

## \*Temporary Rules Technical Changes July 2019\*

08 NCAC 17 .0108 is adopted under temporary procedures as follows:

### 08 NCAC 17 .0108 REQUESTS FOR APPROVAL OF STUDENT IDENTIFICATION CARDS AND EMPLOYEE IDENTIFICATION CARDS

(a) Request for Approval. An institution requesting the State Board of Elections' approval of an identification card for voting purposes pursuant to G.S. 163A-1145.2 or 163A-1145.3 shall submit to the State Board the form that certifies statutory compliance posted on the State Board's website completed, executed, and returned in the manner specified therein. website. The request shall be submitted at least five business days prior to the deadline for State Board approval of identification cards as specified in G.S. 163A-1145.2(b), 163A-1145.3(b), and Section 1.2.(f) of Session Law 2018-144. Section 2 of Session Law 2019-22, G.S. 163A-1145.2(b), and G.S. 163A-1145.3(b), and every two years thereafter.

(b) Image of Sample Identification. An institution submitting a request under Paragraph (a) of this Rule shall provide the State Board a digital image representative of the layout, coloring, and insignia appearing on the front and back of the identification card(s). The images shall be submitted with the request for approval required under Paragraph (a). The images may be used to publicize acceptable forms of photo identification, educate the public, and instruct elections officials on the enforcement of photo identification requirements in G.S. 163A-1145.1, 163A-1307, and 163A-1309, and submission of the images shall grant a royalty-free, perpetual, irrevocable right to use, reproduce, modify, adapt, publish, translate, create derivative works, distribute, and display the images or derivative images in any medium or platform. Submission of the digital images required under this section shall waive any cause of action against the State Board arising from or associated with the State Board's use of the images.

(c) Notice of Altered Procedures or Images. The institution requesting approval under Paragraph (a) and submitting images under Paragraph (b) shall notify the Executive Director of the State Board of Elections in writing if it alters its procedures in a manner that violates the requirements in G.S. 163A-1145.2(a) or 163A-1145.3(a) or if it alters its identification cards from the images previously submitted. Timing of the notification shall occur as follows:

(1) If the alteration is made fewer than 90 days before the date of an election in the State, the institution shall provide notice within five business days after implementation of the alteration; and

(2) If the alteration is made more than 90 days before the date of an election in the State, the institution shall provide notice within 30 calendar days after implementation of the alteration. alteration.

(d) Approval Process. The Executive Director shall approve the use of identification cards from an institution the that meets the requirements of this Rule and of G.S. 163A-1145.2 or 163A-1145.3. The Executive Director shall produce a list of approved institution and shall cause the list to be published on the State Board's website and to the county boards of elections.

*Authority G.S. 163A-741; 163A-1145.2; 163A-1145.3; Session Law 2018-144 § 1.2.(f); Session Law 2018-146 § 3.2.(e); Session Law 2019-22 § 2.  
Temporary Adoption Eff. July 26, 2019.*