



# Absentee Voting Instructions

## 2020 General Election

Graham County, North Carolina

<b>What's inside</b>  Your materials for the <b>11/3/2020 election</b> are enclosed. They include the following: <ul style="list-style-type: none"> <li>• your official ballot</li> <li>• these instructions</li> <li>• your return envelope</li> </ul>	<b>Nov 3, 2020</b>	Election Day Deadline to return your ballot in person to the county board of elections office by 5pm
	<b>Nov 6, 2020</b>	Deadline for ballots postmarked by November 3, 2020
	<b>\$0.55</b>	Return postage required

**Before you begin – get your witness. You must vote your ballot in the presence of a witness:**

Anyone who is 18 years of age or older can be a witness except a candidate (unless the candidate is your near relative or legal guardian).

For additional requirements see **Choosing your witness** on the back side of this paper.

	<b>18 Court Street Robbinsville, NC 28771</b>	<b>PO Box 1239 Robbinsville, NC 28771</b>
	<b>828-479-7969</b>	
	<b>828-479-4264</b>	
	<b>Teresa.garland@grahamcounty.org</b>	

**Mark, seal, sign and return your ballot by Election Day**

- 1 Mark your ballot**
  - Mark your ballot in the presence of your witness.
  - You may receive assistance in marking your ballot.
  - Your witness should observe that you mark the ballot, not how you vote.
- 2 Seal your ballot**
  - Put your ballot into the envelope.
  - Seal the envelope.
  - Don't put anything else into the envelope.
- 5 Assistant, sign the back of the envelope (if necessary)**
  - If someone helped you mark your ballot, or due to a disability, you need someone other than you or a near relative/legal guardian to mail your ballot, they must **print** their name and address, and sign the Voter Assistant Certification on the back of the envelope.
- 6 Check any optional requests**
  - If you are voting an absentee ballot for a partisan primary or in an election that may be subject to runoff, check the box on the flap on the back of the envelope if you would like to automatically receive a ballot for a potential second primary or a runoff.

### 3 Sign the back of the envelope

- Sign your name on **Step 2** on the back of the envelope.

### 4 Witness, sign the back of the envelope

- Have your witness **print** their name and address, and sign **Step 3** on the back of the envelope.

## Return your ballot by 5:00 pm on Election Day

There are two ways to return your ballot



#### Mail your ballot

Put \$0.55 postage (the amount of a first-class stamp) on your ballot return envelope. **Your ballot must be postmarked by 11/3/2020 and received by 11/6/2020.**

*We strongly recommend you mail your ballot by 10/27/2020 to help ensure it arrives in time. If you place your ballot in a USPS drop box on Election Day it may not be postmarked until the day after, depending on pickup time for that box.*



#### Return your ballot in person

You can return your ballot to the board of elections office or to a one-stop early voting site in your county. Your ballot must be received by 11/3/2020. You may **not** return your ballot to a polling place on Election Day.

Turn this page over for information about **returning your ballot**, who to **choose for your witness**, and **checklist** to review before you return your ballot.



**Only you, or your near relative or legal guardian, may mail or hand-deliver the Return Envelope. Do not give your balloting materials to a neighbor, friend or stranger.**

If you have a disability that prevents you from mailing your ballot, you may direct an individual to immediately take the sealed envelope containing your ballot to the closest U.S. mail depository or mailbox, as long as the person is not disqualified from assisting you. Individuals who are disqualified from serving as a witness (as described below) are also disqualified from serving as the Voter's Assistant. If you have a mailbox at your residence, that would be the closest depository. The individual taking your sealed ballot to the closest depository or mailbox must sign the Voter Assistant Certification on the back of the Ballot Envelope.

## Review checklist

Use this checklist to ensure that your ballot will be counted:

- Did you **sign** Step 2 on the back of the envelope?
- Did your **witness print their name, provide their address & sign** Step 3 on the back of the envelope?
- Did you **put enough postage** on the front of the ballot-return envelope?
- Are you returning your ballot by the deadline?**  
If you are mailing your ballot close to Election Day, you should mail your ballot from a post office and ask a postal official to postmark your envelope to make sure your ballot will be counted.

## Choosing your witness

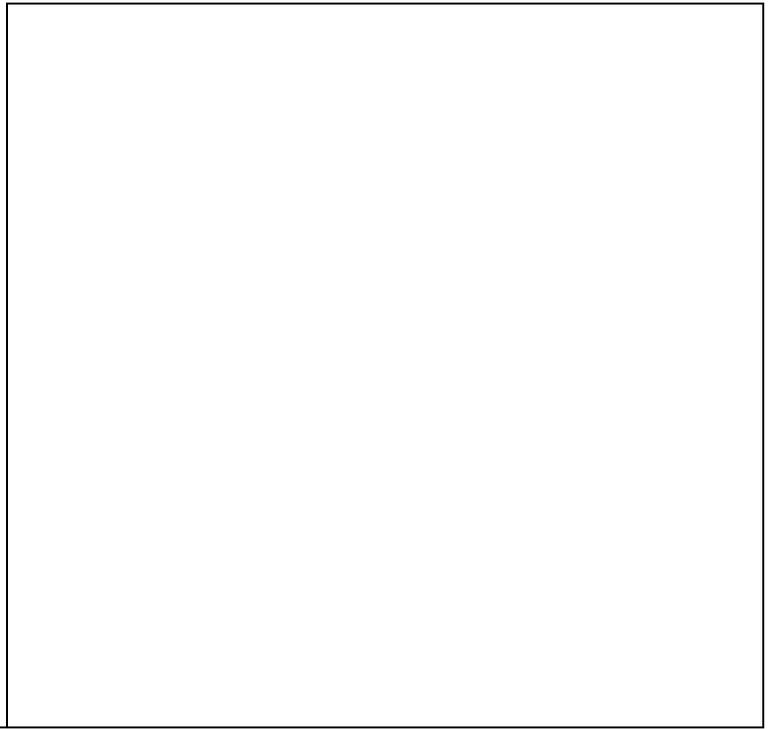
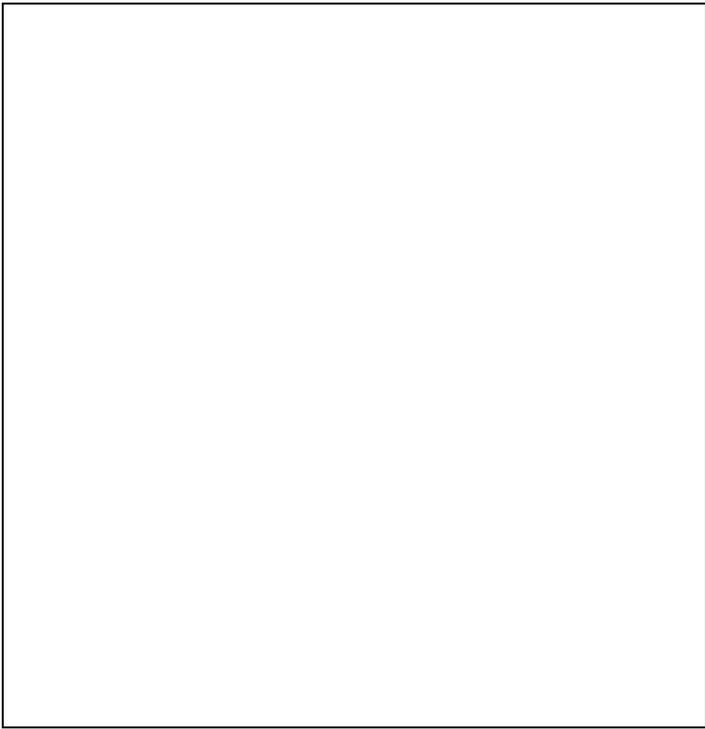
**Certain people cannot serve as your witness under State law.**

For all voters, your witness cannot be:

- A person who is a candidate for nomination or election to any federal, state, or local elective office in the primary or election in which you are voting absentee (unless the candidate is your near relative or legal guardian.)

If you are a patient or resident in a hospital, clinic, nursing home or adult care home, your witness may also not be:

- An owner, manager, director, or employee, of a hospital, clinic, nursing home or rest home in which you are a patient or resident.
- A person who holds any federal, state, or local elective office.
- A person who holds office in a state, congressional district, county or precinct political party or organization, or who is a campaign manager or treasurer for any candidate or political party.



**Track your ballot**

To check the status of your returned absentee ballot, visit [www.NCSBE.gov](http://www.NCSBE.gov) for our tracking tool.

## North Carolina Law Requires That Voters Are Informed of Certain Unlawful Acts

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### § 163-226.3. Certain acts declared felonies.

- (a) Any person who shall, in connection with absentee voting in any election held in this State, do any of the acts or things declared in this section to be unlawful, shall be guilty of a Class I felony. It shall be unlawful:
- (1) For any person except the voter's near relative or the voter's verifiable legal guardian to assist the voter to vote an absentee ballot when the voter is voting an absentee ballot other than under the procedure described in G.S. 163-227.2, 163-227.5, and 163-227.6; provided that if there is not a near relative or legal guardian available to assist the voter, the voter may request some other person to give assistance.
  - (2) For any person to assist a voter to vote an absentee ballot under the absentee voting procedure authorized by G.S. 163-227.2, 163-227.5, and 163-227.6 except as provided in that section.
  - (3) For a voter who votes an absentee ballot under the procedures authorized by G.S. 163-227.2, 163-227.5, and 163-227.6 to vote that voter's absentee ballot outside of the voting booth or private room provided to the voter for that purpose in or adjacent to the office of the county board of elections or at the additional site provided by G.S. 163-227.2, or to receive assistance except as provided in G.S. 163-227.2, 163-227.5, and 163-227.6.
  - (4) For any owner, manager, director, employee, or other person, other than the voter's near relative or verifiable legal guardian, to (i) make a written request pursuant to G.S. 163-230.1 or (ii) sign an application or certificate as a witness, on behalf of a registered voter, who is a patient in any hospital, clinic, nursing home or rest home in this State or for any owner, manager, director, employee, or other person other than the voter's near relative or verifiable legal guardian, to mark the voter's absentee ballot or assist such a voter in marking an absentee ballot. This subdivision does not apply to members, employees, or volunteers of the county board of elections, if those members, employees, or volunteers are working as part of a bipartisan team trained and authorized by the county board of elections to assist voters with absentee ballots. Each county board of elections shall train and authorize such teams, pursuant to procedures which shall be adopted by the State Board of Elections. If neither the voter's near relative nor a verifiable legal guardian is available to assist the voter, and a bipartisan team is not available to assist the voter within seven calendar days of a telephonic request to the county board of elections, the voter may obtain such assistance from any person other than (i) an owner, manager, director, employee of the hospital, clinic, nursing home, or rest home in which the voter is a patient or resident; (ii) an individual who holds any elective office under the United States, this State, or any political subdivision of this State; (iii) an individual who is a candidate for nomination or election to such office; or (iv) an individual who holds any office in a State, congressional district, county, or precinct political party or organization, or who is a campaign manager or treasurer for any candidate or political party; provided that a delegate to a convention shall not be considered a party office. None of the persons listed in (i) through (iv) of this subdivision may sign the application or certificate as a witness for the patient.
  - (5) For any person to take into that person's possession for delivery to a voter or for return to a county board of elections the absentee ballot of any voter, provided, however, that this prohibition shall not apply to a voter's near relative or the voter's verifiable legal guardian.
  - (6) Except as provided in subsections (1), (2), (3) and (4) of this section, G.S. 163-231(a), and G.S. 163-227.2(e), for any voter to permit another person to assist the voter in marking that voter's absentee ballot, to be in the voter's presence when a voter votes an absentee ballot, or to observe the voter mark that voter's absentee ballot.
- (b) The State Board of Elections or a county board of elections, upon receipt of a sworn affidavit from any qualified voter of the State or the county, as the case may be, attesting to first-person knowledge of any violation of subsection (a) of this section, shall transmit that affidavit to the appropriate district attorney, who shall investigate and prosecute any person violating subsection (a).

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### § 163-237. Certain violations of absentee ballot law made criminal offenses.

- (a) False Statements under Oath Made Class 1 Misdemeanor. – If any person shall willfully and falsely make any affidavit or statement, under oath, which affidavit or statement under oath, is required to be made by the provisions of this Article, that person shall be guilty of a Class 1 misdemeanor.
- (b) False Statements Not under Oath Made Class 1 Misdemeanor. – Except as provided by G.S. 163-275(16), if any person, for the purpose of obtaining or voting any official ballot under the provisions of this Article, shall willfully sign any printed or written false statement which does not purport to be under oath, or which, if it purports to be under oath, was not duly sworn to, that person shall be guilty of a Class 1 misdemeanor.
- (c) Candidate Witnessing Absentee Ballots of Nonrelative Made Class 1 Misdemeanor. – A person is guilty of a Class 1 misdemeanor if that person acts as a witness under G.S. 163-231(a) in any primary or election in which the person is a candidate for nomination or election, unless the voter is the candidate's near relative as defined in G.S. 163-226(f).
- (d) Fraud in Connection with Absentee Vote; Forgery. – Any person attempting to aid and abet fraud in connection with any absentee vote cast or to be cast, under the provisions of this Article, shall be guilty of a misdemeanor. Attempting to vote by fraudulently signing the name of a regularly qualified voter is a Class G felony.
- (d1) Sell or Attempt to Sell Completed Absentee Ballot. – Any person who sells or attempts to sell, or purchases or agrees to purchase, a completed written request, a completed application for absentee ballots, or voted absentee ballots, shall be guilty of a Class I felony.
- (d2) Destruction of Absentee Ballot. – Any person who intentionally, with the intent of obstructing a vote by a registered voter, fails to deliver or intentionally destroys a completed written request, a completed application for absentee ballots, or voted absentee ballots, shall be guilty of a Class G felony.
- (d3) Copies or Retention of Identifying Information. – Any person, other than the voter or near relative or verifiable legal guardian of that voter, who copies or otherwise retains the request for absentee ballots, a completed application for absentee ballots, or any identifying information, as defined in G.S. 14-113.20, disclosed in a request or application, shall be guilty of a Class G felony.

## North Carolina Law Requires That Voters Are Informed of Certain Unlawful Acts

- (d4) Compensation Based on Requests. – Any person who compensates another, or who accepts compensation, based on the number of returned written requests for absentee ballots under G.S. 163-230.2, shall be guilty of a Class I felony.
- (d5) Intent to Unlawfully Influence. – Any person who commits, attempts to commit, or conspires to commit a crime identified in G.S. 163- 82.6(b), 163-226.3(a), 163-274, 163-275, or this section with the intent to unlawfully influence or interfere with a primary or election, or to otherwise unlawfully gain, shall be guilty of a Class F felony.
- (d6) Disclosure of Register of Absentee Ballot Requests. – Notwithstanding G.S. 132-3(a), any person who steals, releases, or possesses the official register of absentee requests for mail-in absentee ballots as provided in G.S. 163-228 prior to the opening of the voting place in accordance with G.S. 163-166.01, for a purpose other than the conduct of business at the county board of elections, shall be guilty of a Class G felony.
- (d7) Sending of Unrequested Absentee Ballot. – Any member serving on the State Board or on any county board of elections, or any employee of the State Board or a county board of elections, who knowingly sends or delivers an absentee ballot to any person who has not requested an absentee ballot in accordance with the requirements of Chapter 163 of the General Statutes shall be guilty of a Class I felony.
- (e) Violations Not Otherwise Provided for Made Class 1 Misdemeanors. – If any person shall willfully violate any of the provisions of this Article, or willfully fail to comply with any of the provisions thereof, for which no other punishment is herein provided, that person shall be guilty of a Class 1 misdemeanor.

### § 163-275. Certain acts declared felonies.

Any person who shall, in connection with any primary, general or special election held in this State, do any of the acts or things declared in this section to be unlawful, shall be guilty of a Class I felony. It shall be unlawful:

- (1) For any person fraudulently to cause that person's name to be placed upon the registration books of more than one election precinct or fraudulently to cause or procure that person's name or that of any other person to be placed upon the registration books in any precinct when registration in that precinct does not qualify the person to vote legally therein, or to impersonate falsely another registered voter for the purpose of voting in the stead of the other voter.
- (2) For any person to give or promise or request or accept at any time, before or after any such primary or election, any money, property or other thing of value whatsoever in return for the vote of any elector.
- (3) For any person who is an election officer, a member of an election board or other officer charged with any duty with respect to any primary or election, knowingly to make any false or fraudulent entry on any election book or any false or fraudulent returns, or knowingly to make or cause to be made any false statement on any ballot, or to do any fraudulent act or knowingly and fraudulently omit to do any act or make any report legally required of that person.
- (4) For any person knowingly to swear falsely with respect to any matter pertaining to any primary or election.
- (5) For any person convicted of a crime which excludes the person from the right of suffrage, to vote at any primary or election without having been restored to the right of citizenship in due course and by the method provided by law.
- (6) For any person to take corruptly the oath prescribed for voters.
- (7) For any person with intent to commit a fraud to register or vote at more than one precinct or more than one time, or to induce another to do so, in the same primary or election, or to vote illegally at any primary or election.
- (8) For any chief judge or any clerk or copyist to make any entry or copy with intent to commit a fraud.
- (9) For any election official or other officer or person to make, certify, deliver or transmit any false returns of any primary or election, or to make any erasure, alteration, or conceal or destroy any election ballot, book, record, return or process with intent to commit a fraud.
- (10) For any person to assault any chief judge, judge of election or other election officer while in the discharge of duties in the registration of voters or in conducting any primary or election.
- (11) For any person, by threats, menaces or in any other manner, to intimidate or attempt to intimidate any chief judge, judge of election or other election officer in the discharge of duties in the registration of voters or in conducting any primary or election.
- (12) For any chief judge, judge of election, member of a board of elections, assistant, marker, or other election official, directly or indirectly, to seek, receive or accept money or the promise of money, the promise of office, or other reward or compensation from a candidate in any primary or election or from any source other than such compensation as may be provided by law for that person's services.
- (13) For any person falsely to make or present any certificate or other paper to qualify any person fraudulently as a voter, or to attempt thereby to secure to any person the privilege of voting, including declarations made under this Chapter, G.S. 130A-93.1(c), and G.S. 161-10(a) (8).
- (14) For any officer to register voters and any other individual to knowingly and willfully receive, complete, or sign an application to register from any voter contrary to the provisions of G.S. 163-82.4.
- (15) Reserved for future codification purposes.
- (16) For any person falsely to make the certificate provided by G.S. 163-229(b) (2).
- (17) For any person, directly or indirectly, to misrepresent the law to the public through mass mailing or any other means of communication where the intent and the effect is to intimidate or discourage potential voters from exercising their lawful right to vote.
- (18) For any person, knowing that a person is not a citizen of the United States, to instruct or coerce that person to register to vote or to vote.
- (19) To counterfeit, sell, lend to, or knowingly permit the use of, by one not entitled thereto, a form of photo identification provided in G.S. 163-166.16 for the purposes of voting.