

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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HOUSE BILL 728

Short Title: Weekly Maintenance of Voter Reg. Records. (Public)

Sponsors: Representatives Cleveland, Davis, and Warren (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Election Law and Campaign Finance Reform, if favorable, Rules, Calendar, and Operations of the House

April 19, 2023

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THAT LIST MAINTENANCE OF VOTER ROLLS BE  
3 CONDUCTED ON A WEEKLY BASIS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 163-82.14 reads as rewritten:

6 "**§ 163-82.14. List maintenance.**

7 (a) ~~Uniform Program.~~ Requirement for List Maintenance. – ~~The~~ In accordance with this  
8 section, the State Board of Elections shall adopt a uniform program that makes a diligent effort  
9 not less than twice each year and county boards of elections shall maintain the list of eligible  
10 voters in the State by providing for the following:

- 11 (1) ~~To remove.~~ The removal of the names of ineligible voters from the official lists  
12 of eligible voters, and voters.  
13 (2) ~~To update.~~ Updates to the addresses and other necessary data of persons who  
14 remain on the official lists of eligible voters.

15 (a1) ~~That program.~~ Methods of List Maintenance; Cross State Checks. – List maintenance  
16 efforts under this section shall be nondiscriminatory and shall comply with the provisions of the  
17 Voting Rights Act of 1965, as amended, and with the provisions of the National Voter  
18 Registration Act. The State Board of Elections, Board, in addition to the methods set forth in this  
19 section, may use other methods toward the ends set forth in subdivisions (1) and (2) of this  
20 subsection, subsection (a) of this section, including address-updating services provided by the  
21 Postal Service, Service and entering into data sharing agreements with other states to cross-check  
22 information on voter registration and voting records. Any data sharing agreement shall require  
23 the other state or states to comply with G.S. 163-82.10 and G.S. 163-82.10B. Each county board  
24 of elections shall conduct systematic efforts to remove names from its list of registered voters in  
25 accordance with this section and with the program adopted by the State Board. The county boards  
26 of elections shall complete their list maintenance mailing program by April 15 of every  
27 odd-numbered year, unless the State Board of Elections approves a different date for the county.

28 (b) ~~Death.~~ Death. – The In order to remove the names of deceased persons from the list of  
29 eligible voters in this State, the following shall occur:

- 30 (1) At a minimum of once per week, the Department of Health and Human  
31 Services shall furnish free of charge to the State Board of Elections every  
32 month, Executive Director, in a format prescribed by the State Board of  
33 Elections, Board, the names of deceased persons who were residents of the  
34 State. The State Board of Elections Upon receipt of the list from the



1 Department of Health and Human Services, the Executive Director shall  
 2 distribute every month to each county board of elections the names on that list  
 3 of deceased persons who were residents of that county. The Department of  
 4 Health and Human Services shall base each list upon information supplied by  
 5 death certifications it received during the preceding month. Upon the receipt  
 6 of those names, each county board of elections shall remove from its voter  
 7 registration records any person the list shows to be ~~dead~~ dead each week.

8 (2) Each county board of elections shall also remove from its voter registration  
 9 records a person identified as deceased by ~~Upon receipt of a signed statement~~  
 10 of a near relative or personal representative of the estate of ~~the a~~ a deceased  
 11 voter. ~~voter~~ voter indicating that the person has deceased, a county board of  
 12 elections shall remove the person identified as deceased from its voter  
 13 registration records within one week of receipt of the signed statement. The  
 14 county board ~~need not~~ does not need to send any notice to the address of the  
 15 person ~~so removed~~ person before removing the person from its voter  
 16 registration records.

17 (c) Conviction of a Felony. – In order to remove the names of ineligible individuals from  
 18 the list of eligible voters in this State, the following shall occur:

19 (1) Report of Conviction Within the State. – ~~The State Board of Elections, on or~~  
 20 ~~before the fifteenth day of every month. At a minimum of once per week, the~~  
 21 ~~Executive Director shall report to the county board of elections of that county~~  
 22 ~~the name, county of residence, and residence address if available, of each~~  
 23 ~~individual compile a list of individuals against whom a final judgment of~~  
 24 ~~conviction of a felony within this State has been entered in that county in the~~  
 25 ~~preceding calendar month. entered. The Executive Director shall report to each~~  
 26 ~~appropriate county board of elections the names of individuals from that~~  
 27 ~~county appearing on such list each week.~~

28 (2) Report of Federal Conviction. – ~~The At a minimum of once per week, the~~  
 29 ~~Executive Director of the State Board of Elections, upon receipt of shall~~  
 30 ~~compile a list of individuals against whom a federal conviction has been~~  
 31 ~~reported, based on a notice of conviction sent by a United States Attorney~~  
 32 ~~pursuant to section 8(g) of the National Voter Registration Act, Act, upon~~  
 33 ~~receipt. The Executive Director shall notify the report to each appropriate~~  
 34 ~~county boards of elections of the conviction. names of individuals from that~~  
 35 ~~county appearing on such list each week.~~

36 (3) County Board's Duty Upon Receiving Report of Conviction. – When a county  
 37 board of elections receives a notice pursuant to subdivision (1) or (2) of this  
 38 subsection relating to a resident of that county and that person is registered to  
 39 vote in that county, the county board of elections shall, after giving 30 days'  
 40 written notice to the voter at ~~his registration address, the address associated~~  
 41 ~~with that voter registration, and if the voter makes no objection, remove the~~  
 42 ~~person's name from its registration records. If the voter notifies the county~~  
 43 ~~board of elections of his objection to the removal within 30 days of the notice,~~  
 44 ~~the ~~chairman~~ chair of the county board of elections shall enter a challenge~~  
 45 ~~under G.S. 163-85(c)(5), and the notice the county board of elections received~~  
 46 ~~pursuant to this subsection shall be prima facie evidence for the preliminary~~  
 47 ~~hearing that the registrant was convicted of a felony.~~

48 (d) Change of Address. – ~~A county board of elections shall conduct a systematic program~~  
 49 ~~In order to remove from its list of registered voters those the names of individuals who have~~  
 50 ~~moved out of the county, and to update the registration records of persons who have moved~~

1 within the county. The county board shall remove a person from its list if the registrant:the  
2 following shall occur:

3 (1) ~~Gives~~ At a minimum of once per week, a county board of elections shall  
4 remove from its voter registration records the names of individuals who give  
5 confirmation in writing of a change of address for voting purposes out of the  
6 county. "Confirmation in writing" for purposes of this subdivision shall  
7 include:include any of the following:

8 a. A report to the county board from the Department of Transportation  
9 or from a voter registration agency listed in G.S. 163-82.20 that the  
10 voter has reported a change of address for voting purposes outside the  
11 ~~county;~~county.

12 b. A notice of cancellation received under ~~G.S. 163-82.9;~~  
13 ~~or~~G.S. 163-82.9.

14 c. A notice of cancellation received from an election jurisdiction outside  
15 the State.

16 (2) ~~Fails~~ Following each congressional election, the county board of elections  
17 shall send to each registered voter who has not voted or confirmed the voter's  
18 address by another means a confirmation mailing. The county board of  
19 elections shall remove from its voter registration records the names of  
20 individuals who fail to respond to a~~the~~ confirmation mailing sent by the  
21 county board in accordance with this subdivision and ~~does who do~~ not vote or  
22 appear to vote in an election beginning on the date of the notice and ending  
23 on the day after the date of the second general election for the United States  
24 House of Representatives that occurs after the date of the notice. A county  
25 board of elections sends a confirmation notice in accordance with this  
26 subdivision if the ~~notice;~~ notice complies with all of the following:

27 a. Is a postage prepaid and preaddressed return card, sent by forwardable  
28 mail, on which the registrant may state current ~~address;~~address.

29 b. Contains or is accompanied by a notice to the effect that if the  
30 registrant did not change residence but remained in the county, the  
31 registrant should return the card not later than the deadline for  
32 registration by mail in ~~G.S. 163-82.6(d)(1); and~~G.S. 163-82.6(d)(1).

33 c. Contains or is accompanied by information as to how the registrant  
34 may continue to be eligible to vote if the registrant has moved outside  
35 the county.

36 ~~A county board shall send a confirmation mailing in accordance with this~~  
37 ~~subdivision to every registrant after every congressional election if the county~~  
38 ~~board has not confirmed the registrant's address by another means.~~

39 (3) Any ~~registrant~~ registered voter who is removed from the list of registered  
40 voters pursuant to this subsection shall be reinstated if the voter appears to  
41 vote and gives oral or written affirmation that the voter has not moved out of  
42 the county but has maintained residence continuously within the county. That  
43 person shall be allowed to vote as provided in G.S. 163-82.15(f).

44 (e) Cooperation on List Maintenance Efforts. – The State Board ~~of Elections~~ has the  
45 authority to perform list maintenance under this section – with the same authority as a county  
46 board.

47 (f) Annual Report on List Maintenance Efforts. – County board of elections shall submit  
48 to the State Board ~~of Elections~~ an annual report, on or before September 1 of each year, of its list  
49 maintenance under this section. The State Board ~~of Elections~~ shall compile annual reports  
50 received from the county board of elections and submit the reports to the Joint Legislative  
51 Elections Oversight Committee on or before October 1 of each year."

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**SECTION 2.** This act becomes effective October 1, 2023.