

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE BILL 30*

Short Title: Pilot Vote by Mail.

(Public)

Sponsors: Representatives Weiss, Stam, Dollar, Capps (Primary Sponsors); Ross, B. Allen, Brown, Cleveland, and Insko.

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

February 2, 2005

A BILL TO BE ENTITLED

1
2 AN ACT TO ALLOW A TRIAL PROJECT FOR VOTING BY MAIL IN
3 MUNICIPAL ELECTIONS AND REFERENDA CONDUCTED IN MAY OF
4 2005.

5 Whereas, a number of states allow voting by mail in some or all elections,
6 without opening of traditional polling places; and

7 Whereas, the Secretary of State's office in Oregon, where all voting is by
8 mail, indicates that such an election costs thirty percent (30%) less than a traditional
9 polling place election, while turnout is higher especially in special elections; and

10 Whereas, the first significant test of vote by mail was authorized on a pilot
11 local basis in local elections by the legislature in Oregon in 1981; and

12 Whereas, vote by mail has also been used in Alaska, California, Colorado,
13 Florida, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, New
14 York, North Dakota, Utah, and Washington; and

15 Whereas, the General Assembly desires to pilot test a program of vote by
16 mail rather than a traditional polling place election; Now, therefore,
17 The General Assembly of North Carolina enacts:

18 **SECTION 1.** Upon the request of the city council and the county board or
19 boards of elections for that municipality, the State Board of Elections may provide for
20 any election or referendum held in May 2005 in a city with a population, according to
21 the most recent decennial federal census, of 90,000 or over, to be held in accordance
22 with Section 3 of this act.

23 **SECTION 2.** If an election or referendum has been ordered to be held in
24 accordance with Section 3 of this act, any other municipality that is contiguous with that
25 municipality may also hold an election or referendum under Section 3 of this act on that
26 same date under the same procedure as provided in Section 1 of this act.

27 **SECTION 3.** All registered voters in the jurisdiction shall be mailed a ballot
28 by nonforwardable United States Postal Service mail. In order to vote, the voter shall

1 mark the ballot and return it in the postage prepaid envelope or drop it in a locked ballot
2 box at the office of the town clerk or at the office of the county board of elections or at
3 any other location provided by the county board of elections. Ballots must be received
4 by 7:30 P.M. on the date of the election or referendum in order to be counted. The State
5 Board of Elections shall adopt policies and procedures for elections or referenda held
6 under this section. In addition to any other matters, those policies and procedures shall
7 govern: (i) absentee voting and (ii) reports of address changes within the county
8 received after the close of registration for the election that could have been processed on
9 election day to make the voter eligible to vote if the election or referendum were not
10 conducted by mail. No regular polling place shall be open on the day of the election or
11 referendum. The State Board of Elections shall report to the General Assembly its
12 policies and procedures immediately upon their adoption. Adoption and publication of
13 such policies and procedures is not subject to Chapter 150B of the General Statutes.

14 **SECTION 4.** The State Board of Elections shall report to the General
15 Assembly on the implementation of this act.

16 **SECTION 5.** This act is effective when it becomes law.