

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 126
Committee Substitute Favorable 5/11/93

Short Title: Agency-Based Voter Registration.

(Public)

Sponsors:

Referred to:

February 11, 1993

A BILL TO BE ENTITLED
AN ACT TO PROVIDE FOR AGENCY-BASED VOTER REGISTRATION.

The General Assembly of North Carolina enacts:

Section 1. Article 7 of Chapter 163 of the General Statutes is amended by adding a new section to read:

"§ 163-72.5. Agency-based voter registration.

(a) Every office in this State which accepts:

(1) Applications for a program of public assistance under Article 2 of Chapter 108A of the General Statutes;

(2) Claims for benefits under Chapter 96 of the General Statutes, the Employment Security Law; or

(3) Applications for State-funded State or local government programs primarily engaged in providing services to persons with disabilities, with such office designated by the State Board of Elections,

is designated as a voter registration agency for the purpose of this section, as permitted by federal law.

(b) At each voter registration agency, the following services shall be made available:

(1) Distribution of mail voter registration applications provided by G.S. 163-72.4 or by section 9(a)(2) of the National Voter Registration Act of 1993, if enacted;

(2) Assistance to applicants in completing applications to register to vote;
and

- 1 (3) Acceptance of completed voter registration application forms for
2 transmittal to the appropriate county board of elections.
- 3 (c) If a voter registration agency provides services to a person with disability at
4 the person's home, the voter registration agency shall provide the services described in
5 subsection (b) of this section at the person's home.
- 6 (d) Any person providing any service under subsection (b) of this section shall
7 not:
- 8 (1) Seek to influence an applicant's political preference or party
9 registration, except that this shall not be construed to prevent the
10 notice provided by G.S. 163-74(a) to be given if the applicant refuses
11 to declare his party affiliation;
- 12 (2) Display any such political preference or party allegiance;
- 13 (3) Make any statement to an applicant or take any action the purpose or
14 effect of which is to discourage the applicant from registering to vote;
15 or
- 16 (4) Make any statement to an applicant or take any action the purpose or
17 effect of which is to lead the applicant to believe that a decision to
18 register or not to register has any bearing on the availability of services
19 or benefits.
- 20 (e) A voter registration agency shall, unless the applicant declines, in writing, to
21 register to vote:
- 22 (1) Distribute with each application for service or assistance, and with
23 each recertification, renewal, or change of address relating to such
24 service or assistance:
- 25 a. The mail voter registration application form described in G.S.
26 163-72.4 or by section 9(a)(2) of the National Voter
27 Registration Act of 1993, if enacted; or
- 28 b. The voter registration agency's own form if it is substantially
29 equivalent to the form described in G.S. 163-72.4 or by section
30 9(a)(2) of the National Voter Registration Act of 1993, if
31 enacted;
- 32 (2) Provide a form that contains the elements required by section
33 7(a)(6)(B) of the National Voter Registration Act of 1993, if enacted;
34 and
- 35 (3) Provide to each applicant who does not decline to register to vote the
36 same degree of assistance with regard to the completion of the
37 registration application as is provided by the office with regard to the
38 completion of its own forms.
- 39 (f) No information relating to a declination to register to vote in connection with
40 an application made at a voter registration agency may be used for any purpose other
41 than voter registration.
- 42 (g) Any voter registration application completed at a voter registration agency
43 shall be accepted by that agency in lieu of the applicant mailing the application. Any
44 such application so received shall be transmitted to the State Board of Elections not later

1 than two business days after the date of acceptance; provided that the State Board of
2 Elections may require:

3 (1) That, during the 30 days immediately before the deadline for making
4 application to register under G.S. 163-67, all applications shall be
5 transmitted directly to the appropriate county board of elections no
6 later than two business days after the date of acceptance; and

7 (2) That, during other times than the period specified in subdivision (1),
8 all applications from individuals residing in the same county as the
9 voter registration agency office shall be transmitted directly to that
10 county's board of elections no later than two business days after the
11 date of acceptance.

12 (h) Applications to register accepted by a voter registration agency shall entitle a
13 registrant to vote in any primary, general, or special election unless the registrant shall
14 have made application later than the thirtieth calendar day immediately preceding such
15 primary, general, or special election, provided that nothing shall prohibit voter
16 registration agencies from continuing to accept applications during that period.

17 (i) No person may make application to register to vote under this section if that
18 person is ineligible to vote on account of age, citizenship, lack of residence for the
19 period of time provided by law, or because of conviction of a felony.

20 (j) Any application accepted under this section by a voter registration agency in
21 lieu of the registrant mailing the form shall be handled as if it had been received by mail
22 for the purpose of G.S. 163-72.4(e) through (i)."

23 Sec. 2. This act becomes effective January 1, 1995, except the State Board of
24 Elections may adopt rules under it at any time after ratification.