



HOUSE BILL 1071: Use Methods of Certain Groups/Voter Rolls.

2023-2024 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	June 27, 2024
Introduced by:	Reps. Cleveland, Warren	Prepared by:	Jessica Sammons, Erika Churchill
Analysis of:	First Edition		Staff Attorneys

OVERVIEW: *House Bill 1071 would require the State Board of Elections (State Board) to establish a system that implements a uniform method of list maintenance that includes using information from non-governmental election integrity organizations, and to submit additional quarterly reports to the General Assembly.*

CURRENT LAW: The State voter registration system is the official voter registration list for the conduct of all elections in the State. In the registration of voters, personal identifying information is collected. From that collected data, all of the following are confidential and not a public record: Full or partial social security numbers; dates of birth; the identity of the public agency at which the voter registered under G.S. 163-82.20; any electronic mail address submitted with the voter registration; photographs for voter photo identification; photocopies of identification for voting; and drivers license numbers. The signature of a voter, either on the paper application or an electronically captured image of it, may be viewed by the public but may not be copied or traced except by election officials for election administration purposes. Any such copy or tracing is not a public record. G.S. 163-82.10.

List maintenance is the routine process by which the official voter registration lists are updated to remove individuals who are deceased or who have otherwise become ineligible to vote in this State. For this flagging and matching process, the State Board and county boards use personal identifying information from other governmental agencies. Death notifications are made available by the N.C. Department of Health and Human Services. County boards of elections also regularly remove voters who are in jail or prison on felony convictions, using records from the Department of Public Safety and U.S. attorneys' offices.

With respect to voters who have moved, in "January and July of each year, the State Board provides the 100 county boards of elections with data from the U.S. Postal Service listing registered voters who have indicated that they have changed their address. County boards must send postcard mailings to these voters at the new address to confirm whether they have an unreported change of address for voting purposes.

These mailings allow voters to update their names or addresses within a county or notify the board of elections of a move outside of that county. The voter is asked to respond to the mailing within 30 days. If the voter does not respond, the voter will be mailed a traditional address confirmation notice to their existing mailing address. If the voter does not respond to that notice within 30 days, the voter's registration status will be changed to 'inactive.' If a voter is deceased, a near relative may use this mailing to report the death so the county board can cancel the registration."

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In addition to using information from other governmental agencies to update voter registration lists, according to the State Board, "in every odd-numbered year, if a county board of elections has had no contact with a voter for the previous two statewide general elections and the voter has not voted during that time, the county board will send the voter a forwardable address confirmation mailing. The voter will be required to return the confirmation mailing within 30 days.

If the voter does not return the mailing or the U.S. Postal Service returns it to the county board as undeliverable, then the voter's record will be marked 'inactive' in the state's voter registration database. Inactive voters are still registered voters. If an inactive voter shows up to vote, the person will be asked to verify their address and update it, if necessary.

County boards will send mailings this year to voters with whom there has been no contact since October 9, 2020. Counties have begun printing and mailing these notices, which must go out by April 15."

County boards also remove certain "inactive" voters from the rolls. "Any voter removed in this way would not have had any contact with their county board of elections for four consecutive federal election cycles, not voted in any election during that time and not responded to a confirmation mailing." "Any removed registrant must be reinstated if the voter appears to vote and gives oral or written affirmation that the voter has not moved out of the county and has maintained residence continuously within the county. These voters' votes will be counted absent evidence that they moved out of the county." State Board website.

BILL ANALYSIS: The bill would require the State Board to establish a system that implements a uniform method for investigating and correcting data provided by election integrity organizations to assist in list maintenance efforts. The bill does not specify which election integrity organizations, whether those organizations are governmental agencies, or if the election integrity organization is to be granted access to confidential personal identifying information.

The bill would also require new quarterly reports to the General Assembly, organized by county, on the following:

- Corrections made to the voter rolls.
- The number of corrections made to the voter rolls.

EFFECTIVE DATE: July 1, 2024.