

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

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**SENATE BILL 356\***

Short Title: No Filing for Party and Unaffiliated. (Public)

Sponsors: Senators Robinson; Garrou, Jones, Kinnaird, Mansfield, and Walters.

Referred to: Judiciary I.

March 17, 2011

1 A BILL TO BE ENTITLED  
2 AN ACT TO LIMIT A PARTY NOMINEE FROM FILING AS AN UNAFFILIATED  
3 CANDIDATE FOR ANOTHER OFFICE EXCEPT IN CERTAIN CIRCUMSTANCES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 163-122 is amended by adding a new subsection to read:

6 "(a1) No person who is the nominee of a party for one office may file a petition under this  
7 section to have that person's name on the ballot for another office for the same general election,  
8 except in the following cases:

9 (1) When the other office is for the remainder of the unexpired term for an  
10 office and the party nomination is being made by the appropriate executive  
11 committee because the time of occurrence of the vacancy did not allow filing  
12 for a primary.

13 (2) When the petition is filed more than 120 days before the general election and  
14 the person submitting the petition resigns as the nominee of the party prior to  
15 the 120<sup>th</sup> day before the general election."

16 **SECTION 2.** This act becomes effective with respect to elections occurring on or  
17 after January 1, 2012.

