

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 495

Short Title: Election Reform Act.

(Public)

Sponsors: Senators Apodaca (Primary Sponsor); Cook and Meredith.

Referred to: Rules and Operations of the Senate.

March 28, 2013

A BILL TO BE ENTITLED

AN ACT TO FURTHER REFORM NORTH CAROLINA'S ELECTION LAWS.

The General Assembly of North Carolina enacts:

**REPEAL POLITICAL PARTIES FINANCING FUND, JUDICIAL ELECTIONS FUND,
AND VOTE-OWNED ELECTIONS FUND**

SECTION 1.1.(a) Article 22D of Chapter 163 of the General Statutes is repealed.

SECTION 1.1.(b) Article 22J of Chapter 163 of the General Statutes is repealed.

SECTION 1.1.(c) Article 22b of Chapter 163 of the General Statutes is repealed.

SECTION 1.1.(d) G.S. 84-34 reads as rewritten:

"§ 84-34. Membership fees and list of members.

Every active member of the North Carolina State Bar shall, prior to the first day of July of each year, pay to the secretary-treasurer an annual membership fee in an amount determined by the Council but not to exceed three hundred dollars (\$300.00), ~~plus a surcharge of fifty dollars (\$50.00) for the implementation of Article 22D of Chapter 163 of the General Statutes,~~ and every member shall notify the secretary-treasurer of the member's correct mailing address. Any member who fails to pay the required dues by the last day of June of each year shall be subject to a late fee in an amount determined by the Council but not to exceed thirty dollars (\$30.00). All dues for prior years shall be as were set forth in the General Statutes then in effect. The membership fee shall be regarded as a service charge for the maintenance of the several services authorized by this Article, and shall be in addition to all fees required in connection with admissions to practice, and in addition to all license taxes required by law. The fee shall not be prorated: Provided, that no fee shall be required of an attorney licensed after this Article shall have gone into effect until the first day of January of the calendar year following that in which the attorney was licensed; but this proviso shall not apply to attorneys from other states admitted on certificate. The fees shall be disbursed by the secretary-treasurer on the order of the Council. ~~The fifty dollar (\$50.00) surcharge shall be sent on a monthly schedule to the State Board of Elections.~~ The secretary-treasurer shall annually, at a time and in a law magazine or daily newspaper to be prescribed by the Council, publish an account of the financial transactions of the Council in a form to be prescribed by it. The secretary-treasurer shall compile and keep currently correct from the names and mailing addresses forwarded to the secretary-treasurer and from any other available sources of information a list of members of the North Carolina State Bar and furnish to the clerk of the superior court in each county, not later than the first day of October in each year, a list showing the name and address of each attorney for that county who has not complied with the provisions of this Article. The name of each of the active members who are in arrears in the payment of membership fees shall be furnished to



1 the presiding judge at the next term of the superior court after the first day of October of each
2 year, by the clerk of the superior court of each county wherein the member or members reside,
3 and the court shall thereupon take action that is necessary and proper. The names and addresses
4 of attorneys so certified shall be kept available to the public. The Secretary of Revenue is
5 hereby directed to supply the secretary-treasurer, from records of license tax payments, with
6 any information for which the secretary-treasurer may call in order to enable the
7 secretary-treasurer to comply with this requirement.

8 The list submitted to several clerks of the superior court shall also be submitted to the
9 Council at its October meeting of each year and it shall take the action thereon that is necessary
10 and proper."

11 **SECTION 1.1.(e)** G.S. 105-159.1 is repealed.

12 **SECTION 1.1.(f)** G.S. 105-159.2 is repealed.

13 **SECTION 1.1.(g)** G.S. 163-278.5 reads as rewritten:

14 **"§ 163-278.5. Scope of Article; severability.**

15 The provisions of this Article apply to primaries and elections for North Carolina offices
16 and to North Carolina referenda and do not apply to primaries and elections for federal offices
17 or offices in other States or to non-North Carolina referenda. Any provision in this Article that
18 regulates a non-North Carolina entity does so only to the extent that the entity's actions affect
19 elections for North Carolina offices or North Carolina referenda.

20 The provisions of this Article are severable. If any provision is held invalid by a court of
21 competent jurisdiction, the invalidity does not affect other provisions of the Article that can be
22 given effect without the invalid provision.

23 This section applies to Articles ~~22B, 22D, 22E, 22F, 22G, 22H, 22J,~~ and 22M of the
24 General Statutes to the same extent that it applies to this Article."

25 **SECTION 1.1.(h)** G.S. 163-278.13(e) reads as rewritten:

26 **"§ 163-278.13. Limitation on contributions.**

27 ...

28 (e) Except as provided in ~~subsections (e2), (e3), and (e4)~~ subsection (e3) of this section,
29 this section shall not apply to any national, State, district or county executive committee of any
30 political party. For the purposes of this section only, the term "political party" means only those
31 political parties officially recognized under G.S. 163-96."

32 **SECTION 1.1.(i)** G.S. 163-278.13(e2) is repealed.

33 **SECTION 1.1.(j)** G.S. 163-278.13(e4) is repealed.

34 **SECTION 1.1.(k)** G.S. 163-278.23 reads as rewritten:

35 **"§ 163-278.23. Duties of Executive Director of Board.**

36 ...

37 This section applies to Articles ~~22B, 22D, 22E, 22F,~~ 22G, 22H, and 22M of the General
38 Statutes to the same extent that it applies to this Article. "

39 **SECTION 1.1.(l)** The balances of the North Carolina Political Parties Financing
40 Fund, the North Carolina Public Campaign Fund, and the North Carolina Voter Owned
41 Elections Fund are transferred to the General Fund, except that any unexpended funds from the
42 tax on attorneys under G.S. 163-278.63(b)(7) and G.S. 84-34 shall be retained by the State
43 Board of Elections for use in printing voter guides.

44 **SECTION 2.** This act becomes effective January 1, 2014.