

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 743
Apr 15, 2019
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH40342-LUa-103

Short Title: Require Prepaid Envelope/Absentee Ballots. (Public)

Sponsors: Representatives Gailliard and Insko (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR THE SUBMISSION OF VOTED ABSENTEE BALLOTS BY
3 PRE-ADDRESSED ENVELOPES, POSTAGE PAID UPON RETURN.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 163A-1307(b), as amended by Section 1.2(d) of S.L. 2018-144,
6 reads as rewritten:

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

- 16 (1) The voter's certification of eligibility to vote the enclosed ballot and of having
17 voted the enclosed ballot in accordance with this Part.
- 18 (2) A space for identification of the envelope with the voter and the voter's
19 signature.
- 20 (3) A space for the identification of the two persons witnessing the casting of the
21 absentee ballot in accordance with G.S. 163A-1310, those persons' signatures,
22 and those persons' addresses.
- 23 (4) A space for the name and address of any person who, as permitted under
24 G.S. 163A-1298(a), assisted the voter if the voter is unable to complete and
25 sign the certification and that individual's signature.
- 26 (5) A space for approval by the county board of elections.
- 27 (6) A space to allow reporting of a change of name as provided by G.S. 163A-880.
- 28 (7) A prominent display of the unlawful acts under G.S. 163A-1298 and
29 G.S. 163A-1389, except if there is not room on the envelope, the State Board
30 may provide for that disclosure to be made on a separate piece of paper to be
31 included along with the container-return envelope.
- 32 (8) An area to attach additional documentation necessary to comply with the
33 identification requirements in accordance with State Board rules, as provided
34 in G.S. 163A-1309.
- 35 (9) The following statement written in a prominent place on the enclosed ballot:
36 "Return absentee ballot in the enclosed prepaid envelope, or you, a near



* D R H 4 0 3 4 2 - L U A - 1 0 3 *

1 relative, or verifiable legal guardian may deliver the ballot in person to your
2 county board of elections." For purposes of this subdivision, "near relative"
3 means the same as it is defined under G.S. 163A-1308(h) and "verifiable legal
4 guardian" means the same as it is defined under G.S. 163A-1295.

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

7 **SECTION 2.** G.S. 163A-1310(b)(1) reads as rewritten:

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

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

20 **SECTION 3.** This act is effective when it becomes law and applies to elections held
21 on or after that date.