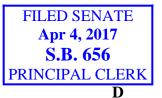
## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2017

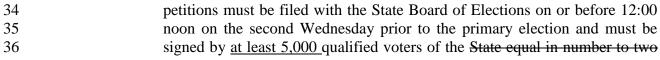


## S

## **SENATE BILL DRS45399-LU-87** (03/17)

Short Title:	Electoral Freedom Act of 2017.	(Public)
Sponsors:	Senator Brock (Primary Sponsor).	
Referred to:		

1	A BILL TO BE ENTITLED				
2	AN ACT TO CHANGE THE DEFINITION OF A "POLITICAL PARTY" BY REDUCING				
3	THE NUMBER OF SIGNATURES REQUIRED FOR THE FORMATION OF A NEW				
4	POLITIC	AL PARTY AND FOR UNAFFILIATED CANDIDATES TO OBTAIN			
5	BALLOT ACCESS ELIGIBILITY.				
6	The General Assembly of North Carolina enacts:				
7	SI	ECTION 1. G.S. 163-96(a) reads as rewritten:			
8	"(a) De	efinition A political party within the meaning of the election laws of this State			
9	shall be either	r:			
10	(1	) Any group of voters which, at the last preceding general State election,			
11		polled for its candidate for Governor, or for presidential electors, at least two			
12		percent (2%) of the entire vote cast in the State for Governor or for			
13		presidential electors; or			
14	(2				
15		petitions for the formulation of a new political party which are signed by at			
16		least 10,000 registered and qualified voters in this State equal in number to			
17		two percent (2%) of the total number of voters who voted in the most recent			
18		general election for Governor. State. Also the petition must be signed by at			
19		least 200 registered voters from each of <u>four-three</u> congressional districts in			
20		North Carolina. To be effective, the petitioners must file their petitions with			
21		the State Board of Elections before 12:00 noon on the first day of June			
22		preceding the day on which is to be held the first general State election in			
23		which the new political party desires to participate. The State Board of			
24		Elections shall forthwith determine the sufficiency of petitions filed with it			
25		and shall immediately communicate its determination to the State chairman			
26 27	CI	of the proposed new political party." ECTION 2. G.S. 163-122(a), as amended by Section 10 of S.L. 2017-3, reads as			
27	rewritten:	<b>ECTION 2.</b> $0.5.105-122(a)$ , as amended by Section 10 of S.L. 2017-5, reads as			
28 29		mandura for Having Name Printed on Pallet as Unoffiliated Candidate Any			
29 30		rocedure for Having Name Printed on Ballot as Unaffiliated Candidate. – Any			
31	qualified voter who seeks to have the voter's name printed on the general election ballot as an				
32	unaffiliated candidate shall: (1) If the office is a statewide office, file written petitions with the State Board				
32 33	(1	of Elections supporting the voter's candidacy for a specified office. These			
34		petitions must be filed with the State Board of Elections on or before 12:00			
51		periodis must be med with the state bound of Elections on of before 12.00			





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1		percent (2%) of the total number of voters who vot	ed in the most recent
2		general election for Governor. <u>State</u> . Also, the petition	
3		least 200 registered voters from each of four at least	<b>U I</b>
4		districts in North Carolina. The petitions shall be divid	
5		on the county in which the signatures were obtained.	
6		are timely filed, the State Board of Elections shall red	
7		be verified no later than 15 business days after canvass	
8		of the following ways:	s of the primary in one
o 9			as on the natition and
9 10		a. The Executive Director shall examine the name	
		place a check mark on the petition by the name	-
11		qualified and registered to vote in the design	-
12		attach to the petition a signed certificate. Said	
13		that the signatures on the petition have been	-
14		registration records and shall indicate the nur	mber of signers to be
15		qualified and registered to vote in each county.	
16		b. The chair shall examine the names on the petit	-
17		mark on the petition by the name of each signe	-
18		registered to vote in the chair's county and shall	1
19		the chair's signed certificate. Said certificate	
20		signatures on the petition have been checked a	
21		records and shall indicate the number of signe	-
22		registered to vote in the chair's county. The	chair shall return the
23		petition and certificate to the State Board.	
24		The State Board shall return a copy of each petition, to	
25		the certificate required in this section, to the person w	who presented it to the
26		State Board.	
27	(2)	Except as provided in this subsection, if the office is	a district office under
28		the jurisdiction of the State Board of Elections under	G.S. 163-182.4(b), file
29		written petitions with the State Board of Elections s	supporting that voter's
30		candidacy for a specified office. These petitions must	be filed with the State
31		Board of Elections on or before 12:00 noon on the sec	cond Wednesday prior
32		to the primary election and must be signed by qualifie	d voters of the district
33		equal in number to four three percent (4%)(3%) of	f the total number of
34		registered voters in the district as reflected by the vot	er registration records
35		of the State Board of Elections as of January 1 of t	the year in which the
36		general election is to be held. The petitions shall be	divided into sections
37		based on the county in which the signatures were o	btained. The petitions
38		shall be verified as specified in subdivision (1) of this s	subsection.
39	(3)	If the office is a county office or a single county le	egislative district, file
40		written petitions with the chair or director of the cou	nty board of elections
41		supporting the voter's candidacy for a specified	county office. These
42		petitions must be filed with the county board of election	•
43		noon on the second Wednesday prior to the primary	
44		signed by qualified voters of the county equal in	
45		percent $\frac{(4\%)(3\%)}{(3\%)}$ of the total number of registered v	
46		reflected by the voter registration records of the State	-
47		of January 1 of the year in which the general election	
48		the office is for a district consisting of less than the e	-
49		the voters in that district vote for that office, the petiti-	•
50		qualified voters of the district equal in number t	
51		(4%)(3%) of the total number of voters in the district	
<i>C</i> 1		()() of the total number of voters in the district	according to the votor

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1		registration records of the State Board of Elections as of J	anuary 1 of the	
2		year in which the general election is to be held. Each p	etition shall be	
3		presented to the chairman or director of the county board of	f elections. The	
4		chair or director of the county board of elections shall	•	
5		petition no later than 15 business days after canvass	-	
6		sub-subdivision b. of subdivision (1) of this subsection, an		
7		copy of each petition, together with a copy of the certificate	*	
8	(4)	section, to the person who presented it to the county board of		
)	(4)	If the office is a partisan municipal office, file written pe		
)		chair or director of the county board of elections in the cou	•	
1		municipality is located supporting the voter's candidacy	-	
2		municipal office. These petitions must be filed with the clusters on or before the time and data specified in G.S. 16	•	
3 4		elections on or before the time and date specified in G.S. 16 be signed by the number of qualified voters specified in G.		
+ 5		chair or director of the county board of elections shall		
5		petition no later than 15 business days after canvass	•	
7		sub-subdivision b. of subdivision (1) of this subsection, an	-	
8		copy of each petition, together with a copy of the certificate		
9		section, to the person who presented it to the county board of	-	
)	(5)	If the office is a superior court judge or a district court judg		
L		whether the district lies entirely in one county or in more t		
2		file written petitions with the State Board of Elections suppo		
3		candidacy for a specified office. These petitions must be file	d with the State	
Ļ		Board of Elections on or before 12:00 noon on the second W	Vednesday prior	
5		to the primary election and must be signed by qualified vote	rs of the district	
5		equal in number to two percent (2%) of the total number of a	registered voters	
7		in the district as reflected by the voter registration records of		
3		of Elections as of January 1 of the year in which the general		
)		held. The petitions shall be divided into sections based o		
)		which the signatures were obtained. The petitions shall	be verified as	
l	<b>T</b> T 1	specified in subdivision (1) of this subsection.		
2		iance with the provisions of subdivisions (1), (2), (3), (4)		
3		subsection, the board of elections with which the petitions have been timely filed shall cause		
1 5		candidate's name to be printed on the general election ballot	s in accordance	
) 5	with Article 14A of this Chapter." SECTION 3. This act becomes effective January 1, 2018, and applies to all			
7		ections held on or after that date.	a applies to all	
	Prinaries and ele			