

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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SENATE BILL DRS45513-LU-124 (01/08)

Short Title: Lack of Postmark/Absentee Ballots. (Public)

Sponsors: Senator Bryant (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT ABSENTEE BALLOTS RECEIVED BY A COUNTY  
3 BOARD OF ELECTIONS BY MAIL ON THE DAY AFTER THE ELECTION THAT  
4 ARE NOT POSTMARKED ARE DEEMED TO HAVE BEEN POSTMARKED ON OR  
5 BEFORE ELECTION DAY UPON VERIFICATION OF RECEIPT BY THE COUNTY  
6 BOARD OF ELECTIONS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 163A-1310(b) reads as rewritten:

9 "(b) Transmitting Executed Absentee Ballots to County Board of Elections. – The sealed  
10 container-return envelope in which executed absentee ballots have been placed shall be  
11 transmitted to the county board of elections who issued those ballots as follows:

12 (1) All ballots issued under the provisions of this Part and Part 2 of Article 21 of  
13 this Chapter shall be transmitted by mail or by commercial courier service,  
14 at the voter's expense, or delivered in person, or by the voter's near relative  
15 or verifiable legal guardian and received by the county board not later than  
16 5:00 p.m. on the day of the statewide primary or general election or county  
17 bond election. Ballots issued under the provisions of Part 2 of Article 21 of  
18 this Chapter may also be electronically transmitted.

19 (2) If ballots are received later than the hour stated in subdivision (1) of this  
20 subsection, those ballots shall not be accepted unless one of the following  
21 applies:

22 a. Federal law so requires.

23 b. The ballots issued under this Part are (i) postmarked and that  
24 postmark is dated on or before the day of the statewide primary or  
25 general election or county bond election and are received by the  
26 county board of elections not later than three days after the election  
27 by ~~5:00 p.m.~~ 5:00 P.M. or (ii) if there is no postmark, are received in  
28 the mail by the county board of elections not later than one day after  
29 the election by 5:00 P.M. When a ballot is received by mail one day  
30 after the election without a postmark, the county board of elections  
31 shall verify receipt of the ballot by stamping on the ballot that it was  
32 received by mail and the date it was received.

33 c. The ballots issued under Part 2 of Article 21 of this Chapter are  
34 received by the county board of elections not later than the end of  
35 business on the business day before the canvass conducted by the  
36 county board of elections held pursuant to G.S. 163A-1172."



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**SECTION 2.** This act is effective when it becomes law.