SENATE BILL 667:
Elections Omnibus Revisions.

Committee:		**Date:**	August 5, 2016
Introduced by:		**Prepared by:**	Kara McCraw
Analysis of:	S.L. 2016-109		Staff Attorney

OVERVIEW: S.L. 2016-109 amends various provisions related to elections and election administration, including the following changes:

- *Requiring all election canvasses to be completed by the 10th day after the election.*

- *Requiring the Attorney General to defend local acts against facial challenges, effective August 1, 2016, and applies to actions filed on or after that date.*

- *Providing for ballot ordering of candidates for judge of the Court of Appeals.*

- *Requiring explanatory captions for constitutional amendments on ballots.*

- *Authorizing a study of municipal elections in even numbered years.*

- *Updating the filing period for elections in the City of Reidsville.*

- *Providing for participation in the 2020 Census Redistricting Data Program and for return of election data.*

Except as otherwise provided, this act became effective July 22, 2016, and applies to elections held on or after that date.

CURRENT LAW AND BILL ANALYSIS: S.L. 2016-109 makes the following changes:

Section 1: Requires county boards of elections (county boards) to conduct all election canvasses on the 10th day after the election.

Section 2: Effective August 1, 2016, and applying to actions filed on or after that date, requires the State to be a party to all actions related to the validity or constitutionality of a local act enacted by the General Assembly, and for the Attorney General to represent the State in those actions.

Section 3: Requires candidates for judge on the Court of Appeals to be listed in order on the ballot in the same manner as candidates for partisan races, so that candidates are listed in alphabetical order in each group in the following order: 1) candidates from the party of the Governor, 2) candidates from other parties with more than 5% statewide voter registration, 3) candidates from all other political parties, 4) unaffiliated candidates.

Section 4: Requires that proposed Constitutional amendments be designated only by a short caption provided by the Constitutional Amendments Publication Commission that does not include a reference to numerical or other order.

Section 5: States the intent of the General Assembly to provide for even-numbered year municipal elections, beginning with the 2020 election cycle. The Joint Legislative Elections Oversight Committee

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(JLEOC) will study this change and make a final report before the convening of the 2017 Regular Session of the General Assembly.

Section 6: Changes the filing period for municipal offices for the City of Reidsville to be as provided in the General Statutes.

Sections 7-9: Effective September 1, 2016, requires county boards to report election results by the precinct within 30 days of the election.

Repeals the statute establishing voting tabulation districts (VTDs) for the 2010 Census and the related election results reporting requirement, and establishes a new statute providing for participation in the 2020 Census Redistricting Data Program. The State's voting precincts as of January 1, 2018 will be reported to the Census Bureau for use in the 2020 Census as voting districts. To develop those voting precincts as of January 1, 2018:

- The State Board of Elections (SBE) will develop a proposed voting districts map by September 1, 2016, to be submitted to the JLEOC and Legislative Services Office (LSO) by December 1, 2016.

- By November 1, 2017, county boards will report requested changes in precinct boundaries to the SBE based on criteria developed by the SBE. The SBE will consult with the LSO to submit a statewide map of updated precinct boundaries to the Census Bureau for the Phase 2 Voting District Project.

- After receiving the voting districts geography for the 2020 Census from the Census Bureau, the Executive Director of the SBE and LSO will determine if adjustments are needed to precinct boundaries in order for the geography to be identical.

Effective January 1, 2020, county boards can only change precincts with the approval of the SBE. The SBE will set uniform standards for precincts that meet certain requirements, including coinciding with census block boundaries, contiguity, efficiency and accuracy in election administration, and the ability to reallocate out of precinct ballots to the precinct where the voter is registered for election results reporting.

EFFECTIVE DATE: Except as otherwise provided, S.L. 2016-109 became effective July 22, 2016, and applies to elections on or after that date.