

TITLE 08 – STATE BOARD OF ELECTIONS

Notice is hereby given in accordance with G.S. 150B-21.3A(c)(2)g. that the State Board of Elections intends to readopt with substantive changes the rule cited as 08 NCAC 05 .0111.

Link to agency website pursuant to G.S. 150B-19.1(c): <https://www.ncsbe.gov/about-elections/legal-resources/rulemaking>

Proposed Effective Date: March 1, 2027

Public Hearing:

Date: December 7, 2026

Time: 10:00 a.m.

Location: State Board of Elections, Dobbs Building, 430 N. Salisbury St., Raleigh, NC 27603

Reason for Proposed Action: This rule provides that, in accordance with N.C.G.S. § 163-36, counties with under 6,501 registered voters may choose to operate their office on a modified schedule. The rule proposed for readoption provides a standard for an eligible county board to determine that it can operate on a modified schedule, and further provides that the office must be open each weekday during the early voting period.

Comments may be submitted to: Adam Steele, P.O. Box 27255, Raleigh, NC 27611

Comment period ends: January 4, 2027

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to oah.rules@oah.nc.gov. If you have any further questions concerning the submission of objections to the Commission, please review 26 NCAC 05 .0110 or call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- ☐ State funds affected
- ☐ Local funds affected
- ☐ Substantial economic impact ($\geq$ \$1,000,000)
- ☐ Approved by OSBM
- ☒ No fiscal note required

CHAPTER 05 - MODIFIED FULL TIME REGISTRATION SYSTEM

08 NCAC 05 .0111 MODIFIED FULL-TIME OFFICES

County board of elections offices in counties eligible to operate a modified schedule for the elections office under G.S. 163-36 with fewer than 6,501 registered voters may operate office hours on Mondays, Wednesdays, and Fridays when the county board has determined that the operation of a full-time schedule for the office is not necessary to perform the duties of the county board and of the county director of elections under Chapter 163 of the North Carolina General Statutes, upon approval of the county board of elections. For the purposes of this Rule, office hours means hours consistent with the hours observed by county government of that county. A county board that has chosen to operate a modified schedule for its office in accordance with this Rule shall require the office to be open full-time during the early voting period for all primaries and elections as provided by G.S. 163-166.40(i).

History Note: Authority ~~G.S. 163A-776; G.S. 163-22; G.S. 163-36; G.S. 163-166.40;~~
~~Eff. December 1, 2018; 2018;~~
Readopted Eff. March 1, 2027.