



Numbered Memo 2021-03

TO: County Boards of Elections
FROM: Sam Hayes, Executive Director¹
RE: Absentee Container-Return Envelope Deficiencies
DATE: September 4, 2026

The State Board is required to establish procedures that provide appropriate safeguards in the absentee balloting process and to provide a cure process for voters whose absentee ballot envelopes and photo ID documents contain certain deficiencies.² This numbered memo directs the procedure county boards of elections must use to identify and address those deficiencies.

County boards must ensure that the votes of all eligible voters are counted using the same standards, regardless of the county in which the voter resides. Following the procedures in this memo will ensure that a voter is provided every opportunity to correct certain deficiencies, while also recognizing that processes must be manageable for county boards to timely complete required tasks.

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¹ This numbered memo was originally issued on June 11, 2021, and then was updated on September 25, 2023, and on January 19, 2024. This updated memo was approved by a vote of the State Board and issued on September 4, 2026.

² N.C.G.S. § 163-230.1(g) (“The State Board, by rule or by instruction to the county boards of elections, shall establish procedures to provide appropriate safeguards in the implementation of this section.”); *see also Democracy NC v. State Board of Elections*, 476 F.Supp.3d 158 (M.D.N.C. Aug. 4, 2020) (explaining that due process requires a cure opportunity); N.C.G.S. §§ 163-230.1(e1); N.C.G.S. § 163-166.16(e1) (as revised by [N.C. Session Law 2026-60](#)); 08 NCAC 17 .0109(b).

1. Review for Deficiencies

When a county board receives a voter's returned absentee ballot, staff shall document the date of receipt of the ballot. Then, **within one business day** of receipt, trained county board staff shall determine whether there is a deficiency or irregularity with the container-return envelope, application, and photo ID documentation.³

A **curable deficiency** is an issue with the container-return envelope, application, or photo ID documentation that can be cured with supplemental documentation or an attestation provided by the absentee voter.⁴ The container-return envelope is the envelope provided by a county board to a voter for them to seal their voted absentee ballot when returning the ballot to the county board.⁵ The application is the form on the container-return envelope that is completed by the voter, their witnesses or notary, and assistant (if applicable).⁶ The photo ID documentation is a photocopy of an acceptable photo ID or a photo ID exception form required to be included with the application and which is placed in the clear sleeve on the container-return envelope.⁷ If staff identify a curable deficiency, then they shall follow the procedures in Section 2 of this memo.

A **non-curable deficiency** is an issue with the returned absentee ballot that cannot be cured with supplemental documentation or an attestation provided by the absentee voter. For instance, there may be a chain of custody issue or missing information on the application that would come from someone other than the voter. Those issues require the absentee ballot to be spoiled and the absentee ballot package reissued to the voter, when there remains time to do so. If staff identify a non-curable deficiency, then they shall follow the procedures in Section 3 of this memo.

An **irregularity** is when there is noncompliance with the requirements for absentee voting that requires documentation and may require further action to determine if the irregularity is a curable or non-curable deficiency. If staff identify an irregularity, then they shall follow the procedures in Section 4 of this memo.

³ The initial review is conducted by staff to expedite processing of the envelopes in advance of a county board absentee meeting. See [Numbered Memo 2020-25](#) regarding preparatory steps for absentee meetings.

⁴ N.C.G.S. §§ 163-230.1(e1); N.C.G.S. § 163-166.16(e1) (as revised by N.C. Session Law 2026-60); 08 NCAC 17 .0109(b).

⁵ See N.C.G.S. §§ 163-229 and -230.1.

⁶ N.C.G.S. § 163-229(b).

⁷ N.C.G.S. § 163-230.1(f1).

County board staff shall follow the instructions provided by the State Board in the most recent guide for the proper entry of data in SEIMS when processing absentee ballots and addressing deficiencies. Data shall be promptly entered as ballots are processed. This will ensure that the data maintained by the county boards and State Board follows uniform conventions and is up to date. This will help ensure the processing of absentee ballots is transparent to the public.

2. Curable Deficiencies

2.1 Identifying Curable Deficiencies

A curable deficiency includes the following:

1. The voter did not sign or make their mark on the application. If there is a signature for the voter, then county boards must review the signature on the application to ensure that the signature on the application is the name of the voter assigned the application number on the container-return envelope. If the voter's signature on the application appears to be the name of the voter assigned the application number on the container-return envelope, and not some other person, then that is not a deficiency even if the signature is illegible. Absent clear evidence to the contrary, the county board shall presume that the voter's signature is that of the voter, even if the signature is illegible.
2. The voter signed the application in the wrong place.
3. The voter did not include any photo ID documentation with their ballot.
4. If the voter submits a photocopy of their photo ID with their ballot:
 - a. The photo ID is not readable, which means that the name on the ID cannot be read, the photograph on the ID does not depict a person (e.g., it only depicts a shadow or outline of a person), or both.⁸
 - b. The photo ID is not an acceptable type of identification.⁹
 - c. The photo ID does not meet an applicable expiration date requirement.¹⁰

⁸ 08 NCAC 17 .0109(a).

⁹ N.C.G.S. § 163-166.16(a); 08 NCAC 17 .0109(b). See the current version of the State Board's list of acceptable photo IDs.

¹⁰ N.C.G.S. § 163-166.16(a). Note that for the 2026 general election, if a voter's photo ID is a Class C North Carolina driver's license and it expired on or after July 1, 2025, it can still be used as an acceptable photo ID even if it is expired for more than one year. *See* N.C. Session Law 2026-60 § 5.

- d. The name on the photo ID is not the same as or substantially equivalent to the name in the voter's voter registration record.¹¹

Note: Any difference between the voter's address on their photo ID and the address in their registration record is not a deficiency.

- 5. If the voter submits a photo ID exception form with their ballot:
 - a. The voter did not sign the photo ID exception form.¹² If a voter cannot sign the form due to a disability, then it is not a deficiency if the person of the voter's choice completed the assistant certification on the application and wrote on the signature line of the form that the voter cannot sign due to disability (e.g., they wrote "Disabled—cannot sign").¹³
 - b. The voter did not print their name on the photo ID exception form. If the voter signed the form and that signature appears to be the name of the voter and not some other person, then the lack of a printed name is not a deficiency. The county board shall presume that the voter's signature is that of the voter, even if the signature is illegible, unless there is clear evidence to rebut this presumption.
 - c. The voter's personal identification number, when required to be provided on the photo ID exception form, is missing or is deficient. The number is only deficient if the number provided does not match the corresponding number listed in the voter's voter registration record.¹⁴ If the number is deficient or missing, but the voter has additionally checked a box indicating another reasonable impediment that prevents them from including a copy of a photo ID, the form cannot be found deficient for the missing identification number alone.
 - d. The voter did not check a box on the photo ID exception form indicating their claimed exception or reasonable impediment to the photo ID requirement. If the voter writes a reason for "Other" but does not check the "Other" box on the form, then the form is not deficient for that reason alone, because the voter has completed the statement identifying their reasonable impediment to providing a photo ID. If the voter writes their North Carolina driver's license number, DMV ID number, or last 4 digits of their social security number on the form but does

¹¹ 08 NCAC 17 .0101(a)(3) provides the standard for determining whether a name on the photo ID is "substantially equivalent" to the voter's name in their record.

¹² N.C.G.S. § 163-166.16(e1) (as revised by N.C. Session Law 2026-60).

¹³ See [Numbered Memo 2022-11](#) for guidance on assistance for absentee voters with disabilities.

¹⁴ See N.C.G.S. § 163-230.1(g)(2) (requiring the voter to provide their North Carolina driver's license number, DMV ID number, or last 4 digits of their social security number if they are unable to include a physical copy of their photo ID with their envelope); 08 NCAC 17 .0109(b).

not check the corresponding box, and does not check another box on the form identifying an exception or reasonable impediment, then the form is deficient.¹⁵

Note: A county board's finding that a photo ID exception form is false is not a deficiency within the scope of this memo, because that is subject to a different process.¹⁶

2.2 Notice to Voter About Curable Deficiencies

Within **one business day** of identifying the curable deficiency, staff shall document the deficiency and notify the voter by sending them a cure notice by mail to the address at which the voter requested their ballot be sent. The cure notice shall:

- identify the deficiency,
- contain the cure certification for the voter to return to the county board,
- provide directions on who can return and how to return the certification, and
- inform the voter of their options to vote in person during the early voting period or on Election Day.

Note: When sending a cure notice for a photo ID document deficiency, the county board must include a blank absentee photo ID exception form because the voter's circumstances may have changed and they are now unable to provide a copy of an acceptable photo ID.

The voter shall also be notified about the deficiency by telephone or email if a telephone number or email address was provided by the voter on the voter's absentee request form or, if one was not provided on the request form, in the voter's registration record. If both phone and email are available, the county board should notify the voter by email. If the voter is notified by email, then the email notification shall include a copy of the cure notice. If the voter is notified by telephone, then staff shall document when the telephone call was made.

If county board staff identify an issue that is likely a curable deficiency but are unable to make such a determination, then staff shall present the issue to the county board to make the determination at its next absentee meeting held pursuant to N.C.G.S. § 163-230.1.

¹⁵ See N.C.G.S. § 163-166.16(e) (the photo ID exception form must include "separate boxes that a registered voter may check to identify the registered voter's reasonable impediment.").

¹⁶ See [Numbered Memo 2023-03](#) and [Numbered Memo 2023-04](#) regarding photo ID exception forms.

2.3 Voter Submission of Cure Document or Attestation

The voter's cure document or attestation must be received by the county board by noon on the fifth business day after Election Day to be timely and have their ballot counted.¹⁷

Any person who is permitted to assist a voter with their ballot may assist a voter in filling out the cure certification, making a photocopy of the voter's photo ID, or filling out the photo ID exception form, but the certification and photo ID exception form must be signed by the voter.¹⁸ A wet ink signature is not required for cure documents, but the signature used must be unique to the individual. A typed signature is not acceptable, even if it is cursive or italics such as is commonly seen with an electronic signature program, such as DocuSign.

Persons Permitted to Submit the Cure Document or Attestation

The voter's cure document or attestation can only be submitted to the county board by the following persons:

- the voter,
- the voter's verifiable legal guardian or near relative,
- a multipartisan assistance team,¹⁹ or
- a person of the voter's choice if the voter needs assistance due to the voter's disability.²⁰

A cure document or attestation returned by any other person is invalid. It is not permissible for a cure certification to be submitted through a portal or form created or maintained by a third party. A cure certification may not be submitted simultaneously with the ballot.

How the Cure Document or Attestation can be Submitted

The voter's cure document or attestation may be submitted to the county board using any of the following methods of return:

- in person at the county board office,

¹⁷ N.C.G.S. § 163-230.1(e1) (as revised by N.C. Session Law 2026-60).

¹⁸ If a voter is physically unable to sign or make their mark on the Photo ID Exception Form due to disability, any person of that voter's choice can write in the signature line, "Disabled - cannot sign." See [Numbered Memo 2022-11](#).

¹⁹ A multipartisan team of officials appointed under N.C.G.S. § 163-226.3.

²⁰ Voters who require assistance in returning their ballot due to the voter's disability, can direct the person of their choice to return the ballot according to the voter's instruction (*i.e.*, by mail or in person to the county board). See [Numbered Memo 2022-11](#).

- by mail or commercial carrier to the county board office,
- by fax, or
- by email.

If a voter appears in person at the county board office to cure the deficiency, they may also be given, and can complete, a cure certification. Similarly, a voter may appear in person and complete a photo ID exception form to accompany the container-return envelope, or request that staff make a photocopy of the voter's photo ID to accompany the container-return envelope.

If a voter submits their cure document or attestation by mail, then the documents must be received by the deadline—not postmarked by the deadline.

If a voter submits their cure document or attestation by email, the voter may attach an image of their cure documentation (e.g., emailing a photo of their photo ID or executed photo ID exception form). The voter is not permitted to use a typed name as their signature or mark on the cure certification unless they are unable to sign due to a disability.

2.4 County Board Consideration of Cure Document or Attestation

County board staff shall review a voter's cure document or attestation **within one business day** of receipt to determine whether the voter's submission is responsive to what was requested in the cure notice.

A voter may also respond to a notification that their ballot is missing photo ID documentation by stating that it is in the container-return envelope. If this occurs, staff must defer the review of the photo ID documentation to the next absentee board meeting, when the county board can review the application and, if approved, open the container-return envelope and confirm photo ID compliance.²¹ If the board identifies a deficiency at that point, staff should be instructed to notify the voter of the opportunity to cure as explained in Section 2.2 of this memo.

At its next meeting²² at which absentee ballot applications will be considered for approval after receipt of the cure document or attestation, the county board shall consider the cure document or

²¹ This does not prevent the voter from also choosing to send photo ID cure documentation to the county board while its review of the application is pending, and staff may encourage the voter to do so when time is of the essence.

²² This includes a pre-Election Day absentee meeting, N.C.G.S. § 163-230.1, the Election Day absentee meeting, N.C.G.S. § 163-234(2) (as revised by N.C. Session Law 2026-60 § 1.5), or the meeting required to occur on the fifth business day after Election Day so the board can announce the tally of absentee ballots, N.C.G.S. § 163-234(12) (as revised by N.C. Session Law 2026-60 § 1.5).

attestation together with the application when making its decision whether to approve the application and count the ballot.

If the cure document or attestation was timely received, includes the required documentation or attestations, and was returned by an authorized person, the county board of elections shall approve the absentee application for the ballot to be counted. See [Numbered Memo 2020-25](#). The county board shall not disapprove an application or otherwise refuse to count the absentee ballot solely because it had a curable deficiency, if the county board determines that the deficiency has been timely cured by noon on the fifth business day after Election Day.

3. Non-Curable Deficiencies

3.1 Identifying Non-Curable Deficiencies

A non-curable deficiency includes the following:

1. The absentee ballot is inside the container-return envelope, which is not sealed or which appears to have been opened and re-sealed, and:
 - a. The container-return envelope is not received in any outer return envelope.
 - b. The container-return envelope is received in an outer return envelope which is not sealed or which appears to have been opened and re-sealed.²³

Note: If the voter is returning an unsealed ballot in person at the county board office or an early voting site, then that is not a deficiency if the voter seals the envelope in the presence of staff or an election official. If a person other than the voter is returning the unsealed ballot, then even if they are authorized to return the ballot, they cannot seal the ballot without the voter being present. When this occurs, staff or the election official at the early voting site shall follow the procedures in Section 4.1 of this memo and [Numbered Memo 2020-23](#).

2. The container-return envelope includes an indication that the voter is requesting a replacement ballot.
3. The voter's signature on the application is the name of a person other than the voter assigned the application number on the container-return envelope. See Section 2.1 regarding how to compare the signature to the voter's name on the application to confirm whether the signature is the voter's signature.

²³ Ballots must be "sealed in the container-return envelope." N.C.G.S. § 163-230.1(d); see also N.C.G.S. § 163-231(a)(3).

Note: If the voter's signature is the same signature as an assistant's signature on the application, then that is a curable deficiency and staff shall proceed in accordance with the cure process in Section 2 of this memo.

4. The name of a witness or an assistant is not printed on the application or is not legible such that the name can be identified.²⁴ If the printed name is readable and on the correct line, even if it is written in cursive script, it is not a deficiency. If the witness's or assistant's name can be identified using their signature on the application, then the lack of a printed name is not a deficiency.²⁵
5. A witness or assistant did not print their address on the application or their address cannot be determined using the address information provided on the application. If the only information missing from the address is a ZIP code, then the lack of a ZIP code is not a deficiency.²⁶

Note: A witness's or assistant's address does not have to be a residential address; it may be a post office box or other mailing address. Additionally, if the address is missing a city or state, but the county board can determine the correct address, the failure to list that information does not invalidate the application. For example, if a witness lists "Raleigh 27603," the information provided is sufficient to determine the state is NC, or if a witness lists "333 North Main Street, 27701," the information provided is sufficient to determine that the city/state is Durham, NC. If both the city and ZIP code are missing, staff will need to determine whether the correct address can be identified. If the correct address cannot be identified, then that is a deficiency.²⁷

6. A witness or assistant did not sign the application.
7. A witness or assistant signed the application on the wrong line. If the witness or assistant signed the application and included all required information (for example, the witness or assistant printed their name on the address line, printed their address on the name line, and signed), then the signature on the wrong line is not a deficiency.

²⁴ See N.C.G.S. § 163-230.1(e1) ("The identification of the two persons witnessing the casting of the absentee ballot in accordance with G.S. 163-231(a) is not a curable deficiency.").

²⁵ N.C.G.S. § 163-231(a)(5) ("Failure to include a printed witness name does not invalidate the application and certificate if the identity of an individual can solely be ascertained by the witness's signature.").

²⁶ N.C.G.S. § 163-231(a)(5).

²⁷ See [Numbered Memo 2020-29](#) for additional information regarding address issues.

8. The notary used to satisfy the witness requirement:²⁸
 - a. Did not sign the application.
 - b. failed to include the notarial seal on the application or the notarial seal lacks information required by law for the seal to be valid.
9. The county board has approved the application, but upon opening the container-return envelope determines that:
 - a. The envelope does not contain a ballot.
 - b. The envelope contains more than one ballot.
 - c. The ballot includes an indication that the voter is requesting a replacement ballot.

Note: For these situations, the county board shall revisit the decision to approve the application before proceeding with the process in Section 3.2 of this memo to spoil and reissue a new absentee ballot package to the voter. For the situation where the envelope contains more than one ballot, both ballots must be spoiled.

3.2 Spoiling and Reissuing the Absentee Ballot Package to the Voter

When a non-curable deficiency is identified, staff shall document the deficiency and proceed in accordance with the procedures in this section. If the county board disapproves an absentee application by majority vote in a board meeting, or disapproves a ballot for a reason based on the voter's photo ID documentation, it shall proceed according to the notification processes in this Section.

When the Deficiency is Identified by the Friday Before Election Day

If the non-curable deficiency is identified on or before the Friday before Election Day, staff shall within **one business day** of identifying the deficiency spoil the returned absentee ballot and reissue the absentee ballot package to the voter by mail to the address at which the voter requested their ballot be sent.²⁹ If the deficiency is identified on the Friday before Election Day, then the next day shall be considered a business day.

²⁸ See [Numbered Memo 2021-07](#), explaining why other technical errors with the notarial certificate will not affect the sufficiency, validity, or enforceability of the notarial certificate itself or the underlying document and are not considered deficiencies.

²⁹ When there is a curable deficiency, the voter must be quickly notified. See N.C.G.S. § 163-230.1(e1) (as revised by N.C. Session Law 2026-60 § 1.3) (“no later than the close of business on the next business day following the county board’s review”). If a ballot must be spoiled and reissued, the same need to act quickly exists.

The new absentee ballot package must be a complete absentee ballot package, including a blank photo ID exception form even if the voter has already submitted photo ID documentation with their original ballot. This is because each absentee ballot envelope “returned to the county board . . . shall be accompanied by” a photocopy of the voter’s photo ID or Photo ID Exception Form.³⁰ The outside of the envelope containing the new ballot package should be in an official envelope so that it indicates that it contains official election mail, unless it is not possible due to the use of a specialized USPS or commercial carrier service envelope.

County board staff shall include with the reissued absentee ballot package a written notice. The notice shall:

- identify the deficiency,
- explain the spoil and reissue process,
- explain that the voter will need to resubmit their photo ID documentation when submitting the reissued ballot, and
- inform the voter of their options to vote in person during the early voting period or on Election Day.

The voter shall also be notified about the deficiency within **one business day** by telephone or email if a telephone number or email address was provided by the voter on the voter’s absentee request form or, if one was not provided on the request form, in the voter’s registration record. If the voter is notified by telephone, then staff shall document when the telephone call was made.

If county board staff identify an issue that is likely a non-curable deficiency but are unable to make such a determination, then staff shall present the issue to the county board to make the determination at its next absentee meeting.

When the Deficiency is Identified On or After the Saturday Before Election Day

If the non-curable deficiency is identified on or after the Saturday before Election Day, staff shall, on **the same day** the deficiency is identified, contact the voter using any telephone number or email address that was provided by the voter on the request form for the absentee ballot or is in the voter’s registration record. Staff shall inform the voter of the following:

- their ballot must be spoiled and the reason why it must be spoiled,
- there is not sufficient time to mail them a reissued absentee ballot package that can be timely returned by mail, and

³⁰ N.C.G.S. § 163-230.1(f1).

- they may vote in-person during the early voting period or on Election Day, if there is still time to do so.

If the notification is provided by telephone, or if the county board does not have a phone number and email address for the voter, then staff shall mail a written notice with the same information to the address at which the voter requested their ballot be sent. If the voter is notified by telephone, then staff shall document when the telephone call was made.

4. Irregularities

4.1 Irregularities that Do Not Require Further Action from the Voter

Irregularities that must be documented by staff, but which does not require further action from the voter to have their application approved and ballot counted, include the following:

1. The absentee ballot is inside a sealed container-return envelope, but the outer return envelope is not sealed or appears to have been opened and re-sealed. In this situation, the ballot arrived in a sealed container-return envelope and therefore is not a deficiency that would require a cure or a spoil and reissue of the ballot.
2. The absentee ballot is inside an unsealed container-return envelope that is not in an outer return envelope, or not in a sealed outer return envelope, when it is initially hand-delivered by the voter at an early voting site or the county board office, but the voter then seals the container-return envelope before an election official or county board staff, who then take receipt of the sealed container-return envelope. In this situation, the voter has sealed their ballot in the container-return envelope, and it is therefore not a deficiency that would require a cure or a spoil and reissue of the ballot.³¹

Note: A person hand-delivering the absentee ballot, whether it is the voter or someone authorized to return the voter's ballot, is not required to deliver the container-return envelope inside the outer return envelope for the absentee application to be approved. If the person hand-delivers only the sealed container-return envelope, staff should follow their usual storage practices and keep the container-return envelope in a secure location.

When county board staff or an election official at an early voting site identify such an irregularity, it shall be documented in writing (e.g., on a log) so that staff can inform the county board of the irregularity at the meeting at which the county board will consider approval of the application for that ballot. The county board, staff, and election officials shall also follow the

³¹ See N.C.G.S. § 163-231(a)(3) (the voter must “place the folded ballots in the container-return envelope and securely seal it, or have this done in the voter’s presence”).

procedures for in-person return of absentee ballots in [Numbered Memo 2020-23](#). The county board shall not disapprove the application or otherwise refuse to count the absentee ballot solely because of the irregularity.

4.2 Irregularities That Can Be Cured

An irregularity that requires a cure attestation from the voter to have their application approved and ballot counted includes the following situation:

When the absentee ballot is inside the container-return envelope, which appears to have been opened and re-sealed, but the container-return envelope is received in a sealed outer return envelope.

This situation can be cured with an attestation from the voter about how they sealed the container-return envelope, because the information will be provided by the voter.

Notice to the Voter of the Irregularity

Within **one business day** of identifying this irregularity, staff shall document the irregularity and notify the voter by sending them a notice by mail to the address at which the voter requested their ballot be sent. The notice shall:

- identify the irregularity,
- inform the voter they must contact the county board to attest to the manner in which they sealed their ballot in the container-return envelope before the application can be approved, and
- include the same information required in the cure notice provided in Section 2 of this memo.

The voter shall also be notified about the irregularity by telephone and email if a telephone number or email address was provided by the voter on the voter's absentee request form or, if one was not provided on the request form, in the voter's registration record. If the voter is notified by email, then the email notification shall include a copy of the notice. If the voter is notified by telephone, then staff shall document when the telephone call was made.

County Board Consideration of Voter's Response

If the voter attests in writing that they **did seal** the container-return envelope in the manner in which it was received, then the county board shall treat the irregularity as a curable deficiency that must be cured in the same manner as provided under Section 2.3 of this memo. The county board shall then consider the attestation in the same manner as provided under Section 2.4 of this memo. The county board shall not disapprove the application or otherwise refuse to count the

absentee ballot solely because of the irregularity if the attestation has been submitted by noon on the fifth business day after Election Day.

The voter may also respond and confirm in writing (*i.e.*, by email, mail, or fax) that they **did not seal** the container-return envelope in the manner in which it was received. When this occurs, county board staff shall spoil the ballot and proceed in accordance with the procedures for spoiling and reissuing the absentee ballot package in Section 3 of this memo.

4.3 Irregularities that Require a Spoil and Reissue

Irregularities that require the ballot to be spoiled and reissued include the following:

1. The ballot is inside an unsealed container-return envelope when it is received, regardless of whether it is in a sealed outer return envelope.³²
2. Ballot is outside of the container-return envelope when it is received, regardless of whether it is in a sealed outer return envelope (*i.e.*, it has been placed inside the clear sleeve on the container-return envelope used for including the photo ID documentation or it is located alongside the container-return envelope in the outer return envelope).³³
3. The county board has approved the application, but the ballot in the container-return envelope is identified as a ballot that the voter is not eligible to vote (e.g., the voter was sent or returned an incorrect party primary ballot by mistake).³⁴ In this situation, the county board shall revisit the decision to approve the application before proceeding with the process in Section 3.2 of this memo to spoil and reissue a new absentee ballot package to the voter with the correct ballot they are eligible to vote.

Note: If the ballot is one the voter is eligible to vote but staff identify that the CIV number (the ballot identifying number) on the ballot does not match the number on the container-return envelope, then staff shall document the issue in writing for the county board and contact the voter by mail and by phone or email as to whether they voted the ballot in the container-return envelope. The voter shall also be given the opportunity to request that their ballot be spoiled and reissued. If the voter requests their ballot be spoiled and reissued, then the county board shall revisit the application and proceed with

³² Ballots must be “sealed in the container-return envelope.” N.C.G.S. § 163-230.1(d); see also N.C.G.S. § 163-231(a)(3).

³³ *Id.*

³⁴ See N.C.G.S. §§ 163-230.1(a)(1) and (b)(1) (the voter must be provided with and return a ballot that “the voter is entitled to vote”).

the spoil and reissue process in Section 3.2 of this memo. If there is no evidence that the voter did not vote the ballot in their container-return envelope and the voter is eligible to vote the ballot that was in their container-return envelope, then the county board shall not spoil the ballot and shall count the ballot, because under those circumstances, the voter has attested to voting the ballot enclosed with their application.³⁵

When county board staff identify one of these irregularities, the irregularity shall be documented in writing and staff shall proceed in accordance with the spoil and reissue process in Section 3.2 of this memo **within one business day** of identifying the irregularity. The notice required in Section 3.2 shall be provided to the voter by telephone and email using any telephone number or email address that was provided by the voter on the request form for the absentee ballot or, if one was not provided on the request form, in the voter's registration record.

³⁵ See [IN RE: Request for Declaratory Ruling on Absentee Ballot Errors](#), N.C. State Bd. of Elections (Feb. 2, 2026). County board staff should document the CIV number that now corresponds with the voter in the SEIMS record.