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**Note:** This FAQ is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, contact your hotline captain or command center for assistance. Please make sure to record all of the voter's contact information should follow-up be necessary.

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## REGISTERING TO VOTE

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### 1. STATUS: Am I registered to vote?

Voter registration can be determined by checking the North Carolina Board of Elections website (<https://vt.ncsbe.gov/RegLkup/>). The only required fields are first name, last name, and a checkbox for registration status. Year of birth and county are optional but not required. The lookup tool allows voters to see their registered name, registered address, party affiliation, polling place location, election districts, county board of elections, absentee ballot status, and a sample of what their ballot will look like.

### 2. HOW: How do I register to vote? What if I don't have access to a computer and/or printer?

Voters may download a voter registration application online and print it to paper and fill it out ([https://s3.amazonaws.com/dl.ncsbe.gov/Voter\\_Registration/NCVoterRegForm\\_06W.pdf](https://s3.amazonaws.com/dl.ncsbe.gov/Voter_Registration/NCVoterRegForm_06W.pdf)). The paper copy of the registration must be signed in ink. Once complete, a voter can mail the application to the county board of elections in the county where the applicant resides.

In addition to the printable voter registration application accessible at the [Board of Election's website](#), voter registration applications are available at the following locations:

- North Carolina State Board of Elections
- County Boards of Elections (some Boards of Elections may also mail a voter registration form to a prospective voter if requested)<sup>1</sup>

Voter registration applications may also be available at the following locations, which may vary depending on the practice of the relevant County Board of Elections:

- Public Libraries
- Public High Schools or College Admissions Offices
- Town Halls or Municipal Buildings<sup>2</sup>

Voter registration applications may also be submitted in person through an organized voter registration drive or to a "voter registration agency", which includes:

- Division of Motor Vehicles (DMV)
- Division of Services for the Blind
- Division of Services for the Deaf and Hard of Hearing
- Division of Health Benefits
- Division of Public Health/WIC
- Division of Social Services
- Division of Rehabilitation Services

- Division of Employment Security (DES)
- Division of State Operated Healthcare Facilities
- Other Public Assistance Agencies<sup>3</sup>

For more information about hosting a voter registration drive or voting at a voter registration drive, visit <https://www.ncsbe.gov/registering/hosting-voter-registration-drives#returning-voter-registration-forms>. Voters who register at voter registration drive must have their completed voter registration form returned to the county board of elections in which the voter resides within 5 business days of receipt and no later than the 25<sup>th</sup> day before an election. Similarly, voters who register at a voter registration agency must submit a completed application to the voter registration agency at least 25 days before an upcoming election to be eligible to vote in that election.<sup>4</sup>

**Expanded Online Voter Registration Services:** A person who already has a North Carolina driver's license or DMV-issued identification card may register to vote, update their voter registration address, or update their party affiliation online through the NCDMV at <https://payments.ncdot.gov/>. Voter registration applications for upcoming elections must be submitted at least 25 days before the election. There is no fee and voters do not need to create an account with Paylt to apply for voter registration services. For more information on online voter registration services visit <https://www.ncsbe.gov/registering/how-register/complete-your-registration-online-through-dmv.><sup>5</sup>

To register and vote in North Carolina, you must:

- Be a U.S. citizen;
- Live in the county where you are registering, and have resided there for at least 30 days prior to the date of the election;
- Be 18 years old at the time of the upcoming general election (16 and 17 year olds may preregister to vote in upcoming general elections that occur after they will turn 18, and registered 17 year olds may vote in a primary election if they will be 18 at the time of the general election)
- Not be serving a sentence for a felony conviction (note that misdemeanor convictions do not impact voting eligibility).
  - **Once an individual convicted of a felony has completed their sentence or received a pardon, their citizenship rights are automatically restored and they are eligible to register and vote.**<sup>6</sup>
  - **No additional documentation is needed.** However any prior voting registration may have been canceled while a person is serving a sentence, so **returning citizens need to check their registration and if necessary, re-register following completion of their sentence.**<sup>7</sup> Although not necessary to register, a Certificate of Restoration of Forfeited Rights of Citizenship should be issued upon release (and filed with the duty court of the clerk of the county in the county of residence) and a copy should be provided to the person. Keeping a copy of that certificate available may help avoid potential issues when registering (or re-registering) as a voter following serving their sentence.<sup>8</sup> Voters whose rights of citizenship are restored after serving a felony sentence ahead of Election Day, but after the voter registration deadline, may apply to register and vote during early voting (if available) or on Election Day.<sup>9</sup>

- In addition, in *Community Success Initiative v. Moore*, No. 19-cvs-15941 (Wake County, N.C. Sup. Ct. Sept. 4, 2020), a court ruled that the restoration of voting rights of a person with a prior felony conviction cannot be conditioned on financial payments that are due as part of a criminal sentence. Based on that court ruling (which may be the subject of an appeal), voters may register to vote if they meet **all** of the following criteria:
  1. The voter is serving a term of extended probation, parole, or post-release supervision;
  2. The voter has outstanding fines, fees, or restitution as a result of their felony conviction; and
  3. The voter does not know of another reason that their probation, parole, or post-release supervision was extended.<sup>10</sup> Voters who have been discharged from probation are eligible to vote even if the voter still owes money or has a civil lien.<sup>11</sup>
- For more information on the restoration of voting rights to certain individuals on extended probation, including information about organizations that can help answer questions about an individual's particular circumstances of extended probation, please visit here: <https://www.ncsbe.gov/registering/who-can-register/registering-person-criminal-justice-system#i-am-currently-incarcerated>.

**North Carolina citizens who are homeless can register and vote.** The location of the usual sleeping area for that person shall be controlling as to the residency of that person. Voter registration forms provide a space for an application to visually map where they usually sleep.<sup>12</sup> Residence shall be broadly construed to provide all persons with the opportunity to register and to vote, including stating a mailing address different from residence address.

### **3. IDENTIFICATION: What ID is required to register to vote?**

**No photo ID is currently required to vote in North Carolina.**<sup>13</sup>

First-time Voters Who Registered to Vote By Mail: First-time voters in federal elections in North Carolina who registered to vote by mail do not need to provide any identification as long as they provided their valid driver's license number or last four digits of their social security number in their voter registration form. First-time voters who registered by mail but did not provide verification of identification (a driver's license number **or** the last four digits of their Social Security number) with their registration must present proof of identification the first time that they vote.<sup>14</sup> The proof of identification can be: a current and valid photo ID **OR** a current utility bill, bank statement, government check, paycheck, or other government document that shows the voter's name and address.<sup>15</sup>

For Same Day Registration identification requirements, See [Question #5](#).

### **4. DEADLINES: When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?**

**Except for same-day registration during the early voting period if available in the applicable municipality, September 10, 2021 is the last day to submit a voter application registration that will**

**allow you to vote in the October 5, 2021 Municipal Elections and October 8, 2021 is the last day to submit a voter application registration that will allow you to vote in the November 2, 2021 Municipal Elections.** To determine the election date and whether early in person voting or absentee voting by mail is available in your municipality, visit <https://www.ncsbe.gov/voting/upcoming-election/2021-municipal-voter-tool>.

The deadline to register to vote in North Carolina is 25 days before the date of the primary or election. Prospective voters may submit their voter registration application to their County Board of Elections in person, by email, by fax, or by mail.<sup>16</sup> Applications submitted by mail must be postmarked at least 25 days before the primary or election and be received not later than 20 days before the primary or election.<sup>17</sup> Applications submitted by email or fax must be submitted 25 days before the election (by 5:00pm ET), and **IMPORTANT:** If you submit your voter registration application by email or fax and it is a new registration, you must also send a hard copy of the signed form to the County Board of Elections, and the hard copy must be delivered to the County Board in person or by mail no later than 20 days before the election.<sup>18</sup> Voters can find the address/email/fax of their County Board of Elections here: <https://vt.ncsbe.gov/BOEInfo/>.

See also [Question #5](#) regarding same day registration during the early voting period.

**5. SAME DAY: Does my state have Same Day Registration (i.e. I can register to vote the same day I vote)? If so, what is the process?**

Yes, North Carolina has Same Day Registration during the early voting period (if available in your municipality). During this time, voters may register and cast a ballot during a visit to an early voting (one-stop) location in their county (see [Question #14](#)).

For the Municipal Elections, not all municipalities offer in-person early voting and absentee-by-mail voting. To determine whether early in person voting or absentee voting by mail is available in your municipality, visit <https://www.ncsbe.gov/voting/upcoming-election/2021-municipal-voter-tool>.

To use Same Day Registration, a voter must provide one of the following documents to an election official at an early voting (one-stop) location:

- North Carolina driver's license or other government-issued photo identification showing the voter's current name and address
- Current utility bill (electric, phone, cable, water, etc.), bank statement, government check, paycheck, payroll stub, or other government document that shows the voter's name and address
- College/university student ID card, plus a document showing that the student resides at the college/university's location
- Any document from any government agency that shows the voter's name and current address.<sup>19</sup>

**6. PERMANENT MOVE: I have moved permanently and I didn't update my voter registration, can I vote?**

The answer to this question depends on **when** the voter moved and the location **where** the voter moved. Refer to the table below. For early voting, see [Question #14](#).

| <b>Moved within the same precinct in the same county</b>  | <b>Moved to a different precinct within the same county</b>   | <b>Moved to a different county within the state</b>   | <b>Moved from a different state</b>  |
|---|---|---|--|
| <p>Re-registration is not required in this situation, but you should notify the county board of elections of your new address at least 25 days before the election.</p> <p>Because the polling place will be the same for the new and old address, voters should go to that polling place. Even if a voter has not notified the county board of elections of their new address by the voter registration deadline, voters are entitled to cast a regular ballot upon oral or written affirmation of the change of address before a precinct official at the time they cast their ballot.<sup>20</sup></p> | <p>Re-registration is not required in this situation, but you should notify the county board of elections of your new address at least 25 days before the election.</p> <p><b><u>Voters who moved at least 30 days before the election</u></b> within the same county can vote either at their new polling place upon written affirmation of the new address <b>or</b> at a central location in the county chosen by the county board.<sup>21</sup></p> <p>If a voter goes to their old polling place to vote, the precinct officials must: (1) send the voter to the new precinct; (2) send the voter to vote at the central location chosen by the county board; or (3) permit the voter to vote at their old precinct using a provisional ballot. The provisional ballot will only be counted for all ballot items that the voter is eligible to vote for under state or federal law.<sup>22</sup></p> <p><b><u>Voters who moved within 30 days of the</u></b></p> | <p><b><u>If you moved at least 30 days before the election</u></b>, you must update your registration with your new address (or if applicable, register to vote in your new county of residence) no later than 25 days before the election. You may also update your address using same-day registration during the in-person early voting period.</p> <p><b><u>Voters who moved fewer than 30 days before Election Day</u></b> must vote at the polling place that corresponds with their old address (and when they vote, they should complete a change of address form). They will be able to cast a regular ballot at the old polling place.<sup>24</sup></p> | <p>You are eligible to register to vote in North Carolina as long as you moved to the state at least 30 days before Election Day.<sup>25</sup></p> <p>You must submit your voter registration form at least 25 days before Election Day; or you can participate in Same Day Registration during the Early Voting period.</p> <p>CONTINUES ON NEXT PAGE</p> |



|  |   |  |  |
|--|---|--|--|
|  | <b>election</b> must vote in their prior polling place. They will be able to cast a regular ballot. <sup>23</sup> |  |  |
|--|---|--|--|

**7. TEMPORARY MOVE: I have moved temporarily due to Covid-19 or some other reason. Where can I vote?**

Your residence under North Carolina law is the place where you live and have an intention to return after being absent from it. You do not lose your North Carolina residency for voting purposes if you leave home and go to another location (either in the state or out of the state) for temporary purposes only, as long as you have an intention of returning to your original residence.<sup>26</sup>

**8. STUDENT: I am a college student. Can I register to vote where I go to school? What if I am taking classes remotely? Where can I vote?**

Yes. College students who meet the registration requirements may register to vote. In order to be eligible to vote in the state of North Carolina, the student must be a citizen of the United States, a North Carolina resident, and at least 18 years old by the date of the next general election.

Students may claim their college/university community as their residence so long as they are physically present for the purpose of attending school, even if you do not intend to stay at the college community after graduation (so long as you do not intend to return to your former home after graduation, in which case your former home is your residence for voting purposes). This also applies to the location at which you are physically present for remote learning at a college or university.<sup>27</sup>

A student from North Carolina who attends a school outside of North Carolina may register and vote in North Carolina unless that student has registered to vote in another state or does not intend to return to the state of North Carolina following completion of their education. Casting a ballot in another state is considered an abandonment of residency under North Carolina law.<sup>28</sup> For more information on registering to vote as a college student, visit <https://www.ncsbe.gov/registering/who-can-register/registering-college-student>.

**9. LIVING ABROAD: I am living abroad and/or am serving in the military. How can I register and/or vote?**

**Military and Overseas Voters:** In addition to using the North Carolina absentee ballot process described below, active duty military members, their dependents, and U.S. citizens living abroad may also apply to register and vote through special programs for military and overseas voters, specifically the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).<sup>29</sup> See more details in [Question #19](#) regarding the process for military and overseas voters to cast their ballots.

To register, military and overseas voters can fill out the registration application using the processes for registering described above. Military and overseas voters may register to receive an absentee ballot through the Federal Postcard Application (FPCA) or the Federal Write-in Absentee Ballot (FWAB). The



advantage of the FPCA is that the voter receives a ballot that includes all ballot choices, including local contests and ballot items. The FWAB is a simpler option if the voter only wants to vote in prominent federal contests, such as presidential elections. With a FWAB ballot, the voter may vote for all contests (federal, state and local) for which he or she is eligible, but the voter must get information for local contests and ballot items in order to write in a choice for those items. A military or overseas voter should only apply for an absentee ballot using the FPCA or the FWAB, but not both. Generally, the FWAB serves as a backup to the FPCA. For most voters, the FPCA is the best option.

UOCAVA citizens may complete an FPCA or FWAB and send the form to their county board of elections using one of these methods:

Online at the UOCAVA portal (<https://votebymail.ncsbe.gov/app/uocava>)

Mail: NC State Board of Elections

PO Box 27255 Raleigh, NC 27611-7255

Email: [absentee@ncsbe.gov](mailto:absentee@ncsbe.gov)

Fax: (919) 715-0351

#### **10. CRIMINAL CONVICTION: I have a criminal conviction. Can I vote?**

A person is ineligible to vote in North Carolina if they are serving a sentence for a felony conviction. The person must complete their sentence before the right to vote automatically returns to the voter—this includes any term of probation, parole, or post-release supervision.<sup>30</sup> No additional documentation is needed once the sentence has been served. The voter must register (or re-register) at least 25 days before the election as long as the sentence has been served by then.<sup>31</sup>

In *Community Success Initiative v. Moore*, No. 19-cvs-15941 (Wake County, N.C. Sup. Ct. Sept. 4, 2020), a court ruled that restoration of former felons' voting rights cannot be conditioned on financial payments that are due as part of a criminal sentence. Based on that court ruling (which may be the subject of an appeal), a voter can register to vote if they meet all of the following criteria: voters may register to vote if they meet **all** of the following criteria:

1. The voter is serving a term of extended probation, parole, or post-release supervision;
2. The voter has outstanding fines, fees, or restitution as a result of their felony conviction; and
3. The voter does not know of another reason that their probation, parole, or post-release supervision was extended.<sup>32</sup> Voters who have been discharged from probation are eligible to vote even if the voter still owes money or has a civil lien.<sup>33</sup>

For more information on eligibility to vote and how to register to vote, consult the North Carolina State Board of Election's Notice on the Restoration of Voting Rights to Certain Individuals on Extended Probation or visit <https://www.ncsbe.gov/registering/who-can-register/registering-person-criminal-justice-system>.

If the sentence is not fully served until fewer than 25 days before the election, an individual with a felony conviction may apply to register to vote on primary or election day. If the application is approved, the person may vote on the same day.<sup>34</sup>

Although not necessary to register, a Certificate of Restoration of Forfeited Rights of Citizenship should be issued when a sentence has been fully served (and filed with the duty court of the clerk of the county in the county of residence) and a copy should be provided to the released person. Keeping a copy of that certificate available may help avoid potential issues when registering (or re-registering) as a voter after serving their sentence.<sup>35</sup>

Those who have been convicted of a misdemeanor do not lose their right to vote, even if they are incarcerated for the misdemeanor.<sup>36</sup>

**11. INCARCERATED: I am currently in jail. Can I vote?**

As long as you are not serving a sentence for a felony conviction (*e.g.*, you are in jail before being convicted or are serving a sentence for a misdemeanor), you are eligible to vote. When completing your voter registration form, your residential address is where you live when not incarcerated and where you intend to return after release. If you do not have a residence to return to, use the address of the jail or prison.<sup>37</sup>

**12. I AM NOT ON ROLLS AT POLLING PLACE: I am at my polling place and am not on the voter registration roll. Can I vote where I am?**

If a voter is not found on the rolls of the polling place where the voter is attempting to vote, look up the voter in the online tool reference in [Question #1](#) to make sure the voter is registered and is in the correct precinct.

If a precinct official determines that the voter is registered and in the correct precinct, they will be able to vote a regular ballot.<sup>38</sup> If the voter is in the wrong precinct, the precinct official should give the voter adequate information in order to direct the person to the proper voting place. The precinct official should also offer, and the voter may request, a provisional ballot.<sup>39</sup>

If the poll worker says the voter is not eligible to vote at a particular precinct, but that voter believes they are, that voter may cast a provisional ballot.<sup>40</sup> However, if it is later determined that the voter was not registered in the county, then the provisional ballot will not count. If the voter is not on the rolls because they moved, reference [Question # 6](#) for the procedures that apply to voters who have moved from locations within the state or from other states.

Note that during early voting, the voter can also register at any early voting location in their county via same-day registration (see [Question #18](#)) if available in the voter's municipality.

For more information on provisional ballots, see [Question #48](#).

**13. I THOUGHT I WAS REGISTERED: My name isn't on the voter registration roll but I thought I was registered. Could it have been removed? What do I do?**

If you are not on the voter registration roll, you can register to vote as long as you submit your registration application at least 25 days before the election. You can also participate in Same Day Registration during the Early Voting period if available in your municipality. For the Municipal Elections,

not all municipalities offer in-person early voting and absentee-by-mail voting. To determine whether early in person voting or absentee voting by mail is available in your municipality, visit <https://www.ncsbe.gov/voting/upcoming-election/2021-municipal-voter-tool>.

A voter may be removed from their county's voter registration rolls due to the voter's:

- Death;
- Conviction of a felony (state or federal);
- Confirmation in writing of a change of address for voting purposes out of the county; or
- Failure to respond to the County Board's address confirmation mailing AND the voter does not vote in the two consecutive federal election cycles after the county's confirmation notice.<sup>41</sup>

Any voter whose name was removed in one of the above ways and who subsequently becomes eligible to vote must re-register in order to have their name restored to the statewide voter registration system. If a voter is voting during the early voting period (see [Question #17](#)), the voter may go to any early voting location in the county, fill out a registration form (see [Question #4](#)), show identifying information (see [Question #5](#)), and vote a regular ballot.

You can take steps to help to determine why a voter's name is not on the list of registered voters:

- Check the voter's registration status using the registration lookup tool to make sure they are registered to vote and at the right place (see [Question #1](#)).
- Has the voter moved recently? Could they be registered at an old address? Check that address in the registration lookup tool (see [Question #1](#) and [Question #6](#)).
- Has the voter changed their name recently, or could they be registered under a different name? Check that name (and any variations of the voter's name, especially for hyphenated names, which sometimes trip up databases) in the registration lookup tool. Use the "sounds like" option or the wild card search term (\*) on the voter lookup website to check for misspellings (see [Question #1](#)).
- Does the voter have a felony or other criminal conviction? (see [Question #10](#))?
- Has the voter not voted in the county for more than two federal elections?

If a voter is not found on the rolls of the polling place where the voter is attempting to vote, look up the voter in the online tool reference in [Question #1](#) to make sure the voter is registered and is in the correct precinct.

If a precinct official determines that the voter is registered and in the correct precinct, they will be able to vote a regular ballot.<sup>42</sup> If the voter is in the wrong precinct, the precinct official should give the voter adequate information in order to direct the person to the proper voting place. The precinct official should also offer, and the voter may request, a provisional ballot.<sup>43</sup>

If the poll worker says the voter is not eligible to vote at a particular precinct, but that voter believes they are, that voter may cast a provisional ballot.<sup>44</sup> However, if it is later determined that the voter was not registered in the county, then the provisional ballot will not count. If the voter is not on the rolls because they moved, see [Question # 6](#).

Note that during early voting, the voter could also register at any early voting location in their county via same-day registration (see [Question #18](#)). For more information on provisional ballots, see [Question #48](#).

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## HOW TO VOTE: EARLY VOTING

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### **14. AVAILABILITY: Is there early voting in my state (whether called early voting or in person absentee voting)? When is it?**

For the Municipal Elections, not all municipalities offer in-person early voting and absentee-by-mail voting. To determine whether early in person voting or absentee voting by mail is available in your municipality, visit <https://www.ncsbe.gov/voting/upcoming-election/2021-municipal-voter-tool>.

Voters may go in person to a designated one-stop early voting location if available in their municipality to vote an in-person absentee ballot.<sup>45</sup> Early voting begins the third Thursday before an election and closes on the last Saturday before an election.<sup>46</sup> The early voting period for the October 5, 2021 Election begins on September 16, 2021 and ends on October 2, 2021. The early voting period for the November 5, 2021 election begins on October 14, 2021 and ends on October 30, 2021. The days and hours within that time period are location-specific. You can find the locations and times of early voting polling places at <http://vt.ncsbe.gov/ossite/>.

### **15. ELIGIBILITY: Do I have to have a reason to vote early?**

No, you do not need to have a reason to vote early.

### **16. WHEN: When do the polls open/close during early voting?**

You should check the specific opening and closing times for early voting at particular early voting sites using the state's One-Stop Early Voting Site Search: <https://vt.ncsbe.gov/ossite/>. Early voting times vary by site.

### **17. WHERE: Where do I vote during early voting?**

You can vote at any Early Voting site that is open within your municipality. You should check the specific opening and closing times for early voting at particular early voting sites using the state's One-Stop Early Voting Site Search. <https://vt.ncsbe.gov/ossite/>

### **18. IDENTIFICATION: What identification is required for early voting? Can I vote without providing identification?**

**You do not need to provide any identification if you registered to vote at least 25 days before Election Day and are on the county’s voter registration rolls, except for any first time voters who registered by mail and did not provide a valid driver’s license number or last four digits of their social security number in their registration form, who need to provide one proof of identification from the list below (and it need not be a photo ID).**

If you did not register, or for some other reason you are not on the county’s voter registration rolls, you can register via Same Day Registration at an Early Voting site (if available in your municipality). The voter must prove their residence for purposes of Same Day Registration by showing any of the following documents with their current name and address:

- North Carolina driver’s license or other government-issued photo identification showing the voter’s current name and address
- Current utility bill (electric, phone, cable, water, etc.), bank statement, government check, paycheck, payroll stub, or other government document that shows the voter’s name and address
- College/university student ID card, plus a document showing that the student resides at the college/university’s location
- Any document from any government agency that shows the voter’s name and current address.<sup>47</sup>

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## HOW TO VOTE: ABSENTEE AND/OR VOTE BY MAIL

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### 19. AUTOMATIC: Do I have to request an absentee ballot or will my state mail me one automatically? How do I request one?

**For the 2021 Municipal Elections, not all municipalities offer in-person early voting and absentee-by-mail voting. To determine whether early in person voting or absentee voting by mail is available in your municipality, visit <https://www.ncsbe.gov/voting/upcoming-election/2021-municipal-voter-tool>.**

Yes. Any registered voter may vote absentee in an election in North Carolina.<sup>48</sup> Absentee voting allows registered voters to vote by mail or in-person before an election; no reason is required. Any voters who want to vote by mail should request an absentee ballot as described below; the state will not automatically mail any absentee ballots.

Absentee voting by mail: To request a mail-in absentee ballot, the voter or the voter’s near relative or legal guardian must complete the Absentee Ballot Request Form. By law, a “near relative” can be any of the following: spouse, sibling, parent, grandparent, child, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, stepparent, or stepchild of the voter.<sup>49</sup>

The Absentee Ballot Request Form can be accessed at:

- North Carolina State Board of Elections website: <https://s3.amazonaws.com/dl.ncsbe.gov/Forms/2021-NC-Absentee-Ballot-Request-Form-Fillable-English.pdf>
- Online at the North Carolina State Board of Elections' Absentee Ballot Request Portal at <https://votebymail.ncsbe.gov/app/absentee/lookup>
- North Carolina State Board of Elections office: <https://www.ncsbe.gov/contact-ncsbe>
- The relevant County Board of Elections office: <https://vt.ncsbe.gov/BOEInfo/>

A completed Absentee Ballot Request Form may only be returned by the voter, the voter's near relative or legal guardian, a Multipartisan Assistance Team (MAT) member, United States Postal Service, or designated delivery service (DHL, FedEx, or UPS). Voters cannot submit absentee ballot request forms via fax or email.<sup>50</sup> The MAT can assist voters in the mail-in absentee voting process.<sup>51</sup> Voters who are blind, have a disability, or are unable to read or write and need assistance completing the form may request that another person give assistance if a near relative or legal guardian is not available to assist the voter. This person must provide their name and address on the voter's Absentee Ballot Request Form.<sup>52</sup>

A request to vote absentee must be **received** by the appropriate County Board of Elections **no later than Sept. 28, 2021 at 5:00pm ET for the Oct. 5, 2021 Municipal Elections and October 26, 2021 at 5:00pm ET for the Nov. 2, 2021 Municipal Elections.**<sup>53</sup> The state recommends allowing 7-10 days for the absentee ballot to be delivered to you.

Once the County Board of Elections receives the request form, it must mail the absentee ballot, ballot application, instructions, and return envelope to the voter.<sup>54</sup> Voters must:

- Mark their ballot in the presence of a notary public or two witnesses over age 18;
- Properly fold each ballot and seal it in the return envelope; and
- Have the notary public or two witness sign the absentee ballot application and certify as a witness.

It is generally ok to have a spouse or family members (18 or older) serve as a witness. Individuals prohibited from witnessing an absentee ballot include:

- A person younger than 18.
- A candidate for election, unless the candidate is the voter's near relative.
- If the voter is a patient or resident at a hospital, clinic, nursing home, or adult care home, the following individuals are also prohibited from assisting:
  - an owner, manager, director, or employee of that facility;
  - an individual who holds any elected federal, state or local office or precinct political party or organization office;
  - or a campaign manager or treasurer for any candidate or political party.

The voter is not required to submit a copy of their photo ID with their returned application and voted ballot.

**Mailed absentee ballots will be timely if the County Board of Elections receives the ballot by 5:00 p.m. on the third day after Election Day (Friday, October 8, 2021 for the Oct. 5, 2021 Municipal Elections and Friday, November 5, 2021 for the Nov. 2, 2021 Municipal Elections) as long as it is postmarked on or before Election Day.**<sup>55</sup> *Note:* To ensure the ballot is postmarked by the deadline, a voter should go inside the post office to mail their absentee ballot.<sup>56</sup> Absentee voters may also deliver their ballots in person to their county board of elections office or to a one-stop early voting site at any time the site is open for voting (if available in the voter's municipality).<sup>57</sup> If returning in person to a county board of elections office on Election Day, it must be received by 5 PM. More information can be found at <https://www.ncsbe.gov/voting/vote-mail>. **If the ballot does not have a postmark from on or before Election Day, the completed absentee ballot must be received by the elections office no later than 5:00pm on the day before Election Day.**<sup>58</sup> Ballots may only be sent by mail or commercial courier (at the voter's expense), delivered in person by the voter, or by the voter's near relative or legal guardian.<sup>59</sup>

Military and Overseas Voters: In addition to using the North Carolina absentee ballot process described above, a military-overseas voter may use a Federal Write-In Absentee Ballot (FWAB ballot) to cast their vote.<sup>60</sup> Applications for military-overseas ballots are timely if received before 5:00 pm the day before Election Day.<sup>61</sup>

UOCAVA citizens may complete an FPCA or FWAB and send the form to their county board of elections using one of these methods:

Online at the UOCAVA portal (<https://votebyemail.ncsbe.gov/app/uocava>)  
Mail: NC State Board of Elections  
PO Box 27255 Raleigh, NC 27611-7255  
Email: [absentee@ncsbe.gov](mailto:absentee@ncsbe.gov)  
Fax: (919) 715-0351

Military or overseas voters may return their ballot, including an FWAB, via mail, fax or email. Additionally, a military or overseas voter who has submitted an FPCA or completed the UOCAVA portion of the North Carolina Absentee Request Form may use the UOCAVA online portal to retrieve, mark, and return their ballot. Ballots must be submitted to the appropriate County Board of Elections no later than the close of the polls, or submitted for mailing, electronic transmission, or other authorized means of delivery no later than 12:01am at the place where the voter completes the ballot on the date of the election.<sup>62</sup>

More information about military overseas voting can be found at <https://www.ncsbe.gov/voting/vote-mail/military-and-overseas-voting>. Military and overseas voters can also visit <http://www.fvap.gov/> for more information.

## **20. APPLICATION DEADLINE: What is the deadline for requesting an absentee ballot?**

**For the 2021 Municipal Elections, not all municipalities offer in-person early voting and absentee-by-mail voting. To determine whether early in person voting or absentee voting by mail is available in your municipality, visit <https://www.ncsbe.gov/voting/upcoming-election/2021-municipal-voter-tool>.**



Absentee ballot requests must be **received by the county board of elections no later than 5:00pm ET on September 28, 2021 for the Oct. 5, 2021 Municipal Elections and October 26, 2020 for the Nov. 2, 2021 Municipal Elections. The state estimates that it may take 7-10 days to mail absentee ballot requests to voters.** Therefore, in order to allow enough time for the absentee ballot requests to be fulfilled before the deadline for the voter to submit the absentee ballot, **requests should be made as far in advance of the deadline as possible.**

**21. APPLICATION RETURN: Where and/or how can I return my absentee ballot application? Can someone return it for me?**

Absentee ballots may be returned by any of the following methods:

- By mail.
- By commercial courier service (DHL, FedEx, or UPS).
- In person at your county board of elections office.
- In person at an open early voting site in your county. You can find early voting sites in your county by using the one-stop site lookup tool.

If you have a disability and need assistance mailing your ballot: You may direct an individual to immediately take the sealed envelope containing your ballot to the closest U.S. mail depository or mailbox, as long as the person is not a candidate (unless the candidate is your near relative or legal guardian). For patients in facilities, the following individuals are also prohibited from assisting you with mailing your ballot:

- An owner, manager, director, or employee, of a hospital, clinic, nursing home, or rest home in which you are a patient or resident.
- A person who holds any federal, state, or local elective office.
- A person who holds office in a state, congressional district, county, or precinct political party or organization, or who is a campaign manager or treasurer for any candidate or political party.

If you have a mailbox at your residence, the mailbox is the closest depository. The individual taking your sealed ballot to the closest depository or mailbox must sign the Voter Assistant Certification on the back of the ballot envelope.

**22. DIDN'T REQUEST IN TIME: What if I have not requested an absentee ballot by the deadline?**

If you miss the deadline to request an absentee ballot, you can participate in in-person early voting if available in your municipality or vote on election day. See [Question #14-18](#) for information on in-person early voting.

**23. ELIGIBILITY: Do I have to have a specific reason for requesting to vote by absentee ballot?**

No, you do not need to have a reason to request to vote by absentee ballot.

**24. STATUS OF APPLICATION AND/OR BALLOT: How can I check the status of my application and/or absentee ballot?**

The relevant County Board of Elections will contact a voter when there are deficiencies with their absentee ballot. You should provide your phone number or email address on the request form in case the County Board needs to contact you. The State Board encourages voters to carefully read and follow the instructions that come with the ballot. The State Board also encourages voters to request and return their absentee ballot as early as possible to ensure time remains to correct any issues. If an issue arises and the voter is unable to successfully cast an absentee ballot, that voter may still vote during the in-person early voting period (if available in your municipality) or on Election Day.

Absentee by-mail voters in North Carolina can find the status of their ballot in two different ways: (1) through the State Board's Voter Search Tool, and (2) by contacting their County Board of Elections.

### **1) State Board's Voter Search Tool**

When a County Board of Elections marks a ballot as Accepted, that information will appear in that voter's record available through the State Board's Voter Search Tool. Because absentee ballot request information is confidential under state law until the ballot is accepted or until Election Day, absentee request information does not appear in the Voter Search Tool.

### **2) Contact Your County Board of Elections**

If you have questions about the status of your absentee ballot that cannot be answered through the State Board's Voter Search Tool, contact your County Board of Elections. Please be advised that County Board offices are extremely busy. County Board of Elections contact information can be found at: <https://vt.ncsbe.gov/BOEInfo>.

## **25. APPLICATION AND/OR BALLOT REJECTED: I learned my absentee ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?**

The relevant County Board of Elections will contact a voter when there are deficiencies with their absentee ballot. You should provide your phone number or email address on the request form in case the county board needs to contact you. The State Board encourages voters to carefully read and follow the instructions that come with the ballot. The State Board also encourages voters to request and return their absentee ballot as early as possible to ensure time remains to correct any issues. If an issue arises and the voter is unable to successfully cast an absentee ballot, that voter may still vote during the in-person early voting period or on Election Day.

Deficiencies fall into two main categories: those that can be cured with a certification and those that cannot be cured.

The following deficiencies can be cured by sending the voter a cure certification:

- Voter did not sign the voter certification
- Voter signed in the wrong place

The following deficiencies cannot be cured by certification

- Witness or assistant did not print name or address or did not sign or signed on the wrong line.
  - Upon arrival at the county board office, the envelope is unsealed or appears to have been reopened or resealed.
  - The envelope indicates the voter is requesting a replacement ballot.
- If a county board receives a container-return envelope with one of these deficiencies, county board staff shall spoil the ballot and reissue a ballot along with a notice explaining the county board office's action.

NOTE: In North Carolina, the voter's signature on the envelope shall NOT be compared with the voter's signature on file. Absent clear evidence to the contrary, the county board shall presume that the voter's signature is that of the voter, even if the signature is illegible.

The cure certification must be received by the county board of elections by 5 p.m. the day before county canvass. The cure certification may be submitted to the county board office by fax, email, in person, or by mail or commercial carrier. If a voter appears in person at the county board office, they may also be given, and can complete, a new cure certification. There is not a postmark requirement for cure certifications returned by mail – the cure certification must be received by the deadline, not postmarked by the deadline. The cure certification may only be returned by the voter, the voter's near relative or legal guardian, or a multipartisan assistance team (MAT). A cure certification returned by any other person is invalid

For more information on the absentee container return envelope cure process see [https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2021/Numbered%20Memo%202021-03\\_Absentee%20Deficiencies.pdf](https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2021/Numbered%20Memo%202021-03_Absentee%20Deficiencies.pdf)

## **26. COMPLETING BALLOT: How do I complete the absentee ballot? Are there any identification requirements?**

There are no identification requirements.

To complete the absentee ballot, voters must:

- Mark their ballot in the presence of a notary public or two witnesses over age 18;
- Properly fold each ballot and seal it in the return envelope; and
- Have a notary public or two witnesses sign the absentee ballot application and certify as a witness.

It is generally ok to have a spouse or family members (18 or older) serve as a witness. Individuals prohibited from witnessing an absentee ballot include:

- A person younger than 18.
- A candidate for election, unless the candidate is the voter's near relative.
- If the voter is a patient or resident at a hospital, clinic, nursing home, or adult care home, the following individuals are also prohibited from assisting:
  - an owner, manager, director, or employee of that facility;

- an individual who holds any elected federal, state or local office or precinct political party or organization office;
- or a campaign manager or treasurer for any candidate or political party.

**27. LOST OR SPOILED: What if I lost my absentee ballot or it is spoiled or I received an incorrect one?**

You can request a new one. As long as you have not already voted by sending back your completed absentee ballot, you may contact your County Board of Elections and request a new ballot. The first ballot should not be returned and will not count.

**28. NON-RECEIPT OF BALLOT: What if I requested an absentee ballot but have not received it? Can I do anything?**

As long as the voter has not already submitted the absentee ballot, and is otherwise qualified, the voter is allowed to vote in person by regular ballot.<sup>63</sup> Voters cannot withdraw an absentee ballot after it has been mailed to or returned to their County Board of Elections.<sup>64</sup>

If a voter requested but did not receive their absentee ballot, they can participate in early voting if available in the voter's municipality. If the voter does participate in early voting in lieu of receiving and filling out an absentee ballot or votes on election day, they should be sure to discard any absentee ballot that they ultimately receive.

**29. IN PERSON OPTION: What if I requested an absentee ballot but I want to vote in person on Election Day?**

You may still vote in person as long as you did not return your absentee ballot. Your absentee ballot will be spoiled after you vote in person.

**30. BALLOT DEADLINES: What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?**

**Mailed absentee ballots will be timely if the County Board of Elections receives the ballot by 5:00 p.m. on the third day after Election Day (Friday, October 8, 2021 for the Oct. 5, 2021 Municipal Elections and Friday, November 5, 2021 for the Nov. 2, 2021 Municipal Elections) as long as it is postmarked on or before Election Day.**<sup>65</sup> *Note:* To ensure the ballot is postmarked by the deadline, a voter should go inside the post office to mail their absentee ballot.<sup>66</sup> Absentee voters may also deliver their ballots in person to their county board of elections office or to a one-stop early voting site at any time the site is open for voting if available in your municipality.<sup>67</sup> If returning in person to a county board of elections office on Election Day, it must be received by 5 PM. More information can be found at <https://www.ncsbe.gov/Voting-Options/Absentee-Voting>. If the ballot does not have a postmark from on or before Election Day, the completed absentee ballot must be received by the elections office no later than 5:00pm on the day before Election Day.<sup>68</sup> Ballots may only be sent by mail or commercial courier (at the voter's expense), delivered in person by the voter, or by the voter's near relative or legal guardian.<sup>69</sup>

**31. BALLOT DROP OFF LOCATIONS: What are the locations for dropping off a completed ballot (instead of mailing it)?**

If you choose not to return your completed absentee ballot by mail, you can return the completed absentee ballot in person at your county board of elections or at any open early voting (one-stop) site in your county (if available in your municipality) at any time the site is open for voting if available in your municipality. If returning in person to a county board of elections office on Election Day, it must be received by 5 PM. See [Question #14](#) for more information.

**32. ASSISTANCE DROPPING OFF: Can someone drop off my completed ballot for me?**

Yes, but only if that person is your spouse, brother, sister, parent, grandparent, child, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, stepparent, stepchild, or legal guardian. County Boards of Elections keep track of who drops off each absentee ballot.

**33. IN PERSON ABSENTEE: Where do I vote in-person absentee?**

North Carolina's Early Voting system is also referred to as "in-person absentee." See the answers to Questions 14-18 for the procedures on Early Voting.

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## HOW TO VOTE: ELECTION DAY

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**34. HOURS: When do the polls open and close on Election Day? What if the polls are closing but I'm in line?**

All polling places are open from 6:30 a.m. to 7:30 p.m. Eastern on Election Day. Voters in line by 7:30 p.m. must be allowed to vote.<sup>70</sup>

**\*Note to field volunteer:** If you are a field volunteer at a polling place and it is not open at the correct time, advise voters to stay at the polling location and contact your hotline captain/command center.

**\*Note to hotline volunteer:** If you learn that a polling place prohibits those who were in line by the time the polls closed from voting, advise voters to stay at the polling location and contact your hotline captain immediately.

**35. POLLING LOCATION: Where do I vote on Election Day?**

Election Day polling places can be determined by checking the North Carolina Board of Elections website (<https://vt.ncsbe.gov/PPLkup/>). If a voter has moved recently and has not updated their voter registration, refer to [Questions #6 and 7](#).

**\*Note to hotline volunteer:** Polling places may have been moved or consolidated. Voters should be advised to check the polling place listed on the Voter Notification Card they received from the local election authority in the month before the election.

**36. IDENTIFICATION: What identification is required to vote on Election Day? Can I vote without providing identification?**

**No photo ID is currently required to vote in North Carolina.**<sup>71</sup>

First-time Voters Who Registered to Vote By Mail: First-time voters in federal elections in North Carolina who registered to vote by mail do not need to provide any identification as long as they provided their valid driver's license number or last four digits of their social security number in their registration form. First-time voters who registered by mail but did not provide verification of identification (a driver's license number **or** the last four digits of their Social Security number) with their registration must present proof of identification the first time that they vote.<sup>72</sup> The proof of identification can be: a current and valid photo ID **OR** a current utility bill, bank statement, government check, paycheck, or other government document that shows the voter's name and address.<sup>73</sup>

For Same Day Registration identification requirements, See [Question #5](#).

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## POLLING PLACE ISSUES

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**37. POLLING PLACE NOT OPEN: The polling place is not open. What do I do?**

Check to confirm your polling place has not moved at this link: <https://vt.ncsbe.gov/PPLkup/>. Note that North Carolina State Board of Elections may have moved and consolidated polling locations. The County Board of Elections making such change must mail a notice of any precinct changes to each affected voter.

If you are at the polling place listed at the link above, stay at the polling location and call 866-OUR-VOTE to report the issue. You may also contact your County Board of Elections, whose contact information can be found via this link: <https://vt.ncsbe.gov/BOEInfo/>.

**\*Note to field volunteer:** If you are a field volunteer at a polling place and it is not open at the correct time, advise voters to stay at the polling location and contact your hotline captain/command center.

**\*Note to hotline volunteer:** If you learn of a polling place not opening on time or is closed, notify your hotline captain immediately.

**38. LONG LINES: There are long lines at the polling place. What do I do? What if the polls are closing while I'm in line?**

If there are long lines at your polling place, stay in the line, take note of the time (and, if possible, what time you started lining up to vote), and call 866-OUR-VOTE to report the long lines. See [Question 34](#) for answer if voter is in line when polls are closing.

**\*Note to hotline volunteer:** If you learn of long lines, notify your hotline captain immediately.

**\*Note to field volunteer:** If the polling place you are at has long lines, notify your hotline captain immediately. Also try to approach voters in the line (if possible) and ask them how long they have been in the line.

### **39. EQUIPMENT FAILURE: What should I do if there are equipment problems at my precinct?**

Voters should immediately notify the polling place officials if the voting equipment breaks down while the polls are open. If the problem cannot be fixed in a timely manner, voters should ask if an emergency paper ballot is available.

**\*Note to hotline volunteer:** If you learn of equipment not working properly at a polling place, notify your hotline captain immediately. They will then contact local elections officials to attempt to resolve the issue.

### **40. NO PPE/COVID: What if my polling place is not enforcing COVID-19 precautions or has run out of supplies?**

Each polling place should provide PPE, including face masks for voters and election officials, other supplies for disinfecting high-touch surfaces, and hand sanitizer. Note that it is not compulsory for voters to wear a face mask inside polling places, but it is highly encouraged. A voter cannot be turned away for failing to wear face coverings. Social distancing at polling places and early voting sites will be enforced.

If your polling place does not provide adequate PPE or is not taking adequate precautions, call 866-OUR-VOTE.

**\* Note to hotline volunteer:** If you become aware of a polling location that is not taking adequate COVID-19 precautions or has run out of supplies, notify you hotline captain immediately.

**\*Note to field volunteer:** If you are at a polling location that is not taking adequate COVID-19 precautions or has run out of supplies, notify you hotline captain immediately.

### **41. EQUIPMENT ASSISTANCE: I don't know how to use the voting equipment. Can I get help?**

Yes. Voting information and instructions should be posted at each active voting place.<sup>74</sup> In addition, a voter may request instruction for the proper use of the voting system from a precinct official. The precinct official is required to provide such technical instruction without seeking to influence or intimidate the voter in any manner.<sup>75</sup>



**42. PHYSICAL DISABILITY: I have a physical disability and need assistance. Will my polling place be accessible?**

Polling sites are required to be accessible. Voters may visit <https://vt.ncsbe.gov/PPLkup/> for pictures of every polling place in North Carolina including pathways, accessibility from outside, and accessibility within each polling site.

Each polling place must be accessible to persons with disabilities. Any elderly voter or voter with a disability assigned to an inaccessible polling place will be assigned to an accessible polling place upon advance request.<sup>76</sup>

**43. READING/LANGUAGE ASSISTANCE: I am blind, have a physical disability, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?**

Yes. Voters who are blind or have a physical disability, or cannot read English and need assistance voting are entitled to have a person of their choice (other than the voter's employer, an agent of the employer, or an officer or agent of the voter's union) mark the voter's choices or assist the voter in marking their choices on the ballot.

Any registered voter is entitled to assistance from a member of the voter's immediate family. An immediate family member is defined as a spouse, parent, grandparent, sibling, child, grandchild, mother- or father-in-law, son- or daughter-in-law, stepparent or stepchild chosen by the voter.<sup>77</sup>

The North Carolina State Board of Elections has authorized the use of certain types voter assistance devices and voting machines to assist voters who are blind and voters with other disabilities. To learn more about these devices, visit <https://www.ncsbe.gov/voting/help-voters-disabilities> and <https://www.ncsbe.gov/voting/voting-equipment>.

**44. CURBSIDE VOTING: When can I request curbside voting?**

The following voters must be allowed to vote "curbside" – either in the vehicle that brought them to the polling place or in the immediate proximity of the polling place:

1. Those who are unable to enter the polling place due to age or physical or mental disability;
2. Those who have a medical condition that puts them at increased risk of contracting COVID-19;
3. Those who should not wear a mask due to a medical or behavioral condition or disability; or
4. Anyone experiencing symptoms of COVID-19.<sup>78</sup>

Any voters who vote through curbside voting must sign an affidavit confirming they are not able to enter the polling place for one of the above reasons. Curbside voting will be available at all early voting (one-stop) sites along with every voting site for in-person voting on election day.

Election officials should not ask probing questions or seek proof of a disability from a voter requesting to vote curbside; the only requirement is that they sign the curbside voter affidavit.<sup>79</sup>

A curbside voter has the same rights to assistance as any other voter. For information about curbside voting at a specific polling place or early voting site visit the County Board of Elections website: <https://vt.ncsbe.gov/BOEInfo>.

**45. CAMPAIGNING: What rules apply to people campaigning or “hanging around” my polling place? Can people approach me?**

Individuals are prohibited from distributing campaign literature, soliciting votes, or engaging in any other type of electioneering within the buffer zone, which, if practical, shall be 50 feet from the entrance to any polling place, when the door is closed, but in no event shall it be more than 50 feet or less than 25 feet. If a person is participating in curbside voting in a vehicle, the vehicle is considered the voting enclosure and the buffer zone shall be at least 6 feet from the vehicle and a greater distance if possible).<sup>80</sup> Also see [Question #47](#) below regarding voter intimidation.

**46. CHALLENGES: Someone is formally challenging my vote. What do I do?**

During Early Voting (One-Stop Absentee Voting):

Any registered voter of the same precinct as the absentee voter may challenge that voter’s absentee ballot.<sup>81</sup> Each challenged absentee ballot shall be challenged separately in writing, and the burden of proof is on the challenger.<sup>82</sup> Challenges to absentee ballots may be made on the day of any statewide primary, or general election or a county bond election beginning no earlier than noon and ending no later than 5:00p.m., or by the chief election judge at the time of closing of the polls. All challenges to absentee ballots, or one-stop absentee ballots, shall be heard by the County Board of Elections on the day set for the canvass of the returns (ten days after Election Day).<sup>83</sup>

On Election Day:

On Election Day, any registered voter of the county may challenge the right to vote of any other voter of the same county at the time the voter offers to vote. The right to vote may only be challenged for the following set reasons:

- (1) That a person is not a resident of the State of North Carolina, or
- (2) That a person is not a resident of the county in which the person is registered, provided that no such challenge may be made if the person removed his residency and the period of removal has been less than 30 days, or
- (3) That a person is not a resident of the precinct in which the person is registered, provided that no such challenge may be made if the person removed his residency and the period of removal has been less than 30 days, or
- (4) That a person is not 18 years of age, or if the challenge is made within 60 days before a primary, that the person will not be 18 years of age by the next general election, or
- (5) That a person has been adjudged guilty of a felony and is ineligible to vote, or
- (6) That a person is dead, or
- (7) That a person is not a citizen of the United States, or

- (8) With respect to municipal registration only, that a person is not a resident of the municipality in which the person is registered, or
- (9) That the person is not who he or she represents himself or herself to be.<sup>84</sup>

A voter may also be challenged on the following grounds:

- (1) that the person has already voted in that election, or
- (2) that the person is a registered voter of another political party (in a primary election).<sup>85</sup>

A challenger may enter the polling place to make a challenge; however, the challenger must leave the polling place as soon as the challenge is heard.<sup>86</sup>

When a challenge is made during the primary or on Election Day, the precinct's election judges will hold a hearing on the spot to decide if the voter is eligible to cast a ballot. The precinct officials conducting the hearing shall explain to the challenged registrant the qualifications for registration and voting, administer an oath and decide if the registrant is permitted to cast a ballot. If the challenged registrant refuses to take the oath, the challenge shall be sustained.<sup>87</sup> If the challenge is sustained, there are procedures for the challenged voter to request a "challenged ballot."<sup>88</sup>

Note that a letter or postal card mailed by returnable mail and returned by USPS purportedly because the person no longer lives at that address or because a forwarding order has expired shall not be admissible evidence in a challenge.<sup>89</sup>

**47. POLICE/MILITARY PRESENCE: There are police/members of the military at the polling place. Is this okay? What do I do?**

The chief judge and judges of election are responsible for enforcing peace and good order in and about the place of registration and voting. The chief judge and judges may call upon police, sheriffs, and other law enforcement or "officers of the peace" to aid them in enforcing the law<sup>90</sup> The same law allows for civilians to be deputized to assist in the same peace keeping capacity. However, polling officials must ensure the polling place is kept open and unobstructed, and attempts to obstruct, intimidate, or interfere with any voter must be prevented.<sup>91</sup>

It is not appropriate or permissible for law enforcement to be stationed at a voting place. In the event a county board must utilize law enforcement for parking and traffic issues at a voting site, officers must be in plain clothes. Law enforcement may periodically drive by a voting site in the event heightened security is needed. County board of elections must be mindful that some voters find a law enforcement presence at the polls intimidating.

In addition, federal law prohibits any person, whether in an official or personal capacity, from intimidating, threatening or coercing any person for the purpose of interfering with the right of that person to vote as they choose, or interfering with their ability to choose to vote.<sup>92</sup> This conduct is prohibited even where no intentional discrimination occurs.<sup>93</sup>

The presence of police and people wearing equipment associated with law enforcement (e.g. two-way radios and firearms, garb with official-seeming titles) has been found to be intimidating to voters.<sup>94</sup> Federal law prohibits U.S. military officers interfering in state elections.<sup>95</sup>

For more information concerning conduct at the polls see:

[https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2020/Numbered%20Memo%202020-30\\_Conduct%20at%20the%20Polls.pdf](https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2020/Numbered%20Memo%202020-30_Conduct%20at%20the%20Polls.pdf).

If there are police or other law enforcement officers, or members of the military at your polling place, call 866-OUR VOTE to report the issue.

**\*Note to hotline volunteer:** If you learn of police/members of the military at the polling place, notify your hotline captain immediately.

#### **48. PROVISIONAL BALLOT: I have been offered a provisional ballot. What should I do?**

A voter should be offered a provisional ballot when:

- The voter's name does not appear on the official voter list (including as a result of a recent move) and their eligibility to vote at that polling place cannot otherwise be established;<sup>96</sup>
- A first-time voter did not provide adequate identification when registering, and does not present acceptable identifying information at the poll;<sup>97</sup> or
- Similar situations in which the voter believes they are entitled to cast a ballot.<sup>98</sup>

A provisional ballot should be a last resort. However, any voter who is denied a regular ballot should ask for a provisional ballot.

As part of casting the provisional ballot, the voter will be required to sign an affidavit affirming that they are an eligible voter in the jurisdiction.<sup>99</sup> A poll worker must then provide the voter with information on how to determine if the provisional ballot was ultimately counted and, if it was not counted, in whole or in part, the reason it was not counted.<sup>100</sup> Provisional ballots can also be looked up with a PIN that should be provided by the poll worker at this link: <https://vt.ncsbe.gov/RegProvPIN/> or by calling (919) 814-0700 or (866) 522-4723 (toll-free)

First-time voters that receive a provisional ballot for not providing adequate identification information during registration or at the polling place must send a copy of the identification (see [Question #5](#)) to the County Board of Elections office no later than 5:00pm on the day before the canvass of the returns (ten days after Election Day).<sup>101</sup>

Voters who cast a provisional ballot for other reasons do not need to provide additional information to the County Board of Elections. Their provisional ballots will be counted so long as election officials can confirm their eligibility to vote and that the ballot was cast in the proper precinct.<sup>102</sup>

## QUESTIONS

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**County Boards of Election:**

Contact information for each County Board of Elections, is available at: <https://vt.ncsbe.gov/BOEInfo/>

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- <sup>1</sup> North Carolina State Board of Elections, *About Elections*, <https://www.ncsbe.gov/Elections/Election-Information> (last visited July 20, 2021); N.C. Gen. Stat. § 163-82.19.
- <sup>2</sup> See, e.g., Mecklenburg County Board of Elections, *Voter Registration*, <https://www.mecknc.gov/BOE/voter/Pages/default.aspx> (last visited July 20, 2021); Sampson County Board of Elections, *Voter Registration*, [http://www.sampsonnc.com/departments/boe/voting\\_registration.php](http://www.sampsonnc.com/departments/boe/voting_registration.php) (last visited July 20, 2021).
- <sup>3</sup> N.C. Gen. Stat. § 163-82.20(a); see also National Voter Registration Act of 1993, 52 U.S.C. § 20501 *et seq.*; North Carolina State Board of Elections, *National Voter Registration Act (NVRA)*, <https://www.ncsbe.gov/Voter-Registration/NVRA> (last visited July 20, 2021); North Carolina Department of Transportation, *Other Registrations*, <https://www.ncdot.gov/dmv/license-id/driver-licenses/new-drivers/Pages/other-registrations.aspx>.
- <sup>4</sup> N.C. Gen. Stat. § 163-82.20(h).
- <sup>5</sup> See also, *State Board, DMV Partner to Expand Online Voter Registration Service*, N.C. STATE BD. OF ELECTIONS (Mar. 30, 2020), <https://www.ncsbe.gov/news/press-releases/2020/03/30/state-board-dmv-partner-expand-online-voter-registration-service>.
- <sup>6</sup> North Carolina State Board of Elections, *Registering as a Person in the Criminal Justice System*, <https://www.ncsbe.gov/registering/who-can-register/registering-person-criminal-justice-system#i-have-completed-my-felony-sentence>.
- <sup>7</sup> , North Carolina State Board of Elections, *Who Can Register*, <https://www.ncsbe.gov/registering/who-can-register>; see also N.C. Gen. Stat. § 163-57 (defining “residence” for registration and voting).
- <sup>8</sup> See N.C. Gen. Stat. § 13-2 (describing the issuance and filing of certificate or order of restoration process).
- <sup>9</sup> See North Carolina State Board of Elections, *Registering as a Person in the Criminal Justice System*, <https://www.ncsbe.gov/registering/who-can-register/registering-person-criminal-justice-system>; see also N.C. Gen. Stat. §§ 163-82.6(f), (g).
- <sup>10</sup> See North Carolina State Board of Elections, *Numbered Memo 2020-26*, (Sept. 23, 2020) [https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2020/Numbered%20Memo%202020-26\\_Court%20Order%20re%20Certain%20Felons.pdf](https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2020/Numbered%20Memo%202020-26_Court%20Order%20re%20Certain%20Felons.pdf).
- <sup>11</sup> See North Carolina State Board of Elections, *Who Can Register*, <https://www.ncsbe.gov/registering/who-can-register>.
- <sup>12</sup> N.C. Gen. Stat. § 163-55; see also N.C. Gen. Stat. § 163-57.
- <sup>13</sup> *Holmes v. Moore*, 840 S.E.2d 244, 266 (N.C. Ct. App. 2020) (reversing the trial court’s decision to deny Plaintiffs’ preliminary injunction motion and remanding with instructions to grant Plaintiffs’ Motion and preliminarily enjoin enforcement and implementation of the voter ID portions of S.B. 824 until there is a decision on the merits of the case). Trial in *Holmes v. Moore*, the state voter photo ID case, concluded in April 2021 and a decision permitting or invalidating the law is expected in 2021. The preliminary injunction previously entered in the federal voter photo ID case, *NAACP v. Cooper*, was overturned by the Fourth Circuit. See *N.C. State Conf. of the NAACP v. Cooper*, 981 F.3d 295 (4th Cir. 2020). Trial in that matter is scheduled for early 2022.
- <sup>14</sup> N.C. Gen. Stat. §§ 163-166.12(a)-(b). Proof of identification for the voter registration application include: (1) a NC driver license or non-operator’s identification number; or (2) the last 4 digits of the voter’s social security number. If the applicant does not have either piece of identification and is registering to vote in North Carolina for the first time, the applicant should attach a copy of a current utility bill, bank statement, government check, paycheck, or other government document showing the person’s name and address to their application. See North Carolina Voter Registration Application, *available at*: [https://s3.amazonaws.com/dl.ncsbe.gov/Voter\\_Registration/NCVoterRegForm\\_06W.pdf](https://s3.amazonaws.com/dl.ncsbe.gov/Voter_Registration/NCVoterRegForm_06W.pdf).
- <sup>15</sup> N.C. Gen. Stat. §§ 163-166.12(a)(2), (b)(2). A current and valid form of photo identification is permitted under subsections (a)(1) and (b)(1); however, voters are not required to show photo ID to vote pursuant to the injunction in *Holmes v. Moore* (see note 13).
- <sup>16</sup> N.C. Gen. Stat. §§ 163-82.6(d)(1)-(2).

- 17 N.C. Gen. Stat. § 163-82.6(d)(1).
- 18 N.C. Gen. Stat. § 163-82.6(e).
- 19 North Carolina State Board of Elections, *Register in Person During Early Voting*, <https://www.ncsbe.gov/registering/how-register/register-person-during-early-voting> (last visited July 20, 2021).
- 20 N.C. Gen. Stat. § 163-82.15(d).
- 21 N.C. Gen. Stat. § 163-82.15(e).
- 22 N.C. Gen. Stat. § 163-82.15.
- 23 N.C. CONST. art. VI, § 2(1).
- 24 N.C. CONST. art. VI, § 2(1).
- 25 N.C. CONST. art. VI, § 2(1).
- 26 N.C. Gen. Stat. § 163-57(1)-(2).
- 27 N.C. Gen. Stat. § 163-57(12).
- 28 N.C. Gen. Stat. § 163-57(6).
- 29 N.C. Gen. Stat. § 163-258.7(d), *see also* North Carolina State Board of Elections, *Overseas Absentee Voting*, , <https://www.ncsbe.gov/Voting-Options/Military-Overseas-Voting> (last visited July 20, 2021).
- 30 N.C. Gen. Stat. § 13-1; *See also* North Carolina State Board of Elections, *Statement on Stay in Community Success Initiative v. Moore Case*, <https://www.ncsbe.gov/news/press-releases/2021/09/03/statement-stay-community-success-initiative-v-moore-case>.
- 31 N.C. Gen. Stat. § 163-54.
- 32 *See* North Carolina State Board of Elections, *Numbered Memo 2020-26*, (Sept. 23, 2020) [https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2020/Numbered%20Memo%202020-26 Court%20Order%20re%20Certain%20Felons.pdf](https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2020/Numbered%20Memo%202020-26%20Court%20Order%20re%20Certain%20Felons.pdf).
- 33 *See* North Carolina State Board of Elections, *Who Can Register*, <https://www.ncsbe.gov/registering/who-can-register>.
- 34 N.C. Gen. Stat. §§ 163-82.6(f)-(g).
- 35 N.C. Gen. Stat. § 13-2.
- 36 North Carolina State Board of Elections, *Registering as a Person in the Criminal Justice System*, <https://www.ncsbe.gov/registering/who-can-register/registering-person-criminal-justice-system>.
- 37 North Carolina State Board of Elections, *Registering as a Person in the Criminal Justice System*, <https://www.ncsbe.gov/registering/who-can-register/registering-person-criminal-justice-system>.
- 38 N.C. Gen. Stat. § 163-166.7(b); 8 N.C. ADMIN. CODE § 10B.0103(e) (2004); *see also* N.C. Gen. Stat. § 163-41(b) (“The term ‘precinct official’ shall mean chief judges and judges appointed pursuant to this section, and all assistants.”).
- 39 N.C. Gen. Stat. § 163-166.7(c)(6).
- 40 N.C. Gen. Stat. § 163-166.7(c)(6).
- 41 N.C. Gen. Stat. § 163-82.14.
- 42 N.C. Gen. Stat. § 163-166.7(b); 8 N.C. ADMIN. CODE § 10B.0103(e) (2004); *see also* N.C. Gen. Stat. § 163-41(b) (“The term ‘precinct official’ shall mean chief judges and judges appointed pursuant to this section, and all assistants.”).
- 43 N.C. Gen. Stat. § 163-166.7(c)(6).
- 44 N.C. Gen. Stat. § 163-166.7(c)(6).
- 45 N.C. Gen. Stat. §§ 163-227.2(a), 227.5.
- 46 N.C. Gen. Stat. § 163-227.2(b).
- 47 North Carolina State Board of Elections, *Register in Person During Early Voting*, <https://www.ncsbe.gov/registering/how-register/register-person-during-early-voting> (last visited July 20, 2021).
- 48 N.C. Gen. Stat. § 163-226(a); *see also* § 163-226(d) (defining an “election” to include a general, primary, second primary, runoff election, bond election, referendum, or special election).
- 49 N.C. Gen. Stat. § 163-230.1.
- 50 North Carolina State Board of Elections, *Numbered Memo 2020-03*, (Jan. 15, 2020) <https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2020/Numbered%20Memo%202020-03%20Absentee%20Ballot%20Request%20Form%20Requirements.pdf>.
- 51 *See* 8 N.C. ADMIN. CODE § 16.0101(c) (2015).



- 52 N.C. Gen. Stat. § 163-230.2(e)(1).
- 53 N.C. Gen. Stat. § 163-230.1(a).
- 54 N.C. Gen. Stat. §§ 163-230.1(a), (d).
- 55 N.C. Gen. Stat. § 163-231(b)(2).
- 56 See United States Postal Service, *What is the Latest Collection Time at a Post Office?*, <https://faq.usps.com/s/article/What-is-the-Latest-Collection-Time-at-a-Post-Office> (last visited July 20, 2021); see also United States Postal Service, *Handbook PO-408 – Area Mail Processing Guidelines § 1-1.3*, [https://about.usps.com/handbooks/po408/ch1\\_003.htm](https://about.usps.com/handbooks/po408/ch1_003.htm) (“Because the Postal Service is sensitive to the importance some customers place upon these postmarks, each Post Office is required to make a local postmark available. Lobby drops should be designated for this purpose with clear signage signifying its use.”).
- 57 N.C. Gen. Stat. § 163-231(c).
- 58 N.C. Gen. Stat. § 163-234(1).
- 59 N.C. Gen. Stat. § 163-231(b)(1).
- 60 N.C. Gen. Stat. § 163-258.7(d); see also North Carolina State Board of Elections, *Overseas Absentee Voting*, <https://www.ncsbe.gov/Voting-Options/Military-Overseas-Voting> (last visited July 20, 2021).
- 61 N.C. Gen. Stat. § 163-258.8.
- 62 N.C. Gen. Stat. § 163-258.10.
- 63 See N.C. Gen. Stat. §§ 163-232(a), 234(1) (stating the County Board of Elections prepares for counting a list of all approved absentee ballots returned to the board and received by 5:00pm the day before the election).
- 64 N.C. Gen. Stat. § 163-233.1.
- 65 N.C. Gen. Stat. § 163-231(b)(2)(b).
- 66 See United States Postal Service, *What is the Latest Collection Time at a Post Office?*, <https://faq.usps.com/s/article/What-is-the-Latest-Collection-Time-at-a-Post-Office> <https://faq.usps.com/s/article/What-is-the-Latest-Collection-Time-at-a-Post-Office> (last visited July 20, 2021); see also United States Postal Service, *Handbook PO-408 – Area Mail Processing Guidelines § 1-1.3*, [https://about.usps.com/handbooks/po408/ch1\\_003.htm](https://about.usps.com/handbooks/po408/ch1_003.htm) (“Because the Postal Service is sensitive to the importance some customers place upon these postmarks, each Post Office is required to make a local postmark available. Lobby drops should be designated for this purpose with clear signage signifying its use.”).
- 67 N.C. Gen. Stat. § 163-231(c).
- 68 N.C. Gen. Stat. § 163-234(1).
- 69 N.C. Gen. Stat. § 163-231(b)(1).
- 70 N.C. Gen. Stat. § 163-166.01.
- 71 See *Holmes v. Moore*, 840 S.E.2d 244, 266 (N.C. Ct. App. 2020) (reversing the trial court’s decision to deny Plaintiffs’ preliminary injunction motion and remanding with instructions to grant Plaintiffs’ Motion and preliminarily enjoin enforcement and implementation of the voter ID portions of S.B. 824 until there is a decision on the merits of the case). Trial in *Holmes v. Moore*, the state voter photo ID case, concluded in April 2021 and a decision permitting or invalidating the law is expected in 2021. The preliminary injunction previously entered in the federal voter photo ID case, *NAACP v. Cooper*, was overturned by the Fourth Circuit. See *N.C. State Conf. of the NAACP v. Cooper*, 981 F.3d 295 (4th Cir. 2020). Trial in that matter is scheduled for early 2022.
- 72 N.C. Gen. Stat. §§ 163-166.12(a), (b). Proof of identification for the voter registration application include: (1) a NC driver license or non-operator’s identification number; or (2) the last 4 digits of the voter’s social security number. If the applicant does not have either piece of identification and is registering to vote in North Carolina for the first time, the applicant should attach a copy of a current utility bill, bank statement, government check, paycheck, or other government document showing the person’s name and address to their application. See North Carolina Voter Registration Application, available at: [https://s3.amazonaws.com/dl.ncsbe.gov/Voter\\_Registration/NCVoterRegForm\\_06W.pdf](https://s3.amazonaws.com/dl.ncsbe.gov/Voter_Registration/NCVoterRegForm_06W.pdf).
- 73 N.C. Gen. Stat. §§ 163-166.12(a)(2), (b)(2). A current and valid form of photo identification is permitted under subsections (a)(1) and (b)(1); however, voters are not required to show photo ID to vote pursuant to the injunction in *N.C. State Conf. of NAACP v. Cooper* (see note 72).
- 74 N.C. Gen. Stat. § 163-166.7(a)(3).
- 75 8 N.C. ADMIN. CODE § 4.0305(c).
- 76 N.C. Gen. Stat. § 163-131.

- 77 N.C. Gen. Stat. § 163-166.8(a)(1).
- 78 N.C. Gen. Stat. § 163-166.9; *see also* North Carolina State Board of Elections, Curbside Voting, <https://www.ncsbe.gov/voting/help-voters-disabilities/curbside-voting> (last visited July 20, 2021); [https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2020/Numbered%20Memo%202020-20\\_Curbside%20Voting.pdf](https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2020/Numbered%20Memo%202020-20_Curbside%20Voting.pdf).
- 79 N.C. Gen. Stat. § 163-166.9; *see also* North Carolina State Board of Elections, Numbered Memo 2020-20, (September 1, 2020) [https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2020/Numbered%20Memo%202020-20\\_Curbside%20Voting.pdf](https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2020/Numbered%20Memo%202020-20_Curbside%20Voting.pdf)
- 80 N.C. Gen. Stat. § 163-166.4(a); *see also* [https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2020/Numbered%20Memo%202020-30\\_Conduct%20at%20the%20Polls.pdf](https://s3.amazonaws.com/dl.ncsbe.gov/sboe/numbermemo/2020/Numbered%20Memo%202020-30_Conduct%20at%20the%20Polls.pdf)
- 81 N.C. Gen. Stat. § 163-89(b), 163-227.2(i).
- 82 N.C. Gen. Stat. § 163-89(c); *see also* N.C. Gen. Stat. § 163-90.1 (setting forth standard for burden of proof).
- 83 N.C. Gen. Stat. § 163-89(e).
- 84 N.C. Gen. Stat. § 163-85(c); *see also* N.C. Gen. Stat. § 163-87 (establishing factors in § 163-85(c) as reason for challenge on election day).
- 85 N.C. Gen. Stat. § 163-87. Note: Photo ID not required to vote in 2021 elections.
- 86 N.C. Gen. Stat. § 163-87.
- 87 N.C. Gen. Stat. § 163-88(a).
- 88 N.C. Gen. Stat. § 163-88.1(a).
- 89 N.C. Gen. Stat. § 163-88.1(c).
- 90 N.C. Gen. Stat. § 163-48.
- 91 N.C. Gen. Stat. § 163-48; *see also* 8 N.C. ADMIN. CODE § 10B 0101 (2002).
- 92 52 U.S.C. §§ 10101(b) and 10307(b).
- 93 *See Willingham v. Cnty. of Albany*, 593 F. Supp. 2d 446, 463 (N.D.N.Y. 2006).
- 94 *See Democratic Nat’l Committee v. Republican Nat’l Comm*, 671 F.Supp. 2d 575, 579-80, 610-613 (D.N.J. 2009).
- 95 18 U.S.C. § 592; *see also* U.S. Dep’t of Defense, Directive Number 3025.18, December 29, 2010, Incorporating change 2, March 19, 2018, § 4.t., *available at*: <https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodd/302518p.pdf?v>
- 96 N.C. Gen. Stat. § 163-166.11.
- 97 N.C. Gen. Stat. § 163-166.12(e).
- 98 *See* 8 N.C. ADMIN. CODE § 10B.0103(d); *see also* North Carolina State Board of Elections, *Provisional Voting*, , <https://www.ncsbe.gov/Voting-Options/Provisional-Voting> (last visited July 20, 2021).
- 99 N.C. Gen. Stat. § 163-166.11(2).
- 100 N.C. Gen. Stat. § 163-166.11(4).
- 101 North Carolina State Board of Elections, *Provisional Voting* <https://www.ncsbe.gov/Voting-Options/Provisional-Voting> (last visited July 20, 2021); *see also* N.C. Gen. Stat § 163-82.4(f) (providing a deadline for copies of identification on 5:00 P.M. on the day before the county canvass shall occur); N.C. Gen. Stat § 163-82.5(b) (mandating that county canvasses occur at 11:00 A.M. on the tenth day after every election).
- 102 N.C. Gen. Stat. § 163-182.2(a)(4).