

GENERAL ASSEMBLY OF NORTH CAROLINA
EXTRA SESSION 1991

CHAPTER 1
SENATE BILL 1

AN ACT TO DELAY THE OPENING AND CLOSING OF FILING FOR ALL 1992 PRIMARY ELECTIONS, EXCEPT THE PRESIDENTIAL PREFERENCE PRIMARY SO AS TO ALLOW TIME FOR THE GENERAL ASSEMBLY TO MODIFY OR SEEK ENFORCEMENT OF REDISTRICTING PLANS ENACTED BY THE 1991 REGULAR SESSION AND TO MAKE CONFORMING CHANGES.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding any other provisions of law, the filing of notices of candidacy for 1992 only for:

- (1) Primary elections for all offices; and
- (2) Elections for all other offices conducted on the day of the primary

shall be postponed and conducted in accordance with Section 2 of this act, except that nominations under the Presidential Preference Primary Act shall be made as if this act had not been enacted, and except that filing of notices of candidacy for any non-partisan election held on May 5, 1992, where there is a primary earlier in 1992, shall be made as if this act had not been enacted.

Sec. 2. Notices of candidacy shall be filed with the appropriate board of elections no earlier than 12:00 noon on Monday, February 10, 1992, and no later than 12:00 noon on Monday, March 2, 1992.

Sec. 3. In the event that this act is not approved under Section 5 of the Voting Rights Act of 1965 by 12:00 noon on January 6, 1992, but is approved thereafter, all candidate filing during the regular filing period beginning January 6, 1992, and ending when this act is approved under Section 5 of the Voting Rights Act of 1965 is hereby voided, and the filing fee for any candidate whose filing is voided by this section shall, upon application, be refunded.

Sec. 4. The Executive Secretary-Director of the State Board of Elections shall prepare and distribute to the county boards of elections a Revised Primary Election Timetable - 1992, setting out the applicable filing period for candidates along with all other pertinent dates relative to the primary election timetable for primary elections as modified by this act.

Sec. 5. For the 1992 primary election only, G.S. 163-112 shall be applied by substituting "10 days" for "30 days" wherever it appears.

Sec. 6. The Executive Secretary-Director of the State Board of Elections shall adopt regulations to implement this act. Adoption of such regulations is not subject to Chapter 150B of the General Statutes.

Sec. 6.1. In applying the requirements of G.S. 163-33(8), for the 1992 primary only, as well as any other elections conducted on that date, notice shall be given at least 10 days rather than 20 days before the close of the registration books or records.

Sec. 7. For the 1992 primary election only, as well as any other elections conducted on that date, absentee ballots shall be available by mail beginning at the same time they are available to voters appearing in person under G.S. 163-227.2, that being the day after registration ends.

Sec. 8. For the 1992 primary election only, as well as any other elections conducted on that date, G.S. 163-107.1 shall be applied by:

- (1) Substituting "12:00 noon on Wednesday" for "12:00 noon on Monday" in subsections (b) and (c);
- (2) Substituting "at least 9 days" for "at least 15 days" in subsections (b) and (c); and
- (3) Substituting "10 days prior" for "60 days prior" in subsection (d).

Sec. 9. This act is effective upon ratification, but shall only be enforced as provided by Section 5 of the Voting Rights Act of 1965.

In the General Assembly read three times and ratified this the 30th day of December, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives