



# NORTH CAROLINA

## State Board of Elections

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## MULTIPARTISAN ASSISTANCE TEAMS (MATS)

Some voters find it necessary to vote by mail-in absentee ballot because they are elderly, limited in their mobility, or have a disability. This group of voters includes persons living at facilities such as nursing homes. Oftentimes, these voters require assistance in completing the forms or marking the ballot. The first preference, according to the law, is for the voter to receive assistance from a near relative or guardian. But some voters, particularly voters who live in facilities, may not have a near relative or guardian available to provide that assistance. It is important to know that employees of hospitals, clinics, nursing homes or rest homes are prohibited by law from providing assistance with absentee voting. So, voters who live in facilities such as nursing homes or rest homes face special challenges in casting a mail-in absentee ballot. But here's the good news: In every county, an impartial team called a "Multipartisan Assistance Team" (MAT) is available to visit facilities such as nursing homes in order to provide assistance with mail-in absentee voting.

The makeup of the MAT includes, at minimum, persons whose voter registration are affiliated with two different political parties (or, in the alternative, persons who were unanimously appointed by a bipartisan County Board of Elections). If you are interested in assisting voters at facilities with mail-in absentee voting, please contact your local County Board of Elections to be considered at a Team Member for a MAT.

### THE LAW ON WHO CAN AND CANNOT PROVIDE ASSISTANCE AT FACILITIES

First, it is extremely important to be aware of the law that prohibits *any other person than a near-relative or legal guardian of the voter, or a MAT*, from providing assistance with mail-in absentee voting (if a MAT is not available, then other persons may be able to provide assistance if they are not specifically disqualified in the statute):

#### **§ 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:

[...]

(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 multipartisan 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 multipartisan 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.

[...]

It is important to know that these laws pertain to providing assistance with mail-in absentee voting. The table on the following page summarizes what the above law covers, does not cover, and other important details.

## WHO IS ALLOWED TO PROVIDE TYPES OF ASSISTANCE AT FACILITIES

Note: Election offices do not have any direct control over who is allowed in facilities or the level of access. Those inquiries must be directed to the facility itself.

<p>Providing voter registration forms or delivering the forms back to the County Board of Elections office (forms must be promptly returned to the County Board of Elections office)</p>	<p>North Carolina election statutes place no restrictions on who can do this.<sup>1</sup></p>
<p>Providing voter information or forms</p>	<p>North Carolina election statutes place no restrictions on who can do this.</p> <p style="color: red;">Note: MATs do NOT provide any guidance on voting choices.</p>
<p>Providing assistance in requesting or casting a mail-in absentee ballot (this includes serving as a witness for mail-in absentee voting)</p>	<ul style="list-style-type: none"> <li>- Voter’s near relative</li> <li>- Voter’s verifiable legal guardian</li> <li>- MAT</li> </ul>
<p>Providing assistance in requesting or casting a mail-in absentee ballot (this includes serving as a witness for mail-in absentee voting) <i>if a MAT is not available within seven calendar days of a phone request</i></p>	<p>Any person, except:</p> <ul style="list-style-type: none"> <li>- An owner, manager, director or employee of a hospital, clinic, nursing home or rest home in which the voter is a patient or resident</li> <li>- Elected official or candidate for election in North Carolina or any local government within North Carolina</li> <li>- 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)</li> </ul>

<sup>1</sup>GS 163-82.6(a): “ The [voter registration] applicant may delegate the submission of the form to another person. Any person who communicates to an applicant acceptance of that delegation shall deliver that form so that it is received by the appropriate county board of elections in time to satisfy the registration deadline ....”

## WHO IS A “VERIFIABLE LEGAL GUARDIAN”?

A “verifiable legal guardian” is defined in the election laws: “[a]n individual appointed guardian under Chapter 35A of the General Statutes.” NCGS 163-226(d).

### ADMINISTRATIVE RULES ON MATS

#### CHAPTER 16 – MULTIPARTISAN ASSISTANCE TEAMS

##### **08 NCAC 16 .0101 MULTIPARTISAN ASSISTANCE TEAMS**

(a) Each County Board of Elections shall assemble and provide training to a Multipartisan Assistance Team ("Team") to respond to requests for voter assistance for any primary, general election, referendum, or special election.

(b) For every primary or election listed in Paragraph (a) of this Rule, the Team shall be made available in each county to assist patients and residents in every covered facility in that county in requesting or casting absentee ballots as provided by Subchapter VII of Chapter 163 of the General Statutes. For the purposes of this Rule, a "covered facility" is any hospital, clinic, nursing home, or rest home that provides residential healthcare in the State that is licensed or operated pursuant to Chapter 122C, Chapter 131D, or Chapter 131E of the General Statutes; or by the federal government or an Indian tribe.

(c) The Team may assist voters in requesting mail-in absentee ballots, serve as witnesses to mail-in absentee voting, and otherwise assist in the process of mail-in absentee voting as provided by Subchapter VII of Chapter 163 of the General Statutes. Upon the voter's request, the Team shall assist voters who have affirmatively communicated, either verbally or nonverbally, a request for assistance.

*History Note: Authority G.S. 163-226.3(a)(4); S.L. 2013-381, s. 4.6(b);  
Temporary Adoption Eff. January 1, 2014;  
Eff. October 1, 2014.*

##### **08 NCAC 16 .0102 TEAM MEMBERS**

(a) For purposes of this Chapter, the County Board of Elections shall compose the Team as follows:

(1) At least two registered voters shall be on each Team. The two political parties having the highest number of affiliated voters in the State, as reflected by the registration statistics published by the State Board of Elections on January 1 of the current year, shall each be represented by at least one Team member of the party's affiliation. If the Team consists of more than two members, voters who are unaffiliated or affiliated with other political parties recognized by the State of North Carolina may be Team members.

(2) If a County Board of Elections finds an insufficient number of voters available to comply with Subparagraph (a)(1) of this Rule, the County Board, upon a unanimous vote of all of its sworn members, may appoint an unaffiliated voter to serve instead of the Team member representing one of the two political parties as set out in Subparagraph (a)(1) of this Rule.

(b) Team members shall not be paid or provided travel reimbursement by any political party or candidate for work as Team members.

*History Note: Authority G.S. 163-226.3(a)(4); S.L. 2013-381, s. 4.6(b);  
Temporary Adoption Eff. January 1, 2014;  
Eff. October 1, 2014.*

**08 NCAC 16 .0103 TRAINING AND CERTIFICATION OF TEAM MEMBERS**

(a) The State Board of Elections shall provide uniform training materials to each County Board of Elections. The training shall review the Rules of this Chapter as well as G.S. 163-226.3, 163-230.1, 163-230.2, and 163-231, including the statutory deadlines associated with absentee voting, and provide information to help Team members interact with persons who have disabilities. Every Team member shall confirm in writing that he or she has reviewed and understands the content of the training. Each County Board of Elections shall administer training for every Team member as directed by the State Board of Elections in this Rule.

(b) Every Team member shall sign a declaration provided by the County Board of Elections that includes the following statements:

- (1) the Team member will provide voter assistance in a nonpartisan manner, will not attempt to influence any decision of a voter being provided any type of assistance, and will not wear any clothing or pins with political messages while assisting voters;
- (2) the Team member will adhere to the rules of this Chapter and the General Statutes listed in Paragraph (a) of this Rule, and the Team member will refer to County Board of Elections staff in the event the Team member is unable to answer any question;
- (3) the Team member will not use, reproduce, or communicate to anyone other than County Board of Elections staff any information or document handled by the Team member, including the voting choices of a voter, a voter's date of birth, or a voter's signature;
- (4) the Team member will not accept payment or travel reimbursement by any political party or candidate for work as a Team member;
- (5) the Team member does not hold any elective office under the United States, this State, or any political subdivision of this State;
- (6) the Team member is not a candidate for nomination or election, as defined in G.S. 163-278.6(4), for any office listed in Subparagraph (b)(5) of this Rule;
- (7) the Team member does not hold any office in a State, congressional district, or county political party or organization, and is not a manager or treasurer for any candidate or political party. For the purposes of this Subparagraph, a delegate to a convention shall not be considered a party office;
- (8) the Team member is not an owner, manager, director, or employee of a covered facility where a resident requests assistance;
- (9) the Team member is not a registered sex offender in North Carolina or any other state; and
- (10) the Team member understands that submitting fraudulent or falsely completed declarations and documents associated with absentee voting is a Class I felony under Chapter 163 of the General Statutes, and that submitting or assisting in preparing a fraudulent or falsely completed document associated with absentee voting may constitute other criminal violations.

(c) Upon completion of training and the declaration, the County Board of Elections shall certify the Team member. Only certified Team members may provide assistance to voters. The certification shall be good for two years, or until the State Board of Elections requires additional training, whichever occurs first.

*History Note: Authority G.S. 163-226.3(a)(4); S.L. 2013-381, s. 4.6(b);  
Temporary Adoption Eff. January 1, 2014;  
Eff. October 1, 2014.*

**08 NCAC 16 .0104 VISITS BY MULTIPARTISAN ASSISTANCE TEAMS**

(a) The State Board of Elections shall provide annual notice regarding availability of Teams in each county. The notice shall provide information for covered facilities, or patients or residents of the facilities, to contact the County Board of Elections to arrange a Team visit.

(b) If a facility, or a patient or resident of a facility, requests a visit by the Team, the County Board of Elections shall notify the Team and schedule the visit(s) within seven calendar days if it is able to do so. If the County Board of Elections is unable to schedule the visit within seven calendar days, the voter may obtain such assistance from any person other than:

- (1) an owner, manager, director, employee of the hospital, clinic, nursing home, or rest home in which the voter is a patient or resident;
- (2) an individual who holds any elective office under the United States, this State, or any political subdivision of this State;
- (3) an individual who is a candidate for nomination or election to such office; or
- (4) 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 Subparagraphs (1) through (4) of this Paragraph may sign the application or certificate as a witness for the patient.

(c) On a facility visit, the composition of the visiting Team members shall comply with the requirements of Rule .0102(a)(1) or (a)(2) of this Section.

(d) All Team members shall remain within the immediate presence of each other while visiting or assisting patients or residents.

(e) At each facility visit, the Team shall provide the following assistance to patients or residents who request it:

- (1) Assistance in requesting a mail-in absentee ballot: The Team shall collect any request forms submitted by voters and deliver those request forms immediately to the County Board of Elections office upon leaving the facility.
- (2) Assistance in casting a mail-in absentee ballot: Before providing assistance in voting by mail-in absentee ballot, a Team member shall be in the immediate presence of another Team member whose registration is not affiliated with the same political party. Team members shall sign the return envelope as witnesses to the marking of the mail-in absentee ballot. If the Team members provide assistance in marking the mail-in absentee ballot, the Team members shall also sign the voter's return envelope to indicate that they provided assistance in marking the ballot.

(f) The Team shall make and keep a record containing the names of all voters who received assistance or cast an absentee ballot during a visit as directed by the County Board of Elections, and submit that record to the County Board of Elections.

*History Note: Authority G.S. 163-226.3(a)(4); S.L. 2013-381, s. 4.6(b);  
Temporary Adoption Eff. January 1, 2014;  
Eff. October 1, 2014.*

#### **08 NCAC 16 .0105 REMOVAL OF TEAM MEMBERS**

(a) The County Board of Elections shall revoke, pursuant to G.S. 163-33(2), a Team member's certification granted under Rule .0103 of this Section for the following reasons:

- (1) violation of Chapter 163 of the General Statutes or one of the Rules contained in this Section;
- (2) political partisan activity in performing Team duties;
- (3) failure to respond to directives from the County Board of Elections; or
- (4) failure to maintain certification pursuant to Rule .0103 of this Section.

(b) If the County Board of Elections revokes a Team member's certification, the person shall not participate on the Team.

*History Note: Authority G.S. 163-33(2), 163-226.3(a)(4); S.L. 2013-381, s. 4.6(b);  
Temporary Adoption Eff. January 1, 2014;  
Eff. October 1, 2014.*