



NORTH CAROLINA

State Board of Elections & Ethics Enforcement

Mailing Address:
P.O. Box 27255
Raleigh, NC 27611-7255

Phone: (919) 733-7173
Fax: (919) 715-0135

NUMBERED MEMO 2017-03

TO: County Boards of Election
FROM: Kim Strach, Executive Director
RE: One-Stop Implementation Plans, 2017 Municipal Election
DATE: July 26, 2017

Dear Directors,

This Numbered Memo provides information for how your county will conduct one-stop absentee voting for the 2017 municipal elections. Provided that a municipality has authorized absentee voting, one-stop voting must be available at a minimum within the county board of elections office weekdays beginning on the third Thursday before each election and ending on the Saturday before the election at 1:00 p.m. G.S. §163-227.2(b), as reinstated by *NC NAACP, et al. v. McCrory, et al.* Elections for county office such as school board require absentee voting for that contest.

County boards have the option to extend one-stop voting in the following ways, which require a unanimous vote and submission of a one-stop implementation plan for State Board approval:

- Open additional sites other than the county board of elections office;
- Offer additional hours beyond regular business hours and the last Saturday until 1:00 p.m. (sites may be open until 5:00 p.m.); and
- Open a site “in lieu of” the county board of elections office in a different building (holding early voting in a different room in the same building as the county board office does not require state approval)

Keep in mind that the sites and schedule for one-stop voting in municipal elections are a decision for the county board of elections members, although the county board may receive input from the municipality or municipalities having the election. Deadlines associated with the submission of implementation plans are as follows:

Friday, August 4:	Implementation Plans for September election
Friday, August 11:	Implementation Plans for October election
Friday, September 8:	Implementation Plans for November election

Last week, the State Supreme Court issued a special order permitting Governor Cooper to postpone his appointment of State Board members while *Cooper v. Berger & Moore* proceeds on appeal.¹ The same order indicated that the Supreme Court may consider temporary modifications that would support orderly elections. We intend to work through the parties to request appropriate changes. However, counties must proceed knowing it is highly unlikely that State Board members will be appointed prior to the one-stop submission deadlines.

Implementation plans must be approved by a *unanimous* vote of all three appointed members of the county board. Without a State Board able to hear one-stop petitions, consensus-building is more important than ever. We encourage board members to work through differences of opinion for the good of the voters in your county. Failure to compromise will mean voting defaults to the statutory minimum: Early voting at the county board of elections office during a 17-day period before the election during regular business hours and the last Saturday until 1:00 p.m.

Implementation plans must be either signed by all members of the county board, or attached to a resolution that is signed by all members of the county board. Please review [Numbered Memo 2017-02](#) for information on the new three-member quorum requirements. For counties that unanimously establish a one-stop plan, administrative review of the plan will be conducted by executive director.

Plan materials should be submitted through Filezilla according to emailed instructions that will be sent out in the next few days.

If your county board of elections is only offering the minimum amount of one-stop voting (and thus does not require an implementation plan), please go ahead and enter the schedule onto One-Stop System Manager according to the instructions in the forthcoming email. If you do submit an implementation plan, please wait to perform this step until the plan has been approved.

Two-member boards remain unable to act, pending alternative direction from our Supreme Court. We understand that these are trying times for the fourteen counties now facing the challenge of an immobile board, and we are committed to doing all we can within the bounds of law.

If you have any questions about this process, please put in a help request ticket. If you have any other questions, please let me know.

¹ Motion Spec. Order, *Cooper v. Berger, et al.*, 52 PA 17-2 (July 20, 2017).