

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 100

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H100-AST-2 [v.2]

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Amends Title [NO]
First Edition

Date _____, 2017

Representative Harrison

1 moves to amend the bill on page 6, line 31, by rewriting that line to read:

2 "SECTION 10. G.S. 163-122 reads as rewritten:

3 "§ 163-122. Unaffiliated candidates nominated by petition.

4 (a) Procedure for Having Name Printed on Ballot as Unaffiliated Candidate. – Any
5 qualified voter who seeks to have his name printed on the general election ballot as an unaffiliated
6 candidate shall:

7 (1) If the office is a statewide office, file written petitions with the State Board of
8 Elections supporting his candidacy for a specified office. These petitions must
9 be filed with the State Board of Elections on or before 12:00 noon on the last
10 Friday in June preceding the general election and must be signed by qualified
11 voters of the State equal in number to two percent (2%) of the total number of
12 voters who voted in the most recent general election for Governor. Also, the
13 petition must be signed by at least 200 registered voters from each of four
14 congressional districts in North Carolina. No later than 5:00 p.m. on the
15 fifteenth day preceding the date the petitions are due to be filed with the State
16 Board of Elections, each petition shall be presented to the chairman of the
17 board of elections of the county in which the signatures were obtained.
18 Provided the petitions are timely submitted, the chairman shall examine the
19 names on the petition and place a check mark on the petition by the name of
20 each signer who is qualified and registered to vote in his county and shall attach
21 to the petition his signed certificate. Said certificates shall state that the
22 signatures on the petition have been checked against the registration records
23 and shall indicate the number of signers to be qualified and registered to vote in
24 his county. The chairman shall return each petition, together with the certificate
25 required in this section, to the person who presented it to him for checking.
26 Verification by the chairman of the county board of elections shall be
27 completed within two weeks from the date such petitions are presented.

28 (2) Except as provided in this subsection, if ~~If~~ the office is a district office under
29 the jurisdiction of the State Board of Elections under G.S. 163-182.4(b), file
30 written petitions with the State Board of Elections supporting that voter's
31 candidacy for a specified office. These petitions must be filed with the State
32 Board of Elections on or before 12:00 noon on the last Friday in June preceding



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1 the general election and must be signed by qualified voters of the district equal
2 in number to four percent (4%) of the total number of registered voters in the
3 district as reflected by the voter registration records of the State Board of
4 Elections as of January 1 of the year in which the general election is to be held.
5 Each petition shall be presented to the chairman of the board of elections of the
6 county in which the signatures were obtained. The chairman shall examine the
7 names on the petition and the procedure for certification and deadline for
8 submission to the county board shall be the same as specified in (1) above.

9 (3) If the office is a county office or a single county legislative district, file written
10 petitions with the chairman or director of the county board of elections
11 supporting his candidacy for a specified county office. These petitions must be
12 filed with the county board of elections on or before 12:00 noon on the last
13 Friday in June preceding the general election and must be signed by qualified
14 voters of the county equal in number to four percent (4%) of the total number of
15 registered voters in the county as reflected by the voter registration records of
16 the State Board of Elections as of January 1 of the year in which the general
17 election is to be held, except if the office is for a district consisting of less than
18 the entire county and only the voters in that district vote for that office, the
19 petitions must be signed by qualified voters of the district equal in number to
20 four percent (4%) of the total number of voters in the district according to the
21 voter registration records of the State Board of Elections as of January 1 of the
22 year in which the general election is to be held. Each petition shall be presented
23 to the chairman or director of the county board of elections. The chairman shall
24 examine, or cause to be examined, the names on the petition and the procedure
25 for certification shall be the same as specified in (1) above.

26 (4) If the office is a partisan municipal office, file written petitions with the
27 chairman or director of the county board of elections in the county wherein the
28 municipality is located supporting his candidacy for a specified municipal
29 office. These petitions must be filed with the county board of elections on or
30 before the time and date specified in G.S. 163-296 and must be signed by the
31 number of qualified voters specified in G.S. 163-296. The procedure for
32 certification shall be the same as specified in (1) above.

33 (5) If the office is Superior court judge or district court judge, regardless of
34 whether the district lies entirely in one county or in more than one county, file
35 written petitions with the State Board of Elections supporting that voter's
36 candidacy for a specified office. These petitions must be filed with the State
37 Board of Elections on or before 12:00 noon on the last Friday in June preceding
38 the general election and must be signed by qualified voters of the district equal
39 in number to two percent (2%) of the total number of registered voters in the
40 district as reflected by the voter registration records of the State Board of
41 Elections as of January 1 of the year in which the general election is to be held.
42 Each petition shall be presented to the chairman of the board of elections of the
43 county in which the signatures were obtained. The chairman shall examine the

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- 1 names on the petition and the procedure for certification and deadline for
2 submission to the county board shall be the same as specified in (1) above.
3 Upon compliance with the provisions of (1), (2), (3), or (4) of this subsection, the board of
4 elections with which the petitions have been timely filed shall cause the unaffiliated candidate's
5 name to be printed on the general election ballots in accordance with Article 14A of this Chapter.
6 An individual whose name appeared on the ballot in a primary election preliminary to the
7 general election shall not be eligible to have his name placed on the general election ballot as an
8 unaffiliated candidate for the same office in that year.
9 (b) Form of Petition. – Petitions requesting an unaffiliated candidate to be placed on the
10 general election ballot shall contain on the heading of each page of the petition in bold print or in
11 all capital letters the words: "THE UNDERSIGNED REGISTERED VOTERS IN _____
12 COUNTY HEREBY PETITION ON BEHALF OF _____ AS AN UNAFFILIATED
13 CANDIDATE FOR THE OFFICE OF _____ IN THE NEXT GENERAL ELECTION.
14 THE UNDERSIGNED HEREBY PETITION THAT SUBJECT CANDIDATE BE PLACED ON
15 THE APPROPRIATE BALLOT UPON COMPLIANCE WITH THE PROVISIONS
16 CONTAINED IN G.S. 163-122."
17 ~~(c) This section does not apply to elections under Article 25 of this Chapter.~~
18 (d) When any person files a petition with a board of elections under this section, the board
19 of elections shall, immediately upon receipt of the petition, inspect the registration records of the
20 county and cancel the petition of any person who does not meet the constitutional or statutory
21 qualifications for the office, including residency.
22 The board shall give notice of cancellation to any person whose petition has been cancelled
23 under this subsection by mail or by having the notice served on that person by the sheriff and to
24 any other candidate filing for the same office. A person whose petition has been cancelled or
25 another candidate for the same office affected by a substantiation under this subsection may
26 request a hearing on the issue of constitutional or statutory qualifications for the office. If the
27 person requests a hearing, the hearing shall be conducted in accordance with Article 11B of
28 Chapter 163 of the General Statutes.
29 (e) Any candidate seeking to have that candidate's name printed on the general election
30 ballot under this section shall pay a filing fee equal to that provided for candidates for the office in
31 G.S. 163-107 or comply with the alternative available to candidates for the office in
32 G.S. 163-107.1."

SIGNED _____

**The official copy of this document, with signatures
and vote information, is available in the
House Principal Clerk's Office**

ADOPTED _____

FAILED _____

TABLED _____