

# Quick Reference Guide

Build-It-Yourself Version

## Overview

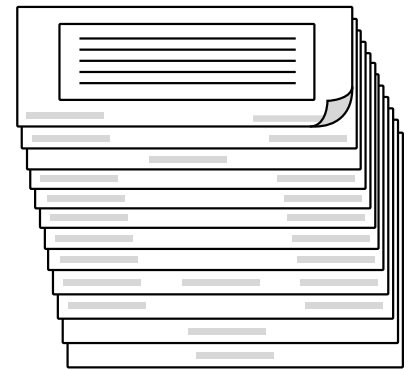
This Quick Reference Guide is a 'build it yourself' resource that can be taken into the poll location and used to quickly reference Election Day procedures and activities.

Refer to your state's election code to fill in specific information needed to be a well-informed Election Observer. The election codes by state have been aggregated by volunteers. Please see your state's codes by visiting:

<https://truethevote.org/info-by-state>

## Assembly Instructions

1. Print this document (double-sided, flip on the long edge)
2. Cut along the dotted line at the bottom of each page.
3. Order the pages according to the page numbers (don't include this page).
4. Align all pages along the top edge and staple.
5. Your finished document will have handy tabs along the bottom of each page for quick reference and space for taking notes as you flip the previous page.
6. Keep those elections honest and help true the vote!



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# North Carolina Election Observer Quick Reference Guide



## Polling Place Staff

Lead authority: \_\_\_\_\_

Other election workers: \_\_\_\_\_

## Primary Mission of a Poll Watcher

OBSERVE and DOCUMENT activities of the Election Workers at the poll to ensure that proper elections procedures are followed. DO NOT TALK or ENGAGE with voters in any way. If a voter or other person approaches you in the poll, walk over to the LEAD AUTHORITY and ask him/her to explain to the person that you are not allowed to speak to them.

**Staff & Mission**

**Hotline #:** \_\_\_\_\_

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## Notes & Election Codes

§ 163-41 - Precinct chief judges and judges of election: appointment; terms of office; qualifications; vacancies: oaths of office

(a) Appointment of Chief Judge & Judges. - ... the county board of elections shall appoint one person to act as chief judge and two other persons to act as judges of election for each precinct in the county. ... Persons appointed to these offices must be registered voters & residents of the county in which the precinct is located & able to read & write. Not more than one judge in each precinct shall belong to the same political party as the chief judge.

(b) The term "precinct official" shall mean chief judge & judges appointed & all assistants appointed pursuant to G.S. 163-42, ... No person shall be eligible to serve as a precinct official who holds any elective office under the government of the U.S./North Carolina or political subdivision. No person shall be any office in a state/congressional district/county/precinct political party/ or political organization/ or who is a manager or treasurer for any candidate/

(c) Chairman of each political party in the county recommend two registered voters in each precinct who are residents of precinct & able to read/write as chief judge in the precinct, and also recommend the same number of similarly qualified voters for appointment as judges of election in that precinct. ... In making its appointments, the county board shall assure no precinct has a chief judge & judges all of whom are registered with the same party. In no instance shall the county board appoint nonresidents of the precinct to a majority of the three positions of chief judge and judge in a precinct.

(e) ... each chief judge of election shall take & subscribe the following oath of office to be administered by an officer authorized with the county board of elections ... a person appointed chief judge by the judges of election under this section/ appointed judge of election by the chief judge under this section may take the oath of office immediately upon appointment. Before the opening of the polls on the morning of the election, the chief judge shall administer the oath set out in the preceding paragraph to each assistant, and any judge of election not previously sworn, substituting for the words "chief judge of the words "assistant in " or "judge of election in" ...

§ 163-47 - Powers and duties of chief judges and judges of election

(a) Chief judges/ judges of election shall conduct elections within their respective precincts fairly/impartially, & they shall enforce peace and good order in & about the place of registration/voting. County boards of elections shall ensure that the position of chief judge/judges of election are filled at each voting place for the duration of the duties of the positions on each day of voting in person at the voting place. (b) On the day of an election the chief judge shall have charge of the registration list for the purpose of passing on the registration of persons who present themselves at the polls to vote. (c) The chief judge/judges shall hear challenges of the right of registered voters to vote as provided by law. (d) The chief judge and judges shall count the votes cast in their precincts and make such returns of the same as is provided by law. (e) The chief judge/judges shall make such an accounting to the chairman of the county board of elections for ballots and for election supplies as is required by law. (f) The chief judge and judges of election shall act by a majority vote on all matters not assigned specifically by law to the chief judge or to a judge.

§ 163-42. Assistants at polls: appointment; term of office; qualifications: oath of office

(a) Each county board of elections is authorized to appoint two or more assistants for each precinct to aid the chief judge/judges. Not more than two assistants shall be appointed in precincts having 500 or less registered voters. ... Before entering upon the duties of the office, each assistant shall take the oath administered by the chief judge of the precinct for which the assistant is appointed. ...

(a) The chair of a county political party may send a runner to obtain copies of the list of persons who have voted at each voting place during the times the voting place is open for voting. ... (b) The runner shall only enter the voting enclosure to announce the runner's presence and obtain a copy of the list of the persons who have voted that day. The runner must leave immediately after being provided a copy of the list. (c) The State Board shall determine the times at which these lists may be obtained. However, runners must be able to obtain copies of the list at least three times each day with at least one hour between obtaining the copies. Counties using an "authorization to vote document" instead of pollbooks are in compliance with this requirement if they allow runners to inspect election records so that the runner can create a list of who has voted at each voting place. The State Board may also publish copies of the list of who has voted that day on the State Board's website.



### **What to Do If You See an Infraction**

- Notify the chief judge / judges of election of infraction (§ 163-47 & 48)
- If correction made: Document incident noting correction
- If correction not made: Document incident noting outcome
- Include time and names of Election Workers involved. DO NOT list names of voters.
- Description of violation:
  - What you witnessed and what was said
  - FACTS ONLY, leave out opinion/emotion
- Complete INCIDENT REPORT when time allows

### **Professional Conduct & Conflict Resolution**

- Remember: Your PRIMARY MISSION is observation & documentation
- Be professional in speech and body language
- Tone of voice says more than words chosen
- Avoid being dismissed as “disruptive”
- Know your election code as much as possible
- Ask the chief judge / judges of election to deal with hostile persons
- Dealing with errors by the chief judge (§ 163-47)
  - Politely point out correct action from reference materials
  - If not corrected, document and share with your state’s election authority

## **Infractions**

## **Conflict Resolution**

## Infractios

163-274. Certain acts declared misdemeanors.

... It shall be unlawful to do any of the following: (1) ... fail, as an officer/judge/or chief judge of an election, or member of any board of elections, to prepare the books/ballots/ & return blanks which is the duty under the law to prepare/distribute as required by law/or to perform any other duty imposed upon that person within the time & in the manner required by law. (2) Any member/director/ or employee of a board of elections to alter a voter registration application/other voter registration record without either the written authorization of the applicant/voter/or the written authorization of the State Board of Elections. (3) Any person to continue/attempt to act as a judge/chief judge of election/or a member of any board of elections, after having been legally removed from such position & after having been given notice of such removal. (4) Any person to break up/by force/or violence to stay/inferere with the holding of election, to interfere with the possession of any ballot box/election book/ballot/or return sheet by those entitled to possession under the law, or to interfere in any manner with the performance of any duty imposed by law upon any election officer/member of any board of elections. (5) Any person to be guilty of any botistorous conduct so as to disturb any member of any election board/chief judge/judge of election in the performance of that persons duties ... (6) Any persons to bet/wager any money/other thing of value on any election. (7) Any person, directly/indirectly, to discharge/threaten to discharge from employment/inimidate/or oppose any legally qualified voter on account of any vote such voter may cast/consider/intend to cast/not to cast/or which that voter may have failed to cast. (11) Any chair of county board of elections/returning officer to fail/neglect/willfully/or of malice, to perform any duty/act/matter/or thing required or directed in the time/manner/& form in which said duty, matter or thing is required to be performed in relation to any election and the returns. (12) Any clerk of the superior court to refuse to make & give to any persons applying in writing for the same a duly certified copy of returns/or of a tabulated statement to an election, the returns of which are by law deposited in his office, upon the tender of the fees. (13) Any person willfully & knowingly impose upon any ballot/interate voter a ballot in an election contrary to the wish/desire of such voter, by falsely representing to such voter the ballot proposed to the voter is of the voter desires. (14) Except as authorized by G.S. 163 82.15, for any person to provide false information, or sign the name of any other person, to a written report under G.S. 163 82.15. (15) Any person to be compensated based on the number of forms submitted for assisting persons in registering to vote. (16) Any person who is not an elections official or who is not otherwise authorized by law to retain a registrant's signature/full or partial Social Security number/date of birth/or the identity of the public agency at which the registrant registered ...

(a) ... for any person it shall be unlawful: (1) ... to allow his ballot to be seen by any person. (2) ... to take/remove/attempt to take or remove, any ballot from the voting enclosure. (3) ... to interfere with, or attempt to interfere with, any voter when inside the voting enclosure. (4) ... to interfere with/attempt to interfere with, any voter when marking his ballots. (5) ... to remain longer than specified time allowed in a voting booth, after being notified time has expired. (6) ... to endeavor to induce any voter, while within the voting enclosure, before depositing ballot(s), to show how marked ballot(s). (7) ... to aid/attempt to aid, any voter by means of any mechanical device/any other means while within the voting enclosure, in marking his ballots. (b) Election officers shall cause any person committing any of the offenses set forth in subsection (a) to be arrested...

## Conflict Resolution

§ 163-48 - Maintenance of order at place of registration and voting

The chief judge/judge of election shall enforce peace & good order in & about the place of registration/voting. They keep open & unobstructed the place at which voters/ persons seeking to register/ or vote have access to the place of registration & voting. They shall prevent & stop improper practices & attempts to obstruct/intimidate/ or interfere with any person in registering/voting. They shall protect challenger & witnesses against molestation & violence in the performance of their duties & may eject from the place of registration/voting any challenger/witness for violation of any provisions of the election laws. They shall prevent riots/violence/tumult/or disorder. In the discharge of the duties the chief judge/judge may call upon the sheriff/police/ or other peace officers to aid in enforcing the law. They may order the arrest of any person violating any provision of the election laws, but such arrest shall not prevent the person arrested from registering/voting if entitled to do so. The sheriff/police officers/ & other officers of the peace shall immediately obey & aid in the enforcement of any lawful order made by the precinct election officials in the enforcement of the election laws. The chief judge/judge of election or any precinct, or any 2 of such election officials, shall have the authority to deputize any person(s) as police officers to aid in maintaining order at the place of registration or voting.



### Arrival Checklist

- Check in with Chief Judge: The county board will supply the chief judge with a list of appointed observers for the polling place.
- Submit any required paperwork upon arrival and receive ID: The chief judge will verify the observer's identity.
- Badge if required: A badge will be worn so that voters and election officials know the observer's role.
- Ask Lead Authority for cell phone policy: Observers are allowed to use their phones to make or receive calls, and to take pictures, as long as it does not affect the privacy or conduct of the election/ election officials.

### Poll Layout

- Write your name, poll location info and date at top of note pad or on your phone
- Record names of all election workers
- Draw a schematic of the poll layout noting the placement of equipment

### Note Taking

- Observe and document all activities, include time of activity and brief description of events
- State observations using facts; DO NOT INCLUDE OPINIONS

### Opening Procedures

#### Things to watch for during the opening of the poll:

- The polls open at 6:30 a.m. (§ 163-166.25)
- The county board of elections, by law, must "Ensure that adequate procedures are in place at each voting place for a safe, secure, fair, and honest election." (§ 163-166.1)
- Check that the vote counts on the machines are set to zero and the ballot boxes, if any, are empty. (§ 163-33.2)
- See that all machines and boxes are sealed prior to the opening of the polls (§163-166.5)
- All voting machines/ballots/ballot boxes are accounted for and within your line of sight

## Opening the Polls

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## Opening the Polls

§ 163-166.25 - Hours for voting.

(a) On election day voting place shall open at 6:30 A.M. & shall closed at 7:30 P.M. If the polls are delayed in opening for more than 15 minutes, or are interrupted for more than 15 minutes after opening, the State Board may extend the closing time by an equal number of minutes. ...

§ 163-166.5. Procedures at voting place before voting begins

The State Board of Elections shall promulgate rules for precinct officials to set up the voting place before voting begins. Those rules shall emphasize:

(1) Continual participation/monitoring by officials of more than one party.

(2) Security of official ballots/records/& equipment. ...

§ 163-166.6. Designation of tasks.

The State Board of Elections shall promulgate rules for the delegation of tasks among the election officials at each precinct. Those rules shall emphasize:

(1) The need to place managerial responsibility upon the chief judge.

(2) The need to have maximum multiparty participation in all duties where questions of partisan partiality might be raised. ...

§ 163-33.2. Chairman and county board to examine voting machines

Prior to election the chairman & members of the county board of elections, in counties where voting machines are used, shall test vote, in a reasonable number of combinations, no less than 10% of all voting machines programmed for election, such machines to be selected at random by the board after programming has been completed, and further, the board shall record the serial numbers of the machines test voted in the official minutes of the board. ...

§ 163-166.1. Duties of county board of elections.

The county board of elections shall:

(1) Provide for the timely delivery to each voting place of the supplies, records, and equipment necessary for the conduct of the election.

(2) Ensure that adequate procedures are in place at each voting place for a safe, secure, fair, and honest election.

(3) Respond to precinct officials' questions and problems where necessary.

(4) Provide adequate technical support for the voting system, which shall be done in conjunction with the State Board of Elections.





### **Who can be in the voting area? According to § 163-166.3**

- Voters
- The election officials, observers, assistants
- A runner, only to the extent necessary to announce themselves and receive the voter list
- Interpreters providing assistance to voters
- Children under 18 accompanying a parent to vote
- Persons admitted to provide assistance to voter
- People participating in a simulated election approved by the county board
- Law enforcement officers who are aiding in enforcing the law (§ 163-48)

### **Valid Forms of ID If Required by Your State, as specified in § 163-166.16**

- Valid an unexpired or expired within one year: a NC DL, a special ID for nonoperators, or other form of non-temporary ID issued by DMV/DOT, a U.S Passport, a NC photo ID card, a student ID card, an employee ID card issued by a state or local government entity.
  - Any expired form of ID from a voter over 65 will be excepted, provided the ID was unexpired before their 65th birthday.
- A DL from a different state can be used if the voter's registration was within 90 days of the election.
- A military ID card, a veterans ID card, a tribal enrollment card, an ID card issued by a department, agency, or entity of the United States government or this State for a government program of public assistance.
- Exceptions to having to provide an ID: religious objection, the voter was reasonably impeded from having their photo taken for an ID, or they were the victim of a natural disaster within the last 100 days.
  - All those who claim one of these exceptions will complete an affidavit to confirm they're a registered voter and cast a provisional ballot.

## **Voting Area**

## **Valid Forms of ID**

## Voting Area

§ 163-166.3 - Limited access to the voting enclosure

- (a) ... During time allowed for voting only the following may enter the voting enclosure: 1. An election official. 2. An observer/student election assistant ... 3. A runner only to the extent necessary to announce runner's presence & receive the voter list ... 4. A person seeking to vote in that voting place only while in the process of voting/seeking to vote. 5. A voter in that precinct while entering or explaining a challenge ... 6. A person authorized under G.S. 163-166.8 to assist a voter ... 7. Minor children of the voter under the age of 18/or in care of the voter while under control of voter. 8. Persons conducting/participating in simulated election within the voting place/voting enclosure, if simulated election is approved by county board of elections. 9. Any person determined by election officials to have an urgent need to enter the voting enclosure but only to the extent necessary to address that need. ... No person shall photograph/video tape/or record the image of any voter within the voting enclosure, except with the permission of both voter & chief judge of the precinct. If the voter is a candidate, only the permission of the voter is required. ... This subsection does not apply to cameras used as a regular part of the security of the facility at voting place/early voting site. ... No person shall photograph/video tape/or record the image of a voted official ballot for any purpose not otherwise permitted under law.
- § 163-131. Accessible polling places.
- (a) The State Board of Elections shall promulgate rules to assure that any disabled/elderly voter assigned to an inaccessible polling place, upon advance request of such voter, will be assigned to an accessible polling place. Such rules should allow the request to be made in advance of the day of the election. ...
- § 163-166.2. Arrangement of the voting enclosure
- Each voting enclosure shall contain at a minimum:
- (1) A sufficient number of private spaces for voters to mark their official ballots in secrecy.
- (2) Adequate space & furniture for the separate functions of:
- (3) The checking of voter registration records.
- (4) The distribution of official ballots.
- (5) Private discussion with voters concerning irregular situations.
- (3) A telephone/facility for communication with county board of elections.
- § 163-166.4. Limitation on activity in the voting place and in a buffer zone around it.
- (a) ... the county board of elections shall, where practical, set limit at 50 feet from the door of entrance to the voting place, measured when that door is closed, but not at more than 50 feet or at less than 25 feet.
- (b) ... not be permitted on non-government property adjacent to the buffer zone, if the Executive Director finds all of the following:
- (1) No other suitable voting place can be secured for the precinct.
- (2) The county board will require the chief judge of the precinct to monitor the grounds around the voting place to ensure that the restriction on election-related activity shall apply to all candidates & parties equally.
- (3) The pattern of voting places subject to agreements under this subsection does not disproportionately favor any party/racial/ethnic group/or candidate.
- (4) That the county board has attempted to secure as a term of the agreement at least 36 hours prior to the opening of the voting place and at least 36 hours after the close of the voting place, as provided in G.S. 163-166.25, for candidates to place and retrieve political advertising. The agreement may also provide that any political advertising placed outside the times specified in this subsection may be removed by the property owner. An agreement under this subsection shall be valid for as long as the nonpublic building is used as a voting place.

## Valid Forms of ID

- 163-166.16. Requirement for photo identification to vote in person.
- When a registered voter presents to vote in person the registered voter shall produce any of the following forms of identification that contain a photograph of the registered voter:
- (1) Any of the following that is valid & unexpired or expired for one year or less: a. A North Carolina drivers license. b. A special ID card for nonoperators/other form of non-temporary ID issued by DMV/DOT. c. A U.S. passport. d. North Carolina voter photo ID card ... g. A student identification card issued by a constituent institution of The University of North Carolina/community college/ or eligible private postsecondary institution ... h. An employee identification card issued by a state/local government/ or charter school. i. A drivers license or special identification card for nonoperators issued by another state/District of Columbia/territory or commonwealth of the U.S. but only if the voter's voter registration was within 90 days of the election.
- Any of the following, regardless of whether ID contains expiration or issuance date:
- a. A military identification card issued by the U.S. government. b. A Veterans identification card issued by U.S.D.V.A. used at VA medical facilities c. A tribal enrollment card issued by a state/federal recognized tribe. d. An identification card issued by a department/agency/or U.S./State government program of public assistance.
- (3) Any expired form of identification allowed in this subsection presented by a registered voter having attained the age of 65 years at the time of presentation at the voting place provided that the identification was unexpired on the registered voters 65 birthday.
- (b) After presentation of the required ID described the precinct officials assigned to check registration shall compare the photograph contained on the required ID with the person presenting to vote. The precinct official shall verify that the photograph is of the person seeking to vote. If the precinct official disputes that the photograph contained on the required identification is the person presenting to vote, a challenge shall be conducted in accordance with the procedures of G.S. 163-88. A voter shall be permitted to vote unless the judges of election present unanimously agree that the photo ID presented does not bear a reasonable resemblance to that voter.
- (e) State Board shall adopt a reasonable impediment declaration form that, at a minimum, includes the following as separate boxes that a registered voter may check to identify the registered voter's reasonable impediment:
1. Inability to obtain photo identification due to: A. Lack of transportation. B. Disability/illness. C. Lack of birth certificate/other underlying documents required. D. Work schedule. E. Family responsibilities.
2. Lost or stolen photo identification.
3. Photo identification applied for but not yet received by the registered voter.
4. If the registered voter checks the "other reasonable impediment" box, a further written ID of the reasonable impediment shall be required, including the option to indicate that State/federal law prohibits listing the impediment (See "Additional Notes" section for exceptions to ID laws)



### **Voter Check-In**

A person seeking to vote shall enter the voting enclosure, or polling place. A precinct official assigned to check registration will ask the voter for their name and current address. The voter will respond with the information as well as valid photo identification. After examination, that official shall state whether or not that voter is duly registered to vote in that precinct. (§ 163-166.7)

If a precinct official states that the person is duly registered, the voter will sign their name on the pollbook, other voting record, or voter authorization document (if the voter cannot sign their name, then the precinct officer will sign before the voter can vote), then they will be given an official ballot and directed to the voting equipment to vote. The precinct officials will provide any information/assistance the voter needs. (§ 163-166.7)

If the voter's identity is not found to be a qualified voter, they will be challenged. The challenge will be immediately dealt with by the chief judge and judges of election. If the judges of election present unanimously agree that the photo identification presented does not bear a reasonable resemblance to that voter, they will not be allowed to vote, though they can still vote provisionally if they cannot produce a valid form of ID. If the challenged voter insists that they are qualified, they will need to take a sworn oath that they are a qualified voter in the United States, they have not voted, and they are a qualified voter in that precinct. If the challenged voter takes that oath, the precinct officials conducting the hearing may, nevertheless, sustain the challenge unless they are satisfied that the challenged registrant is a legal voter. Once they are satisfied, the voter will be allowed to vote. The chief judge or judge of election will write on the registration record and on the pollbook opposite the registrant's name "sworn." (§ 163-88.)

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### **Voter Check-In**

## Voter Check-In

§ 163-166.7. Voting procedures.

(a) A precinct official assigned to check registration shall at once ask the voter to state current name & residence address. The voter shall answer by stating current name/residence address & presenting photo identification ... After examination, official shall state whether voter is duly registered to vote in that precinct/direct voter to voting equipment or official assigned to distribute official ballots; if person is duly registered, person shall sign the pollbook/other voting record/or voter authorization document ... (b) ... voter is found duly registered/not been successfully challenged, official assigned to distribute official ballots shall hand the voter the official ballot & voter is entitled to vote/voter directed to voting equipment that contains the official ballot. The precinct officials shall provide the voter with any information the voter requests to enable that voter to vote as desired.

(c) State Board of Elections shall promulgate rules for the process of voting ... Those rules, at a minimum, shall include procedures to ensure that all the following occur:

(1) The voting system remains secure throughout the period voting is being conducted.

(2) Only properly voted official ballots are introduced into the voting system:

(3) ... no official ballots leave the voting enclosure during the time voting is being conducted there. Rules shall also provide during that time no one shall remove from the voting enclosure any paper record/copy of an individually voted ballot/any other device/or item whose removal from voting enclosure could permit compromise of the integrity of either machine count/the paper record.

(4) All improperly voted official ballots are returned to the precinct officials & marked as spoiled.

(5) Voters leave the voting place promptly after voting.

(6) Voters not clearly eligible to vote in the precinct but who seek to vote there are given proper assistance in voting a provisional official ballot or guidance to another voting place where they are eligible to vote.

(7) Information gleaned through voting process that would be helpful to the accurate maintenance of voter registration records is recorded & delivered to the county board of elections.

(8) The registration records are kept secure. State Board of Elections shall permit use of electronic registration records in the voting place in lieu of or in addition to a paper pollbook/registration record.

(9) Observers are given access to current information about which voters have voted.

(10) The voter, before voting, shall sign voter's name on the pollbook/other voting record/or voter authorization document. If voter is unable to sign, precinct official shall enter person's name on the same document before the voter votes.

§ 163-82.6b. Same day registration.

(a) Any provision of law to the contrary, an individual who is qualified to register to vote may register in person & then vote at an early voting site in individual's county of residence during period of early voting ...

(b) To register and vote under this section, an individual shall do all of the following:

(1) Complete a voter registration application form as prescribed in G.S. 163-82.4.

(2) Provide proof of residence by presenting a HAVA document listing current name/residence address.

(3) Present photo identification in accordance with G.S. 163-166.16.

(c) An applicant who registers under this section shall vote retrievable immediately after submitting the voter registration application form.

(e) A "HAVA document" is any of the following that shows the name & address of the individual:

(1) A current utility bill. (2) A current bank statement. (3) A current government check. (4) A current paycheck. (5) Another current government document. (6) Current document issued from institution who issued the photo identification ...

§ 163-88. Hearing on challenge made during early voting and on day of primary or election.

(a) A challenge entered on the day of a primary or election, or during the hours for early voting ... shall be heard and decided by the chief judge and judges of election of the precinct or early voting site ... before the polls are closed on the day the challenge is made. When the challenge is heard the precinct officials conducting the hearing shall explain to the challenged registrant the qualifications for registration and voting in this State, and shall examine him or her as to his or her qualifications to be registered and to vote. If the challenged registrant insists that he or she is qualified, and if, by sworn testimony, he or she shall prove his or her identity with the person in whose name he or she offers to vote and his or her continued residence in the precinct since being registered, one of the judges of election or the chief judge shall tender to him or her the following oath or affirmation: "You do solemnly swear (or affirm) that you are a citizen of the United States; that you are at least 18 years of age [or will become 18 by the date that you are not disqualified from voting by the Constitution and laws of this State; that your name is \_\_\_\_\_, and that in such name you were duly registered as a voter of this precinct; that you are the person you represent yourself to be; [that you are affiliated with the \_\_\_\_\_ party]; and that you have not voted in this [primary] election at this or any other voting place. So help you, God." If the challenged registrant refuses to take the tendered oath, the challenge shall be sustained, and the precinct officials conducting the hearing shall mark the registration records to reflect their decision, and they shall erase the challenger's name from the pollbook if it has been entered therein. If the challenged registrant takes the tendered oath, the precinct officials conducting the hearing may, nevertheless, sustain the challenge unless they are satisfied that the challenged registrant is a legal voter. If they are satisfied that he or she is a legal voter, they shall overturn the challenge and permit the voter to vote. Whenever any person's vote is received after having taken the oath prescribed in this section, the chief judge or one of the judges of election shall write on the registration record and on the pollbook the name of the voter.



### Paper Ballots and Ballot Box

Paper ballots "shall be maintained in a secure fashion" (§ 163-165.7)

Paper ballots marked by the voter and counted by hand shall be deemed a certified voting system. (§ 163-165.7)

As stated in the previous section "Opening the Polls", the safety and security of ballots must be maintained. The secrecy of a voter's ballot must also be a high priority.

There are laws for depositing early ballots and absentee ballots in ballot boxes (§ 163-231 & § (163-166.45), but otherwise the law does not specify where they go in the polling place on election day. You can talk to your county board of elections about the specific guidelines your polling place must follow to ensure your elections are secure.

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### Electronic Ballots

Electronic voting machines cannot be connected to a network, and any function allowing it to connect to a network must be turned off. (§ 163-165.7)

Electronic voting machines must leave a paper trail to serve as a back up if a hand count is necessary. (§ 163-165.7)

The voting machines will be tested prior to election day. (08 NCAC 04 .0307)

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## Paper Ballots

## Electronic Ballots

## Paper Ballots

§ 163 165.4A. Punch card ballots and lever machines.

(a) No ballot may be used in any election as an official ballot if it requires the voter to punch out a hole with a stylus or other tool.

(b) No lever machine voting system may be used in election as a means of voting the official ballot. . . .

Section 163-165.4C - Prohibited voting systems

A voting system that does not use or produce a ballot shall not be used in any referendum, primary, or other election as a means of voting or counting an official ballot.

§ 163-231. Voting absentee ballots and transmitting them to the county board of elections.

... (c) Delivering Executed Absentee Ballots in Person. - For purposes of this section, "Delivered in person" includes physically handling the voted absentee ballot to an election official at an early voting site under Part 5 of Article 14A of this Chapter during any time that early voting site is open for voting, but does not include depositing the voted absentee ballot in a drop box or other location designated for the return of voted absentee ballots. The voted absentee ballots delivered to the early voting site shall be kept securely and delivered by election officials at that early voting site to the county board of elections office for processing.

§ 163 166.45. Retrievable ballots.

If a county uses a voting system with retrievable ballots, that county's board of elections may by resolution elect to conduct early voting according to the provisions of this Part. In a county in which the board has opted to do so, a voter during early voting shall cast the ballot and then shall deposit the ballot in the ballot box or voting system in the same manner as if such box or system was in use in a precinct on election day. At the end of each business day, or at any time when there will be no employee or officer of the board of elections on the premises, the ballot box or system shall be secured in accordance with a plan approved by the State Board, which shall include that no additional ballots have been placed in the box or system...

## Electronic Ballots

08 NCAC 04 .0307 Testing of Voting System Before Use in an Election

(a) County board of elections shall test, or supervise the testing, of each voting system or unit that will be used in the election to ensure that the system is operational and has been programmed to count votes accurately. . . . record maintained along with the voted/unvoted ballots at the county board of elections office that shall include, at a minimum, the following information:

(1) the dates/times/& method of testing used;

(2) the results of the test; &

(3) the names of the persons conducting the test.

(b) Any interested person may observe the testing of the voting system but shall not interfere with/impepe process. For the purpose of testing a voting system prior to the purchase or lease of the system, testing at a one-stop absentee voting site shall fulfill the requirement to test the voting system in a precinct within the county.

Section 163-165.7 - Voting systems: powers and duties of State Board

(a) Only voting systems that have been certified by the State Board of Elections in accordance with the procedures set forth by the State Board of Elections and subject to the standards set forth in this section and that have not been subsequently decertified shall be permitted for use in elections in this State. Those certified voting systems shall be valid in any election held in the State or in any county, municipality, or other electoral district in the State. Subject to all other applicable rules adopted by the State Board of Elections and, with respect to federal elections, subject to all applicable federal regulations governing voting systems, paper ballots marked by the voter and counted by hand shall be deemed a certified voting system. The State Board of Elections shall certify optical scan voting systems, optical scan with ballot markers voting systems, and direct record electronic voting systems if any of those systems meet all applicable requirements of federal and State law. The State Board may certify voting systems only if they meet the requirements set forth in this section and only if they generate a paper ballot which provides a backup means of counting the vote that the voter casts. Those voting systems may include optical scan and direct record electronic (DRE) voting systems that produce a paper ballot. Among other requirements as set by the State Board of Elections, the certification requirements shall require at least all of the following elements:

... (4) With respect to electronic voting systems, that the voting system generate a paper ballot of each individual vote cast, which paper ballot shall be maintained in a secure fashion and shall serve as a backup record for purposes of any hand-to-eye count, hand-to-eye recount, or other audit. Electronic systems that employ optical scan technology to count paper ballots shall be deemed to satisfy this requirement. (5) With respect to DRE voting systems, that the paper ballot generated by the system be viewable by the voter before the vote is cast electronically, and that the system permit the voter to correct any discrepancy between the electronic vote and the paper ballot before the vote is cast.

(e) Prior to certifying a voting system, the State Board of Elections shall review, or designate an independent expert to review, all source code made available by the vendor pursuant to this section and certify only those voting systems compliant with State and federal law. At a minimum, the State Board's review shall include a review of security, application non-vulnerability, application code, wireless security, security policy and processes, security/privacy program management, technology infrastructure and security controls, security organization and governance, and operational effectiveness, as applicable to that voting system. (f) No voting system used in any election in this State shall be connected to a network, and any feature allowing connection to a network shall be disabled. Prohibited network connections include the Internet, intranet, fax, telephone line, networks established via modem, or any other wired or wireless connection.



### Provisional Ballots

If the individual can't be found to be a registered voter on the official list of voters, but they insist on voting, they can vote by provisional ballot.

Some examples of the issue are:

- Voter is in the wrong precinct
- Voter has an address that is outside the country
- Voter cannot produce a valid form of ID (§ 163-166.16)
- Voter not qualified but insist on voting

#### Provisional ballot procedures that should be followed in your state:

- The voter must sign a written statement that they are a registered voter in the jurisdiction in which the individual seeks to vote & is eligible to vote in that election. (§ 163-166.11)
- The election official issuing the ballot will annotate in writing or other means on the ballot that it is a provisional ballot. (§ 163 - 166.11A)
- A voter who has moved into the county more than 30 days before the election and didn't report the move to the county board of election can cast an absentee ballot according to the provisions in § 163-166.11.
- After casting a provisional ballot, the election officials will give the voter instructions on how to tell if their vote was counted after the election. (§ 163-166.11)

### Mail Ballots

**Mail Ballots:** The county will count all absentee ballots the night before the election, then send out a list of all those who have voted absentee to election officials. If anyone comes in wanting to vote that has already voted by absentee ballot, they will be challenged. (§ 163-232)

- The county board of elections shall meet at 5:00 P.M. on election day in the board office or other public location in the county courthouse for the purpose of counting all absentee ballots except those which have been challenged before 5:00 P.M. on election day, those received on election day, & those received pursuant to G.S. 163-231(b)(2). Any elector of the county shall be permitted to attend the meeting & allowed to observe the counting process, so long as the elector does not in any manner interfere with the election officials in the discharge of their duties. (§ 163-234)
- Absentee ballot must have signatures from two witnesses (§ 163-231.)
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## Provisional Ballots

## Mail Ballots

## Provisional Voting

§ 163 166.11. Provisional voting requirements.  
 If an individual seeking to vote claims to be a registered voter in a jurisdiction & though eligible to vote in the election does not appear on official list of eligible registered voters in the voting place, that individual may cast a provisional official ballot as follows:

- (1) Election official at the voting place shall notify the individual that the individual may cast a provisional official ballot in that election. (2) The individual may cast a provisional official ballot at voting place upon executing a written affirmation before an election official at the voting place, stating the individual is a registered voter in the jurisdiction as provided in which the individual seeks to vote & is eligible to vote in that election. (3) A voter who has moved within the county more than 30 days before election day but has not reported the move to the board of elections shall not be required on that account to vote a provisional ballot at the one stop site, as long as the one stop site has available all the information necessary to determine whether a voter is registered to vote in the county & which ballot the voter is eligible to vote based on the voter's proper residence address. The voter with that kind of unreported move shall be allowed to vote the same kind of absentee ballot as other one stop voters as provided in G.S. 163 227.2. (4) At the time the individual casts the provisional official ballot, the election officials shall provide the individual in written information stating anyone casting a provisional official ballot can ascertain whether & to what extent the ballot was counted & if the ballot was not counted in whole or in part, the reason it was not counted. The State Board of Elections or the county board of elections shall establish a system for so informing a provisional voter. It shall make the system available to every provisional voter without charge, and it shall build into a reasonable procedures to protect the security/ confidentiality/ & integrity of the voter's personal information & vote.
- § 163 166.11A. Notation on provisional ballot.  
 Whenever a voter is permitted to vote a provisional ballot, the election official issuing the ballot shall annotate in writing/other means on the ballot that it is a provisional ballot.

§ 163-166.16. Requirement for photo identification to vote in person.  
 (c) If the registered voter cannot produce identification as required, the registered voter may cast a provisional ballot that is counted only if the registered voter brings an acceptable form of photograph identification to the county board of elections no later than the end of business on the day prior to the canvass by the county board of elections. State Board shall provide the registered voter casting a provisional ballot due to failure to provide photo identification an information sheet on the deadline to return to the county board of elections to present photo identification, and what forms of photo identification are acceptable, in order for the voter's provisional ballot to be counted.  
 § 163-166.12. Requirements for certain voters who register by mail.  
 (e) If an individual is required to present identification in order to vote, but that individual does not present the required identification, that individual may vote a provisional official ballot. If the voter is at the voting place, the voter may vote provisionally there without unnecessary delay. If the voter is voting by mail-in absentee ballot, the mailed ballot without the required identification shall be treated as a provisional official ballot. ...

## Mail Ballots

§ 163-166.12. Requirements for certain voters who register by mail.  
 (b) Individual who has registered to vote by mail on or after January 1, 2003, and has not previously voted in an election that includes a ballot item for federal office in North Carolina, in order to cast a mail-in absentee vote, shall submit with the mailed-in absentee ballot one of the following: (1) A copy of a current & valid photo ID.  
 (2) A copy of one of the following documents that shows the name & address of the voter: current utility bill/bank statement/government check/paycheck/or other government document. ...

§ 163-234. Counting absentee ballots by county board of elections.  
 All absentee ballots returned to the county board of elections in the container-return envelope shall be retained by the county board of elections to be counted by

(1) Only those absentee ballots returned to the county board of elections in a properly executed container-return envelope/returned shall be counted. Absentee

ballots not received pursuant to all requirements shall not be deemed to be valid & shall not be counted. Absentee ballots received prior to election day shall be counted on election day. An absentee ballot returned in an executed container-return envelope containing a deficiency listed in G.S. 163-230.1(e) shall be counted if documentation curing the deficiency is timely received by county board of elections in accordance with the requirements. (2) The county board of elections shall meet at 5:00 P.M. on election day in the board office or other public location in the county courthouses for the purpose of counting all absentee ballots except those which have been challenged before 5:00 P.M. on election day, those received on election day, & those received pursuant to G.S. 163-231(b)(2). Any elector of the county shall be permitted to attend the meeting & allowed to observe the counting process, so long as the elector does not in any manner interfere with the election officials in the discharge of their duties. The county board of elections may begin counting absentee ballots between the hours of 9:00 A.M. - 5:00 P.M. and may begin counting all absentee ballots between the hours of 7:00 P.M. - 5:00 P.M. upon the adoption of a resolution at least two weeks prior to the election in which the hour & place of board shall not announce the results of the count before 7:30 P.M. (3) County board of elections may, at each meeting at which it approves absentee ballot applications remove those ballots from their envelopes & have them read by an optical scanning machine, without printing the totals on the scanner. ... (4) The counting of absentee ballots shall be stated. ... The count shall be continued until completed & the members shall not separate/leave the counting place except for unavoidable necessity, except that if the count has been completed prior to the time the polls close, it shall be suspended until that time pending receipt of any additional ballots. Nothing in this section prohibits county board of election from taking preparatory steps for the count earlier than the times specified in this section, as long as the preparatory steps do not reveal to any individual not engaged in the actual count election results before the times specified for the count to begin. The board shall not announce the results of the count before 7:30 P.M. (3) County board of elections may, at each meeting at which it approves absentee ballot applications remove those ballots from their envelopes & have them read by an optical scanning machine, without printing the totals on the scanner. ... (4) The counting of absentee ballots shall be stated. ... The count shall be continued until completed & the members shall not separate/leave the counting place except for unavoidable necessity, except that if the count has been completed prior to the time the polls close, it shall be suspended until that time pending receipt of any additional ballots. Nothing in this section prohibits county board of election from taking preparatory steps for the count earlier than the times specified in this section, as long as the preparatory steps do not reveal to any individual not engaged in the actual count election results before the times specified for the count to begin. The board shall check off the name. Preserving secrecy, the ballots shall be placed in the appropriate ballot boxes, at least one of which shall be provided for each type of ballot. After all ballots have been placed in the boxes, the counting process shall begin. If a challenge transmission shall be placed in the boxes, the board shall be notified immediately by the State Board. The absentee voters' name entered in the pollbook. The county board of elections is responsible for the safekeeping of the pollbook of absentee voters. (7) Upon completion of the counting process the board members shall cause the results of the tally to be entered on the absentee abstract prescribed by the State Board. The abstract shall be signed by the members of the board in attendance and the original mailed immediately to the State Board. (8) One copy of the absentee abstract shall be retained by the county board of elections and the totals appearing on the absentee abstract shall be added to the final totals of all votes cast in the county for each absentee ballot due to illness or other cause of the member, the counting shall not commence until the county party chair of the absent member, or a member of the party's county executive committee. The person shall act as an official witness to the counting and shall include his or her printed name and signature on the absentee ballot abstract, along with the name of who designated him or her to attend. ... See Additional Notes for "§ 163-231. Voting absentee ballots and transmitting them to the county board of elections." and "§ 163-232 - Certified list of executed absentee ballots; distribution of list"





## **Curbside Voting**

For voters physically able to make it to the polling place, but unable to enter polling place due to physical disability &/ or physical barriers, they will be allowed to vote from their car or in the immediate proximity of the polling place. (§ 163-166.9)

## **Rules on Voters Needing Assistance**

Only those who have a physical disability and are unable to enter the voting booth without assistance or unable to mark a ballot without assistance, and those who are illiterate or blind may request assistance. After stating their reason for assistance to the chief judge, they will be allowed to choose someone to help them. If the person chosen meets the criteria of being allowed to offer assistance, then they can assist the voter in voting. The precinct officials will maintain a log of who gives assistance to any voter in the voting place. (§ 163-166.8)

## **Who may provide assistance to a voter?**

The voter's spouse, brother, sister, parent, grandparent, child, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, stepparent, or stepchild, as chosen by the voter. The chief judge, one of the other election officials, or one of the assistants may provide aid to the voter if so requested. They cannot receive assistance from their employer/agent of employer/officer or agent of their union. (§ 163-166.8)

## **Electioneering**

There can be no electioneering in the buffer zone, which is a limit of more than 50 feet and no less than 25 feet away from the polling place. Outside of this range, people are allowed to distribute campaign literature, place political advertising, solicit votes, or otherwise engage in election-related activity. (§ 163-166.4)

**Curbside Voting**

**Voters Needing Assistance**

**Electioneering**

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## Curbside Voting

§ 163-166.9. Curbside voting.

(a) In any election or referendum, if any qualified voter is able to travel to the voting place, but because of age or physical disability & physical barriers encountered at the voting place is unable to enter the voting enclosure to vote in person without physical assistance, that voter shall be allowed to vote either in the vehicle conveying that voter or in the immediate proximity of the voting place. ...

## Voters Needing Assistance

(a) Any registered voter qualified to vote in the election shall be entitled to assistance with entering/exiting the voting booth & in preparing ballots with the following rules:

(1) Any voter is entitled to assistance from the voter's spouse/brother/sister/parent/grandparent/child or / grandchild/mother-in-law/father-in-law/daughter-in-law/son-in-law/stepparent/stepchild, as chosen by the voter.

(2) A voter in any of the following 4 categories is entitled to assistance from a person of the voter's choice other than the voter's employer/agent of employer/officer or agent of the voter's union:

a. ...physical disability is unable to enter the voting booth without assistance.

b. ...physical disability, is unable to mark a ballot without assistance.

c. ...illiteracy, is unable to mark a ballot without assistance.

d. ...blindness, is unable to enter the voting booth/mark a ballot without assistance.

(b) A qualified voter seeking assistance in an election shall, upon arriving at the voting place, request permission from chief judge to have assistance, stating the reasons. If the chief judge determines that such assistance is appropriate, chief judge shall ask the voter to point out & identify the person the voter desires to provide such assistance. If the identified person meets the criteria of this section, chief judge shall request the person indicated to render the assistance. Chief judge/one of the judges/ or one of the assistants may provide aid to the voter if so requested, if the election official is not prohibited by this section. Under no circumstances shall any precinct official be assigned to assist a voter qualified for assistance, who was not specified by the voter.

(c) A person rendering assistance to a voter in an election shall be admitted to the voting booth with the voter being assisted. State Board of Elections shall promulgate rules governing voter assistance, & those rules shall adhere to the following guidelines:

(1) The person rendering assistance shall not in any manner seek to persuade/induce any voter to cast any vote in any particular way.

(2) The person rendering assistance shall not make or keep any memorandum of anything which occurs within the voting booth.

(3) The person rendering assistance shall not, directly/indirectly, reveal to any person how the assisted voter marked ballots, unless the person rendering assistance is called upon to testify in a judicial proceeding for a violation of the election laws.

(d) Precinct officials shall maintain a log of any individual, other than a minor child under the age of 18 in the care of a voter, who enters the voting place pursuant to this section & is not seeking to vote in that voting place. The log shall include the printed name/address of the individual entering the voting place/ time the individual entered the voting place/& space for that individual's signature.

## Electioneering

§ 163-166.4 - Limitation on activity in the voting place and in a buffer zone around it

(a) ... No person or group of persons shall hinder access, harass others, distribute campaign literature, place political advertising, solicit votes, or otherwise engage in election-related activity in the voting place or in a buffer zone which shall be prescribed by the county board of elections around the voting place. In determining the dimensions of that buffer zone for each voting place, the county board of elections shall set the limit at more than 50 feet or at less than 25 feet. (b) ... the county board of elections shall also provide an area adjacent to the buffer zone for each voting place in which persons or groups of persons may distribute campaign literature/place political advertising/solicit votes/or engage in election-related activity.

(d) ... No later than 30 days before each election, the county board of elections shall make available to the public the following information concerning each voting place:

(1) The door from which the buffer zone is measured.

(2) The distance the buffer zone extends from that door.

(3) Any available information concerning where political activity, including sign placement, is permitted beyond the buffer zone.



## Closing Procedures

- State Board of Elections shall promulgate rules for closing the voting place, so it is not explicitly stated in the law, but the law does provide a framework for these rules. (§ 163-166.10)
- Precinct officials must perform the following:
  - Count votes, when they're required to be counted at the voting place. Counting at the precinct will include precinct officials of all political parties present; counting at the county board of elections will include the supervision of board members of all political parties present (§ 163-182.2)
  - If there is any discrepancy between the hand-counted and machine-counted votes, the hand-counted amount will be the official amount. § 163-182.2
  - Write an unofficial report of the returns for the county board of elections (§ 163-166.17)
  - Certify election integrity and the safety of the ballots at the polls (§ 163-166.17)
  - Return official ballots and equipment to the county board of elections (§ 163-166.17)
- Any member of the public wishing to witness vote count at any level shall be allowed to do so (§ 163-182.2)

## Voting After the Polls Close

- Doors close at 7:30pm. (See Additional Notes section for §163-166.25 - Hours for voting.)
- If the polls were delayed in opening by more than 15 minutes, they can extend the closing time by an equal amount.
- Anyone in line to vote when the polls close will still be allowed to vote.
- Anyone who votes after 7:30 by a federal order or any other lawful order will be allowed to vote by provisional ballot.

## Securing and Transporting Ballots / Equipment

- All official ballots -- regular/provisional/voted/unvoted/& spoiled -- must be accounted for and returned to the county board of elections. (§ 163-166.10 and § 163-166.11)
  - There must be "prompt and secure transmission of official ballots from the voting place to the county board of elections" following the count. (§ 163 182.2)
- Precinct officials from more than one party must certify the ballots & voter-authorization documents. (§ 163-166.17)
- Registration documents & information gathered through the voting process helpful in maintaining the accuracy of the voter registration records will be delivered to the county board of elections.
- Any member of the public wishing to witness vote count at any level shall be allowed to do so. (§ 163-182.2.)

## Breaking Down Equipment

- State law requires poll workers to account for all election equipment and return it to the county board of elections. For more specific instructions please reach out to your county board.

# Closing the Poll

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## Closing the Poll

§ 163-132.5G. Voting data maintained by precinct.

(a) Each county board of elections shall maintain voting data by voting precinct so that precinct returns for each item on the ballot shall include the votes cast by all residents of that voting precinct who voted, regardless of where that voter cast ballot. The county board shall not be required to report returns by voting precinct for voters who voted other than at voting precinct associated with that voter's voter registration on election day until 30 days after the election. (a1) In reporting returns, all of the following shall apply: (1) The county board shall not compromise the secrecy of an individual's ballot. (2) The county board shall report, by precinct for each item on the ballot, the number of voters who did not select a choice for that item on the ballot. (3) The county board shall report, by precinct for each item on the ballot, the number of voters who selected more choices than available for that item on the ballot. (4) The county board shall report ballots cast during early voting from mail-in absentee ballots cast ...

§ 163-166.10. Procedures after the close of voting.

State Board of Elections shall promulgate rules for closing the voting place & delivering voting information to the county board of elections for counting/ canvassing/ & record maintenance. Those rules shall emphasize security/accuracy/participation by representatives of more than one political party, openness of the process to public inspection ... The rules, at a minimum, shall include procedures to ensure all of the following: (1) The return & accurate accounting of all official ballots regular/provisional/voted/unvoted/spoiled according to the provisions of Article 15A of this Chapter. (2) Certification of ballots & voter-authorization documents by precinct officials of more than one political party. (3) Delivery to county board of elections of registration documents & information gleaned through the voting process helpful in the accurate maintenance of the voter registration records.

(4) The return to the county board of all issued equipment.

(5) The restoration of the voting place to the condition in which it was found ...

§ 163-166.11. Provisional voting requirements.

(5) ... At the close of the polls, election officials shall transmit the provisional official ballots cast at that voting place to the county board of elections for prompt verification according to guidelines and procedures adopted by the State Board of Elections. No later than 12:00 P.M. two days after the close of the polls, the county board of elections shall publish the number of provisional ballots cast on election day, cast by one stop absentee voting, cast by mail in absentee ballots received as of election day, and cast by military and overseas absentee ballots cast under Article 21A of this Chapter and received as of election day ...

§ 163-166.17 - Summary of Officials duties

(b) Precinct officials, in accordance with rules of the State Board of Elections and under the supervision of the county board of elections, shall perform all of the following:

(1) Count votes when votes are required to be counted at the voting place.

(2) Make an unofficial report of returns to county board of elections.

(3) Certify the integrity of the vote & the security of the official ballots at the voting place. ...

(4) Return official ballots & equipment to the county board of elections.

(c) The county board of elections ... shall perform all of the following:

(1) Count absentee/provisional official ballots/ & other official ballots required to be initially counted by county board of elections.

(2) Canvass results in all ballot items on the official ballot in the county.

(3) Order a recount in any ballot item on the official ballot in the county, where necessary to complete the canvass, and where not prohibited from doing so.

(4) Conduct any recount that has been ordered by the county board of elections/State Board of Elections/or that has been properly demanded

(5) Conduct hearings in election protests as provided

(6) Prepare abstracts of returns in all the ballot items in the county.

(7) Retain one original abstract and distribute the other two originals as follows:

a. One to the clerk of superior court in the county.

b. One to the State Board of Elections.

(8) Issue a certificate of nomination or election/certification of the results of a referendum in each ballot item within the jurisdiction of the county board of elections. Provide a copy of the certificate to the clerk of court. ...

§ 163-182.2. Initial counting of official ballots.

(a) The initial counting of official ballots cast on election day conducted as following principles:

(1) Vote counting of ballots cast at the precinct on election day shall occur immediately after the polls close/shall be continuous until completed. If ballots cast are counted electronically, that count shall commence at the time the polls close. If ballots cast are paper ballots counted manually, that count shall commence at the same time as mail-in absentee ballots cast are counted. (2) Vote counting at the precinct shall be conducted with the participation of precinct officials of all political parties then present. Vote counting at the county board of elections shall be conducted in the presence or under the supervision of board members of all political parties present. (3) Public wishing to witness vote count at any level shall be allowed to do so. No witness shall interfere with the orderly counting of the official ballots. Witnesses shall not participate in the official counting of official ballots. (4) If the county board of elections finds that an individual voting a provisional official ballot (i) was registered in the county (ii) voted in the proper precinct & (iii) was otherwise eligible to vote, the provisional official ballots shall be counted by county board of elections before the canvass. ... otherwise the ballot shall not be counted. ... (5) Precinct officials shall provide a preliminary report of the vote counting on election day to the county board of elections as quickly as possible. The preliminary report shall be unofficial, has no binding effect upon the official county canvass to follow, & shall include the number of provisional ballots cast in that precinct.

(6) Counties that use any certified mechanical/electronic voting system, subject to the sample counts & of a hand-to-eye recount a board of elections shall rely in its canvass on the mechanical/electronic count of the vote rather than the full hand-to-eye count of the paper ballots/records. In the event of a material discrepancy between the electronic/mechanical count & a hand-to-eye count/record, the hand-to-eye count/recount shall control, except where paper ballots/ records have been lost or destroyed or where there is another reasonable basis to conclude that the hand-to-eye count is not the true count. (b) The State Board shall promulgate rules for the initial counting of all official ballots. All election officials shall be governed by those rules. ... following guidelines: (1) For each voting system used, the rules shall specify the role of precinct officials/county board of elections in the initial counting of official ballots. (2) For optical scan/direct record electronic voting systems/ & for any other voting systems in which ballots are counted other than on paper by hand and eye, those rules shall provide for a sample hand-to-eye count of paper ballots or a sampling of a statewide ballot item in every county. The presidential ballot item shall be the subject of the sampling in a presidential election. ... The random sampling for any county shall be done publicly after the initial count of election returns for that county is published/released after the polls close on election day, whichever is earlier. The sample chosen by the State Board shall be of one or more full precincts, full counts of mailed absentee ballots & full counts of one or more early voting sites. ... In the event of a material discrepancy between the electronic/mechanical count & a hand-to-eye count, the hand-to-eye count shall control, except where paper ballots have been lost or destroyed or where there is another reasonable basis to conclude that the hand-to-eye count is significant, a complete hand-to-eye count shall be conducted. The sample count need not be done on election night. (3) The rules shall provide for accurate unofficial reporting of the results from the precinct to the county board of elections with reasonable speed on the night of the election. (4) The rules shall provide for the prompt and secure transmission of official ballots from the voting place to the county board of elections. The State Board shall direct the county boards of elections in the application of the principles and rules in individual circumstances.



### **Election Observers MUST**

- Be appointed by the chair of their party
- Be a registered voter in that county
- Allow the chief judge to verify their identity
- Wear a badge or ID tag that lets voters and election officials know their role at the polling place.
- No more than three observers from the same political party can be present in the polling place at the same time.
- Serve at least four hours before being relieved by another observer.
- Observers are not required to take an oath of office

### **Election Observers MAY**

- Be relieved by another observer at any point throughout the day (but must observe for at least four hours).
- Be challenged if the judge has evidence that the observer could impact the conduct of the election.
- Take notes using an electronic device, or with pen and paper
- Listen to election-related conversations between a voter and an election official
- Communicate via their phone outside of the voting enclosure
- Take photos inside the polling place before it opens and after it closes, provided that it doesn't affect opening or closing procedures and secrecy is maintained for the election results.
- Obtain copies of the list of persons who have voted at each voting place during the times the voting place is open for voting, and observers must be allowed to inspect election records so that the observer can create a list of who has voted at each voting place. Observers must be able to obtain copies of the list at least three times each day with at least one hour between obtaining the copies
- Move about the voting place, including the area for curbside voting
- Be removed by the chief judge:
  - the chief judge should, whenever possible, first issue a verbal or written warning and give the observer the opportunity to correct their behavior. The chief judge must include evidence that the observer could impact the conduct of the election
  - if the behavior is not corrected, the chief judge must tell the county board of elections, then the county will notify the appointed authority so a new observer can come in to take their place.

### **Election Observers MAY NOT**

- Tape, record, photograph or otherwise document how a voter voted on their ballot.
- Make or receive calls in the polling place
- Engage in electioneering
- Intimidate voters

## **Election Observer Rules & Privileges**

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## Election Observer Rules & Privileges

§ 163-45.1. Observers.

(a) For purposes of this section, "observer" is defined as an individual appointed pursuant to observe the voting process at a voting place.

(b) Observers may be appointed in accordance with the following:

- (1) The chair of each political party in the county may designate two registered voters of the county to serve as observers at each voting place in that county in which the political party has a candidate appearing on the ballot.
- (2) The chair of each political party in the county may designate up to 10 registered voters of the county to serve at any voting place in the county in which the political party has a candidate appearing on the ballot.
- (3) The chair of each political party in the State may designate up to 100 registered voters of the State to serve at any voting place in the State in which the political party has a candidate appearing on the ballot.
- (4) An unaffiliated candidate/manager may designate two observers to serve at each voting place in which that unaffiliated candidate appears on the ballot.

(c) List of individuals appointed pursuant to this section shall be submitted electronically/in writing by noon on the business day before each observer is scheduled to serve. Individuals appointed to serve at a particular voting place or countywide shall be submitted to the director of the county board of elections for that county. Individuals appointed to serve statewide shall be submitted to the Executive Director of the State Board, who shall submit a copy to each affected county board of elections. Before each voting place opens for voting, the county board of elections shall provide a copy of the list of appointed observers for each voting place to the chief judge for that respective voting place, including any countywide/statewide observers.

(d) The chief judge at each voting place may use reasonable methods to verify the identity of individuals appearing at the voting place to serve as an observer. The State Board may require an observer to wear an identification tag/badge to make voters and election officials aware of the observer's role in the voting place. (e) No more than three observers from the same political party shall be in the voting enclosure at any time. Observers appointed to serve at a particular voting place may be relieved during the day after serving no less than four hours. Observers appointed to serve countywide/statewide may be relieved anytime throughout the day. Observers shall not appear on the ballot as a candidate or serve as an election official in election in which the observer is serving as an observer. Observers shall take no oath of office.

(f) County board of elections/chief judge of a voting place shall only challenge the appointment of an observer pursuant to this section for good cause, which shall include evidence that the observer could impact the conduct of the election.

(g) Election officials shall not prohibit an observer from doing any of the following, provided that the observer does not interfere with the privacy of any voter or the conduct of the election:

- (1) Taking notes in the voting place, including using an electronic device to take notes.
- (2) Listening to conversations between a voter & election official that take place in the voting place, provided the conversation is related to election administration.

(3) Moving about the voting place, including the designated area for curbside voting.

(4) Leaving/entering the voting enclosure.

(5) Communicating via phone outside of the voting enclosure.

(6) Witnessing any opening and closing procedures at the voting place.

(h) Observers shall not do any of the following inside the image of any voter's marked ballot:

(1) Look at photograph/video/tape or record the image of any voter's marked ballot.

(2) Impede the ingress/egress of any voter into the voting place.

(3) Inhibit/interfere with any election official in the performance of their duties, including interfering with the transport of sealed ballot boxes/election equipment/or election results to county board of elections.

(4) Engage in electioneering.

(5) Make/receive phone calls while in the voting place.

(i) An observer may take photographs inside the voting place before the voting begins/after voting has concluded, provided that the taking of photographs does not impair any election official in executing/closing procedures/or compromise the security of ballots/election equipment/election results...

(j) A chief judge may remove an observer who engages in prohibited behavior. A chief judge may also remove an observer for good cause, which shall include evidence that the observer could impact the conduct of the election. Whenever possible, the chief judge shall first issue a verbal/written warning to the observer. The warning must include the time/nature of the offense/& the chief judge must immediately notify the director of county board of elections. The director of the county board of elections must immediately notify the appointing authority so that a replacement observer can be appointed. Nothing in this section prohibits a chief judge from reporting an alleged violation on or federal law to the appropriate authority.

(k) An observer may obtain copies of the list of persons who have voted at each voting place during the times the voting place is open for voting. Counties using an "authorization to vote document" instead of pollbooks to indicate which persons have voted are in compliance with this requirement if they allow observers to inspect election records so that the observer can create a list of who has voted at each voting place. The State Board shall determine the times at which these lists may be obtained. However, observers must be able to obtain copies of the list at least three times each day with at least one hour between obtaining the copies. ...

(l) 08 NCAC 20.0101 CHALLENGE TO THE APPOINTMENT OF AN OBSERVER

(a) County board of elections, by a majority vote & documented through a written statement made by any board member, may challenge the appointment of any observer appointed to serve in that county/chief judge of a voting place may challenge the appointment of any observer who is eligible to serve in that voting place. The challenge shall be submitted electronically/in writing to county board of elections office before the observer is scheduled to serve. The challenge shall contain the following information:

(1) The name of the observer;

(2) The party or unaffiliated candidate that appointed the observer; &

(3) The basis for the challenge pursuant to G.S. 163-45.1(f).

The county board of elections office shall immediately provide a copy of the challenge to the chair of the political party/candidate that appointed the observer. A notification sent within three business hours of receipt of the challenge to an email address provided by the chair of the political party/candidate appointing the observer is a method of providing immediate notice. ...

08 NCAC 20.0102 APPEAL OF REMOVAL OF AN OBSERVER FROM A VOTING SITE

(a) Filing of Appeal. The decision by a chief judge to remove an observer pursuant to G.S. 163-45.1(f) may be appealed only by the chair of the political party/candidate that appointed the observer. The appeal shall be filed with the county board of elections in the county where the observer was removed. ...

08 NCAC 20.0103 IDENTIFICATION OF OBSERVERS Every appointed observer serving at a voting site pursuant to G.S. 163-45.1 shall wear an identification tag to make voters and election officials aware of the observer's role in the voting site. The tag shall read "Observer for [Name] Party" or "Observer for Candidate [Name]" with the "[Name]" being the name of the political party or the candidate, as applicable.



§ 163 166.16. Requirement for photo identification to vote in person.

...(d) Exceptions are provided for a registered voter who does not produce an acceptable form of identification as required:

(1) If a registered voter does not produce an acceptable form of photograph identification due to a religious objection to being photographed, the registered voter may complete an affidavit under penalty of perjury at the voting place and affirm that the registered voter:

- (i) is the same individual who personally appears at the voting place;
- (ii) will cast the provisional ballot while voting in person; &
- (iii) has a religious objection to being photographed. Upon completion of the affidavit, the registered voter may cast a provisional ballot.

(2) If a registered voter does not produce an acceptable form of photograph ID because the registered voter suffers from an impediment that prevents the registered voter from presenting photograph ID the registered voter may complete an affidavit under the penalty of perjury at the voting place & affirm that the registered voter:

- (i) is the same individual who personally appears at the voting place;
- (ii) will cast the provisional ballot while voting in person; &
- (iii) suffers from an impediment that prevents the registered voter from presenting photograph identification. The registered voter also shall complete an impediment declaration form ... Upon completion of the affidavit, the registered voter may cast a provisional ballot.

(3) If a registered voter does not produce an acceptable form of photograph identification due to being a victim of a natural disaster occurring within 100 days before election day that resulted in a disaster declaration by the President of U.S./Governor of State, the registered voter may complete an affidavit under penalty of perjury at the voting place & affirm that the registered voter:

- (i) is the same individual who personally appears at the voting place;
- (ii) cast the provisional ballot while voting in person; &
- (iii) a victim of a natural disaster occurring within 100 days before election day that resulted in a disaster declaration by the President of U.S./Governor of this State. Upon completion of the affidavit, the registered voter may cast a provisional ballot.

§ 163 231. Voting absentee ballots and transmitting them to the county board of elections.

(a) Procedure for Voting Absentee Ballots. – In the presence of two persons who are at least 18 years of age, and who are not disqualified the voter shall do all of the following:

(1) Mark the voter's ballots/cause them to be marked by that person in the voter's presence according to the voter's instruction.  
 ... (5) Require those 2 persons in whose presence the voter marked that voter's ballots to sign the application/certificate as witnesses/& indicate those persons' addresses. Failure to list a ZIP code does not invalidate the application & certificate.

(6) Do one of the following:  
 a. Have the application notarized.  
 b. Have the two persons in whose presence the voter marked that voter's ballots to certify that the voter is the registered voter submitting the marked ballots...

... (1) All ballots shall be transmitted by mail/commercial courier service, at the voter's expense/delivered in person/by the voter's near relative/or verifiable legal guardian & received by county board not later than 5:00 p.m. on day of the statewide election/county bond election. Ballots may also be electronically transmitted.

(2) If ballots are received later than the hour ballots shall not be accepted unless one of the following applies:  
 a. Federal law so requires.  
 b. The ballots are postmarked and that postmark is dated on/before the day of election/county bond election & are received by the county board of elections not later than 3 days after the election by 5:00 p.m. ...

Section 163-232 - Certified list of executed absentee ballots; distribution of list

(b) No later than 10:00 A.M. on election day, the county board of elections shall cause one copy of the list of executed absentee ballots, which may be a continuing countywide list or a separate list for each precinct, to be immediately (i) submitted electronically in a manner approved by the State Board or (ii) deposited as "first-class" mail to the State Board. The board shall retain one copy in the board office for public inspection and the board shall cause two copies of the appropriate precinct list to be delivered to the chief judge of each precinct in the county. The county board of elections shall be authorized to call upon the sheriff of the county to distribute the list to the precincts. In addition the county board of elections shall, upon request, provide a copy of the complete list to the chair of each political party, recognized under the provisions of G.S. 163-96, represented in the county.

The chief judge shall post one copy of the list immediately in a conspicuous location in the voting place and retain one copy until all challenges of absentee ballots have been heard by the county board of elections. Challenges shall be made to absentee ballots as provided in G.S. 163-96.

(c) After receipt of the list of absentee voters required by this section the chief judge shall call the name of each person recorded on the list and enter an "A" in the appropriate voting square on the voter's permanent registration record, or a similar entry on the computer list used at the polls. If such person is already recorded as having voted in that election, the chief judge shall enter a challenge which shall be presented to the county board of elections for resolution by the board of elections prior to certification of results by the board.

(d) All lists required by this section shall be retained by the county board of elections for a period of 22 months after which they may then be destroyed.

§ 163-166.25 - Hours for voting. (b) If any voter is in line to vote at the time the polls are closed, that voter shall be permitted to vote. No voter shall be permitted to vote who arrives at the voting place after the closing of the polls.

(c) Any voter who votes after the statutory poll closing time of 7:30 P.M. by virtue of a federal/ or State court order or any other lawful order, including an order of a county board of elections, shall be allowed to vote, under the provisions of that order, only by using a provisional official ballot. Any special provisional official ballots cast under this subsection shall be separated, counted, and held apart from other provisional ballots cast by other voters not under the effect of the order extending the closing time of the voting place. If the court order has not been reversed or stayed by the time of the county canvass, the total for that category of provisional ballots shall be added to the official canvass. ...

**At a meeting duly called and held on October 7, 2024, the State Board of Elections ("State Board") adopted the following resolution:**

**WHEREAS**, on 9/25/24, the Gov of NC issued Exec Order No. 315, declaring a State of Emergency in response to Helene in anticipation of significant impact/damage to NC **WHEREAS**, N.C.G.S. § 163-27.1 authorizes the State Board to exercise emergency powers to conduct an election where the normal schedule is disrupted by a natural disaster. In exercising those emergency powers, the State Board shall avoid unnecessary conflict with the provisions of Chapter 163.

**WHEREAS**, pursuant to N.C.G.S. § 163-27.1, the State Board finds that Helene created an unprecedented natural disaster for Western NC that has disrupted/continues to disrupt the schedule of the general election & has impacted/continues to impact the admin of the election in the region. Helene has taken many lives, severely damaged public/private property, & caused significant/lasting disruptions to essential utility services and systems to include power, internet, cell service, water, and transportation.

**WHEREAS**, the State Board finds that the infrastructure for elections admin/voters' accessibility to polling places/mail service in the following 13 counties remain severely disrupted as a result of the disaster & will continue to be so disrupted throughout the election: Ashe, Avery, Buncombe, Haywood, Henderson, Madison, McDowell, Mitchell, Polk, Rutherford, Transylvania, Watauga, & Yancey. These counties report that not all of their scheduled early voting sites or election sites will be available due to damage from the storm, inaccessibility, the site's current use for disaster response, or the likely unavailability of sufficient staff.

**WHEREAS**, nearly all county board offices in these counties were closed to the public for at least part of the week of 9/30-10/4, w/5 of them remaining closed all week.

**WHEREAS**, each of these counties is experiencing multiple road closures—including on highways/interstates—w/current estimates of rd closures possibly being an undercount due to the inaccessibility of many communities for transportation officials to assess the status of all roads. Additionally, official road closure statistics do not account for breaches on private roads/driveways that also inhibit or prohibit travel for many area residents, & in some cases, elections personnel.

**WHEREAS**, all of these counties are still experiencing disruptions with the delivery of mail to residences, a disruption that is expected to last as long as roads remain impassable in these counties, although the county board offices for these counties are now able to receive mail and access a functioning post office.

**WHEREAS**, thousands of customers in each of these counties lacked electrical power as of the end of last week, w/100k's still w/out power across the entire region.

**WHEREAS**, almost all counties are currently experiencing water supply outages & all of these counties have areas with restrictions on water supply use (e.g., boil water advisories). These counties also have large rural populations that rely on private well water, and many of those sources have been contaminated by flooding and/or are inaccessible due to lack of power to pump water.

**WHEREAS**, cell service isn't reliable throughout these counties, w/some areas experiencing total outages/others experiencing only intermittent or weak coverage.

**WHEREAS**, due to supply, power/transportation disruptions, gas has not been readily available in many areas of this region, w/some localities requiring rationing of fuel.

**WHEREAS**, public/private agencies have established disaster relief stations throughout these counties, where essential s for daily life, especially portable water, are provided to the general public.

**WHEREAS**, the detrimental impacts to the daily lives of the residents of these counties from this storm damage has already led many area residents to relocate to other parts of the state or outside the state, which will result in increasing demand for absentee voting and the increased use of that voting method by many voters who are not accustomed to voting that way.

**WHEREAS**, the directors of elections in almost all of these counties expect that some poll workers may no longer be available to work this election due to relocation or personal demands of the disaster, which will pose a challenge to these county boards' ability to fully staff all their scheduled voting sites with experienced workers under existing appointments and under existing statutory constraints on poll worker appointment and reassignment.

**WHEREAS**, many staff who admin election functions in these counties are having to simultaneously conduct a presidential election in a disaster zone while also dealing w/devastating personal impacts, w/some staff being forced to relocate to other counties & other staff remaining isolated in communities that are inaccessible by road.

**WHEREAS**, the boards of elections in these counties are now having to work through a backlog of admin tasks—such as poll worker trainings, voter registration, absentee ballot processing/machine testing, among others—which they could not complete in the days following the storm, at the same time they must prep for the start of early voting which is merely a week and a half away, to be followed soon by Election Day voting which itself requires significant advance preparation.

**WHEREAS**, the State Board finds that the ongoing disaster has significantly disrupted the normal schedule of the election in these 13 counties, particularly with respect to elections office closures, elections staff/poll worker availability, early voting and Election Day voting site usability, transportation and mail service impediments, and the significant displacement of voters and election workers. Most of these disruptions will likely persist through the remainder of the 2024 General Election period.

**WHEREAS**, the State Board finds that emergency administrative measures, which can go into effect immediately upon adoption of this resolution, are required to provide sufficient time for the affected counties to implement emergency measures and to provide notice to the public of any changes to voting sites or other voting procedures.

**WHEREAS**, the emergency measures identified below directly address the disruptions caused by the disaster in these counties and are needed to ensure all eligible voters have access to the ballot box, which will help promote public confidence in this election. These measures have been carefully crafted to avoid any detrimental effect on the integrity of the election or the security of ballots.

**THEREFORE, THE STATE BOARD HEREBY RESOLVES THAT:**

- 1. Early Voting.** Pursuant to G.S. § 163-27.1, by way of this resolution, the boards of elections for the 13 counties identified above are authorized to modify their early voting plans by bipartisan majority vote without a requirement for the State Board to approve those modifications. To approve any such modifications, the county board must make written findings in a resolution that the modifications are required by the effects of the recent disaster and provide a copy of that resolution to the State Board. In making any modifications under this provision, the county board shall strive to maintain voting access as close to existing voting locations as possible and should resort to an outside of a precinct only as a last resort. Such modifications may include:
  - a. Changing or adding sites, or removing sites that are unusable. Before removing a site, the county board shall make all feasible attempts to maintain the site's availability.
  - b. Adding or reducing days that any site is open within the established early voting period.
  - c. Extending or reducing hours that any site is open on any days within the established early voting period.

- 2. ED Polling Places.** Pursuant to G.S. § 163-27.1, by way of this resolution, the boards of elections for the counties identified above are authorized to modify their Election Day precinct voting sites by bipartisan majority vote. To approve any such modifications, the county board must make written findings in a resolution that the modifications are required by the effects of the recent disaster and provide a copy of that resolution to the State Board. In making any modifications under this provision, the county board shall strive to maintain voting access as close to existing voting locations as possible and should resort to an outside of a precinct only as a last resort. Such modifications may include:
  - a. Transfer voters from a given precinct to another in the county, even if the receiving precinct is not adjacent where no adjacent precinct is available. Approval of the Executive Director of the State Board is required, consistent with G.S. § 163-128. The county board shall ensure that separate tabulators are assigned for voters in one precinct versus another.
  - b. Establish out-of-precinct voting places. Such a voting place may be located in another NC county adjacent to the precinct, to be staffed and managed by workers employed by or appointed by the county board establishing the out-of-precinct voting place. Approval of the Exec Director of the State Board is required, consistent w/G.S. § 163-130.1. Any polling place established under this provision may be co-located w/another precinct's voting location, but the materials/tabulators/voting processes shall be kept separate for each precinct's voters at that location.





- c. Establish more than one voting location for voters in a given precinct. Such a voting place may be located in another NC county adjacent to the precinct, to be staffed and managed by workers employed by or appointed by the county board establishing the additional voting location. Approval of the Exec Director of the State Board is required, consistent with G.S. § 163-130.2. Any polling place established under this provision may be co-located with another precinct's voting location, but the materials, tabulators, and voting processes shall be kept separate for each precinct's voters at that location.
- d. Allow the central transfer precinct to be used by any county voter on Election Day. If the county codes its ballots by style, the county board shall write the precinct designation on the voter's ballot, to facilitate the post-election precinct sort.

Notice of any modification under this section shall be given to the affected voters by mail, as soon as possible following approval of the modification. The county board shall also cause the notice to be immediately delivered to all local media and the chairs of the county political parties, and shall be posted on the county board's website as soon as possible. Staff shall also make reasonable efforts to post notice of such changes at as many disaster shelters and other places where disaster relief is provided to the general public within the county as possible.

Counties are encouraged to consider what option above is best for the disaster-related needs of the county. For example, co-locating voting locations under b. and c. above may be preferable if the county has sufficient poll workers to staff both precincts at the locations, while a temporary transfer under a. may be preferable in the event of a poll worker shortage.

**3. Poll Worker Recruitment and Assignment.** Pursuant to G.S. § 163-27.1, by way of this resolution, the boards of elections for the same counties identified above are authorized to do the following, by bipartisan majority vote (unless action by the chair is authorized by statute), to the extent each action is required by the effects of the disaster:

- a. Appoint election officials for early voting and Election Day voting sites who are registered voters of other North Carolina counties.
- b. Appoint election officials for Election Day voting sites without regard to the official's precinct of residence.
- c. If the chair is filling a vacancy in an existing appointment, the chair shall replace the official with someone of the same party to the extent that is possible and must strive to maintain bipartisan representation among the judges at all sites, to the extent possible. As the county board makes Election Day preparations, an election official's failure to return contact or confirm availability to serve with the county board office constitutes a vacancy for "any other cause" under G.S. § 163-41(d).
- d. Appoint emergency election day assistants and assign them to a precinct.
- e. Reassign poll workers to locations for which they had not been originally designated, to ensure there is sufficient knowledge and experience at each voting site.

County boards may, without needing to take a vote, administer the oath of office to election officials who must be sworn in before Election Day by electronic or telephonic means, and obtain assistance in training poll workers from the State Board staff or from staff of other county boards of elections as may be available to assist.

Notice of any appointments made under this section shall be given to the appointed official by mail and email as soon as possible following the appointment, or may be delivered in person. The county board shall also cause the notice to be immediately delivered to all local media and the chairs of the county political parties, and shall be posted on the county board's website as soon as possible.

**4. Absentee Ballot Processing.** Pursuant to G.S. § 163-27.1, by way of this resolution, the boards of elections for the affected counties identified above shall do the following:

- a. Process an absentee ballot request from a voter or a voter's near relative or verifiable legal guardian in person at the county board office up until the day before the election, similar to the provision in G.S. § 163-230.1(b). The voter or the voter's near relative or verifiable legal guardian is still required to complete the absentee request form with the required personal information, and that information must be verified as with any absentee request. But the board may provide the voter or voter's near relative or verifiable legal guardian with the voter's absentee ballot envelope at the office location.
- b. Process a spoil-and-reissue or cure of an absentee ballot from a voter in person at the county board office. A voter's near relative or verifiable legal guardian may retrieve any reissued ballot package (following a spoilage) or any required cure documentation to take to a voter who is required to cure a deficiency with an absentee ballot. The county board shall maintain a log of such transactions, consistent with the contents of the log maintained for the delivery of absentee ballots.
- c. Accept the delivery of completed absentee ballots from Election Day voting sites operated by the voter's county board, as long as those ballots were delivered to the voting site by 7:30 pm on Election Day. Precinct officials shall maintain a log of such ballots and chain-of-custody documentation, consistent with how early voting officials carry out this task, to be delivered to the county board office when supplies are returned on election night.
- d. Accept the delivery of completed absentee ballots by mail, commercial delivery service, or delivery by a staff member of a county board or State Board if those ballots were delivered to another county board of elections or the State Board, as long as those ballots were delivered to a North Carolina county board of elections or the State Board by 7:30 pm on Election Day and ultimately received by the board of elections for the voter's county by the day before county canvass.

**5. Absentee Voting for Affected Voters.** Pursuant to G.S. § 163-27.1, by way of this resolution, voters registered in the same counties identified above, or their near relatives or verifiable legal guardians, may hand-deliver their completed absentee ballot to another North Carolina county's board of elections office or the State Board office so long as it is received by 7:30 pm on Election Day. The county board office or State Board that receives such an out-of-county absentee ballot shall immediately date-stamp the absentee ballot envelope and shall ensure that the ballots of such voters are delivered to the board of elections office for the voter's county by the day before county canvass, either by trackable mail, commercial delivery service, or delivery by a staff member of the county board or State Board. The State Board or county board receiving the out-of-county ballot shall note the date, time, individual receiving the ballot, and individual delivering the ballot, as well as the affected county to which it will be sent, in a log. On a weekly basis and on Election Night, each receiving county shall report to the State Board the number of ballots received in such a manner for each affected county. If delivery to the voter's county board is made by staff of the county board or State Board, transport of the ballots shall be in a sealed, secure container, with documentation of the chain of custody.

**6. Multipartisan Assistance Teams (MATs).** Pursuant to G.S. § 163-27.1, by way of this resolution, the boards of elections for the same counties identified above, by bipartisan majority vote, are authorized to do the following:

- a. Appoint MAT members who are registered voters of other North Carolina counties.
- b. Appoint MAT members who are unaffiliated or affiliated with a minor political party by bipartisan majority vote, where there are insufficient registered voters to appoint to a MAT from each of the two political parties with the highest number of affiliated voters in the State.
- c. Schedule MATs to assist with absentee ballot requests and absentee voting at disaster shelters and other places where disaster relief is provided to the general public, to the same extent that MATs are authorized to assist in covered care facilities. MATs in these counties are also authorized to receive and deliver to the county board of elections the completed absentee ballot envelopes or ballot cure documentation for any voters, regardless of disability, at any site that the MAT is authorized to serve, either under state law or under this resolution. If a MAT member fails to sign the assistance section of the absentee envelope, that is not a ballot application deficiency, as long as the county board can otherwise determine that assistance was provided by the MAT.

**7. Voter Registration and Office Operations.** Pursuant to G.S. § 163-27.1, by way of this resolution, the staff of the State Board is authorized to process voter registration applications for the counties identified above. This includes data entry and sending voter registration verification mailings, as needed. Similarly, a board of elections for the same counties identified above may authorize elections staff from another county or the State Board to carry out voter registration or any other administrative functions of the office.

**8. Coordination with State Division of Emergency Management.** By way of this resolution, the State Board acknowledges the need for continued coordination with the North Carolina Division of Emergency Management (NCEM) to provide aid to the local jurisdictions in support of elections. The task force between the State Board and NCEM is actively coordinating the resources and support needed by the affected counties to conduct elections in each county. The State Board's Executive Director shall designate a liaison to each of the affected county boards of elections to coordinate needed resources, which may include but are not limited to temporary facilities, generators, temporary restrooms, and other needs, utilizing such means as are necessary through the State Emergency Operations Center and assisted by such other personnel as necessary.