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## Coates' Canons Blog: Election Day Voting vs. Early Voting in North Carolina

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There are two distinct ways to cast your ballot in person in North Carolina. The first is traditional election-day voting at your assigned precinct polling place. The other is what has commonly come to be called early voting at one of several sites established around your county. For a little history of early voting, [click here](#).

### How Early Voting is Different From Election Day Voting

Early voting has become extremely popular in North Carolina. In the presidential election in 2012, for example, 56.3% of voters cast their ballots at an early voting site. To the voter, the process of voting at an early voting site feels very much like the process of voting at the voter's assigned precinct on election day. But there are some substantial differences.

*When the ballot is cast.* Election day ballots are cast, of course, on election day. Early voting ballots are cast early, obviously—between the second Thursday before the election and the Saturday before the election.

*Where the ballot is cast.* Each voter is assigned, based on his or her residence, an election day voting precinct. On election day, that is the only place at which the voter can cast a ballot. By contrast, a voter may cast a ballot at any early voting site in the county. The early voting sites are set in an implementation plan that is adopted by the county board of elections and approved by the State Board of Elections.

*Hours of voting.* On election day, the hours that the precinct is open for voting is set by general law. The polls open at 6:30 a.m. and close at 7:30 p.m., unless extended by order of the state board or a court. By contrast, the hours that early voting sites are open are set not by general law but by the implementation plan adopted by the county board and approved by the state board. Each early voting site in the county must operate using the same schedule of hours, except that the hours may be different for an early voting site that is the county board office itself (or nearby site substituting for the county board office).

*When the ballot is counted.* Votes cast in election day precincts are counted at the precinct after the close of the polls. Once upon a time, that meant actually sorting and counting paper ballots one-by-one. Today, it principally means closing the voting machines and properly retrieving the count from the machines. By contrast, votes are not counted daily at an early voting site. The machines are secured when voting stops for the day and the machines are reopened the next early voting day without totals having been run. Votes cast at early voting sites are counted at the county board office on election day.

*Ballot is retrievable.* Early voting is actually a form of absentee voting—one-stop, no-excuse-needed absentee voting. Challenges to an absentee voter's qualifications to vote may be made on election day itself, after the early voting ballot has been cast. Therefore, there must be a way to retrieve the ballot so that it will not be counted if, as a result of a challenge hearing, it is determined that the voter was in fact not qualified. The solution is a special numerical marking on the ballot (or stored electronically in the touch-screen voting machine) tied to the voter that allows the retrieval of the ballot. By contrast, an election day challenge to a person voting at the precinct that day must be voiced before the ballot is cast. Once it is cast, the challenge is too late. Therefore, the ballot need not be retrievable and is not marked in such a way as to make it retrievable.

*The elections officials.* Election day precincts are administered by precinct officials, including the chief judge and judges and election assistants. The officials at an early voting site are likely to be other individuals entirely. Because there are typically fewer early voting sites in a county than there are election-day precincts, it takes fewer individuals to run early voting sites, but those individuals, instead of working only on election day, work all the days that early voting is operating. The statute says that early voting sites must be staffed either by full-time employees of the county board or by employees

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who have been given training equivalent to that of a full-time employee.

*Voter challenges.* As discussed above, since early voting is actually absentee voting, a person may cast a ballot on one day at an early voting site and then find himself or herself subject to a challenge initiated on election day some time later. In addition, a resident of the precinct who is present at the early voting site—including observers and elections officials—may challenge a voter on the spot. In that way, the voter challenge is like the election-day precinct voter challenge. But there is a difference. If a voter is challenged at a one-stop site, the voter is allowed to continue to vote (after all, the ballot is retrievable) and the challenge is heard by the county board of elections at the time of the election canvass. By contrast, if a voter is challenged on election day at the precinct, the challenge is heard by precinct officials right then.

*Continuous presence together.* In an election-day precinct, the chief judge and judges of elections are required by statute to maintain a continuous presence together throughout election day. Officials at an early voting site are not under the same constraint.

### **How Early Voting is the Same as Election Day Voting**

Despite these differences, in the most important ways early voting and election-day precinct voting are substantially similar.

*Polling place set up.* Early voting sites are set up under the same rules as election-day precincts. They have voting places, voting enclosures, and buffer zones in the same way. They have the same requirements for posting voter information.

*Observers.* The role of observers—present on behalf of parties or candidates—is the same for early voting sites and precincts. Observers are present to keep a check on the elections officials to prevent or detect election irregularities.

*Maintenance of order.* Elections officials at early voting sites are responsible for maintaining order in the same way as election-day precinct officials.

*Voting procedures.* The procedures used by election-day precinct officials are the same as the procedures used by early voting officials. It is through these procedures, of course, that voters have their main contact with elections officials. It is because the procedures are the same that the experiences seem so similar to the voter.

*Assistance to voters.* The rules for providing assistance to voters are the same at an early voting site as they are at the precinct on election day.

*Provisional voting.* Provisional ballots are available to voters at early voting sites on the same basis as at the precinct on election day.

*Voter ID.* The rules regarding voter identification are the same for early voting and election day voting. For elections in 2014 and 2015, a subset of voters—those who submitted their registration application by mail and have not yet voted in any election—must show some form of approved identification. No one else needs to. For elections beginning in 2016, however, the vast majority voters will be required to show approved photo identification when they vote, whether by early voting or by election day voting.

## **Links**

- [canons.sog.unc.edu/?p=3301](https://canons.sog.unc.edu/?p=3301)