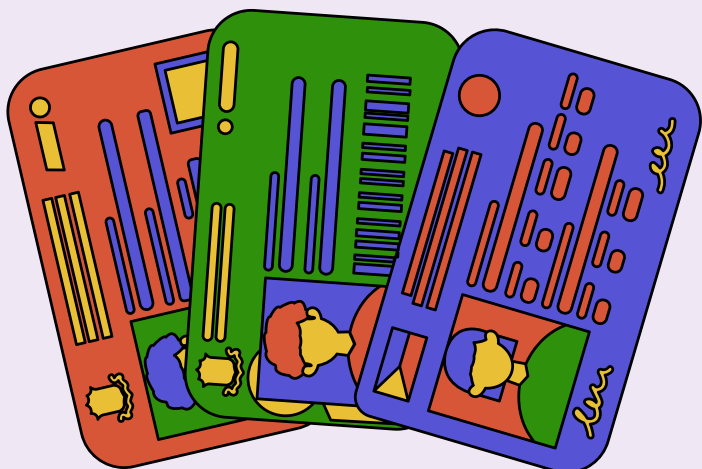


# An Explainer:

## THE RUSHED IMPLEMENTATION OF NORTH CAROLINA'S VOTER PHOTO ID



On April 28, 2023, the North Carolina Supreme Court reversed its previous decision in *Holmes v. Moore*, which found Senate Bill 824 – North Carolina’s voter photo ID law – was enacted by the General Assembly with a racially discriminatory purpose violating the state constitution. As a result, the State Board of Elections is now preparing to implement voter photo ID for the 2023 Municipal Elections, with voting for primaries beginning as early as August 11, 2023.[1] Yet, for most of the last decade and beyond, North Carolinians were not required to present a photo ID to vote and have that vote count.

### What needs to happen in the next four months to implement the voter photo ID law?



Senate Bill 824 requires the State Board of Elections and the 100 county boards of elections to engage in various election administration processes and activities to implement voter photo ID before an election.[2]

### Specifically, the State Board and county boards will need to:

#### Educate Voters

Establish an aggressive voter education program to raise public awareness about voter photo ID, the acceptable forms of identification, how voters without acceptable photo ID can obtain one, and the options for provisional voting for voters who do not present with photo ID through public websites, coordination with local media outlets and county boards of commissions, mailers, voter education materials, and any additional educational programs and materials.



#### Train Officials

Conduct trainings and seminars for election officials, staff, precinct officials, and poll workers on voter photo ID to ensure consistent and fair implementation across the state, including but not limited to how to issue and print a free voter photo ID, provisional voting and the photo ID exception form and other exceptions, how to answer questions by voters concerning the changes to the law, and consult with Disability Rights NC to develop forms and information that are accessible to voters with disabilities.

#### Update Documents

Update request forms and container-return envelopes for voting by mail, voter registration forms and cards, provisional ballot and information sheet, religious objection affidavit, reasonable impediment affidavit and declaration form, natural disaster affidavit, inserts for the election official handbook and station guide, and new signage for polling places.

#### Process ID Applications

Notify the chancellor, president, or registrar at affiliated institutions of The University of North Carolina, community colleges, or eligible private postsecondary institutions and the head of elected official or lead human resources employee of state or local government entities (or charter schools) to submit applications for approval of student or employee ID cards for voting and, once received, review and process all submitted applications[3]



#### Adopt Rules

Adopt administrative rules to enforce S.B. 824, such as issuing free voter photo ID cards by county boards at the board office and one-stop early voting sites, voting by mail requirements and security, and amending pre-existing rules on voter ID.

#### Develop Software

Develop software changes to the election information management system (“SEIMS”) and other stored digital and electronic information for voting to include the taking of digital photographs at the polling place and other processes for photo ID.



[1] “Voter ID,” North Carolina State Board of Elections, available at: <https://www.ncsbe.gov/voting/voter-id>.

[2] S.B. 824, Session Law 2018-144. See 2018 N.C. Sess. Law 144 (N.C. 2018). S.B. 824 provisions are now found at Sections 163-82.8A (photo-ID requirement), -166.16 (list of valid photo IDs), -166.17 (student-ID requirements), -166.18 (government-ID requirements), -229 (absentee ballots), -230.2 (absentee ballots), -166.7, -227.2, and -22 of our General Statutes. See N.C. Gen. Stat. §§ 163-82.8A; -166.16-18; -229; -230.2; -166.7; -227.2; -22 (2019).

[3] By December 2019, only 123 of approximately 850 universities, colleges, state and local government entities (including charter schools), and state-recognized tribes, submitted ID cards requests to the North Carolina State Board of Elections, and were approved, available at: <https://s3.amazonaws.com/dl.ncsbe.gov/Voter%20ID/ApprovalApplications/Approved%20Photo%20ID%20List%20December%202019.pdf>.