

# ACCESSIBILITY: Voter Assistance Statutes & Code

## **Voter Assistance Statutes & Code**

The following is an abbreviated law guide for voter assistance. It references North Carolina General Statutes and the North Carolina Administrative Code:

### **Assistance to Voters GS 163-166.8 / 08 NCAC 10B.0107**

#### A. Who is entitled?

1. Any voter may request assistance from near relatives:
  - a. spouse (husband, wife)
  - b. sibling (brother, sister)
  - c. parent (including in-law and step relations)
  - d. child (including in-law and step relations)
  - e. grandparent
  - f. grandchild
  
2. Voters who can request and receive assistance from anyone:
  - a. Persons with disabilities
  - b. Illiterate voters
  - c. Blind Voters
  
3. Voters are not entitled to assistance from:
  - a. Voter's employer
  - b. Agent of the employer
  - c. Officer or agent of the voter's union

#### 4. Voters at One-Stop sites

Any voter requesting assistance while voting at an Onestop site is entitled to the same assistance as those voters on Election Day under GS 163-166.8

#### B. To receive assistance:

1. Voter must request assistance.
2. Must state reasons for such request; precinct officials should make every effort not to embarrass the voter

#### C. Restrictions

1. Precinct officials must not offer assistance.
2. Person assisting shall not in any manner seek to persuade voter.
3. Person assisting must leave voting booth immediately after assisting unless the voter requests further accompaniment.

**Curbside Voting G.S. 163 – 166.9 / 8 NCAC 10B.0108 and 8.003**

- A. Voters unable to enter the voting place will be allowed to vote curbside.
  
- B. Takes place in the vehicle bringing the voter to the voting place or the immediate proximity.
  
- C. Process executed by precinct official designated by the chief judge.
  
- D. Procedure
  - 1. Precinct official takes affidavit to disabled voter.
  - 2. Precinct official administers oath.
  - 3. Voter completes affidavit.
  - 4. Voter given ballot.
  - 5. Voter and any assisting person are entitled to the same assistance and subject to the same restrictions in marking the ballots as is authorized by G.S. 163-166.8 and 08 NCAC 10B.0107.
  - 6. Precinct official takes signed affidavit to one judge and marked ballot to the other judge who deposits the ballot into the appropriate voting equipment.
  - 7. Per your county procedure, a precinct official will cause the voter's name to be recorded.
  - 8. The signed affidavit will be brought to the county board of elections.

**Assistance for Handicapped Voters**

- A. Handicapped Transfer on Election Day (08 NCAC 08.0001.) Anyone entitled to curbside voting (163-166.9) may, in lieu of curbside voting request to be allowed to vote at the office of the county board of elections
  - 1. Voter must request transfer to the county board of elections.
  - 2. Precinct judge will issue a certificate on the prescribed form.
  - 3. Voter's registration will be marked with "HT."
  - 4. Voter will go to the county board of elections office and will receive proper ballots.
  - 5. After marking, voter will place ballots in provided envelope with the required information completed. Part of the required information on the envelope shall include a "Handicapped Transfer Ballot No." "Registered in \_\_\_\_ Precinct" line. It may be pre-printed or be stamped.
  - 6. County board of elections office will enter name of each voter permitted to vote under this rule into a book along with the assigned number to the voter's ballot and envelope and the precinct in which the voter resides.
  - 7. Envelopes will be retained and opened and counted after polls are closed.
  
- B. Handicapped transfer prior to Election Day. 08 NCAC 08.0004
  - 1. Handicapped or elderly persons may apply to be transferred to the CBE in advance of Election Day; the application is signed only by the voter or voter's near relative or legal guardian.
  - 2. Upon verification, county board of elections will designate "HT" beside voter's name on registration records sent to the voter's precinct on Election Day.
  - 3. No voter with "HT" next to his or her name may vote at the precinct.