

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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HOUSE DRH60176-RR-31 (3/8)

Short Title: Straight Ticket for President. (Public)

Sponsors: Representatives Moore, McGee, LaRoque, and Daughtridge (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT A STRAIGHT-PARTY VOTE WILL COUNT FOR A PARTY'S NOMINEES FOR PRESIDENT AND VICE PRESIDENT.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 163-165.6(e) reads as rewritten:

"(e) Straight-Party Voting. – Each official ballot shall be arranged so that the voter may cast one vote for a party's nominees for all ~~offices except President and Vice President. A vote for President and Vice President shall be cast separately from a straight party vote.~~ offices. The official ballot shall be prepared so that a voter may cast a straight-party vote, but then make an exception to that straight-party vote by voting for a candidate not nominated by that party or by voting for fewer than all the candidates nominated by that party. Instructions for general election ballots shall clearly advise voters of the rules in this subsection and of the statutes providing for the counting of ballots."

**SECTION 2.** G.S. 163-182.1(a)(7) reads as rewritten:

"(7) Straight-party ticket and split-ticket votes shall be counted in general elections according to the following guidelines:

- a. If a voter casts a vote for a straight-party ticket, that vote shall be counted for all the candidates of that ~~party, other than those for President and Vice President,~~ party in the partisan ballot items on that official ballot except as otherwise provided in this subdivision.
- b. If a voter casts a vote for a straight-party ticket and also votes in a partisan ballot item for a candidate not of that party, the official ballot shall be counted in that ballot item only for the individually marked candidate. In partisan ballot items where

1 no mark is made for an individual candidate, the official ballot  
2 shall be counted for the candidates of the party whose straight  
3 ticket the voter voted.

4 c. If a voter casts a vote for a straight-party ticket and also casts a  
5 write-in vote in any partisan ballot item, the straight-party ticket  
6 vote shall not control the way the official ballot is counted in  
7 that ballot item, except to the extent it would control in the case  
8 of crossover voting under this subdivision. The following  
9 principles shall apply:

- 10 1. If the write-in vote is proper under subdivision (6) of this  
11 subsection, that write-in candidate shall receive a vote.
- 12 2. If the write-in vote is not proper under subdivision (6) of  
13 this subsection and no other candidate is individually  
14 marked in that ballot item, then no vote shall be counted  
15 in that ballot item.
- 16 3. If the straight-ticket voter casts both write-in votes and  
17 individually marked votes for ballot candidates in a  
18 ballot item, then the write-in and individually marked  
19 votes shall be counted unless the write-in is not proper  
20 under subdivision (6) of this subsection or an overvote  
21 results."

22 **SECTION 3.** This act is effective when it becomes law and applies to all  
23 elections held on or after that date.