

Summary of Legal Changes from 2020

Changes that stay

- Absentee request portal (Session Law 2020-17)
- UOCAVA portal and portal for blind voters
- BallotTrax and intelligent mail barcode use
- Limitations on completion and return of absentee ballot request form (Session Law 2019-239 and 2020-17)
 - See [Numbered Memo 2020-03](#) and [Numbered Memo 2020-15](#) except as to email or fax return of absentee request form)
- Absentee board meetings start the fifth Tuesday before the election (Session Law 2020-17)
- Felons serving an active sentence may register to vote if they (1) are serving a term of extended probation, parole, or post-release supervision; (2) have outstanding fines, fees, or restitution as a result of their felony conviction; and (3) do not know of another reason that their probation, parole, or post-release supervision was extended. This was a permanent injunction entered by the Wake County Superior Court.
 - See [Numbered Memo 2020-26](#)
- Guidance for adjudicating voter intent during a hand-to-eye sample audit or hand-to eye recount
 - See Section 5 of [Numbered Memo 2020-32](#), which has been incorporated into a proposed rule
- One-stop hours for municipal elections remains the same (SL 2019-239)
 - See attached chart comparing even-year elections to odd-year elections
- Simulated election event to test new voting equipment (Session Law 2019-239)
- County boards must publish the number of provisional ballots cast by voting method by noon two days after Election Day (Session Law 2020-17)
- Chair of the county board of elections must appear at a State Board of Elections' meeting to explain the reason for the delay if the precinct sort is completed after the 30-day deadline (Session Law 2020-17)
- No signature verification of absentee requests forms or absentee container return envelopes
 - See [Numbered Memo 2020-15](#) and [Numbered Memo 2020-19](#)

Changes that were only for 2020

- 1 witness requirement (Session Law 2020-17)
 - Action item: New absentee envelopes will be needed for 2021 elections
- Return of absentee request form by email or fax (Session Law 2020-17)
 - Note: Only UOCAVA voters may now return ballots by email or fax.
- Cure process
 - See [Numbered Memo 2020-19](#)
- Waiver of log for in-person return of absentee request forms and absentee ballots
 - See [Numbered Memo 2020-23](#)
- Extended deadline for return of absentee by mail ballot and use of BallotTrax and commercial carrier for determining timely return of ballot

- See [Numbered Memo 2020-22](#)
 - Note: The absentee return deadlines will now be the Friday after election.
- Emergency Order requiring a minimum of 10 weekend hours and a minimum number of one-stop sites based on number of registered voters, among other things
 - See [Numbered Memo 2020-14](#)
- Requirement that MAT team assist any voter requesting assistance (MAT must be available to assist voters in covered facilities) (Session Law 2020-17)
- Only one precinct assistant must be registered voter of the precinct. (Current law: majority of precinct assistants must be residents of the precinct) (Session Law 2020-17)
- At least one chief judge or judge must be a resident of the precinct. (Current law: majority of precinct judges/chief must be residents of the precinct) (Session Law 2020-17)

Changes that are undetermined for upcoming elections

- Photo ID – depends on whether state court lifts injunction
- Cure process – it is undetermined at this time how this will proceed
- Pandemic safety precautions (PPE, social distancing, etc) – depends on what happens with the pandemic; should plan for elections as if these will be in place
 - See [Numbered Memo 2020-12](#) and [Numbered Memo 2020-18](#)