

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

H

D

HOUSE BILL 605  
Committee Substitute Favorable 4/21/21  
Committee Substitute #2 Favorable 4/28/21  
PROPOSED SENATE COMMITTEE SUBSTITUTE H605-PCS30493-ST-45

Short Title: 2022 Primary Date.

(Public)

Sponsors:

Referred to:

April 20, 2021

A BILL TO BE ENTITLED

AN ACT TO SET THE DATE FOR THE 2022 PRIMARY AS JUNE 7, 2022; TO ALLOW THE STATE BOARD OF ELECTIONS TO ISSUE TEMPORARY RULES FOR CONDUCTING THE 2022 PRIMARIES AND ELECTIONS; AND TO ADDRESS OTHER MATTERS RELATING TO THE 2022 PRIMARY.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** Notwithstanding G.S. 163-1(b) and any order of the court issued prior to January 18, 2022, the date of the 2022 primary election shall be June 7, 2022. Any elections originally scheduled to be held on the date of the primary in 2022 shall instead be held on June 7, 2022.

**SECTION 1.(b)** Section 1(e) of S.L. 2021-56 reads as rewritten:

**"SECTION 1.(e)** Date of Election. – With respect to any elected office with an election delayed to 2022 in accordance with this act, the following dates of election shall apply:

- (1) For any municipality elected by the partisan primary and election method, the primary shall be ~~March 8, 2022~~, June 7, 2022, and the general election shall be on the date of any second primary held under G.S. 163-111. If no second primary is held under G.S. 163-111, the general election shall be on ~~April 26, 2022~~, July 26, 2022. No second primary shall be held for these offices in 2022.
- (2) For any municipality elected by the nonpartisan primary and election method, the primary shall be ~~March 8, 2022~~, June 7, 2022, and the general election shall be held on the date of any second primary held under G.S. 163-111. If no second primary is held under G.S. 163-111, the general election shall be on ~~April 26, 2022~~, July 26, 2022.
- (3) For any municipality elected by the nonpartisan plurality method, the date of the election shall be ~~March 8, 2022~~, June 7, 2022.
- (4) For any municipality elected by the nonpartisan elections and runoff method, the election shall be ~~March 8, 2022~~, June 7, 2022, and the runoff election shall be held on the date of any second primary held under G.S. 163-111. If no second primary is held under G.S. 163-111, the runoff election shall be on ~~April 26, 2022~~, July 26, 2022."

**SECTION 1.(c)** Section 1.5(d) of S.L. 2021-56 reads as rewritten:

**"SECTION 1.5.(d)** This section becomes effective March 9, 2022, and expires on ~~June 1, 2022~~, August 31, 2022."



\* H 6 0 5 - P C S 3 0 4 9 3 - S T - 4 5 \*

1           **SECTION 1.(d)** The times to publish notice of a bond referendum required by  
2 G.S. 159-61(c) shall not apply to any bond referendum held on the date of the 2022 statewide  
3 primary. The local government unit holding the bond referendum on that date shall comply with  
4 the times to publish notice of the election prescribed by the State Board of Elections pursuant to  
5 this section.

6           **SECTION 1.(e)** Except as provided in this act, in order to accommodate the  
7 scheduling of the 2022 primary, the State Board of Elections may issue temporary rules to  
8 change, modify, or amend any statute in Chapter 163 of the General Statutes or rules contained  
9 in Title 8 of the North Carolina Administrative Code that affect the timing of the 2022 primaries  
10 and general elections. These temporary rules are only effective for the 2022 primaries and 2022  
11 general elections. The authority granted by this section shall be exercised only when needed to  
12 ensure the orderly and timely operations of the electoral process. Temporary rules issued under  
13 this section are subject to the provisions of Chapter 150B of the General Statutes and shall be  
14 published in the North Carolina Register as quickly as possible. Any temporary rules issued under  
15 this section become void 10 days after the final certification of all 2022 elections.

16           **SECTION 2.(a)** Notwithstanding Chapter 163 of the General Statutes, any local act,  
17 and S.L. 2021-56, the filing period for all offices on the ballot in 2022 shall begin at 8:00 A.M.  
18 on March 24, 2022, and close at 5:00 P.M. on April 1, 2022.

19           **SECTION 2.(b)** Notwithstanding Article 10 of Chapter 163 of the General Statutes,  
20 any person who filed a notice of candidacy during the filing period in December 2021, and did  
21 not withdraw that notice of candidacy before that filing period was closed by order of the court,  
22 shall be deemed to have filed during the period set forth in Section 2(a) of this act. G.S. 163-106.4  
23 shall apply to all candidates desiring to withdraw a notice of candidacy.

24           **SECTION 3.** Notwithstanding G.S. 138A-22 and G.S. 163-106, for 2022 only, all  
25 covered persons and candidates filing a notice of candidacy under G.S. 163-106 who are also  
26 required to file a statement of economic interest under Article 2 of Chapter 138A of the General  
27 Statutes shall do so on or before April 15, 2022. An individual nominated under G.S. 163-114  
28 shall file the statement within three days following the individual's nomination, or not later than  
29 the day preceding the general election, whichever occurs first. An individual seeking to qualify  
30 as an unaffiliated candidate under G.S. 163-122 shall file the statement of economic interest  
31 within three days of filing the petition required under that section. An individual seeking to have  
32 write-in votes counted for that individual in a general election shall file a statement of economic  
33 interest within three days of the time the candidate files a declaration of intent under  
34 G.S. 163-123. A candidate of a new party chosen by convention shall file a statement of  
35 economic interest within three days of the time that the president of the convention certifies the  
36 names of its candidates to the State Board of Elections under G.S. 163-98.

37           **SECTION 4.** This act is effective when it becomes law.