



VIA EMAIL

November 27, 2024

Dear Members of the North Carolina General Assembly,

On behalf of the North Carolina Association of Directors of Elections (NCADE), I am writing to express our concerns regarding S382, which has been vetoed by the Governor. While we respect the legislature's authority to shape election law, it is critical to address the operational challenges posed by this legislation and the unintended impacts it may have on county election administration.

NCADE represents election professionals who are deeply committed to conducting free, fair, and accurate elections across North Carolina. Unfortunately, it does not appear that the drafters of S382 consulted with election administrators during the drafting process. The timelines and requirements outlined in the legislation do not align with the practical realities of running elections in our state.

Provisional Ballot Deadline

The proposed requirement to research and count all provisional ballots by 5 p.m. on the third day after Election Day is logistically impossible without sacrificing accuracy and compliance with election law.

The current provisional ballot process is complex and typically requires the full 10 days leading up to canvass. It involves multiple steps, including:

- Verifying voter registration, residency, and eligibility.
- Cross-referencing data with the DMV to ensure accuracy and resolve discrepancies.
- Documenting findings and categorizing provisional ballots for Board review and motion.
- Conducting thorough audits to ensure compliance and accuracy.

This process is resource-intensive. Reducing this timeline to three days would overwhelm existing resources, especially in counties with limited staffing. Some counties operate with just a few full-time staff members, who are already fully deployed during the critical post-election period.

Completing provisional research, data entry, audits, and voter notifications in such a compressed timeframe increases the likelihood of errors or incomplete reviews.

Election Day Absentee Ballot Processing Requirements

The proposed changes for absentee ballots introduce additional logistical and staffing concerns:

- Count all Election Day absentee ballots starting at 5 p.m. on election night in an ongoing board meeting.
- Restrict supplemental absentee meetings to UOCAVA ballots only.

- Announce final absentee tallies by 5 p.m. on the third day after Election Day, including ballots cured by noon that same day.

On Election Day, election offices receive absentee ballots until polls close at 7:30 p.m. Processing these ballots involves verifying voter information, reconciling ballot counts, conducting audits, and preparing data for Board review. At the same time, staff are closing early voting equipment and tabulating early votes, troubleshooting precinct issues, and assisting precinct officials. These overlapping responsibilities cannot be managed simultaneously without overextending already limited staffing and resources.

Additionally, requiring a continuous count of absentee ballots could result in all-night board meetings, an unsustainable expectation that further strains resources.

Budgetary and Resource Implications

The proposed changes would also have significant budgetary impacts, particularly in terms of overtime costs and the additional resources required to meet the new deadlines. Counties with limited staff are especially vulnerable to these challenges. Without adequate funding and staffing, meeting the timelines proposed in S382 are simply not feasible.

Our Request

We respectfully ask that legislators carefully consider the concerns raised by those responsible for administering elections at the county level. Election officials statewide are eager to collaborate with lawmakers on practical solutions that enhance transparency and efficiency while maintaining the integrity of the electoral process.

We encourage legislators to engage directly with election administrators to gain insight into the complexities of the electoral process. NCADE stands ready to provide constructive input to ensure that changes to election law are both effective and implementable.

Thank you for your attention to this matter. We are committed to supporting fair, accurate, and transparent elections in North Carolina and appreciate your consideration of these concerns.

Sincerely,



Sara LaVere

NCADE President