

285.40 COMPENSATION BASED ON REQUESTS FOR ABSENTEE BALLOTS.
FELONY.

The defendant has been charged with [giving] [accepting] compensation based on requests for absentee ballots.

For you to find the defendant guilty of this offense, the State must prove two things beyond a reasonable doubt.

First, that the defendant [gave] [accepted] compensation.

And Second, that the compensation was based on the number of returned written requests¹ for absentee ballots.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [gave] [accepted] compensation, and that the compensation was based on the number of returned written requests for absentee ballots, it would be your duty to return a verdict of guilty. If you do not so find or if you have a reasonable doubt as to one or both of these things, then you would return a verdict of not guilty.

1. Under N.C.G.S. § 163-230.2, a written request is valid if it is "on a form created by the State Board and signed by the voter requesting absentee ballots or that voter's near relative or verifiable legal guardian" and includes the following information:

- (1) The name and address of the residence of the voter.
- (2) The name and address of the voter's near relative or verifiable legal guardian if that individual is making the request.
- (3) The address of the voter to which the application and absentee ballots are to be mailed if different from the residence address of the voter.
- (4) One of the following:
 - a. The number of the applicant's North Carolina driver's license issued under Article 2 of Chapter 20 of the General Statutes, including a learner's permit or a provisional license.
 - b. The number of the applicant's special identification card for nonoperators issued under G.S. 20-37.7.
 - c. The last four digits of the applicant's social security number.
- (5) The voter's date of birth.

- (6) The signature of the voter or of the voter's near relative or verifiable legal guardian if that individual is making the request.
- (7) A clear indicator of the date the election generating the request is to be held, except for annual calendar year requests in accordance with G.S. 163-226(b).