

Clarification on One-Stop Voter Registration and Residency Requirements

Due to recent changes in North Carolina state law, the Brunswick County Board of Elections would like to convey the following:

ONE-STOP VOTER REGISTRATION

New state law allows individuals to register to vote, as well as perform other registration-related activities, during the one-stop early voting period. To take advantage of one-stop voter registration, individuals must fill out a voter registration application and prove residency by providing appropriate identification with their current name and current address. The new registrant may cast his/her ballot only during one-stop voting, and not at his/her assigned polling place on Election Day.

RESIDENCY REQUIREMENTS FOR VOTING PURPOSES

In affiliation with these statutory changes, it is important to understand the residency requirements associated with voter registration.

NC Election Law G.S. 163-57. (3) states; “A person shall not be considered to have gained a residence in any county, municipality, precinct, ward, or other election district of this State, into which that person comes for temporary purposes only, without the intention of making that county, municipality, precinct, ward, or other election district a permanent place of abode.”

The following interpretation was provided by the North Carolina State Board of Elections: “A person may have an actual abode (residence) in one place, and his permanent established home (domicile) in another. A domicile is the place to which the person intends to return. The law requires all persons to have only one domicile for voting purposes.”

To establish a change in domicile, a person must show:

- (1) actual abandonment of the first domicile, coupled with an intention not to return to it;
- (2) the acquisition of a new domicile by actual residence;
- (3) the intent of making the newer residence a permanent home.

Farnsworth v. Jones, 112 N.C. App 182, 187 (1994)

To legally change a domicile, there must be an actual abandonment of the first domicile with the intent not to return to it, and the acquisition of a new domicile by actual residence at another place with the intent to make that new place a permanent home. *Owens v. Chaplin, 228 NC 705, 47 SE2d 12 (1948)*

A person desiring to register to vote or make changes to an existing voter registration record may do so by completing a North Carolina Voter Registration Application/Update Form. Upon completion of the form, the voter is required to sign and date an attestation, under penalty of perjury, which states in part: **“I shall have been a resident of North Carolina, this county, precinct, or other election district for 30 days before the next election in which I intend to vote.”** The application clearly states:

“Warning: If you sign this card and know it to be false, you can be convicted of a Class I felony.”

Citizens who desire clarification on one-stop voter registration or residency, or who have questions or concerns about other election-related issues, should contact the Brunswick County Board of Elections at (910) 253-2620.