



HOUSE BILL 834: SBOE Administrative Changes.

2025-2026 General Assembly

Committee:		Date:	August 4, 2026
Introduced by:	Reps. Almond, N. Jackson, Huneycutt	Prepared by:	Jessica Sammons
Analysis of:	Fourth Edition		Staff Attorney

OVERVIEW: *House Bill 834 would make various changes to the State's election laws.*

CURRENT LAW:

Counting of Early One-Stop & Mail-In Absentee Ballots: If ballots cast during the early one-stop voting period are counted electronically, those ballots must be counted at the time polls close on Election Day. If ballots cast during the early one-stop voting period are paper ballots and counted manually, then those ballots are counted at the same time as traditional mail-in absentee ballots. County boards of elections (county boards) must convene at 5:00 P.M. on Election Day to count traditional mail-in absentee ballots received through 7:30 P.M. on Election Day, with the meeting continuing until the counting is finished and county board members not leaving the counting place except for unavoidable necessity. The county boards must announce a tally of all traditional mail-in absentee ballots cast by 5:00 P.M. on the third business day after the election (Friday), except for those traditional mail-in absentee ballots subject to a challenge or military and overseas ballots cast in accordance with Article 21A of Chapter 163.

Counting of Provisional Ballots: Voters receive a provisional ballot when questions arise about the voter's qualification to vote, the voter's eligibility to vote in a given election, the voter's eligibility to vote a specific ballot style, or when a voter does not or cannot present a photo ID when voting in person. Provisional ballots that require additional documentation in order for the ballot to be counted will only be counted if the registered voter that voted the provisional ballot brings the required documentation to the county board by 5:00 P.M. on the third business day after the election (Friday). If the county board finds that an individual was otherwise eligible to vote when returning the required documentation, then the provisional ballot must be counted by that county board.

Curing Deficiencies in Cast Ballots: The county boards must notify a voter if the voter's ballot contains a curable deficiency. Curable deficiencies include that the voter failed to include information on a voter registration form, the voter failed to present photo ID when voting in person or via a traditional mail-in absentee ballot, or the voter failed to sign a voter certification or signed in the wrong spot on a traditional mail-in absentee ballot. A voter with any curable deficiency in a provisional ballot or traditional mail-in absentee ballot must provide the needed cure documentation to the county board no later than noon on the third business day after the election (Friday) in order for the voter's ballot to be counted.

Challenging Cast Ballots: Any registered voter of the county may challenge the right of any person to register, remain registered, or vote in the county. Challenges can be made at any time, including during early voting and on the day of the primary or election and may be made based on residency, age, felony conviction, death, citizenship, or that a person is not who he or she represents himself or herself to be. If a challenge is sustained, the county board will cancel or correct the voter registration of the voter, and will maintain the records for at least six months and during the pendency of any appeal. The challenged ballot

Kara McCraw
Director



Legislative Analysis
Division
919-733-2578

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will only be counted for the ballot items for which the challenged voter is eligible to vote, if any, as if it were a provisional ballot.

BILL ANALYSIS: The bill would make the following changes with respect to curing deficiencies in cast ballots and the counting of cast ballots:

- Provide that when an executed traditional mail-in absentee ballot is delivered in person to an election official by the voter's near relative or verifiable legal guardian, the individual delivering the ballot must complete an affidavit as to his or her eligibility to return the executed absentee ballot, and require the State Board of Elections (State Board) to adopt a form affidavit for use by county boards, effective January 1, 2027. **(Section 1.4)**
- Require county boards to begin counting ballots cast during early one-stop voting and traditional mail-in absentee ballots at the time set by each county board in a resolution adopted by the county board at least two weeks prior to Election Day, provided that time is between 9:00 A.M. and 5:00 P.M. on Election Day. The county boards would be required to ensure that, as preparatory steps are conducted to count ballots, the result of the vote count is not revealed prior to the close of the polls on Election Day. The county board would not be authorized to adjourn the meeting prior to completing the count; however, the county board would be permitted to recess the meeting. The State Board would be required to adopt rules as to the content of minutes kept by the county board regarding what transpired before and after any recess, including the number of outstanding ballots immediately before and after the recess. **(Sections 1.2, 1.5)**
- Make it a Class I felony for any person to knowingly reveal the result of any count of ballots prior to the close of the polls on Election Day. **(Section 1.6)**
- Require a county board to notify the voter of a curable deficiency in a cast ballot no later than the close of business on the next business day following the county board's review of the cast ballot. The notification would be via mail, and by telephone and email if available. **(Sections 1.1, 1.3)**
- Permit cure documentation for curable deficiencies in cast ballots to be returned to a county board no later than noon on the fifth business day after the election (Tuesday) in order for the ballot to be counted. **(Sections 1.1, 1.3)**
- Provide that when a county board has determined that there are grounds to believe an affidavit completed by a voter for lack of photo ID is false within five business days after the election, the county board must determine whether to count the provisional ballot cast by the voter by the date of the county canvass. **(Section 1.2)**
- Extend the time for county boards to announce a tally of all traditional mail-in absentee ballots, other than those subject to a challenge and military and overseas ballots, and extend the time to count all provisional ballots cast, to no later than the close of business on the fifth business day after the election (Tuesday). **(Sections 1.2, 1.5)**

In addition, the bill would make the following changes with respect to conducting elections:

- Require each county board to ensure, at the end of the early one-stop voting period, that all of the following are complied with:
 - The voting equipment used is rendered unable to receive additional votes associated with the early one-stop voting period.
 - The voting equipment is maintained so that the result of the early one-stop vote count is not revealed prior to the close of the polls on Election Day.

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- The storage of any paper ballots and any electronic record of votes cast during the early one-stop voting period is in a locked and secured space, access to which is controlled with chain of custody limited and maintained, and the paper ballots and electronic records of votes cast are stored separate and apart from each other. **(Section 2)**
- Provide that if a ballot is challenged based upon death of the voter, and that challenge is sustained because the voter died between the time the ballot was cast and 11:59 P.M. on the day before the election, no portion of the challenged ballot may be counted. **(Section 3)**
- Provide that the venue for judicial review of any State Board decision would be either the Superior Court of Wake County or the Superior Court of the county in which the person seeking review resides. **(Section 4)**
- Provide that when a Class C drivers license is temporarily deemed valid for up to two years after the date of expiration for driving privileges, that drivers license must be deemed to be valid and unexpired for the requirement to present photo ID when voting. This section would expire on December 31, 2027. **(Section 5)**

EFFECTIVE DATE: Except as otherwise provided, effective when it becomes law.