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SESSION 2017

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PROPOSED SENATE COMMITTEE SUBSTITUTE H100-PCS40154-BK-4

Short Title: Restore Partisan Elections/Sup. & Dist. Court.

(Public)

Sponsors:

Referred to:

February 15, 2017

A BILL TO BE ENTITLED

AN ACT TO RESTORE PARTISAN JUDICIAL ELECTIONS FOR NORTH CAROLINA  
SUPERIOR AND DISTRICT COURTS AND TO CHANGE THE TIME FOR SUBMISSION  
OF PETITIONS FOR UNAFFILIATED CANDIDATES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 18C-112(e)(1) reads as rewritten:

"(e) If any member takes any of the following actions, the member vacates office as a member of the Commission and the vacancy shall be filled as provided by G.S. 18C-111(c):

(1) Files a notice of candidacy under G.S. 163-106 ~~or G.S. 163-323~~ or a petition under ~~G.S. 163-107.1 or G.S. 163-325~~ G.S. 163-107.1."

**SECTION 2.** G.S. 163-1(b) reads as rewritten:

"(b) On Tuesday next after the first Monday in May preceding each general election to be held in November for the officers referred to in subsection (a) of this section, there shall be held in all election precincts within the territory for which the officers are to be elected a primary election for the purpose of nominating candidates for each political party in the State for those ~~offices, and nonpartisan candidates as to offices elected under the provisions of Article 25 of this Chapter.~~ offices."

**SECTION 3.** G.S. 163-22.3 reads as rewritten:

**"§ 163-22.3. State Board of Elections littering notification.**

At the time an individual files with the State Board of Elections a notice of candidacy pursuant to G.S. 163-106, 163-112, 163-291, ~~163-294.2, or 163-323,~~ 163-294.2, is certified to the State Board of Elections by a political party executive committee to fill a nomination vacancy pursuant to G.S. 163-114, is certified to the State Board of Elections by a new political party as that party's nominee pursuant to G.S. 163-98, qualifies with the State Board of Elections as an unaffiliated or write-in candidate pursuant to Article 11 of this Chapter, or formally initiates a candidacy with the State Board of Elections pursuant to any statute or local act, the State Board of Elections shall notify the candidate of the provisions concerning campaign signs in G.S. 136-32 and G.S. 14-156, and the rules adopted by the Department of Transportation pursuant to G.S. 136-18."

**SECTION 4.** G.S. 163-82.10B reads as rewritten:

**"§ 163-82.10B. Confidentiality of date of birth.**

Boards of elections shall keep confidential the date of birth of every voter-registration applicant and registered voter, except in the following situations:

(1) When a voter has filed notice of candidacy for elective office under G.S. 163-106, 163-122, 163-123, or 163-294.2, ~~or 163-323,~~ has been nominated



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1 as a candidate under G.S. 163-98 or G.S. 163-114, or has otherwise formally  
 2 become a candidate for elective office. The exception of this subdivision does  
 3 not extend to an individual who meets the definition of "candidate" only by  
 4 beginning a tentative candidacy by receiving funds or making payments or  
 5 giving consent to someone else to receive funds or transfer something of value  
 6 for the purpose of exploring a candidacy.

7 (2) When a voter is serving in an elective office.

8 (3) When a voter has been challenged pursuant to Article 8 of this Chapter.

9 (4) When a voter-registration applicant or registered voter expressly authorizes in  
 10 writing the disclosure of that individual's date of birth.

11 (5) When requested by a county jury commission established pursuant to G.S. 9-1  
 12 for purposes of preparing the master jury list in that county pursuant to  
 13 G.S. 9-2.

14 The disclosure of an individual's age does not constitute disclosure of date of birth in violation  
 15 of this section.

16 The county board of elections shall give precinct officials access to a voter's date of birth  
 17 where necessary for election administration, consistent with the duty to keep dates of birth  
 18 confidential.

19 Disclosure of a date of birth in violation of this section shall not give rise to a civil cause of  
 20 action. This limitation of liability does not apply to the disclosure of a date of birth in violation of  
 21 this subsection as a result of gross negligence, wanton conduct, or intentional wrongdoing that  
 22 would otherwise be actionable."

23 **SECTION 5.** G.S. 163-106, as amended by Section 21(a) of S.L. 2016-125, reads as  
 24 rewritten:

25 "**§ 163-106. Notices of candidacy; pledge; with whom filed; date for filing; withdrawal.**

26 ...

27 (c) Time for Filing Notice of Candidacy. – Candidates seeking party primary nominations  
 28 for the following offices shall file their notice of candidacy with the State Board of Elections no  
 29 earlier than 12:00 noon on the second Monday in February and no later than 12:00 noon on the  
 30 last business day in February preceding the primary:

31 Governor

32 Lieutenant Governor

33 All State executive officers

34 Justices of the Supreme Court

35 Judges of the Court of Appeals

36 Judges of the superior court

37 Judges of the district court

38 United States Senators

39 Members of the House of Representatives of the United States

40 District attorneys

41 Candidates seeking party primary nominations for the following offices shall file their notice  
 42 of candidacy with the county board of elections no earlier than 12:00 noon on the second Monday  
 43 in February and no later than 12:00 noon on the last business day in February preceding the  
 44 primary:

45 State Senators

46 Members of the State House of Representatives

47 All county offices.

48 (d) Notice of Candidacy for Certain Offices to Indicate Vacancy. – In any primary in  
 49 which there are two or more vacancies for associate justices for the Supreme Court, two or more  
 50 vacancies for the Court of Appeals, ~~or two or more vacancies for district court judge~~, or two  
 51 vacancies for United States Senator from North Carolina, each candidate shall, at the time of filing

1 notice of candidacy, file with the State Board of Elections a written statement designating the  
 2 vacancy to which the candidate seeks nomination. A person seeking election for a specialized  
 3 district judgeship established under G.S. 7A-147 shall, at the time of filing notice of candidacy,  
 4 file with the State Board of Elections a written statement designating the specialized judgeship to  
 5 which the person seeks nomination. Votes cast for a candidate shall be effective only for  
 6 nomination to the vacancy for which the candidate has given notice of candidacy as provided in  
 7 this subsection.

8 ...  
 9 (f) Candidates required to file their notice of candidacy with the State Board of Elections  
 10 under subsection (c) of this section shall file along with their notice a certificate signed by the  
 11 chairman of the board of elections or the director of elections of the county in which they are  
 12 registered to vote, stating that the person is registered to vote in that county, if the candidacy is for  
 13 superior court judge and the county contains more than one superior court district, stating the  
 14 superior court district of which the person is a resident, stating the party with which the person is  
 15 affiliated, and that the person has not changed his affiliation from another party or from  
 16 unaffiliated within three months prior to the filing deadline under subsection (c) of this section. In  
 17 issuing such certificate, the chairman or director shall check the registration records of the county  
 18 to verify such information. During the period commencing 36 hours immediately preceding the  
 19 filing deadline the State Board of Elections shall accept, on a conditional basis, the notice of  
 20 candidacy of a candidate who has failed to secure the verification ordered herein subject to receipt  
 21 of verification no later than three days following the filing deadline. The State Board of Elections  
 22 shall prescribe the form for such certificate, and distribute it to each county board of elections no  
 23 later than the last Monday in December of each odd-numbered year.

24 ...  
 25 (j) No person may file a notice of candidacy for superior court judge, unless that person is,  
 26 at the time of filing the notice of candidacy, a resident of the judicial district as it will exist at the  
 27 time the person would take office if elected. No person may be nominated as a superior court  
 28 judge under G.S. 163-114, unless that person is, at the time of nomination, a resident of the  
 29 judicial district as it will exist at the time the person would take office if elected. This subsection  
 30 implements Section 9(1) of Article IV of the North Carolina Constitution, which requires regular  
 31 superior court judges to reside in the district for which elected."

32 **SECTION 6.** G.S. 163-107(a), as amended by Section 21(b) of S.L. 2016-125, reads  
 33 as rewritten:

34 "(a) Fee Schedule. – At the time of filing a notice of candidacy, each candidate shall pay to  
 35 the board of elections with which the candidate files under the provisions of G.S. 163-106 a filing  
 36 fee for the office sought in the amount specified in the following tabulation:  
 37

<b>Office Sought</b>	<b>Amount of Filing Fee</b>
Governor	One percent (1%) of the annual salary of the office sought
Lieutenant Governor	One percent (1%) of the annual salary of the office sought
All State executive offices	One percent (1%) of the annual salary of the office sought
All <del>Justices of the Supreme Court,</del> <del>Judges of the Court of Appeals, and</del> <u>Justices, Judges, and</u> District Attorneys of the General Court of Justice	One percent (1%) of the annual salary of the office sought
United States Senator	One percent (1%) of the annual salary of the office sought

1	Members of the United States House	One percent (1%) of the annual salary of
2	of Representatives	the office sought
3	State Senator	One percent (1%) of the annual salary of the
4		office sought
5	Member of the State House of	One percent (1%) of the annual salary of
6	Representatives	the office sought
7	All county offices not compensated by fees	One percent (1%) of the annual salary of the
8		office sought
9	All county offices compensated partly	One percent (1%) of the first annual
10	by salary and partly by fees	salary to be received (exclusive of fees)

11 The salary of any office that is the basis for calculating the filing fee is the starting salary for  
 12 the office, rather than the salary received by the incumbent, if different. If no starting salary can be  
 13 determined for the office, then the salary used for calculation is the salary of the incumbent, as of  
 14 January 1 of the election year."

15 **SECTION 7.** G.S. 163-107.1(c) reads as rewritten:

16 "(c) County, Municipal and District Primaries. – If the candidate is seeking one of the  
 17 offices set forth in G.S. 163-106(c) but which is not listed in subsection (b) of this section, or a  
 18 municipal or any other office requiring a partisan primary which is not set forth in G.S. 163-106(c)  
 19 or (d), ~~he~~ the candidate shall file a written petition with the appropriate board of elections no later  
 20 than 12:00 noon on Monday preceding the filing deadline before the primary. The petition shall be  
 21 signed by five percent (5%) of the registered voters of the election area in which the office will be  
 22 voted for, who are affiliated with the same political party in whose primary the candidate desires  
 23 to run, or in the alternative, the petition shall be signed by no less than 200 registered voters  
 24 regardless of said voter's political party affiliation, whichever requirement is greater. The board of  
 25 elections shall verify the names on the petition, and if the petition is found to be sufficient, the  
 26 candidate's name shall be printed on the appropriate primary ballot. Petitions for candidates for  
 27 member of the U.S. House of Representatives, District Attorney, judge of the superior court, judge  
 28 of the district court, and members of the State House of Representatives from multi-county  
 29 districts or members of the State Senate from multi-county districts must be presented to the  
 30 county board of elections for verification at least 15 days before the petition is due to be filed with  
 31 the State Board of Elections, and such petition must be filed with the State Board of Elections no  
 32 later than 12:00 noon on Monday preceding the filing deadline. The State Board of Elections may  
 33 adopt rules to implement this section and to provide standard petition forms."

34 **SECTION 8.** G.S. 163-111(c)(1), as amended by Section 21(d) of S.L. 2016-125,  
 35 reads as rewritten:

36 "(c) Procedure for Requesting Second Primary.

37 (1) A candidate who is apparently entitled to demand a second primary, according  
 38 to the unofficial results, for one of the offices listed below, and desiring to do  
 39 so, shall file a request for a second primary in writing with the Executive  
 40 Director of the State Board of Elections no later than 12:00 noon on the ninth  
 41 day (including Saturdays and Sundays) following the date on which the primary  
 42 was conducted, and such request shall be subject to the certification of the  
 43 official results by the State Board of Elections. If the vote certification by the  
 44 State Board of Elections determines that a candidate who was not originally  
 45 thought to be eligible to call for a second primary is in fact eligible to call for a  
 46 second primary, the Executive Director of the State Board of Elections shall  
 47 immediately notify such candidate and permit the candidate to exercise any  
 48 options available to the candidate within a 48-hour period following the  
 49 notification:

- 50 Governor,
- 51 Lieutenant Governor,

All State executive officers,  
~~Justices of the Supreme Court, Judges of the Court of Appeals, or~~  
Justices, Judges, or District Attorneys of the General Court of  
 Justice,  
 United States Senators,  
 Members of the United States House of Representatives,  
 State Senators in multi-county senatorial districts, and  
 Members of the State House of Representatives in multi-county  
 representative districts."

**SECTION 9.** G.S. 163-114 reads as rewritten:

**"§ 163-114. Filling vacancies among party nominees occurring after nomination and before election.**

If any person nominated as a candidate of a political party for one of the offices listed below (either in a primary or convention or by virtue of having no opposition in a primary) dies, resigns, or for any reason becomes ineligible or disqualified before the date of the ensuing general election, the vacancy shall be filled by appointment according to the following instructions:

18	Position	
19	President	Vacancy is to be filled by appointment of
20	Vice President	national executive committee of
21		political party in which vacancy occurs
22		
23	Presidential elector or alternate elector	Vacancy is to be filled by appointment of
24	Any elective State office	State executive committee of political
25	United States Senator	party in which vacancy occurs
26		
27	A district office, including:	Appropriate district executive committee of
28	Member of the United States House	political party in which vacancy occurs
29	of Representatives	
30	<u>Judge of district court</u>	
31	District Attorney	
32	State Senator in a multi-county	
33	senatorial district	
34	Member of State House of	
35	Representatives in a multi-county	
36	representative district	
37		
38	State Senator in a single-county	County executive committee of political
39	senatorial district	party in which vacancy occurs,
40	Member of State House of	provided, in the case of the State
41	Representatives in a single-county	Senator or State Representative in a
42	representative district	single-county district where not all the
43	Any elective county office	county is located in that district, then in
44		voting, only those members of the
45		county executive committee who reside
46		within the district shall vote
47	<u>Judge of superior court in a</u>	<u>County executive committee of political</u>
48	<u>single-county judicial district</u>	<u>party in which vacancy occurs;</u>
49	<u>where the district is the whole</u>	<u>provided, in the case of a superior court</u>
50	<u>county or part of the county</u>	<u>judge in a single-county district where</u>
51		<u>not all the county is located in that</u>

1 district, then in voting, only those members  
 2 of the county executive committee who  
 3 reside within the district shall vote  
 4 Judge of superior court in a Appropriate district executive committee of  
 5 multicounty judicial district political party in which vacancy occurs.

6 The party executive making a nomination in accordance with the provisions of this section shall  
 7 certify the name of its nominee to the chairman of the board of elections, State or county, that has  
 8 jurisdiction over the ballot item under G.S. 163-182.4. If at the time a nomination is made under  
 9 this section the general election ballots have already been printed, the provisions of  
 10 G.S.163-165.3(c) shall apply. If a vacancy occurs in a nomination of a political party and that  
 11 vacancy arises from a cause other than death and the vacancy in nomination occurs more than 120  
 12 days before the general election, the vacancy in nomination may be filled under this section only if  
 13 the appropriate executive committee certifies the name of the nominee in accordance with this  
 14 paragraph at least 75 days before the general election.

15 In a county which is partly in a multicounty judicial district, in choosing that county's member  
 16 or members of the judicial district executive committee for the multicounty district, only the  
 17 county convention delegates or county executive committee members who reside within the area  
 18 of the county which is within that multicounty district may vote.

19 In a county not all of which is located in one congressional district, in choosing the  
 20 congressional district executive committee member or members from that area of the county, only  
 21 the county convention delegates or county executive committee members who reside within the  
 22 area of the county which is within the congressional district may vote.

23 In a county which is partly in a multi-county senatorial district or which is partly in a  
 24 multi-county House of Representatives district, in choosing that county's member or members of  
 25 the senatorial district executive committee or House of Representatives district executive  
 26 committee for the multi-county district, only the county convention delegates or county executive  
 27 committee members who reside within the area of the county which is within that multi-county  
 28 district may vote.

29 An individual whose name appeared on the ballot in a primary election preliminary to the  
 30 general election shall not be eligible to be nominated to fill a vacancy in the nomination of another  
 31 party for the same office in the same year."

32 **SECTION 10.** G.S. 163-122 reads as rewritten:

33 **"§ 163-122. Unaffiliated candidates nominated by petition.**

34 (a) Procedure for Having Name Printed on Ballot as Unaffiliated Candidate. – Any  
 35 qualified voter who seeks to have ~~his~~ the voter's name printed on the general election ballot as an  
 36 unaffiliated candidate shall:

- 37 (1) If the office is a statewide office, file written petitions with the State Board of  
 38 Elections supporting ~~his~~ the voter's candidacy for a specified office. These  
 39 petitions must be filed with the State Board of Elections on or before 12:00  
 40 noon on the ~~last Friday in June preceding the general election~~ second  
 41 Wednesday prior to the primary election and must be signed by qualified voters  
 42 of the State equal in number to two percent (2%) of the total number of voters  
 43 who voted in the most recent general election for Governor. Also, the petition  
 44 must be signed by at least 200 registered voters from each of four congressional  
 45 districts in North Carolina. ~~No later than 5:00 p.m. on the fifteenth day~~  
 46 ~~preceding the date the petitions are due to be filed with the State Board of~~  
 47 ~~Elections, each petition shall be presented to the chairman of the board of~~  
 48 ~~elections of the county in which the signatures were obtained. Provided the~~  
 49 ~~petitions are timely submitted, the chairman~~ The petitions shall be divided into  
 50 sections based on the county in which the signatures were obtained. Provided  
 51 the petitions are timely filed, the State Board of Elections shall require the filed

1 petition be verified no later than 15 business days after canvass of the primary  
2 in one of the following ways:

3 a. The Executive Director shall examine the names on the petition and  
4 place a check mark on the petition by the name of each signer who is  
5 qualified and registered to vote in the designated county and shall attach  
6 to the petition a signed certificate. Said certificates shall state that the  
7 signatures on the petition have been checked against the registration  
8 records and shall indicate the number of signers to be qualified and  
9 registered to vote in each county.

10 b. The chair shall examine the names on the petition and place a check  
11 mark on the petition by the name of each signer who is qualified and  
12 registered to vote in his-the chair's county and shall attach to the petition  
13 his-the chair's signed certificate. Said certificates shall state that the  
14 signatures on the petition have been checked against the registration  
15 records and shall indicate the number of signers to be qualified and  
16 registered to vote in his-the chair's county. The chair shall return the  
17 petition and certificate to the State Board.

18 The chairman-State Board shall return a copy of each petition, together with a  
19 copy of the certificate required in this section, to the person who presented it to  
20 him for checking. Verification by the chairman of the county board of elections  
21 shall be completed within two weeks from the date such petitions are  
22 presented to the State Board.

23 (2) If-Except as provided in this subsection, if the office is a district office under  
24 the jurisdiction of the State Board of Elections under G.S. 163-182.4(b), file  
25 written petitions with the State Board of Elections supporting that voter's  
26 candidacy for a specified office. These petitions must be filed with the State  
27 Board of Elections on or before 12:00 noon on the last Friday in June preceding  
28 the general election-second Wednesday prior to the primary election and must  
29 be signed by qualified voters of the district equal in number to four percent  
30 (4%) of the total number of registered voters in the district as reflected by the  
31 voter registration records of the State Board of Elections as of January 1 of the  
32 year in which the general election is to be held. Each petition shall be presented  
33 to the chairman of the board of elections of the county in which the signatures  
34 were obtained. The chairman shall examine the names on the petition and the  
35 procedure for certification and deadline for submission to the county board  
36 shall be the same-The petitions shall be divided into sections based on the  
37 county in which the signatures were obtained. The petitions shall be verified as  
38 specified in (1) above-subdivision (1) of this subsection.

39 (3) If the office is a county office or a single county legislative district, file written  
40 petitions with the chairman-chair or director of the county board of elections  
41 supporting his-the voter's candidacy for a specified county office. These  
42 petitions must be filed with the county board of elections on or before 12:00  
43 noon on the last Friday in June preceding the general election-second  
44 Wednesday prior to the primary election and must be signed by qualified voters  
45 of the county equal in number to four percent (4%) of the total number of  
46 registered voters in the county as reflected by the voter registration records of  
47 the State Board of Elections as of January 1 of the year in which the general  
48 election is to be held, except if the office is for a district consisting of less than  
49 the entire county and only the voters in that district vote for that office, the  
50 petitions must be signed by qualified voters of the district equal in number to  
51 four percent (4%) of the total number of voters in the district according to the

voter registration records of the State Board of Elections as of January 1 of the year in which the general election is to be held. Each petition shall be presented to the chairman or director of the county board of elections. ~~The chairman shall examine, or cause to be examined, the names on the petition and the procedure for certification shall be the same as specified in (1) above.~~ The chair or director of the county board of elections shall verify the filed petition no later than 15 business days after canvass as provided in sub-subdivision b. of subdivision (1) of this subsection, and shall return a copy of each petition, together with a copy of the certificate required in this section, to the person who presented it to the county board of elections.

(4) If the office is a partisan municipal office, file written petitions with the ~~chairman~~ chair or director of the county board of elections in the county wherein the municipality is located supporting ~~his~~ the voter's candidacy for a specified municipal office. These petitions must be filed with the county board of elections on or before the time and date specified in G.S. 163-296 and must be signed by the number of qualified voters specified in G.S. 163-296. ~~The procedure for certification shall be the same as specified in (1) above.~~ The chair or director of the county board of elections shall verify the filed petition no later than 15 business days after canvass as provided in sub-subdivision b. of subdivision (1) of this subsection, and shall return a copy of each petition, together with a copy of the certificate required in this section, to the person who presented it to the county board of elections.

(5) If the office is a superior court judge or a district court judge, regardless of whether the district lies entirely in one county or in more than one county, file written petitions with the State Board of Elections supporting that voter's candidacy for a specified office. These petitions must be filed with the State Board of Elections on or before 12:00 noon on the second Wednesday prior to the primary election and must be signed by qualified voters of the district equal in number to two percent (2%) of the total number of registered voters in the district as reflected by the voter registration records of the State Board of Elections as of January 1 of the year in which the general election is to be held. The petitions shall be divided into sections based on the county in which the signatures were obtained. The petitions shall be verified as specified in subdivision (1) of this subsection.

Upon compliance with the provisions of subdivisions (1), (2), (3), ~~or (4)-(4)~~, or (5) of this subsection, the board of elections with which the petitions have been timely filed shall cause the unaffiliated candidate's name to be printed on the general election ballots in accordance with Article 14A of this Chapter.

(a1) An individual whose name appeared on the ballot in a primary election preliminary to the general election shall not be eligible to have ~~his~~ that individual's name placed on the general election ballot as an unaffiliated candidate for the same office in that year.

(b) Form of Petition. – Petitions requesting an unaffiliated candidate to be placed on the general election ballot shall contain on the heading of each page of the petition in bold print or in all capital letters the words: "THE UNDERSIGNED REGISTERED VOTERS IN \_\_\_\_\_ COUNTY HEREBY PETITION ON BEHALF OF \_\_\_\_\_ AS AN UNAFFILIATED CANDIDATE FOR THE OFFICE OF \_\_\_\_\_ IN THE NEXT GENERAL ELECTION. THE UNDERSIGNED HEREBY PETITION THAT SUBJECT CANDIDATE BE PLACED ON THE APPROPRIATE BALLOT UPON COMPLIANCE WITH THE PROVISIONS CONTAINED IN G.S. 163-122."

(c) ~~This section does not apply to elections under Article 25 of this Chapter.~~



1 (d) When any person files a petition with a board of elections under this section, the board  
2 of elections shall, immediately upon receipt of the petition, inspect the registration records of the  
3 county and cancel the petition of any person who does not meet the constitutional or statutory  
4 qualifications for the office, including residency.

5 The board shall give notice of cancellation to any person whose petition has been cancelled  
6 under this subsection by mail or by having the notice served on that person by the sheriff and to  
7 any other candidate filing for the same office. A person whose petition has been cancelled or  
8 another candidate for the same office affected by a substantiation under this subsection may  
9 request a hearing on the issue of constitutional or statutory qualifications for the office. If the  
10 person requests a hearing, the hearing shall be conducted in accordance with Article 11B of  
11 Chapter 163 of the General Statutes.

12 (e) Any candidate seeking to have that candidate's name printed on the general election  
13 ballot under this section shall pay a filing fee equal to that provided for candidates for the office in  
14 G.S. 163-107 or comply with the alternative available to candidates for the office in  
15 G.S. 163-107.1."

16 **SECTION 11.** G.S. 163-123(g) reads as rewritten:

17 "(g) ~~Municipal and Nonpartisan Elections Excluded.~~ – This section does not apply to  
18 municipal elections conducted under Subchapter IX of Chapter 163 of the General Statutes, and  
19 ~~does not apply to nonpartisan elections except for elections under Article 25 of this~~  
20 ~~Chapter Statutes."~~

21 **SECTION 12.** G.S. 163-165.5(a)(3) reads as rewritten:

22 "**§ 163-165.5. Contents of official ballots.**

23 (a) Except as provided in this section, each official ballot shall contain all the following  
24 elements:

25 ...  
26 (3) The names of the candidates as they appear on their notice of candidacy filed  
27 pursuant to G.S. 163-106 ~~or G.S. 163-323,~~ or on petition forms filed in  
28 accordance with G.S. 163-122. No title, appendage, or appellation indicating  
29 rank, status, or position shall be printed on the official ballot in connection with  
30 the candidate's name. Candidates, however, may use the title Mr., Mrs., Miss,  
31 or Ms. Nicknames shall be permitted on an official ballot if used in the notice  
32 of candidacy or qualifying petition, but the nickname shall appear according to  
33 standards adopted by the State Board of Elections. Those standards shall allow  
34 the presentation of legitimate nicknames in ways that do not mislead the voter  
35 or unduly advertise the candidacy. In the case of candidates for presidential  
36 elector, the official ballot shall not contain the names of the candidates for  
37 elector but instead shall contain the nominees for President and Vice President  
38 which the candidates for elector represent. The State Board of Elections shall  
39 establish a review procedure that local boards of elections shall follow to ensure  
40 that candidates' names appear on the official ballot in accordance with this  
41 subdivision."

42 **SECTION 13.** Article 25 of Subchapter X of Chapter 163 of the General Statutes is  
43 repealed.

44 **SECTION 14.** This act is effective with respect to primaries and elections held on or  
45 after January 1, 2018.