elections, do hereby certify that the foregoing is a list of all executed absentee ballots to be voted in the election to be conducted on the ____ day of ____, which have been approved by the county board of elections and have been received by the county board of elections not later than 7:30 P.M., or the time provided in G.S. 163-231(b), on the day of the statewide primary or general election or county bond election. I certify that the chair, member, officer, or employee of the board of elections has not delivered ballots for absentee voting to any person other than the voter, by mail or by commercial courier service or in person, except as provided by law, and have not mailed or delivered ballots when the request for the ballot was received after the deadline provided by law.

This the ____ day of ____, ____

(Signature of chair of
county board of elections)

Sworn to and subscribed before me this ____ day of ____, ____.

Witness my hand and official seal.

(Signature of officer
administering oath)

(Title of officer)""

SECTION 2.(c) This section applies only to the impacted Counties of Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Catawba, Clay, Cleveland, Gaston, Haywood, Henderson, Jackson, Lincoln, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Transylvania, Watauga, Wilkes, and Yancey.

SECTION 3. This act is effective when it becomes law and expires upon certification of the November 2024 election.