

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH60277-RR-42 (3/18)

Short Title: Early Prep for One-Stop Count.

(Public)

Sponsors: Representative Allred.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE COUNTY BOARDS OF ELECTIONS TO COUNT ONE-STOP BALLOTS AT THE SAME TIME AS OTHER ABSENTEE BALLOTS, AND TO ALLOW THOSE BOARDS TO TAKE PREPARATORY STEPS FOR COUNTING ONE-STOP AND OTHER ABSENTEE VOTES EARLIER THAN TWO O'CLOCK P.M.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-234(2) reads as rewritten:

"(2) The county board of elections shall meet at 5:00 p.m. on election day in the board office or other public location in the county courthouse for the purpose of counting all absentee ballots except those which have been challenged before 5:00 p.m. on election day. Any elector of the county shall be permitted to attend the meeting and allowed to observe the counting process, provided the elector shall not in any manner interfere with the election officials in the discharge of their duties.

Provided, that the county board of elections is authorized to begin counting absentee ballots between the hours of 2:00 p.m. and 5:00 p.m. upon the adoption of a resolution at least two weeks prior to the election wherein the hour and place of counting absentee ballots shall be stated. A copy of the resolutions shall be published once a week for two weeks prior to the election, in a newspaper having general circulation in the county. Notice may additionally be made on a radio or television station or both, but such notice shall be in addition to the newspaper and other required notice. The count shall be continuous until completed and the members shall not separate or leave the counting place except for unavoidable necessity, except that if the count has been completed prior to the time the polls close, it shall be

1 suspended until that time pending receipt of any additional ballots, and
2 ~~except that one stop ballots under G.S. 163-227.2 counted~~
3 ~~electronically shall not be counted until the polls close; provided,~~
4 ~~however, that if there are outstack ballots in the counting device, they~~
5 ~~may be counted at the same time as other ballots are counted under this~~
6 ~~subdivision. The county board of elections may begin putting them in~~
7 ~~the tabulator at the same time as other ballots are counted under this~~
8 ~~subdivision if the system for counting one stop ballots requires them to~~
9 ~~be put in a tabulator but the process has the voter place them in a ballot~~
10 ~~box ballots. Nothing in this section shall prohibit a county board of~~
11 ~~elections from taking preparatory steps for the count earlier than the~~
12 ~~times specified in this section, as long as the preparatory steps do not~~
13 ~~reveal to any individual in understandable form election results before~~
14 ~~the times specified in this subdivision for the count to begin. By way~~
15 ~~of illustration and not limitation, a preparatory step for the count~~
16 ~~would be the entry of tally cards from direct record electronic voting~~
17 ~~units into a computer for processing. The board shall not announce the~~
18 ~~result of the count before 7:30 p.m."~~

19 **SECTION 2.** This act is effective when it becomes law and applies to all
20 elections held on or after that date.