



SENATE BILL 325: The Uniform & Expanded Early Voting Act.

2017-2018 General Assembly

Committee:		Date:	August 10, 2018
Introduced by:		Prepared by:	Kara McCraw
Analysis of:	S.L. 2018-112		Staff Attorney

OVERVIEW: *S.L. 2018-112 makes the following changes, as amended by S.L. 2018-129:*

- *Amends the time period for early voting to begin no earlier than the third Wednesday before an election, and end no later than the last Saturday before the election. On the last Saturday before the election, a county board of elections must conduct one-stop voting from 8:00 A.M. until 1:00 P.M. and may conduct early voting until 5:00 P.M. on that Saturday.*
- *Establishes hours for one-stop early voting sites to be open during the early voting period, including requirements that:*
 - *All sites remain at the same location throughout early voting.*
 - *All sites be open uniformly on the days they are open.*
 - *All sites on weekdays during early voting must be open from 7:00 A.M. to 7:00 P.M.*
 - *All sites open on Saturdays other than the last Saturday of early voting must be open for a uniform number of hours.*
 - *All sites open on Sundays must be open for a uniform number of hours.*
- *Requires the State Board of Education to report county board of election reports on voter list maintenance efforts annually by October 1 to the Joint Legislative Elections Oversight Committee.*

S.L. 2018-112 became effective on June 27, 2018, following a veto override by the General Assembly.

CURRENT LAW: Generally, early voting is a term used to describe in-person absentee voting at "one-stop" voting sites. Currently, any qualified voter of the State may vote by absentee ballot in a statewide primary, general, or special election and any qualified voter of a county is authorized to vote by absentee ballot in any primary or election conducted by the county board of elections (CBOE).

Absentee voting may take place at a "one-stop" voting site run by a county board of elections, either at the county board's office or another site approved by the CBOE. Sites must be staffed by a member or a full-time employee of a CBOE. Sites must be approved by the State Board.

Previously, the period for early voting began on the third Thursday before an election and ran through 1:00 p.m. on the last Saturday before an election at the CBOE. A CBOE could extend the hours from 1:00 p.m. to 5:00 p.m. on the last Saturday before an election. A CBOE could vary hours by sites and by day of the week, provided that the plan is approved by the CBOE and by the State Board.

The CBOE was required to calculate the cumulative number of scheduled voting hours at all one-stop sites during the 2012 primary and general elections, respectively, and provide at least the same number of

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Legislative Analysis
Division
919-733-2578

Senate Bill 325

Page 2

hours offered in 2012 for one-stop voting in future elections which include a presidential candidate on the ballot through a combination of hours and numbers of one-stop sites during the primary or general election. The CBOE was required to make the same calculation for the 2010 primary and general election and provide the same minimum number of hours as in that election at one-stop sites for elections not including a presidential election on the ballot.

By unanimous vote, a CBOE with all members present and voting could submit a request to the State Board to reduce the number of hours established by the 2010 and 2012 calculations. The reduction would take effect only if approved by unanimous vote of the State Board with all members present and voting.

BILL ANALYSIS: S.L. 2018-112 does the following:

- Amends the time period for early voting. Early voting will begin no earlier than the third Wednesday before an election, and will end no later than 7:00 p.m. on the last Friday before the election (amended by S.L. 2018-129 to 5:00 on the last Saturday before the election).
- Requires that each one-stop voting site across the county be open at that same location throughout the early voting period.
- Requires that on each day that the voting sites are open, they are open uniformly throughout the county.
- Establishes hours for one-stop voting sites to be open as follows:
 - Monday through Friday – 7:00 a.m. until 7:00 p.m.
 - Saturday and Sunday – County board of elections will be able to set hours for early voting on these days. If a county board of elections opens a one-stop voting site on Saturdays or Sundays during the early voting period, then all sites will be required to open for the same hours uniformly throughout the county on Saturdays or Sundays, respectively. S.L. 2018-129 amended this change to provide that, on the last Saturday before the election, county board of elections must conduct one stop voting from 8:00 A.M. until 1:00 P.M. and may conduct early voting until 5:00 P.M. on that Saturday.
- Requires annual reporting of voter list maintenance efforts. County boards of elections will be required to submit an annual report to the State Board by September 1 of each year on voter list maintenance. The State Board will be required to submit these annual reports to the Joint Legislative Elections Oversight Committee by October 1 of each year.

EFFECTIVE DATE: This bill was vetoed by the Governor on June 25, 2018, and that veto was overridden by the General Assembly on June 27, 2018. The act became effective on June 27, 2018.