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NORTH CAROLINA STATE BOARD OF ELECTIONS

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Numbered Memo 2023-05

TO: County Boards of Elections
FROM: Karen Brinson Bell, Executive Director¹
RE: Same-Day Registration
DATE: December 8, 2023 (updated January 29, 2024)

This numbered memo provides guidance about same-day registration in accordance with the changes made by Session Law 2023-140 (SB 747). It replaces Numbered Memo 2016-15 and Numbered Memo 2012-20. It has been updated to comply with a court order which requires a same-day registrant whose address verification card is returned as undeliverable to get notified and have an opportunity to remedy that address verification failure.² That notice and remedy (“cure”) process is discussed in Section 4 of this memo.

1. Requirements for Same-Day Registration

During the early voting period, an individual may register and vote at any early voting site in the county in which they reside. To do so, the individual must:

1. Present a “HAVA document” with the individual’s current name and residence address;
2. Present acceptable photo ID; and
3. Complete a voter registration application.

¹ This memo is issued under the authority delegated by the State Board to the executive director pursuant to G.S. § 163-22(p).

² See [Voto Latino v. Hirsch](#), No. 1:23-cv-861, Doc. 68 (M.D.N.C. Jan. 21, 2024), which determined the procedure in G.S. § 163-82.6B(d) for rejecting a registration and removing a ballot for a same-day registrant whose mail verification was returned as undeliverable before canvass violates the federal Constitution because the law did not require notice to the voter and an opportunity to be heard. The State Board may adopt interim rules and regulations if a court determines an election law is invalid or unenforceable. See G.S. § 163-22.2.

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An individual who registers to vote during early voting will vote a retrievable ballot immediately after registering to vote.³

2. Proof of Voting Residence

A same-day registrant must present a “HAVA document” showing the registrant’s current name and residence address in order to register and vote. A “HAVA document” is defined as one of the following documents:⁴

- A current utility bill
- A current bank statement
- A current government check
- A current paycheck
- Another current government document
- A current document issued from the institution that issued the photo ID being presented by the voter

The registrant may present either the original document or a copy of that document in hardcopy or electronic format, including by displaying the document on an electronic device.

2.1 What Makes a Document “Current”?

In order to be considered “current,” the document must be unexpired, if it has an expiration date. **If the document does not have an expiration date, the issuance date must be within six months of the date it is presented to the election official.** For example, if the voter presents to vote on October 29, the issuance date must be between April 29 and October 29 of that year.

An end date for a pay period or billing period is not an expiration date. To determine whether such a document is current, refer to its issuance date. In the absence of an issuance date or expiration date, for a document to be considered current, there must be other time-based

³ G.S. § 163-82.6B(b) (S.L. 2023-140, sec. 10(a)). If a person presents a valid registration but declines to vote, the registration shall be processed immediately, and the person may later vote at a one-stop site in the same election. Although the new statute does not directly address this situation, it does require that same-day registrations be processed. There is no authority to hold or refuse to process a same-day registration for a registrant who declines to vote at the time of registration. There is also no authority to refuse to allow a valid registrant to later vote at a one-stop early voting site, using a retrievable ballot that can later be removed from the count if the same-day registration fails mail verification, as explained further in the memo. The person may not vote on Election Day for that election.

⁴ G.S. § 163-82.6B(e) (S.L. 2023-140, sec. 10(a)).

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indicators on the document showing that it is current. This could include, for example, a printout from a university housing portal stating “Fall 2024” semester, if the student is voting in the 2024 general election, since that shows that the document is current within the last six months. It could also include a student showing on their phone a current webpage from their educational institution that lists the student’s current name and residence address.

The county board does not retain a copy of the document presented, but the elections official will note the type of document presented in SEIMS (i.e., the SOSA/early voting application).

2.2 Examples of Acceptable Documents

A HAVA document must include the registrant’s current name and residence address.

Acceptable “HAVA documents” that do not have to be issued by a governmental entity include:

- utility bill (including mobile service providers)
- bank statement
- paycheck (government or nongovernment)

Examples of other acceptable “HAVA documents” include a document issued by any federal, state, or local governmental agency or subdivision such as a:

- driver’s license or ID card issued by North Carolina or another state
- citizenship document issued by the U.S. Department of Homeland Security or U.S. Citizenship and Immigration Services
- property tax statement issued by a governmental agency
- vehicle registration issued by a governmental agency
- government check, including any Social Security, employment, pension, benefit, or reimbursement check from any government entity
- government invoice, statement, or receipt
- public housing identification card, lease, or rental statement
- public educational institution documents, including any student card, transcript, tuition statement, invoice, or receipt issued by any public educational institution
- government insurance plan card, drug discount card, or drug prescription issued by a government care facility (including military and veterans’ facilities)
- discharge certificates, pardons, or other government documents issued in connection with the resolution of a criminal case, indictment, sentence, or other matter
- public transportation authority cards, invoices, receipts, or correspondence
- public assistance or disability agency documents
- documents issued by any government shelter or temporary/transitional housing facility
- drug prescription issued by a government doctor or other governmental health care provider

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The above list of government documents merely contains examples and is not exhaustive. Documents that are not listed above are acceptable provided they include the registrant's current name and residence address and meet the definition of a HAVA document in G.S. § 163-82.6B(e). Documents issued by an official entity of a recognized tribe are government documents.

2.3 Documents Issued by an Educational Institution

Students may also provide proof of residence by presenting any document from their college or university that contains the student's name and residential address. Acceptable documents may be issued by either public or private educational institutions and include an invoice, transcript, correspondence, or a print-out or screenshot from any college or university source displaying the student's name and residential address (e.g., online student portals for registration, tuition, or housing). Again, the document can be in physical or electronic form. Such documents are acceptable whether the student's address is an on-campus or off-campus residence.

Alternatively, the college or university may voluntarily provide elections officials with a list of students and their residential addresses. Any such lists must be current at the time of use and must display the residence address for each student to ensure the student is properly registered at the appropriate address.⁵ Educational institutions may omit the names of individuals known to be ineligible based on citizenship status (e.g., exchange students holding student visas). The county board should request that each college or university also provide a template example of how to properly record the mailing address for their students. Election officials conducting same-day registration must be trained on these address conventions, so the registration can be successfully verified by mail (See "Ensuring the Correct Mailing Address" section below). **The student who is same-day registering must confirm to the election official that the housing list provided by the educational institution contains their current name and residential address.**

⁵ The list must indicate specific facility/address where the student resides because some jurisdictional boundaries may divide the campus. For example, a student living in Parrish Hall is eligible to vote in the contest for City Council A while a student living in Perry Hall is eligible to vote in the contest for City Council B. In rare instances, a jurisdictional boundary may even divide a residence hall. County boards must bear in mind that colleges and universities may use their own standard conventions for assigning addresses and ensuring that mail is delivered to on-campus students. When it comes to filling out the voter's registration form and inputting the registration data into SEIMS, county boards should work with their colleges and universities to ensure they are using the proper addressing conventions for student registrants while accounting for any campus splits in the Geocode application.

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If a student presents a document issued by a private educational institution as proof of residence, they must also present an approved photo ID from that institution. Students attending a public educational institution may present any acceptable photo ID since their proof of residence is a “government document.”⁶

3. Provisional Voting

If a voter is unable to provide a HAVA document showing their current name and residence address, the voter must be offered a provisional ballot. To have their provisional ballot counted, the voter must bring a copy of their HAVA document showing their current name and residence address to the county board office by 5 p.m. the day before county canvass.⁷ As soon as a voter provides an acceptable HAVA document, the county board shall process the registration as described in the next section of this memo, Verification of Address by Mail. See page 9 of [Numbered Memo 2023-04](#) for additional information of provisional voting by same-day registrants.

Similarly, if a same-day registrant does not present acceptable photo ID, the voter must be offered a provisional ballot with the options to either (1) complete a Photo ID Exception Form or (2) return to the county board of elections with their photo ID by the close of business on the day before county canvass. As long as the voter is deemed eligible to register and their mail verification card is not returned as undeliverable by the business day before canvass (as explained below), the voter’s provisional ballot shall be counted according to the rules governing photo ID compliance for all voters.

For information about photo ID procedures, see [Numbered Memo 2023-03](#).

4. Verification of Address by Mail and Curing Undeliverable Verification Card

Within two business days after an applicant same-day registers, the county board of elections shall verify the individual’s driver’s license or Social Security number in SEIMS, update the applicant’s record in SEIMS, search for and address possible duplicate registrations, and begin

⁶ G.S. § 163-82.6B(e)(6) (S.L. 2023-140, sec. 10(a)). For information about voting residence of college students, see <https://www.ncsbe.gov/registering/who-can-register/registering-college-student>.

⁷ See G.S. § 163-82.4(f), which permits registrants to correct any omissions in their voter registration applications until 5 p.m. on the day before county canvass and instructs the county board to “count any portion of the provisional official ballot that the voter is eligible to vote,” if such omissions are corrected. For same-day registrants, the “HAVA document” is a required item of the voter registration application.

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the address verification process as provided by [G.S. § 163-82.7](#).⁸ During this initial phase, the county board shall also determine whether the applicant appears qualified to vote (e.g., their address is in county or they are not serving a felony sentence).⁹ **If the county board has reliable grounds to believe the applicant is not qualified to vote at this initial stage, a challenge shall be filed as provided in [Numbered Memo 2022-05](#).**¹⁰

After sending the address verification card by mail, the county boards shall proceed as follows:

1. If the verification card is not returned as undeliverable by the close of business two days before county canvass, the voter's ballot shall remain in the official count.¹¹
2. If the verification card is returned as undeliverable before the close of business two days before county canvass, staff shall scan the undeliverable card into SEIMS (VoterView), which will generate the Undeliverable SDR Resolution screen. The registration status becomes DENIED with reason SDR VERIFICATION RETURNED

⁸ Registrants must provide their driver's license number or, if they do not have one, the last four digits of their Social Security number on the voter registration form. If they do not have either of these identifiers, they can mark a box on the form indicating that. If an individual has provided one of these identifiers but the computer validation of the number as required by G.S. 163-82.12 did not result in a match, and the number has not been otherwise validated by the board of elections, in the first election in which the individual votes that individual shall present with their ballot HAVA ID as defined in G.S. § 163-166.12. Voters who same-day register will have met the requirement to show HAVA ID through the proof-of-residence document requirement.

⁹ G.S. § 163-82.6B(d) (SL 2023-140, sec. 10(a)).

¹⁰ Although early voting is no longer a form of absentee voting, the county board may use the absentee ballot challenge procedures, as set forth in Numbered Memo 2022-05, because the county board is authorized to "pass upon the legality of disputed ballots" during canvass. G.S. § 163-182.5(a).

¹¹ See G.S. § 163-82.6B(d) (SL 2023-140, sec. 10(a)). Although this statute says that the county board shall retrieve the applicant's ballot if the verification mailing is returned as undeliverable "before the close of business on the business day before canvass," a court decision does not allow this to take place without providing the applicant notice of the verification failure and an opportunity to remedy it. See [Voto Latino v. Hirsch](#), No. 1:23-cv-861, Doc. 68 (M.D.N.C. Jan. 21, 2024). When a verification mailing returns on the day before canvass, there is not enough time to provide the voter meaningful notice and opportunity to remedy this issue before canvass, which is occurring the next morning. So, compliance with this court order requires the county board to count the ballot of a registrant whose address verification mailing returns as undeliverable on the day before canvass or later.

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UNDELIVERABLE. Staff shall then follow these steps, using the Undeliverable SDR Resolution screen:

- a. **Check for Address Errors.** First, make sure the address on the verification card is correct by comparing it to the voter registration application submitted during same-day registration. If there was an error in how the address was entered, select “Start New Mailing.” In VoterView, change the applicant’s status to ACTIVE, correct the address, and save it as an admin change. Include a comment in the VoterView profile noting, “Updated to active per Numbered Memo 2023-05.” Open VoterView Admin Tasks, create new cards, print, mail, and update the mailing status accordingly.
- b. **Notice and Cure Process.** If there is no error in how the address was entered, select “Start Cure Process.” Then, follow these steps:
 - i. *Cure Notice.* The county board shall send a “Notice to Verify Your Address” to the registrant by mail and email, if provided on the registration form, within one business day of receiving the undeliverable verification card. The Notice language is appended to this memo and shall be used by the county board. (The letter cannot be sent via SEIMS.) County board staff shall also call the registrant to provide the information on the Notice orally, if the registration form includes a phone number. The registrant may verify their address (i.e., “cure” the failed mail verification) by submitting a copy of a same-day registration “HAVA document” to the county board no later than 5 p.m. on the day before county canvass. The Notice will instruct the registrant to provide a document that is different from the one they used when registering during early voting. The document copy may be provided via email (with scanned or photographed document), fax, mail, or in-person delivery during business hours.¹² The Notice shall offer the registrant the opportunity to come in person to the canvass meeting to verify their address, if they are unable to provide an acceptable “HAVA document” by the deadline above. In that case, the county board shall take the registrant’s testimony under the first oath in

¹² This process to provide the voter notice of the address verification failure and a method of remedying that deficiency is designed to comply with a court order. See [Voto Latino v. Hirsch](#), No. 1:23-cv-861, Doc. 68 (M.D.N.C. Jan. 21, 2024).

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G.S. § 163-86(c) and shall consider any documentation offered by the registrant.

- ii. *No Cure Notice.* If an undeliverable address verification card arrives at the county board on the day before canvass or later, the Notice shall not be sent, and the registrant's ballot must remain in the official count. At that point, there is not enough time to notify the voter and provide a meaningful opportunity to cure. See footnote 13. The registrant shall be sent a second card as required by G.S. § 163-82.7(e). If the second card is not returned as undeliverable, the county board shall register the applicant. If the second card is returned as undeliverable, the county board shall deny the application and need not try to notify the registrant further.¹³
- iii. *Cure Successful.* If the registrant returns a copy of a current "HAVA document" matching the residence address on their registration by the deadline, the county board shall select "Cure Successful" on the Undeliverable SDR Resolution screen. If a registrant fails to provide a "HAVA document" by the day before canvass but instead addresses the county board at the canvass meeting, the county board shall deem the undeliverable address verification to be "Cure Successful," if the board finds that the voter resides at the address claimed on their registration. In either case, the applicant's status in VoterView shall be changed to ACTIVE and saved as an admin change.¹⁴ Include a comment in the VoterView profile noting, "Updated to active per Numbered Memo 2023-05." The registration is then verified and the voter's ballot shall remain in the official count.¹⁵

¹³ G.S. § 163-82.7(f).

¹⁴ This will trigger a new standard verification mailing, but even if that mailing returns as undeliverable, it will not lead to a denial of the registration because the initial registration has already been processed.

¹⁵ If the document provided is a valid and current "HAVA document" with the correct address, it must be accepted as a cure for an undeliverable address verification mailing. Currently, there is no way to accurately and comprehensively compare the specific type of document provided to poll workers at the early voting site with a cure document provided to the county board office, to ascertain that the second document is different from the first. Further enhancements to SEIMS will be required to do this comparison effectively and uniformly.

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iv. *Not Cured.* If the registrant does not provide a copy of a current “HAVA document” matching the address on their registration by the deadline, select “Not Cured” on the Undeliverable SDR Resolution screen. Similarly, if a registrant addresses the county board at the canvass meeting and the county board does not find that the voter resides at the address claimed on their registration, the undeliverable address verification shall be deemed “Not Cured.” In either case the county board shall not register the applicant or send further verifications. The registrant’s ballot shall be retrieved, and that ballot’s votes shall be removed from the official count, using these steps:¹⁶

1. The board shall direct county board staff to retrieve the ballot.
2. The board shall complete a tally sheet to deduct the votes cast on the full ballot. The board shall direct staff to add a manual edit to the proper precinct results in the proper reporting group to deduct the ineligible votes that were recorded on the results tally sheet.
3. The staff shall then print two copies of the manual edit report and attach one report to the tally sheet and one report to the official canvass report.
4. The retrieved ballots and the accompanying tally sheet and a copy of the manual edit report shall then be sealed by the board and separated from the other ballots.
5. The official canvass reports shall be provided to the State Board pursuant to G.S. § 163-182.6.

County boards must work to send out mail verification cards and process returned mail as quickly as possible during the early voting period and throughout the canvass period. They must also ensure that same-day registrations and returned mail from same-day registrations are kept separate from other registrations and returned mail.

5. Ensuring the Correct Mailing Address

Because a voter’s ballot may be discounted based on returned mail, **it is vital that early voting officials emphasize to voters that they must provide an address where they can receive mail.** When assisting a registrant in completing an early voting application, elections officials shall:

- Ask if there is an apartment or unit number that is part of the voter’s address; and

¹⁶ See G.S. § 163-82.6B(d) (SL 2023-140, sec. 10(a)).

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- If the voter does not list a mailing address, ask if the voter can receive mail at their residential address. If not, the official must ask the voter to provide a mailing address.

Additionally, **the early voting official assisting a same-day registrant must recommend that the voter provide their phone number and/or email address on the registration form.** This will allow the county board to quickly contact the voter if their address verification card is returned as undeliverable and the voter needs to provide another HAVA document to verify their address (i.e., notice and cure). If a phone number or email address is provided and there are questions regarding the address before any mail verification card or cure notice is sent, county board staff should contact the voter to seek clarification.

6. Frequently Asked Questions About Same-Day Registration

1. A same-day registrant who is a student at a public college or university in North Carolina presents their passport as their photo ID. Can the student present a tuition bill or other document issued by their school to prove their voting residence?

Yes. Regardless of the type of photo ID the registrant presents, a student attending a public college or university in North Carolina may present a current document issued by their institution to prove their voting residence, including referring to a list provided by the educational institution. This is because the student attends a public institution, and documents issued by public institutions are considered “another current government document” pursuant to G.S. § 163-82.6B(e)(5).

2. For their acceptable photo ID, the registrant presents a North Carolina driver’s license that contains an address from another county. To prove their residence, the voter presents a separate HAVA document, such as a utility bill, that has a residence address in the county. Is this acceptable?

Yes. If the voter presents an acceptable HAVA document, that establishes their residence for same-day registration purposes, even if their photo ID has an older address—many voters do not immediately update their driver’s licenses when they move. As a reminder, for photo ID purposes, the address on an eligible photo ID does not have to match the address where the voter currently resides. Accordingly, a voter may be able to satisfy the photo ID requirement and the HAVA document requirement for same-day registration using a photo ID with a current address, or they may need to present two documents—one for photo ID purposes and a different one to prove residence. See [Numbered Memo 2023-03](#) (pg. 5) for further information about the separate identification requirements for photo ID, HAVA ID, and same-day registration. Some documents

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can satisfy all of these requirements, but sometimes a voter will need to present separate documents to satisfy each separate requirement, depending on what documents they have.

3. The voter presents a lease from a private landlord to prove their residence. Is this an acceptable HAVA document?

No. The only acceptable HAVA documents issued by private entities are utility bills, bank statements, paychecks, and documents issued by a private educational institution in combination with an acceptable photo ID from that institution.

4. Is a document issued by an entity that *receives* governmental funding considered a government document under the same-day registration law?

No. An agency/entity of the government must issue a government document.

5. What if an individual wants to same-day register but resides in a non-traditional residence? What about homeless individuals or individuals who stay in a vehicle and do not have a traditional fixed residence? What documentation can the individual provide?

An individual must register at the address at which they reside and to which, when absent, they intend to return. If a person's residence is not a traditional residence associated with real property, the location of the usual sleeping area for that person shall be controlling as to the residency of that person. Residence shall be broadly construed to provide all persons with the opportunity to register and to vote, including stating a mailing address different from residence address.¹⁷

A registrant with a nontraditional residence should list the address that identifies the location of their typical sleeping location. For example, a homeless person who typically sleeps in a homeless shelter would list the homeless shelter's address as their residence address. An individual who lives in an RV would list the address where they typically park the RV as their residence address.

Individuals with nontraditional residences are subject to the same proof-of-address requirements as any other same-day registrant. Elections officials should provide the registrant with a list of examples of acceptable documents and may need to brainstorm with the individual about how they can obtain an acceptable HAVA document. A letter from a homeless shelter is acceptable if it is a government shelter.

¹⁷ G.S. § 163-57(1).

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COUNTY LETTERHEAD (with mail address, email address, phone, and fax)

Date

VOTER'S FULL NAME

ADDRESS LINE 1

[EV] – #

ADDRESS LINE 2

ADDRESS LINE 3

LINE 4/CITY, STATE, ZIP CODE

Notice to Verify Your Address

You recently registered to vote at an early voting site. However, when the county board of elections sent your voter registration card in the mail, it was returned by the Postal Service as undeliverable. **For your ballot to count, we must verify your address.**

You must provide a copy of an acceptable document showing your name and current residence address. Acceptable documents include any government document, utility bill, bank statement, paycheck, and many other types of documents. A list of acceptable documents is on the reverse side of this page. **The document you provide cannot be the same document you used when you registered at the early voting site.**

Please send a copy of your document to your county board of elections no later than 5 p.m. on [INSERT DAY BEFORE CANVASS]. You may provide the document by any of the following methods (see contact information at the top of this letter):

- Email or fax (a scan or photo of the document is acceptable)
- Mail or commercial carrier
- Or by showing it in person to the county board of elections office located at

For faster processing, please include the “EV number” found at the top right of this Notice when providing your document.

If you are unable to provide an acceptable document verifying your residence by the deadline above, **you may come in person** to verify your address before the county board of elections at 11 am on **[INSERT DAY OF CANVASS]** at **[INSERT ADDRESS FOR CANVASS MEETING]**.

For any questions, call the county board of elections at the number listed above.

Acceptable documents showing your residence address are shown on the reverse page of this Notice.

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ACCEPTABLE DOCUMENTS TO VERIFY YOUR RESIDENCE ADDRESS

Documents issued by a private or governmental entity showing name and current address:

- Utility bill (including cell phone service providers)
- Bank statement
- Paycheck

Documents issued by any federal, state, or local governmental agency showing name and current address:

- drivers license or ID card issued by North Carolina or another state
- a citizenship document issued by the U.S. Department of Homeland Security or U.S. Citizenship and Immigration Services
- property tax statement issued by a governmental agency
- vehicle registration issued by a governmental agency
- government check, including any Social Security, employment, pension, benefit, or reimbursement check from any government entity
- government invoice, statement, or receipt
- public housing identification card, lease, or rental statement
- public educational institution documents, including any student card, transcript, tuition statement, invoice, or receipt issued by any public educational institution
- government insurance plan card, drug discount card, or drug prescription issued by a government care facility (including military and veterans' facilities)
- discharge certificates, pardons, or other government documents issued in connection with the resolution of a criminal case, indictment, sentence, or other matter
- public transportation authority cards, invoices, receipts, or correspondence
- public assistance or disability agency documents
- documents issued by any government shelter or temporary/transitional housing facility
- drug prescription issued by a government doctor or other governmental health care provider

The above list of government documents merely contains examples and is not exhaustive. Documents that are not listed above are acceptable provided they include the registrant's current name and residence address and meet the definition of a HAVA document in G.S. § 163-82.6B(e). Documents issued by an official entity of a recognized tribe are government documents.

Documents Issued by a college or university showing name and current address:

- Students may also provide proof of residence by presenting any document from a college or university that contains the student's current name and residential address. Acceptable documents may be issued by either public or private educational institutions and include an invoice, transcript, correspondence, or a print-out or screenshot from any college or university source displaying the student's name and residential address (e.g., online student portals for registration, tuition, or housing). Such documents are acceptable whether the student's address is an on-campus or off-campus residence.

In order to be considered "current," the document must be unexpired, if it has an expiration date. **If the document does not have an expiration date, the issuance date must be within six months of the date it is presented to the election official.** An end date for a pay period or billing period is not an expiration date. To determine whether such a document is current, refer to its issuance date. In the absence of an issuance date or expiration date, for a document to be considered current, there must be other time-based indicators on the document showing that it is current.

You can provide a copy of the document in paper or electronic format.

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