

1 08 NCAC 23 .0101 is adopted with changes as published in 40:14 NCR 1195-1196 as follows:

2
3 CHAPTER 23 – LIST MAINTENANCE

4
5 SECTION .0100 – NON-CITIZEN LIST MAINTENANCE

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7 **08 NCAC 23 .0101 DEFINITIONS**

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9 For purposes of this Section:

- 10 (1) “Chair” means a member appointed to be the chair of a county board of elections pursuant to G.S.
11 163-30.
- 12 (2) “Challenge” means a challenge entered by a county board under Rule .0102 of this Section.
- 13 (3) “Challenge hearing” means the hearing conducted under Rule .0104 of this Section.
- 14 (4) “Challenged voter” means a ~~presumptive~~ potential noncitizen whose eligibility to remain
15 registered to vote has been challenged pursuant to the procedures in this Section.
- 16 (5) “Director of elections” means the county director of elections for a county appointed pursuant to
17 G.S. 163-35.
- 18 (6) “Documentation of citizenship” means an original or copy of a document issued by a state,
19 federal, or tribal government showing the citizenship of the person to whom the document was
20 issued. Documentation of citizenship shall include, but is not limited to, a birth certificate, a
21 document showing place of birth issued by a vital records office, a passport or passport card issued
22 by the United States Department of State, a consular report of birth abroad issued by the United
23 States Department of State, ~~or~~ a certificate of citizenship or naturalization issued by the
24 Department of Homeland Security’s United States Citizenship and Immigration Services.
25 Documentation of citizenship shall also include documentation showing the citizenship of a
26 parent, when provided with documentation indicating the parental relationship to the person
27 presenting the documentation, to demonstrate citizenship derived from a parent pursuant to the
28 applicable provisions of the federal Immigration and Nationality Act.
- 29 (7) “Notice of non-citizenship” means a written notice sent by the State Board of elections to a county
30 board of elections identifying a registered voter in the county as a ~~presumptive~~ potential
31 noncitizen. The notice of non-citizenship shall include the source of the information used to
32 identify the registered voter as a potential noncitizen.
- 33 (8) “Preliminary hearing” means the hearing conducted under Rule .0103 of this Section.
- 34 (9) ~~Presumptive~~ “Potential noncitizen” means a registered voter who has been identified by the State
35 Board of Elections as potentially not being a United States citizen based on information obtained
36 by the State Board from official government records and databases and which identifies a
37 registered voter as not being a United States citizen. A potential noncitizen does not mean a

1 registered voter for whom the State Board has in its possession or control any information or
2 documents demonstrating that the voter has previously provided documentation of citizenship, nor
3 does it mean a registered voter who has previously been found to be a United States citizen by a
4 county board of elections.

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6 *History Note: Authority G.S. 163-22; 163-82.14; 163-82.26; 163-85; 163-86;*
7 *Eff. ~~May~~ June 1, 2026.*

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