

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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SENATE BILL 349

Short Title: Whiz Kids/Slow Pokes Voter Registration. (Public)

Sponsors: Senators Meyer and Smith (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 23, 2023

A BILL TO BE ENTITLED

AN ACT TO ENSURE PROCRASTINATORS THEIR RIGHT TO VOTE BY RECODIFYING  
SAME-DAY REGISTRATION FOR EARLY ONE-STOP VOTING AND  
ESTABLISHING SAME-DAY REGISTRATION ON ELECTION DAY AND TO  
ENGAGE OVERACHIEVING TEENAGERS IN VOTING BY RECODIFYING THE  
PROGRAM TO PREREGISTER INDIVIDUALS SIXTEEN AND SEVENTEEN YEARS  
OF AGE.

The General Assembly of North Carolina enacts:

**PART I. SAME-DAY VOTER REGISTRATION**

**SECTION 1.1.** Article 7A of Chapter 163 of the General Statutes is amended by adding a new section to read:

**"§ 163-82.6B. In-person registration and voting.**

(a) Who May Register in Person. – In accordance with the provisions in this section, an individual who is qualified to register to vote may register in person and then vote in the person's county of residence on election day or during the period for one-stop voting provided under G.S. 163-227.2. For purposes of this section, a one-stop voting site includes the county board of elections office if that office is used for one-stop voting.

(b) Both Attestation and Proof of Residence Required. – To register and vote under this section, the person shall do both of the following:

(1) Complete a voter registration form as prescribed in G.S. 163-82.4, including the attestation requirement of G.S. 163-82.4(c) that the person meets each eligibility requirement. The attestation is signed under penalty of a Class I felony under G.S. 163-275(13).

(2) Provide proof of residence by presenting any of the following valid documents that show the person's current name and current residence address: a North Carolina drivers license, a photo identification from a government agency, or any of the documents listed in G.S. 163-166.12(a)(2). The State Board of Elections may designate additional documents or methods that suffice and shall prescribe procedures for establishing proof of residence.

(c) Voting With Retrieval Ballot. – A person who registers under this section shall vote with a retrieval ballot immediately after registering. If a person declines to vote immediately, the registration shall be processed, and the person may later vote at a one-stop voting site under this section in the same election, if the early one-stop period has not closed.

(d) Verification of Registration; Counting of Ballot. – Within two business days of the person's registration under this section, the county board of elections, in conjunction with the



1 State Board of Elections, shall verify the North Carolina drivers license or social security number  
2 in accordance with G.S. 163-82.11, update the statewide registration database and search for  
3 possible duplicate registrations, and proceed under G.S. 163-82.7 to verify the person's address.  
4 The person's vote shall be counted unless the county board determines that the applicant is not  
5 qualified to vote in accordance with the provisions of this Chapter.

6 (e) **Voting in Primary.** – Any person who will become qualified by age to register and  
7 vote in the general election for which a partisan or nonpartisan primary is held, even though not  
8 so qualified by the date of the primary, may register for the primary and general election prior to  
9 the primary and then vote in the primary and general election after being registered in accordance  
10 with the provisions of this section."

11 **SECTION 1.2.** G.S. 163-59 reads as rewritten:

12 **"§ 163-59. Right to participate or vote in party primary.**

13 No person shall be entitled to vote or otherwise participate in the primary election of any  
14 political party unless that person complies with all of the following:

- 15 (1) Is a registered voter.
- 16 (2) Has declared and has had recorded on the registration book or record the fact  
17 that the voter affiliates with the political party in whose primary the voter  
18 proposes to vote or participate.
- 19 (3) Is in good faith a member of that party.

20 Notwithstanding the previous paragraph, any unaffiliated voter who is authorized under  
21 G.S. 163-119 may also vote in the primary if the voter is otherwise eligible to vote in that primary  
22 except for subdivisions (2) and (3) of the previous paragraph.

23 Any person who will become qualified by age to register and vote in the general election for  
24 which the primary is held, even though not so qualified by the date of the primary, shall be  
25 entitled to register for the primary and general election prior to the primary and then to vote in  
26 the primary after being registered. Such person may register not earlier than 60 days nor later  
27 than the last day for making application to register under G.S. 163-82.6(d) prior to the primary.  
28 In addition, persons who will become qualified by age to register and vote in the general election  
29 for which the primary is held, who do not register during the special period may register to vote  
30 after such period as if they were qualified on the basis of age, but until they are qualified by age  
31 to vote, they may vote only in primary elections. The person also may register and vote in the  
32 primary and general election pursuant to G.S. 163-82.6B."

33 **SECTION 1.3.** G.S. 163-82.6(d) reads as rewritten:

34 "(d) **Registration Deadlines for a Primary or Election.** – In order to be valid for a primary  
35 or election, except as provided in G.S. 163-82.6B, the form:

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

48 **SECTION 1.4.** G.S. 163-166.12(d) reads as rewritten:

49 "(d) **Voting When Identification Numbers Do Not Match.** – Regardless of whether an  
50 individual has registered by mail or by another method, if the individual has provided with the  
51 registration form a drivers license number or last four digits of a Social Security number but the

1 computer validation of the number as required by G.S. 163-82.12 did not result in a match, and  
2 the number has not been otherwise validated by the board of elections, in the first election in  
3 which the individual votes that individual shall submit with the ballot the form of identification  
4 described in subsection (a) or subsection (b) of this section, depending upon whether the ballot  
5 is voted in person or absentee. If that identification is provided and the board of elections does  
6 not determine that the individual is otherwise ineligible to vote a ballot, the failure of  
7 identification numbers to match shall not prevent that individual from registering to vote and  
8 having that individual's vote counted. If the individual registers and votes under G.S. 163-82.6B,  
9 the identification documents required in that section, rather than those described in subsection  
10 (a) or (b) of this section, apply."

11 **SECTION 1.5.** G.S. 163-227.2(a) reads as rewritten:

12 "(a) Any voter eligible to vote by absentee ballot under G.S. 163-226 may request an  
13 application for absentee ballots, complete the application, and vote under the provisions of  
14 G.S. 163-227.5 and G.S. 163-227.6. this section and G.S. 163-82.6B, 163-227.5, and 163-227.6."

15 **SECTION 1.6.** G.S. 163-283 reads as rewritten:

16 **"§ 163-283. Right to participate or vote in party primary.**

17 No person shall be entitled to vote or otherwise participate in the primary election of any  
18 political party unless that person complies with all of the following:

- 19 (1) Is a registered voter.
- 20 (2) Has declared and has had recorded on the registration book or record the fact  
21 that the voter affiliates with the political party in whose primary the voter  
22 proposes to vote or participate.
- 23 (3) Is in good faith a member of that party.

24 Notwithstanding the previous paragraph, any unaffiliated voter who is authorized under  
25 G.S. 163-119 may also vote in the primary if the voter is otherwise eligible to vote in that primary  
26 except for subdivisions (2) and (3) of the previous paragraph.

27 Any person who will become qualified by age to register and vote in the general election for  
28 which the primary is held, even though not so qualified by the date of the primary election, shall  
29 be entitled to register while the registration books are open during the regular registration period  
30 prior to the primary and then to vote in the primary after being registered, provided however,  
31 under full-time and permanent registration, such an individual may register not earlier than 60  
32 days nor later than the last day for making application to register under G.S. 163-82.6(d) prior to  
33 the primary. In addition, persons who will become qualified by age to register and vote in the  
34 general election for which the primary is held, who do not register during the special period may  
35 register to vote after such period as if they were qualified on the basis of age, but until they are  
36 qualified by age to vote, they may vote only in primary elections. The person also may register  
37 and vote in the primary and general election pursuant to G.S. 163-82.6B."

38 **SECTION 1.7.** G.S. 163-283.1 reads as rewritten:

39 **"§ 163-283.1. Voting in nonpartisan primary.**

40 Any person who will become qualified by age to register and vote in the general election for  
41 which a nonpartisan primary is held, even though not so qualified by the date of the primary,  
42 shall be entitled to register for the primary and general election prior to the primary and then to  
43 vote in the primary after being registered. Such a person may register not earlier than 60 days nor  
44 later than the last day for making application to register under G.S. 163-82.6(d) prior to the  
45 primary. The person also may register and vote in the primary and general election pursuant to  
46 G.S. 163-82.6B."

## 47 **PART II. PREREGISTRATION**

48 **SECTION 2.1.** G.S. 163-82.1 is amended by adding a new subsection to read:

49 "(d) Preregistration. – A person who is at least 16 years of age but will not be 18 years of  
50 age by the date of the next election and who is otherwise qualified to register may preregister to  
51

1 vote and shall be automatically registered upon reaching the age of eligibility following  
2 verification of the person's qualifications and address in accordance with G.S. 163-82.7."

3 **SECTION 2.2.** G.S. 163-82.3(a) is amended by adding a new subdivision to read:

4 "(5) Preregister to vote."

5 **SECTION 2.3.** G.S. 163-82.4(e)(2) reads as rewritten:

6 "(2) The following ~~question~~questions and statement:

7 a. "Will you be 18 years of age on or before election day?" and boxes for  
8 the applicant to check to indicate whether the applicant will be 18  
9 years of age or older on election day.

10 b. "Are you at least 16 years of age and understand that you must be 18  
11 years of age on or before election day to vote?" and boxes for the  
12 applicant to check to indicate whether the applicant is at least 16 years  
13 of age and understands that the applicant must be at least 18 years of  
14 age or older by election day to vote.

15 c. "If you checked 'no' in response to ~~this question~~, both of these  
16 questions, do not submit this form.""

17 **SECTION 2.4.** G.S. 163-82.19(a) reads as rewritten:

18 "(a) Voter Registration at Drivers License Offices. – The Division of Motor Vehicles  
19 shall, pursuant to the rules adopted by the State Board of Elections, modify its forms so that any  
20 eligible person who applies for original issuance, renewal or correction of a drivers license, or  
21 special identification card issued under G.S. 20-37.7 may, on a part of the form, complete an  
22 application to register to vote, or to update the voter's registration if the voter has changed his or  
23 her address or moved from one precinct to another or from one county to ~~another~~another, or to  
24 preregister to vote. The person taking the application shall ask if the applicant is a citizen of the  
25 United States. If the applicant states that the applicant is not a citizen of the United States, or  
26 declines to answer the question, the person taking the application shall inform the applicant that  
27 it is a felony for a person who is not a citizen of the United States to apply to register to vote. The  
28 application shall state in clear language the penalty for violation of this section. The necessary  
29 forms shall be prescribed by the State Board of Elections. The form must ask for the previous  
30 voter registration address of the voter, if any. If a previous address is listed, and it is not in the  
31 county of residence of the applicant, the appropriate county board of elections shall treat the  
32 application as an authorization to cancel the previous registration and also process it as such  
33 under the procedures of G.S. 163-82.9. If a previous address is listed and that address is in the  
34 county where the voter applies to register, the application shall be processed as if it had been  
35 submitted under G.S. 163-82.9.

36 Registration shall become effective as provided in G.S. 163-82.7. Applications to register to  
37 vote accepted at a drivers license office under this section until the deadline established in  
38 G.S. 163-82.6(d)(2) shall be treated as timely made for an election, and no person who completes  
39 an application at that drivers license office shall be denied the vote in that election for failure to  
40 apply earlier than that deadline.

41 All applications shall be forwarded by the Department of Transportation to the appropriate  
42 board of elections not later than five business days after the date of acceptance, according to rules  
43 which shall be promulgated by the State Board of Elections. Those rules shall provide for a  
44 paperless, instant, electronic transfer of applications to the appropriate board of elections. All  
45 applications for preregistration shall be forwarded to the State Board of Elections."

46 **SECTION 2.5.** G.S. 163-82.20 reads as rewritten:

47 "**§ 163-82.20. Voter registration at other public agencies.**

48 ...

49 (b) Duties of Voter Registration Agencies. – A voter registration agency described in  
50 subsection (a) of this section shall, unless the applicant declines, in writing, to register or  
51 preregister to vote:~~vote~~, do each of the following:

- 1 (1) Distribute with each application for service or assistance, and with each
- 2 recertification, renewal, or change of address relating to such service or
- 3 assistance:
- 4 a. The voter registration application form described in G.S. 163-82.3(a)
- 5 or (b); or
- 6 b. The voter registration agency's own form, if it is substantially
- 7 equivalent to the form described in G.S. 163-82.3(a) or (b) and has
- 8 been approved by the State Board of Elections, provided that the
- 9 agency's own form may be a detachable part of the agency's paper
- 10 application or may be a paperless computer process, as long as the
- 11 applicant is required to sign an attestation as part of the application to
- 12 ~~register~~register or preregister.
- 13 (2) Provide a form that contains the elements required by section 7(a)(6)(B) of
- 14 the National Voter Registration Act; ~~and Act~~.
- 15 (3) Provide to each applicant who does not decline to register or preregister to
- 16 vote the same degree of assistance with regard to the completion of the
- 17 registration application as is provided by the office with regard to the
- 18 completion of its own forms.

19 ...  
 20 (e) Prohibitions. – Any person providing any service under subsection (b) of this section  
 21 shall not:

- 22 (1) Seek to influence an applicant's political preference or party registration,
- 23 except that this shall not be construed to prevent the notice provided by
- 24 G.S. 163-82.4(d) to be given if the applicant refuses to declare his party
- 25 affiliation;
- 26 (2) Display any such political preference or party allegiance;
- 27 (3) Make any statement to an applicant or take any action the purpose or effect of
- 28 which is to discourage the applicant from registering or preregistering to vote;
- 29 or
- 30 (4) Make any statement to an applicant or take any action the purpose or effect of
- 31 which is to lead the applicant to believe that a decision to register or preregister
- 32 or not to register or preregister has any bearing on the availability of services
- 33 or benefits.

34 (f) Confidentiality of Declination to Register. – No information relating to a declination  
 35 to register or preregister to vote in connection with an application made at a voter registration  
 36 agency may be used for any purpose other than voter registration.

37 (g) Transmittal From Agency to Board of Elections. – Any voter registration or  
 38 preregistration application completed at a voter registration agency shall be accepted by that  
 39 agency in lieu of the applicant's mailing the application. Any such application so received shall  
 40 be transmitted to the appropriate board of elections not later than five business days after  
 41 acceptance, according to rules which shall be promulgated by the State Board of Elections.

42 ...  
 43 (i) Ineligible Applications Prohibited. – No person shall make application to register or  
 44 preregister to vote under this section if that person is ineligible on account of age, citizenship,  
 45 lack of residence for the period of time provided by law, or because of conviction of a felony."

46 **SECTION 2.6.** G.S. 163-82.23 reads as rewritten:

47 **"§ 163-82.23. Voter registration at public high schools.**

48 Every public high school shall make available to its students and others who are eligible to  
 49 register and preregister to vote the application forms described in G.S. 163-82.3, and shall keep  
 50 a sufficient supply of the forms so that they are always available. A local board of education may,

1 but is not required to, designate high school employees to assist in completing the forms. Only  
2 employees who volunteer for this duty may be designated by boards of education."

3 **SECTION 2.7.** G.S. 115C-81.45(d)(1b)b. reads as rewritten:

4 "b. Instruction on the importance of voting and otherwise participating in  
5 the democratic process, including instruction on voter  
6 ~~registration~~registration and preregistration."

7 **SECTION 2.8.** G.S. 115C-47(59) reads as rewritten:

8 "(59) To Encourage Student Voter ~~Registration~~Registration and Preregistration. –  
9 Local boards of education are encouraged to adopt policies to promote student  
10 voter ~~registration~~registration and preregistration. These policies may include  
11 collaboration with county boards of elections to conduct voter registration and  
12 preregistration in high schools. Completion and submission of voter  
13 registration and preregistration forms shall not be a course requirement or  
14 graded assignment for students."

15 **SECTION 2.9.** The State Board of Elections and the Department of Public  
16 Instruction are encouraged to improve outreach to high school students on voter registration and  
17 preregistration programs when students are eligible to do either, including the curriculum element  
18 on instruction in voter registration and preregistration, as provided by G.S. 115C-47(59) and  
19 voter registration in public high schools authorized in G.S. 163-82.23.

20  
21 **PART III. EFFECTIVE DATE**

22 **SECTION 3.1.** This act is effective when it becomes law.