

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 43

Short Title: New Party Filing Fee.

(Public)

Sponsors: Representatives Rayfield; Barbee, Barnhart, Capps, Creech, Culp, Daughtry, Earle, Fox, Frye, Gorman, Grady, Gulley, Hilton, Holmes, Hunter, L. Johnson, Justice, Justus, LaRoque, Lewis, McCombs, McGee, McHenry, McMahan, Mitchell, Pate, Preston, Ray, Rhodes, Sauls, Setzer, Stam, Walend, Walker, K. Williams, C. Wilson, G. Wilson, Womble, and Wood.

Referred to: Election Law and Campaign Finance Reform.

February 20, 2003

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE NEW PARTY CANDIDATES TO PAY FILING FEES ON A
2 SIMILAR BASIS TO MAJOR PARTY CANDIDATES.
3

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 163-98 reads as rewritten:

6 "**§ 163-98. General election participation by new political party.**

7 In the first general election following the date on which a new political party
8 qualifies under the provisions of G.S. 163-96, it shall be entitled to have the names of its
9 candidates for national, State, congressional, and local offices printed on the official
10 ballots.

11 For the first general election following the date on which it qualifies under G.S.
12 163-96, a new political party shall select its candidates by party convention. Following
13 adjournment of the nominating convention, but not later than the first day of July prior
14 to the general election, the president of the convention shall certify to the State Board of
15 Elections the names of persons chosen in the convention as the new party's candidates
16 ~~for State, congressional, and national offices in the ensuing general election. At the time~~
17 ~~their names are certified, each person nominated shall pay to the State Board of~~
18 ~~Elections the same amount that a candidate filing for the same office in a party primary~~
19 ~~would be required to pay under G.S. 163-107. In lieu of making that payment, the~~
20 ~~candidate may file with the State Board a written petition that meets the requirements~~
21 ~~set forth in G.S. 163-107.1 for a candidate for the same office filing in a party primary.~~
22 ~~The State Board of Elections shall print names thus certified on the appropriate ballots~~
23 ~~as the nominees of the new party.~~ The State Board of Elections shall send to each

1 county board of elections the list of any new party candidates so that the county board
2 can add those names to the appropriate ballot."

3 **SECTION 2.** G.S. 163-107.1(a) reads as rewritten:

4 "(a) Any qualified voter who seeks nomination in the party primary of the
5 political party with which he affiliates or who receives the nomination of a political
6 party under G.S. 163-98 may, in lieu of payment of any filing fee required for the office
7 he seeks, file a written petition requesting him to be a candidate for a specified office
8 with the appropriate board of elections, State, county or municipal."

9 **SECTION 3.** This act becomes effective January 1, 2004, and applies to all
10 primaries and elections held after that date.