

Monster Law: More Money, Less Voting

In the last 72 hours of the 2013 General Assembly, NC Republicans pushed through a 56-page bill that adds new barriers to voting but gives big donors new ways to secretly influence elections! The photo ID barrier is “arguably the strictest in nation,” says Keesha Gaskins, Senior Counsel of NYU’s Brennan Center for Justice. The law says:

PHOTO ID REQUIREMENT – Effective Jan. 2016

Starting in Jan. 2014, poll officials will ask voters for a photo ID but no photo ID is required to vote until Jan. 2016. The ID must bear a “reasonable resemblance” to you (poll officials must all agree it’s not you for the ID to fail). It must be one of these:

- NC drivers license, learner’s permit or provisional license.
- NC special identification card for non-drivers.
- US passport.
- US military ID or Veterans ID card.
- Enrollment card from a federally or NC recognized tribe.
- Out-of-state driver’s license but only for 90 days after the voter registers in North Carolina. *No student IDs are accepted.*

The ID must not be expired, except for a voter over age 70 whose ID was current on their 70th birthday. The military and veterans IDs do not need an expiration date, but other IDs do.

Voters can cast a provisional ballot, but it will only count if they bring an acceptable ID to the county board of elections by noon of the day before the election canvass.

Voters are exempt (1) who swear they have a religious objection to being photographed or (2) who use curbside voting because of their age or physical disability. Instead of a photo, these voters may show a utility bill, bank statement, paycheck, or government document with name and current address.

FREE IDs AND DOCUMENTS – Effective Jan. 2014

Voters who swear they don’t have an acceptable ID may apply for a free non-driver’s “special ID card” from the Division of Motor Vehicles (DMV). They must be registered or register when they apply. To apply, voters must show the DMV a birth certificate (and if their name changed, maybe a marriage license), plus documents showing their residence. A NC county register of deeds must furnish free the birth certificate and marriage license, but that won’t help voters born out of state.

EARLY VOTING – Effective Jan. 2014

Early voting is just 10 days; the first week is cut. All sites in a county must be open the same times, except for the county elections office or its alternate. The total hours must equal at least the total hours the county provided in the similar election of 2010 or 2012 unless all local and state board members approve fewer hours.

NO SAME-DAY REGISTRATION – Effective Jan. 2014

Voters must register at least 25 days before the election. Registered voters may still update their name and address on their voter registration at an Early Voting site.

NO STRAIGHT PARTY VOTING – Effective Jan. 2014

Straight-ticket voting is eliminated. Voters must mark their preferred candidate in each race on the ballot. Candidates will be listed in order of the party of the Governor.

NO OUT-OF-PRECINCT VOTING – Effective Jan. 2014

Provisional ballots cast in the wrong precinct on Election Day will not count. Vote in your home precinct on Election Day.

MAIL-IN ABSENTEE VOTING – Effective Jan. 2014

Absentee ballot requests must be on a form from the county elections board. (*Groups can mass mail forms to their favorite voters.*) The form asks for your ID number (from a DMV photo ID or last 4 digits on your Social Security card) or you may mail in one of these documents with your name and current address: a utility bill, bank statement, paycheck, or any government document. The elections office will then send you the ballot. Mail the completed ballot back in the envelope provided. It must have the voter’s signature; the signatures and addresses of two witnesses OR one notary public (*who can’t charge a fee*), and the name, address and signature of anyone assisting a voter unable to sign.

NO TEENAGE PRE-REGISTRATION – Effective Sept. 2013

Pre-registration for 16 and 17 year olds ends. Also, Citizens Awareness Month and the required annual registration drive in high schools are eliminated (*effective Jan. 2014*).

POLL HOURS – Effective Jan. 2014

County elections boards may no longer order polls to stay open an extra hour due to problems. If there is a delay in opening or a problem, only the State Board of Elections may extend the closing time by an equal number of minutes.

REGISTRATION DRIVES – Jan. 2014

People doing voter registration may not be paid based on the number of completed forms they submit, but they may be paid for their time.



MORE POLL “OBSERVERS” – Effective Jan. 2014

In addition to appointing two “observers” to monitor action inside each voting place, local political parties can appoint 10 more per county and put up to three in any polling place.

MORE CHALLENGES OF VOTERS – Effective Jan. 2014

Any NC voter can challenge a voter as not being registered or violating another rule. On Election Day, a challenger must be from the voter’s county. The old law said any challenger must be from the voter’s precinct. These changes open the door to mass challenges and vigilantes causing trouble at the polls.

NO PUBLIC FINANCING OPTIONS – Effective Immediately

Programs that give judicial and some executive branch candidates a chance to qualify for public financing are ended. Left-over funds will finance the judicial guide until exhausted. The tax check-off that helps political parties is also ended. Candidates and parties are forced to rely only on private donors.

INCREASE CONTRIBUTION LIMITS – Effective Jan. 2014

Contribution limits to a local or state candidate or PAC will go up from \$4,000 to \$5,000 per election and increase every two years to keep up with inflation. Limits for all judicial candidates jump from \$1,000 to \$5,000 per election.

MORE SECRET MONEY IN ELECTIONS – Effective Jan. 2014

Because of changes in disclosure rules, outside groups may spend unlimited amounts on nasty ads against a candidate or on other “electioneering” expenses, using money from virtually any source, from the May primary to Sept. 7 of the election year, without revealing the source or amounts to the public or State Board of Elections. Mystery money from corporations or other sources may also be spent on electioneering in odd-number years against candidates.

Even for the period when disclosure is required, the public will get less information: The new law ends a requirement that print ads and mailers by outside groups include a list of the top five donors financing the ad.

CORPORATE MONEY TO PARTIES – Effective Jan. 2014

The law increases the ways corporate money may be received and spent by a political party’s “building fund.” It may be used to pay for up to 3 staff, supplies, travel, and fundraising, not just for upkeep of the party’s building.

NO MORE “STAND BY YOUR AD” – Effective Jan. 2014

North Carolina’s pioneering Stand By Your Ad law ends. It required the candidate or CEO to appear in TV or radio ads

saying, “I am (xxxx) and I approve this message.” Candidates must include a small photo in TV ads for at least two seconds, but no similar acknowledgement is required in their radio ads or ads by parties or independent groups.

NO BUNDLING BY LOBBYISTS – Effective Oct. 2013

Registered lobbyists may not collect or pass along any campaign donation to a legislative or executive branch candidate, even a donation from their client’s PAC.

REGISTRATION ROLLS CLEANED – Effective Oct. 2013

The State Board is authorized to accept notices from more sources to remove deceased voters and also exchange data with states to detect NC voters registered elsewhere.

PRESIDENTIAL PRIMARY – Effective Jan. 2016

If South Carolina holds its presidential primary before March 15, then NC will hold its the next Tuesday. (*This is aimed at helping NC voters pick the nominees.*) The May primary would still be held for other candidates.

SPECIAL ELECTIONS – Effective Jan. 2014

The new law standardizes the dates for special elections called by local governments and makes various changes in how vacant offices are filled. Certain vacancies on the NC Court of Appeals and Supreme Court will be filled with a plurality election rather than by instant runoff.

CANDIDATE NAMES ON BALLOT – Effective Jan. 2014

In partisan races, the candidate(s) of the governor’s party appear first, in alpha order, then those of the other major party. The law lowers the number of petition signers a candidate needs to be on the ballot without paying a filing fee.

TOUCH SCREEN VOTING – Effective Jan. 2018

Touch screen voting machines will be banned unless they produce a paper ballot that is the voter’s official record.

ELECTION CYCLE & DISCLOSURE – Effective Jan. 2014

The election cycle is changed to sync up with the calendar year, rather than end with the November election. Studies are authorized to exam numerous potential changes in campaign disclosure laws and other regulations.

REDISTRICTING RECORDS – Effective Jan. 2014

The law codifies a NC Supreme Court ruling that records to and from private attorneys hired by legislators for the redistricting process are not subject to the open records law.