

NORTH CAROLINA'S SB 747 REVIEWED

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Summary of NC Senate Bill 747 (2023-24)

The bill makes sweeping changes regarding election law in twenty-three parts.

Part I – Pushes back the absentee deadline to later in the day. It also requires the county board of elections to publicly publish its statistics on absentee ballots daily on its website.

Part II – Adds the phrase “Nothing in this Chapter shall grant authority to the State Board of Elections to accept private monetary donations, directly or indirectly, for conducting elections or employing individuals on a temporary basis” to GS 163-22, GS 163-33 and GS 163-37.

Part III – Provides procedures to remove foreign citizens from voting rolls and requiring counties to forward evidence of any illicit voting to the attorney general’s office.

Part IV – The county board of elections hold public meetings each Tuesday for the purpose of action on applications for absentee ballots. All ballots that pass upon application would now be subject to public inspection.

Part V – Absentee ballots are required to have a bar code or unique identifier to allow the county board of elections to track the ballot. It will now be a Class 1 misdemeanor for unauthorized persons to print or affix a bar code on an absentee ballot.

Part VI – Retains voting records for 22 months after the election instead of 6 months.

Part VII – Precinct officials would maintain a log of any person rendering assistance to a voter.

Part VIII – Allows for provisional ballots at one stop voting locations.

Part IX – The State Board of Elections would submit an annual report on any revisions made to election records to the state legislative oversight committee.

Part X – Allows absentee ballots to be challenged by any voter from the same county, instead of the same precinct as it is now.

Part XI – Requires witnesses to absentee ballots to also print their name.

Part XII – The State Board of Elections requires county boards of elections to use verification software to check the signatures of voters noted on executed absentee ballots before those ballots are accepted by the county boards.

Part XIII – Ensures precinct officials’ one-stop voting places are allocated the same as those serving on Election Day.

Part XIV – If the appeal is made by the State Board of Elections, then that appeal must be to the Superior Court of the county in which the challenge originated.

Part XV – It is a Class 1 Misdemeanor for any person to impersonate a chief judge, judge of election, or other election officer while in the discharge of duties in the registration of voters or in conducting any primary or election.

Part XVI – If the statutory poll closing time is extended by court order in one county, the poll closing time shall now be extended on Election Day in all counties by an equal amount of time.

Part XVII – Requires the State Bureau of Investigation to investigate and prepare evidence for election offenses.

Part XVIII – An observer relieved after serving no fewer than the four hours provided in this subsection may serve an additional four hours during the same primary or election day at any voting place in that same county upon designation by the party chair.

Part XIX – Eliminates part of provision G.S. 163-47 (a) that requires precinct judges to be onsite for the duration of voting.

Part XX – The State Board of Elections will now establish and implement a two-factor authentication process for executed absentee ballots transmitted by mail to a county board of elections. A county board of elections shall use the process established by this section before an executed absentee ballot is opened and counted by elections officials.

Part XXI – Requires a person ineligible to vote to have known they were ineligible prior to voting in order to have committed a crime.

Part XXII – The State Board of Elections shall now prepare a composite abstract upon the completion of the canvass by the county boards and deliver that abstract to all county boards responsible for canvassing votes for the contest, and each of those county boards shall issue a certificate of nomination or election;" Excluding municipal and board of education races. It also clarifies and updates procedures relating to absentee ballot cure and certification of the election results by the governor.

Part XXIII – The act is effective when it becomes law.

The bill, introduced on June 1 by NC State Senators Hise, Newton, Daniel, Johnson and Sawrey, and passed its first reading on June 5, can be found at:

<https://www.ncleg.gov/Sessions/2023/Bills/Senate/PDF/S747v0.pdf>.

Analysis of Senate Bill 747 (2023-24)

SB 747 goes a long way to advance several election integrity priorities that Look Ahead America has advocated for since early 2021. These include:

Thumbprint Authentication of Absentee/Mail-In Ballots. Part XX's two step authentication process allows for Thumbprint Authentication to be introduced. Though not specifically mentioned, it could also allow for a PIN, last four of social security number, driver's license, however, this at least requires something like a biometric including Thumbprint Authentication.

Mandated and Public Vote List Hygiene. Part III directly improves the Public Voter List Hygiene by requiring registrars to remove foreign citizens from voting rolls and requiring counties to forward evidence of any illicit voting to the attorney general's office.

Ban on the Use of "Black Box" Voting Equipment. While Part XII simply requires county boards of elections to use verification software to check the signatures of voters noted on executed absentee ballots, it is a step towards have open access software and it also tightens the current one factor authentication system, which is signature verification only.

Appointment of a Citizens Elections Supervisory Committee. Parts I & IV open more of the process to the public.

Create a Dedicated Voter Fraud Investigation Division. Parts V, VI, VII, IX, XI, XII, XV, XVI, & XVII all create procedures that allow the State Bureau of Investigation to act against voter fraud. The state still needs a bureau within the attorney general's office, however, independent of the state boards and secretary of state to ensure compliance and to avoid politicization as oft happens in these local boards.

Equitable Distribution of Private Contributions to Election Operations. Part II ensures that private contributions are not permitted, thus ensuring equitable distribution. Part XVI ensures equitable access across all counties by ensuring that all polls close at the same time.

More information about LAA's proposed election integrity reforms are available at <https://LookAheadAmerica.org/Integrity>.

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