

GENERAL ASSEMBLY OF NORTH CAROLINA  
FIRST EXTRA SESSION 2018

H.B. 4  
Jul 24, 2018  
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40002-ST-10

Short Title: Candidate Challenge/Felony/Sheriff. (Public)

Sponsors: Representative Clampitt.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THAT THE BURDEN OF PROOF IN CERTAIN CHALLENGES TO  
3 CANDIDACY BE PLACED ON THE CHALLENGER UNDER THE LAWS  
4 GOVERNING ELECTIONS.  
5 The General Assembly of North Carolina enacts:  
6 SECTION 1. G.S. 163A-1029(a) reads as rewritten:  
7 "(a) ~~The~~ Except for a challenge based on residency as provided in subsection (b) of this  
8 section, the burden of proof shall be upon the ~~candidate,~~ challenger, who must show by a  
9 preponderance of the evidence of the record as a whole that ~~he or she is~~ the candidate is not  
10 qualified to be a candidate for the office."  
11 SECTION 2. This act is effective when it becomes law and applies to challenges to  
12 candidacy on or after that date.

