

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 374
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Short Title: Candidate Filing Period.

(Public)

Sponsors: Senator Kaplan.

Referred to: Election Laws.

March 9, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE A SHORTENED CANDIDATE FILING PERIOD TO
REDUCE THE LENGTH AND EXPENSE OF CAMPAIGNING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-106(c) reads as rewritten:

"(c) Time for Filing Notice of Candidacy. – Candidates seeking party primary nominations for the following offices shall file their notice of candidacy with the State Board of Elections no earlier than 12:00 noon on the ~~first Monday in January~~ second Monday before the first Monday in February and no later than 12:00 noon on the first Monday in February preceding the primary:

Governor

Lieutenant Governor

All State executive officers

Justices of the Supreme Court, Judges of the Court of Appeals

Judges of the superior courts

Judges of the district courts

United States Senators

Members of the House of Representatives of the United States

District attorneys

Candidates seeking party primary nominations for the following offices shall file their notice of candidacy with the county board of elections no earlier than 12:00 noon on the ~~first Monday in January~~ second Monday before the first Monday in February and no later than 12:00 noon on the first Monday in February preceding the primary:

1 State Senators
2 Members of the State House of Representatives
3 All county offices."

4 Sec. 2. G.S. 163-291 reads as rewritten:

5 **"§ 163-291. Partisan primaries and elections.**

6 The nomination of candidates for office in cities, towns, villages, and special
7 districts whose elections are conducted on a partisan basis shall be governed by the
8 provisions of this Chapter applicable to the nomination of county officers, and the terms
9 'county board of elections,' 'chairman of the county board of elections,' 'county
10 officers,' and similar terms shall be construed with respect to municipal elections to
11 mean the appropriate municipal officers and candidates, except that:

- 12 (1) The dates of primary and election shall be as provided in G.S. 163-
13 279.
- 14 (2) A candidate seeking party nomination for municipal or district office
15 shall file his notice of candidacy with the board of elections no earlier
16 than 12:00 noon on the ~~first Friday in July~~ second Friday before the first
17 Friday in August and no later than 12:00 noon on the first Friday in
18 August preceding the election. No person may file a notice of
19 candidacy for more than one municipal office at the same election. If a
20 person has filed a notice of candidacy for one office with the county
21 board of elections under this section, then a notice of candidacy may
22 not later be filed for any other municipal office for that election unless
23 the notice of candidacy for the first office is withdrawn first.
- 24 (3) The filing fee for municipal and district primaries shall be fixed by the
25 governing board not later than the day before candidates are permitted
26 to begin filing notices of candidacy. There shall be a minimum filing
27 fee of five dollars (\$5.00). The governing board shall have the
28 authority to set the filing fee at not less than five dollars (\$5.00) nor
29 more than one percent (1%) of the annual salary of the office sought
30 unless one percent (1%) of the annual salary of the office sought is less
31 than five dollars (\$5.00), in which case the minimum filing fee of five
32 dollars (\$5.00) will be charged. The fee shall be paid to the board of
33 elections at the time notice of candidacy is filed.
- 34 (4) The municipal ballot may not be combined with any other ballot.
- 35 (5) The canvass of the primary and second primary shall be held on the
36 Thursday following the primary or second primary.
- 37 (6) Candidates having the right to demand a second primary shall do so
38 not later than 12:00 noon on the Monday following the canvass of the
39 first primary."

40 Sec. 3. G.S. 163-294.2(c) reads as rewritten:

41 "(c) Candidates seeking municipal office shall file their notices of candidacy with
42 the board of elections no earlier than 12:00 noon on the ~~first Friday in July~~ second Friday
43 before the first Friday in August and no later than 12:00 noon on the first Friday in
44 August preceding the election.

- 1 Notices of candidacy which are mailed must be received by the board of elections
2 before the filing deadline regardless of the time they were deposited in the mails."
3 Sec. 4. This act shall become effective with respect to elections conducted on
4 or after January 1, 1990.