

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE DRS35275-RR-34 (02/28)

Short Title: Candidate Felony Disclosure. (Public)

Sponsors: Senator Goodall.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE ALL CANDIDATES TO DISCLOSE FELONY
CONVICTIONS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-106 is amended by adding a new subsection to read:

"(a1) Disclosure of Felony Conviction. – Within 10 days after the candidate files notice of candidacy under this section, the candidate shall file with the same office a notarized statement answering the following question: "Have you ever been convicted of a felony?" The State Board of Elections shall prepare a form to implement this section. The form shall require a candidate who answers "yes" to the question to provide the name of the offense, the date of conviction, and the county and state of conviction. The form shall require the candidate to swear or affirm that the statements on the form are true, correct, and complete to the best of the candidate's knowledge or belief. The form shall be available as a public record in the office of the board of elections where the candidate files notice of candidacy. This subsection shall also apply to individuals who become candidates under G.S. 163-114, 163-22, 163-123, and 163-98. Those individuals shall file the affidavit at the same times and places as individuals becoming candidates in the same manner file Statements of Economic Interest under G.S. 138A-22(d). This subsection shall not apply to candidates required by G.S. 138A-22(d) to file Statements of Economic Interest."

SECTION 2. Article 24 of Chapter 163 of the General Statutes is amended by adding a new section to read:

"§ 163-291.1. Disclosure of felony conviction.

Within 10 days after the candidate files notice of candidacy under G.S. 163-291 or G.S. 163-294.2, the candidate shall file with the same office a notarized statement answering the following question: "Have you ever been convicted of a felony?" The State Board of Elections shall prepare a form to implement this section. The form shall

1 require a candidate who answers "yes" to the question to provide the name of the
2 offense, the date of conviction, and the county and state of conviction. The form shall
3 require the candidate to swear or affirm that the statements on the form are true, correct,
4 and complete to the best of the candidate's knowledge or belief. The form shall be
5 available as a public record in the office of the board of elections where the candidate
6 files notice of candidacy. This subsection shall also apply to individuals who become
7 candidates under G.S. 163-294.1 and 163-114, 163-296, and 163-98. Those individuals
8 shall file the affidavit at the same times and places as individuals becoming candidates
9 in the same manner file Statements of Economic Interest under G.S. 138A-22(d)."

10 **SECTION 3.** This act becomes effective January 1, 2008.