Amends Title [NO] Date __________________________ , 2018

Fourth Edition

Representative Floyd

moves to amend the bill on page 6, line 25, through page 7, line 49, by deleting those lines and substituting the following:

"SECTION 1.2(d). G.S. 163A-1307 reads as rewritten:

§ 163A-1307. Absentee ballots, applications on container-return envelopes, and instruction sheets.

(a) Absentee Ballot Form. – In accordance with the provisions of G.S. 163A-1308, persons entitled to vote by absentee ballot shall be furnished with official ballots.

(b) Application on Container-Return Envelope. – In time for use not later than 60 days before a statewide general election in an even-numbered year, and not later than 50 days before a statewide primary, other general election or county bond election, the county board of elections shall print a sufficient number of envelopes in which persons casting absentee ballots may transmit their marked ballots to the county board of elections. However, in the case of municipal elections, sufficient container-return envelopes shall be made available no later than 30 days before an election. Each container-return envelope shall have printed on it an application which shall be designed and prescribed by the State Board, providing for all of the following:

(1) The voter's certification of eligibility to vote the enclosed ballot and of having voted the enclosed ballot in accordance with this Part.

(2) A space for identification of the envelope with the voter and the voter's signature.

(3) A space for the identification of the two persons witnessing the casting of the absentee ballot in accordance with G.S. 163A-1310, those persons' signatures, and those persons' addresses.

(4) A space for the name and address of any person who, as permitted under G.S. 163A-1298(a), assisted the voter if the voter is unable to complete and sign the certification and that individual's signature.

(5) A space for approval by the county board of elections.

(6) A space to allow reporting of a change of name as provided by G.S. 163A-880.

(7) A prominent display of the unlawful acts under G.S. 163A-1298 and G.S. 163A-1389, except if there is not room on the envelope, the State Board may provide for that disclosure to be made on a separate piece of paper to be included along with the container-return envelope."
(8) An area to attach additional documentation necessary to comply with the identification requirements in accordance with State Board rules, as provided in G.S. 163A-1309.

The container-return envelope shall be printed in accordance with the instructions of the State Board.

(c) Instruction Sheets. – In time for use not later than 60 days before a statewide general election in an even-numbered year, and not later than 50 days before a statewide primary, other general or county bond election, the county board of elections shall prepare and print a sufficient number of sheets of instructions on how voters are to prepare absentee ballots and return them to the county board of elections. However, in the case of municipal elections, instruction sheets shall be made available no later than 30 days before an election."

SECTION 1.2(e). G.S. 163A-1309 reads as rewritten:


(a) Valid Types of Written Requests. – A completed written request form for an absentee ballot as required by G.S. 163A-1308 is valid only if it is on a form created by the State Board and signed by the voter requesting absentee ballots or that voter’s near relative or verifiable legal guardian. The State Board shall make the form available at its offices, online, and in each county board of elections office, and that form may be reproduced. A voter may make a request in person or by writing to the county board for the form to request an absentee ballot. The request form for an absentee ballot shall require at least the following information:

(1) The name and address of the residence of the voter.
(2) The name and address of the voter’s near relative or verifiable legal guardian if that individual is making the request.
(3) The address of the voter to which the application and absentee ballots are to be mailed if different from the residence address of the voter.
(4) One or more of the following in the order of preference:
   a. The number of the voter's North Carolina drivers license issued under Article 2 of Chapter 20 of the General Statutes, including a learner's permit or a provisional license.
   b. The number of the voter's special identification card for nonoperators issued under G.S. 20-37.7.
   e. The last four digits of the applicant's social security number.

The identification required in accordance with State Board rules, as provided in subsection (f) of this section.

(5) The voter's date of birth.
(6) The signature of the voter or of the voter's near relative or verifiable legal guardian if that individual is making the request.

(b) A completed request form for an absentee ballot shall be deemed a request to update the official record of voter registration for that voter and shall be confirmed in writing in accordance with G.S. 163A-877(d).

(c) The completed request form for an absentee ballot shall be delivered to the county board of elections. If the voter does not include the information requested in subdivision (a)(4)
of this section, a copy of a document listed in G.S. 163A-1144(a)(2) shall accompany the
completed request form.
(d) Upon receiving a completed request form for an absentee ballot, the county board
shall confirm that voter's registration. If that voter is confirmed as a registered voter of the county,
the absentee ballots and certification form shall be mailed to the voter, unless personally
delivered in accordance with G.S. 163A-1308(b). If the voter’s official record of voter
registration conflicts with the completed request form for an absentee ballot or cannot be
confirmed, the voter shall be so notified. If the county board cannot resolve the differences, no
application or absentee ballots shall be issued.
(e) Invalid Types of Written Requests. – A request is not valid if it does not comply with
subsection (a) of this section. If a county board of elections receives a request for an absentee
ballot that does not comply with subsection (a) of this section, the board shall not issue an
application and ballot under G.S. 163A-1308.
(f) Rules by State Board. – The State Board shall adopt rules for the enforcement of this
section section, including rules to provide for the forms of identification that must be included
with the written request for an absentee ballot. At a minimum, the rules shall include the
following:
(1) Acceptable forms of readable identification that are substantially similar to
those required under G.S. 163A-1145.1.
(2) A process for a voter without acceptable readable identification under
subdivision (1) of this section to complete an alternative affidavit in
accordance with G.S. 163A-1145.1(d)(1), (d)(2), or (d)(3) that includes lack
of access to a method to attach an electronic or physical copy of the
identification card to the written request as a reasonable impediment to
compliance with the identification requirement.
(3) A process for a voter to request the option to return the information required
by subdivision (1) or (2) of this section with the absentee ballot container
return envelope, as provided in G.S. 163A-1307.

and on page 8, lines 25-26, by inserting the following between those lines:

"SECTION 1.2(i) The State Board of Elections and Ethics Enforcement shall
develop temporary rules in accordance with G.S. 163A-1309, as amended by this section, no later
than July 1, 2019, and permanent rules no later than January 1, 2020. In the development of
these rules, the State Board shall consult with Disability Rights North Carolina to develop forms
and instructions that are accessible to the disabled community. At least 14 days prior to adoption
of the temporary and permanent rules, the State Board shall report to the Joint Legislative
Elections Oversight Committee on the content of the proposed rules. In addition, the State Board
shall report to the Joint Legislative Elections Oversight Committee no later than March 1, 2019
on the following:
(1) Any other recommendations to secure the absentee voting by mail process,
including but not limited to the following:
   a. Increasing the potential criminal penalty for violations of that process.
b. Increasing training and education for absentee voters by mail.

c. Improved technological or administrative methods to ensure the
   proper chain of custody of absentee voting by mail.

(2) Any recommended statutory changes related to security of absentee voting by
    mail, including legislation recommended for implementation of subsections
    (d) and (e) of this section."". 

SIGNED ____________________________________________

Amendment Sponsor

SIGNED ____________________________________________

Committee Chair if Senate Committee Amendment

ADOPTED ___________  FAILED ________________  TABLED ___________