

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL DRS55004-LUxfe-41A

Short Title: Judge Joe John Nonpartisan Jud. Elections Act. (Public)

Sponsors: Senators Grafstein, Batch, and Chaudhuri (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REENACT NONPARTISAN JUDICIAL ELECTIONS, TO MAKE
3 CONFORMING STATUTORY CHANGES RELATING TO REENACTMENT OF
4 NONPARTISAN JUDICIAL ELECTIONS, AND TO REESTABLISH PUBLIC
5 FINANCING FOR JUDICIAL CAMPAIGNS.

6 Whereas, Representative and former Court of Appeals Judge Joseph Robert (Joe)
7 John was a lifelong public servant and champion of an independent judiciary; and

8 Whereas, Judge John served the people of North Carolina at the highest levels in all
9 three branches of State government; and

10 Whereas, Judge John's broad experience informed his deep understanding of the
11 genius of the separation of powers; and

12 Whereas, Judge John was a man of integrity who understood the importance of a
13 judiciary free from fear or favor; and

14 Whereas, Judge John never wavered in his belief in the central role of a nonpartisan
15 judiciary in upholding our democracy; and

16 Whereas, his experience and values compelled Judge John to introduce a bill each
17 legislative session of his four terms to return North Carolina to the nonpartisan election of judges;
18 and

19 Whereas, the need to restore public confidence in an independent judiciary has never
20 been more urgent; Now, therefore,
21 The General Assembly of North Carolina enacts:

22
23 **PART I. REENACT NONPARTISAN JUDICIAL ELECTIONS**

24 **SECTION 1.1.** Chapter 163 of the General Statutes is amended by adding a new
25 Subchapter to read:

26 **"SUBCHAPTER XI. ELECTION OF APPELLATE, SUPERIOR, AND DISTRICT**
27 **COURT JUDGES.**

28 "Article 26.

29 "Nomination and Election of Appellate, Superior, and District Court Judges.

30 **"§ 163-350. Applicability.**

31 The nomination and election of justices of the Supreme Court, judges of the Court of Appeals,
32 and superior and district court judges of the General Court of Justice shall be as provided by this
33 Article.

34 **"§ 163-351. Nonpartisan primary election method.**

35 (a) General. – Except as provided in G.S. 163-358, there shall be a primary to narrow the
36 field of candidates to two candidates for each position to be filled if, when the filing period closes,



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1 there are more than two candidates for a single office or the number of candidates for a group of
2 offices exceeds twice the number of positions to be filled. If only one or two candidates file for
3 a single office, no primary shall be held for that office, and the candidates shall be declared
4 nominated. If the number of candidates for a group of offices does not exceed twice the number
5 of positions to be filled, no primary shall be held for those offices, and the candidates shall be
6 declared nominated.

7 (b) Determination of Nominees. – In the primary, the two candidates for a single office
8 receiving the highest number of votes, and those candidates for a group of offices receiving the
9 highest number of votes, equal to twice the number of positions to be filled shall be declared
10 nominated. If two or more candidates receiving the highest number of votes each receive the
11 same number of votes, the State Board shall determine their relative ranking by lot and shall
12 declare the nominees accordingly. The canvass of the primary shall be held on the same date as
13 the primary canvass fixed under G.S. 163-182.5. The canvass shall be conducted in accordance
14 with Article 15A of this Chapter.

15 (c) Determination of Election Winners. – In the election, the names of those candidates
16 declared nominated without a primary and those candidates nominated in the primary shall be
17 placed on the ballot. The candidate for a single office receiving the highest number of votes shall
18 be elected. Those candidates for a group of offices receiving the highest number of votes, equal
19 in number to the number of positions to be filled, shall be elected. If two candidates receiving the
20 highest number of votes each received the same number of votes, the State Board shall determine
21 the winner by lot.

22 **"§ 163-352. Notice of candidacy.**

23 (a) Form of Notice. – Each person offering to be a candidate for election shall do so by
24 filing a notice of candidacy with the State Board in the following form, inserting the words in
25 parentheses when appropriate:

26
27 Date: _____

28
29 I hereby file notice that I am a candidate for election to the office of _____ in the
30 regular election to be held _____.

31
32 Signed: _____
33 (Name of Candidate)

34
35 Witness: _____

36
37 The notice of candidacy shall be either signed in the presence of the chairman or secretary of
38 the State Board or signed and acknowledged before an officer authorized to take
39 acknowledgments who shall certify the notice under seal. An acknowledged and certified notice
40 may be mailed to the State Board. In signing a notice of candidacy, the candidate shall use only
41 the candidate's legal name and, in the candidate's discretion, any nickname by which the
42 candidate is commonly known. A candidate may also, in lieu of that candidate's first name and
43 legal middle initial or middle name, if any, sign that candidate's nickname, provided the candidate
44 appends to the notice of candidacy an affidavit that the candidate has been commonly known by
45 that nickname for at least five years prior to the date of making the affidavit. The candidate shall
46 also include with the affidavit the way the candidate's name (as permitted by law) should be listed
47 on the ballot if another candidate with the same last name files a notice of candidacy for that
48 office.

49 A notice of candidacy signed by an agent or any person other than the candidate himself or
50 herself shall be invalid.

1 (b) Time for Filing Notice of Candidacy. – Candidates seeking election to the following
2 offices shall file their notice of candidacy with the State Board no earlier than 12:00 noon on the
3 first Monday in December and no later than 12:00 noon on the third Friday in December
4 preceding the election:

5 Justices of the Supreme Court.

6 Judges of the Court of Appeals.

7 Judges of the superior courts.

8 Judges of the district courts.

9 (c) Withdrawal of Notice of Candidacy. – Any person who has filed a notice of candidacy
10 for an office shall have the right to withdraw it at any time prior to the close of business on the
11 third business day prior to the date on which the right to file for that office expires under the
12 terms of subsection (b) of this section.

13 (d) Certificate That Candidate is Registered Voter. – Candidates shall file, along with
14 their notice, a certificate signed by the chairman of the board of elections or the supervisor of
15 elections of the county in which they are registered to vote, stating that the person is registered
16 to vote in that county. In issuing the certificate, the chairman or supervisor shall check the
17 registration records of the county to verify the information. During the period commencing 36
18 hours immediately preceding the filing deadline, the State Board shall accept, on a conditional
19 basis, the notice of candidacy of a candidate who has failed to secure the verification required by
20 this subsection subject to receipt of verification no later than three days following the filing
21 deadline. The State Board shall prescribe the form for the certificate and distribute it to each
22 county board of elections no later than the last Monday in December of each odd-numbered year.

23 (e) Candidacy for More Than One Office Prohibited. – No person may file a notice of
24 candidacy for more than one office or group of offices described in subsection (b) of this section,
25 or for an office or group of offices described in subsection (b) of this section and an office
26 described in G.S. 163-106.2, for any one election. If a person has filed a notice of candidacy with
27 a board of elections under this section or under G.S. 163-106.2 for one office or group of offices,
28 then a notice of candidacy may not later be filed for any other office or group of offices under
29 this section when the election is on the same date unless the notice of candidacy for the first
30 office is withdrawn under subsection (c) of this section.

31 (f) Notice of Candidacy for Certain Offices to Indicate Vacancy. – In any election in
32 which there are two or more vacancies for the office of justice of the Supreme Court, judge of
33 the Court of Appeals, or district court judge to be filled by nominations, each candidate shall, at
34 the time of filing notice of candidacy, file with the State Board a written statement designating
35 the vacancy to which the candidate seeks election. Votes cast for a candidate shall be effective
36 only for election to the vacancy for which the candidate has given notice of candidacy as provided
37 in this subsection.

38 A person seeking election for a specialized district judgeship established under G.S. 7A-147
39 shall, at the time of filing notice of candidacy, file with the State Board a written statement
40 designating the specialized judgeship to which the person seeks nomination.

41 (g) Notice of Candidacy for Superior Court Judge; Residency. – No person may file a
42 notice of candidacy for superior court judge unless that person is at the time of filing the notice
43 of candidacy a resident of the judicial district as it will exist at the time the person would take
44 office if elected. No person may be nominated as a superior court judge under G.S. 163-114
45 unless that person is at the time of nomination a resident of the judicial district as it will exist at
46 the time the person would take office if elected. This subsection implements Section 9(1) of
47 Article IV of the North Carolina Constitution which requires regular Superior Court Judges to
48 reside in the district for which elected.

49 **"§ 163-353. Filing fees required of candidates; refunds.**

1 (a) Fee Schedule. – At the time of filing a notice of candidacy under this Article, each
2 candidate shall pay to the State Board a filing fee for the office the candidate seeks in the amount
3 of one percent (1%) of the annual salary of the office sought.

4 (b) Refund of Fees. – If any person who has filed a notice of candidacy and paid the filing
5 fee prescribed in subsection (a) of this section withdraws his or her notice of candidacy within
6 the period prescribed in G.S. 163-352(c), the candidate shall be entitled to have the fee the
7 candidate paid refunded. The chairman of the State Board shall cause a warrant to be drawn on
8 the State Treasurer for the refund payment.

9 (c) Refund of Fees Upon Death of Candidate. – If any person who has filed a notice of
10 candidacy and paid the filing fee prescribed in subsection (a) of this section dies prior to the date
11 of the election, the personal representative of the estate shall be entitled to have the fee refunded
12 if application is made to the board of elections to which the fee was paid no later than one year
13 after the date of death and refund shall be made in the same manner as the withdrawal of notice
14 of candidacy.

15 **"§ 163-354. Petition in lieu of payment of filing fee.**

16 (a) General. – Any qualified voter who seeks election under this Article may, in lieu of
17 payment of any filing fee required for the office sought, file a written petition requesting to be a
18 candidate for a specified office with the State Board.

19 (b) Requirements of Petition; Deadline for Filing. – If the candidate is seeking the office
20 of justice of the Supreme Court, judge of the Court of Appeals, or superior or district court judge,
21 that individual shall file a written petition with the State Board no later than 12:00 noon on
22 Monday preceding the filing deadline before the primary. If the office is justice of the Supreme
23 Court or judge of the Court of Appeals, the petition shall be signed by 8,000 registered voters in
24 the State. If the office is superior or district court judge, the petition shall be signed by five percent
25 (5%) of the registered voters of the election area in which those registered voters will vote for
26 that office. The board of elections shall verify the names on the petition and, if the petition and
27 notice of candidacy are found to be sufficient, the candidate's name shall be printed on the
28 appropriate ballot. Petitions shall be presented to the county board of elections for verification at
29 least 15 days before the petition is due to be filed with the State Board. The State Board may
30 adopt rules to implement this section and to provide standard petition forms.

31 **"§ 163-355. Certification of notices of candidacy.**

32 (a) Names of Candidates Sent to Secretary of State. – Within three days after the time for
33 filing notices of candidacy with the State Board under the provisions of G.S. 163-352(b) has
34 expired, the chairman or secretary of that Board shall certify to the Secretary of State the name
35 and address of each person who has filed with the State Board, indicating in each instance the
36 office sought.

37 (b) Notification of Local Boards. – No later than 10 days after the time for filing notices
38 of candidacy under the provisions of G.S. 163-352(b) has expired, the chairman of the State
39 Board shall certify to the chairman of the county board of elections in each county in the
40 appropriate district the names of candidates for nomination to the offices of justice of the
41 Supreme Court, judge of the Court of Appeals, and superior and district court judge who have
42 filed the required notice and paid the required filing fee or presented the required petition to the
43 State Board so that their names may be printed on the official judicial ballot for justice of the
44 Supreme Court, judge of the Court of Appeals, and superior and district court judge.

45 (c) Receipt of Notification by County Board. – Within two days after receipt of each of
46 the letters of certification from the chairman of the State Board required by subsection (b) of this
47 section, each county board of elections chairman shall acknowledge receipt by letter addressed
48 to the chairman of the State Board.

49 **"§ 163-356. Rules when vacancies for superior court judge are to be voted on.**

50 If a vacancy occurs in a judicial district for any offices of superior court judge, and on account
51 of the occurrence of the vacancy there is to be an election for one or more terms in that district

1 to fill the vacancy or vacancies, at that same election in accordance with G.S. 163-9 and Section
2 19 of Article IV of the North Carolina Constitution, the nomination and election shall be
3 determined by the following special rules in addition to any other provisions of law:

4 (1) If the vacancy occurs prior to the opening of the filing period under
5 G.S. 163-352(b), nominations shall be made by primary election as provided
6 by this Article without designation as to the vacancy.

7 (2) If the vacancy occurs beginning on the opening of the filing period under
8 G.S. 163-352(b) and ending on the sixtieth day before the general election,
9 candidate filing shall be as provided by G.S. 163-358 without designation as
10 to the vacancy.

11 (3) The general election ballot shall contain, without designation as to vacancy,
12 spaces for the election to fill the vacancy where nominations were made or
13 candidates filed under subdivision (1) or (2) of this section. Except as provided
14 in G.S. 163-358, the persons receiving the highest numbers of votes equal to
15 the term or terms to be filled shall be elected to the term or terms.

16 **§ 163-357. Failure of candidates to file; death or other disqualification of a candidate; no**
17 **withdrawal from candidacy.**

18 (a) Insufficient Number of Candidates. – If, when the filing period expires, candidates
19 have not filed for an office to be filled under this Article, the State Board shall extend the filing
20 period for five days for any such offices.

21 (b) Death or Disqualification of Candidate Before Primary. – If a candidate for
22 nomination in a primary dies or becomes disqualified before the primary but after the ballots
23 have been printed, the State Board shall determine whether or not there is time to reprint the
24 ballots. If the State Board determines that there is not enough time to reprint the ballots, the
25 deceased or disqualified candidate's name shall remain on the ballots. If that candidate receives
26 enough votes for nomination, such votes shall be disregarded and the candidate receiving the
27 next highest number of votes below the number necessary for nomination shall be declared
28 nominated. If the death or disqualification of the candidate leaves only two candidates for each
29 office to be filled, the nonpartisan primary shall not be held and all candidates shall be declared
30 nominees.

31 (c) Earlier Non-Primary Vacancies; Reopening Filing. – If there is no primary because
32 only one or two candidates have filed for a single office, or the number of candidates filed for a
33 group of offices does not exceed twice the number of positions to be filled, or if a primary has
34 occurred and eliminated candidates, and thereafter a remaining candidate dies or otherwise
35 becomes disqualified before the election and before the ballots are printed, the State Board shall,
36 upon notification of the death or other disqualification, immediately reopen the filing period for
37 an additional five days during which time additional candidates shall be permitted to file for
38 election. If the ballots have been printed at the time the State Board receives notice of the
39 candidate's death or other disqualification, the State Board shall determine whether there will be
40 sufficient time to reprint them before the election if the filing period is reopened for three days.
41 If the State Board determines that there will be sufficient time to reprint the ballots, it shall reopen
42 the filing period for three days to allow other candidates to file for election and that election shall
43 be conducted as provided in G.S. 163-358(b).

44 (d) Later Vacancies; Ballots Not Reprinted. – If the ballots have been printed at the time
45 the State Board receives notice of a candidate's death or other disqualification, and if the Board
46 determines that there is not enough time to reprint the ballots before the election if the filing
47 period is reopened for three days, then regardless of the number of candidates remaining for the
48 office or group of offices, the ballots shall not be reprinted and the name of the vacated candidate
49 shall remain on the ballots. If a vacated candidate should poll the highest number of votes in the
50 election for a single office or enough votes to be elected to one of a group of offices, the State
51 Board shall declare the office vacant and it shall be filled in the manner provided by law.

1 (e) No Withdrawal Permitted of Living, Qualified Candidate After Close of Filing. –
2 After the close of the candidate filing period, a candidate who has filed a notice of candidacy for
3 the office, who has not withdrawn notice before the close of filing as permitted by
4 G.S. 163-352(b), who remains alive, and who has not become disqualified for the office may not
5 withdraw his or her candidacy. That candidate's name shall remain on the ballot, any votes cast
6 for the candidacy shall be counted in the primary or election, and if the candidate wins, the
7 candidate may fail to qualify by refusing to take the oath of office.

8 (f) Death, Disqualification, or Failure to Qualify After Election. – If a person elected to
9 the office of justice of the Supreme Court, judge of the Court of Appeals, or superior or district
10 court judge dies or becomes disqualified on or after election day and before the person has
11 qualified by taking the oath of office, or fails to qualify by refusing to take the oath of office, the
12 office shall be deemed vacant and shall be filled as provided by law.

13 **"§ 163-358. Elections to fill vacancy in office created after primary filing period opens.**

14 (a) General. – If a vacancy is created in the office of justice of the Supreme Court, judge
15 of the Court of Appeals, or judge of superior court after the filing period for the primary opens
16 but more than 60 days before the general election, and under the Constitution of North Carolina
17 an election is to be held for that position, such that the office shall be filled in the general election
18 as provided in G.S. 163-9, the election to fill the office for the remainder of the term shall be
19 conducted without a primary using the method provided in subsection (b) of this section. If a
20 vacancy is created in the office of justice of the Supreme Court, judge of the Court of Appeals,
21 or judge of superior court before the filing period for the primary opens, and under the
22 Constitution of North Carolina an election is to be held for that position, such that the office shall
23 be filled in the general election as provided in G.S. 163-9, the election to fill the office for the
24 remainder of the term shall be conducted in accordance with G.S. 163-351.

25 (b) Method for Vacancy Election. – If a vacancy for the office of justice of the Supreme
26 Court, judge of the Court of Appeals, or judge of superior court occurs more than 60 days before
27 the general election and after the opening of the filing period for the primary, then the State Board
28 shall designate a special filing period of one week for candidates for the office. If more than two
29 candidates file and qualify for the office in accordance with G.S. 163-352, then the Board shall
30 conduct the election for the office as follows:

31 (1) When the vacancy described in this section occurs more than 63 days before
32 the date of the second primary for members of the General Assembly, a special
33 primary shall be held on the same day as the second primary. The two
34 candidates with the most votes in the special primary shall have their names
35 placed on the ballot for the general election held on the same day as the general
36 election for members of the General Assembly.

37 (2) When the vacancy described in this section occurs less than 64 days before
38 the date of the second primary, a general election for all the candidates shall
39 be held on the same day as the general election for members of the General
40 Assembly and the results shall be determined on a plurality basis as provided
41 by G.S. 163-292.

42 (c) Applicable Provisions. – Except as provided in this section, the provisions of this
43 Article apply to elections conducted under this section.

44 **"§ 163-359. Voting in primary.**

45 Any person who will become qualified by age or residence to register and vote in the general
46 election for which the primary is held, even though not so qualified by the date of the primary,
47 shall be entitled to register for the primary and general election prior to the primary and then to
48 vote in the primary after being registered. The person may register not earlier than 60 days nor
49 later than the last day for making application to register under G.S. 163-82.6(d) prior to the
50 primary.

51 **"§ 163-360. Date of primary.**

1 The primary shall be held on the same date as established for primary elections under
2 G.S. 163-1(b).

3 **"§ 163-361. Ballots.**

4 (a) General. – In elections there shall be official ballots. The ballots shall be printed to
5 conform to the requirement of G.S. 163-165.6(c) and to show the name of each person who has
6 filed notice of candidacy and the office for which each aspirant is a candidate.

7 Only those who have filed the required notice of candidacy with the proper board of elections,
8 and who have paid the required filing fee or qualified by petition, shall have their names printed
9 on the official primary ballots. Only those candidates properly nominated shall have their names
10 appear on the official general election ballots.

11 (b) Ballots to be Furnished by County Board of Elections. – It shall be the duty of the
12 county board of elections to print official ballots for the following offices to be voted for in the
13 primary:

14 Justice of the Supreme Court.

15 Judge of the Court of Appeals.

16 Superior court judge.

17 District court judge.

18 In printing ballots, the county board of elections shall be governed by instructions of the State
19 Board with regard to width, color, kind of paper, form, and size of type.

20 Three days before the election, the chairman of the county board of elections shall distribute
21 official ballots to the chief judge of each precinct in the chairman's county, and the chief judge
22 shall give a receipt for the ballots received. On the day of the primary, it shall be the chief judge's
23 duty to have all the ballots so delivered available for use at the precinct voting place.

24 **"§ 163-362. Counting of ballots.**

25 Counting of ballots in primaries and elections held under this Article shall be under the same
26 rules as for counting of ballots in nonpartisan municipal elections under Article 24 of this
27 Chapter.

28 **"§ 163-363. Other rules.**

29 Except as provided by this Article, the conduct of elections shall be governed by Subchapter
30 VI of this Chapter."

31 **SECTION 1.2.** This Part becomes effective with respect to primaries and elections
32 held on or after January 1, 2026.

33
34 **PART II. CONFORMING STATUTORY CHANGES**

35 **SECTION 2.1.** G.S. 18C-112(e)(1) reads as rewritten:

36 "(1) Files a notice of candidacy under G.S. 163-106 through 163-106.6 or
37 G.S. 163-352 or a petition under ~~G.S. 163-107.1~~G.S. 163-107.1 or
38 G.S. 163-354."

39 **SECTION 2.2.** G.S. 163-1(b) reads as rewritten:

40 "(b) On Tuesday next after the first Monday in March preceding each general election to
41 be held in November for the officers referred to in subsection (a) of this section, there shall be
42 held in all election precincts within the territory for which the officers are to be elected a primary
43 election for the purpose of nominating candidates for each political party in the State for those
44 ~~offices~~offices and nonpartisan candidates as to the offices elected under the provisions of Article
45 26 of this Chapter."

46 **SECTION 2.3.** G.S. 163-22.3 reads as rewritten:

47 **"§ 163-22.3. State Board of Elections littering notification.**

48 At the time an individual files with the State Board of Elections a notice of candidacy
49 pursuant to G.S. 163-106, 163-112, 163-291, ~~or~~163-294.2, or 163-352, is certified to the State
50 Board of Elections by a political party executive committee to fill a nomination vacancy pursuant
51 to G.S. 163-114, is certified to the State Board of Elections by a new political party as that party's

1 nominee pursuant to G.S. 163-98, qualifies with the State Board of Elections as an unaffiliated
 2 or write-in candidate pursuant to Article 11 of this Chapter, or formally initiates a candidacy with
 3 the State Board of Elections pursuant to any statute or local act, the State Board of Elections shall
 4 notify the candidate of the provisions concerning campaign signs in G.S. 136-32 and
 5 G.S. 14-156, and the rules adopted by the Department of Transportation pursuant to
 6 G.S. 136-18."

7 **SECTION 2.4.** G.S. 163-82.10B reads as rewritten:

8 "**§ 163-82.10B. Confidentiality of date of birth.**

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

- 11 (1) When a voter has filed notice of candidacy for elective office under
 12 G.S. 163-106, 163-122, 163-123, ~~or 163-294.2,~~ or 163-352, has been
 13 nominated as a candidate under G.S. 163-98 or G.S. 163-114, or has otherwise
 14 formally become a candidate for elective office. The exception of this
 15 subdivision does not extend to an individual who meets the definition of
 16 "candidate" only by beginning a tentative candidacy by receiving funds or
 17 making payments or giving consent to someone else to receive funds or
 18 transfer something of value for the purpose of exploring a candidacy.

19"

20 **SECTION 2.5.** G.S. 163-106.2(a) reads as rewritten:

21 "(a) Candidates seeking party primary nominations for the following offices shall file their
 22 notice of candidacy with the State Board no earlier than 12:00 noon on the first Monday in
 23 December and no later than 12:00 noon on the third Friday in December preceding the primary:

24 Governor

25 Lieutenant Governor

26 All State executive officers

27 ~~Justices of the Supreme Court~~

28 ~~Judges of the Court of Appeals~~

29 ~~Judges of the superior court~~

30 ~~Judges of the district court~~

31 United States Senators

32 Members of the House of Representatives of the United States

33 ~~District attorneys~~attorneys."

34 **SECTION 2.6.** G.S. 163-106.3 reads as rewritten:

35 "**§ 163-106.3. Notice of candidacy for certain offices to indicate vacancy.**

36 In any primary in which there are ~~two or more vacancies for associate justices for the Supreme~~
 37 ~~Court, two or more vacancies for the Court of Appeals, two or more vacancies for superior or~~
 38 ~~district court judge, or two vacancies for United States Senator from North Carolina,~~ each
 39 candidate shall, at the time of filing notice of candidacy, file with the State Board of Elections a
 40 written statement designating the vacancy to which the candidate seeks nomination. The
 41 designation shall not be the name or names of any incumbent or other individual but shall be
 42 designated as determined by the State Board of Elections. ~~A person seeking election for a~~
 43 ~~specialized district judgeship established under G.S. 7A-147 shall, at the time of filing notice of~~
 44 ~~candidacy, file with the State Board of Elections a written statement designating the specialized~~
 45 ~~judgeship to which the person seeks nomination. Votes cast for a candidate shall be effective~~
 46 only for nomination to the vacancy for which the candidate has given notice of candidacy as
 47 provided in this section."

48 **SECTION 2.7.** G.S. 163-106.5 reads as rewritten:

49 "**§ 163-106.5. Certificate of registration to vote in county and party affiliation; cancellation**
 50 **of candidacy; residency requirements for judges.**candidacy.

(a) Candidates required to file their notice of candidacy with the State Board of Elections under G.S. 163-106.2 shall file along with their notice a certificate signed by the chairman of the board of elections or the director of elections of the county in which they are registered to vote, stating that the person is registered to vote in that county, ~~if the candidacy is for superior court judge and the county contains more than one superior court district, stating the superior court district of which the person is a resident,~~ stating the party with which the person is affiliated, and that the person has not changed his-the person's affiliation from another party or from unaffiliated within three months prior to the filing deadline under G.S. 163-106.2. In issuing such certificate, the chairman or director shall check the registration records of the county to verify such information. During the period commencing 36 hours immediately preceding the filing deadline the State Board of Elections shall accept, on a conditional basis, the notice of candidacy of a candidate who has failed to secure the verification ordered herein subject to receipt of verification no later than three days following the filing deadline. The State Board of Elections shall prescribe the form for such certificate, and distribute it to each county board of elections no later than the last Monday in December of each odd-numbered year.

(b) When any candidate files a notice of candidacy with a board of elections under G.S. 163-106.2 or under G.S. 163-291(2), the board of elections shall, immediately upon receipt of the notice of candidacy, inspect the registration records of the county, and cancel the notice of candidacy of any person who does not meet the constitutional or statutory qualifications for the office, including residency.

The board shall give notice of cancellation to any candidate whose notice of candidacy has been cancelled under this section by mail or by having the notice served on ~~him-the candidate~~ by the sheriff, and to any other candidate filing for the same office. A candidate who has been adversely affected by a cancellation or another candidate for the same office affected by a substantiation under this section may request a hearing on the cancellation. If the candidate requests a hearing, the hearing shall be conducted in accordance with Article 11B of this Chapter.

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

SECTION 2.8. G.S. 163-107(a) reads as rewritten:

"(a) Fee Schedule. – At the time of filing a notice of candidacy, each candidate shall pay to the board of elections with which the candidate files under the provisions of G.S. 163-106, 163-106.1, 163-106.2, 163-106.3, 163-106.4, 163-106.5, and 163-106.6, a filing fee for the office sought in the amount specified in the following tabulation:

Office Sought	Amount of Filing Fee
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 Justices, Judges, and 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
Members of the United States House	One percent (1%) of the annual salary of

1	of Representatives	the office sought
2		
3	State Senator	One percent (1%) of the annual salary of the office
4		sought
5	Member of the State House	One percent (1%) of the annual salary of
6	of Representatives	the office sought
7	All county offices not compensated by	One percent (1%) of the annual salary of
8	fees	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		

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

16 **SECTION 2.9.** G.S. 163-107.1 reads as rewritten:

17 **"§ 163-107.1. Petition in lieu of payment of filing fee.**

18 (a) Any qualified voter who seeks nomination in the party primary of the political party
 19 with which ~~he~~ the qualified voter affiliates may, in lieu of payment of any filing fee required for
 20 the office ~~he seeks,~~ sought, file a written petition requesting ~~him~~ to be a candidate for a specified
 21 office with the appropriate board of elections, State, county or municipal.

22 (b) If the candidate is seeking the office of United States Senator, Governor, Lieutenant
 23 Governor, or any State executive officer, ~~Justice of the Supreme Court, or Judge of the Court of~~
 24 ~~Appeals,~~ officer, the petition must be signed by 10,000 registered voters who are members of the
 25 political party in whose primary the candidate desires to run, except that in the case of a political
 26 party as defined by G.S. 163-96(a)(2) which will be making nominations by primary election,
 27 the petition must be signed by five percent (5%) of the registered voters of the State who are
 28 affiliated with the same political party in whose primary the candidate desires to run, or in the
 29 alternative, the petition shall be signed by no less than 8,000 registered voters regardless of the
 30 voter's political party affiliation, whichever requirement is greater. The petition must be filed
 31 with the State Board of Elections not later than 12:00 noon on Monday preceding the filing
 32 deadline before the primary in which he seeks to run. The names on the petition shall be verified
 33 by the board of elections of the county where the signer is registered, and the petition must be
 34 presented to the county board of elections at least 15 days before the petition is due to be filed
 35 with the State Board of Elections. When a proper petition has been filed, the candidate's name
 36 shall be printed on the primary ballot.

37 (c) County, Municipal and District Primaries. – If the candidate is seeking one of the
 38 offices set forth in G.S. 163-106.2 but which is not listed in subsection (b) of this section, or a
 39 municipal or any other office requiring a partisan primary which is not set forth in G.S. 163-106.2
 40 or G.S. 163-106.3, the candidate shall file a written petition with the appropriate board of
 41 elections no later than 12:00 noon on Monday preceding the filing deadline before the primary.
 42 The petition shall be signed by five percent (5%) of the registered voters of the election area in
 43 which the office will be voted for, who are affiliated with the same political party in whose
 44 primary the candidate desires to run, or in the alternative, the petition shall be signed by no less
 45 than 200 registered voters regardless of said voter's political party affiliation, whichever
 46 requirement is greater. The board of elections shall verify the names on the petition, and if the
 47 petition is found to be sufficient, the candidate's name shall be printed on the appropriate primary
 48 ballot. Petitions for candidates for member of the U.S. House of Representatives, District
 49 Attorney, ~~judge of the superior court, judge of the district court,~~ and members of the State House
 50 of Representatives from multi-county districts or members of the State Senate from multi-county
 51 districts must be presented to the county board of elections for verification at least 15 days before

1 the petition is due to be filed with the State Board of Elections, and such petition must be filed
2 with the State Board no later than 12:00 noon on Monday preceding the filing deadline. The State
3 Board of Elections may adopt rules to implement this section and to provide standard petition
4 forms.

5"

6 **SECTION 2.10.** G.S. 163-108(b) reads as rewritten:

7 "(b) No later than 10 days after the time for filing notices of candidacy under the
8 provisions of G.S. 163-106.2 has expired, the chairman of the State Board of Elections shall
9 certify to the chairman of the county board of elections in each county in the appropriate district
10 the names of candidates for nomination to the ~~following offices~~ office of district attorney who
11 have filed the required notice and pledge and paid the required filing fee to the State Board of
12 Elections, so that their names may be printed on the official county ~~ballots: Superior court judge,~~
13 ~~district court judge, and district attorney ballots."~~

14 **SECTION 2.11.** G.S. 163-111(c)(1) reads as rewritten:

15 "(1) A candidate who is apparently entitled to demand a second primary, according
16 to the unofficial results, for one of the offices listed below, and desiring to do
17 so, shall file a request for a second primary in writing with the Executive
18 Director of the State Board of Elections no later than 12:00 noon on the ninth
19 day (including Saturdays and Sundays) following the date on which the
20 primary was conducted, and such request shall be subject to the certification
21 of the official results by the State Board of Elections. If the vote certification
22 by the State Board of Elections determines that a candidate who was not
23 originally thought to be eligible to call for a second primary is in fact eligible
24 to call for a second primary, the Executive Director of the State Board of
25 Elections shall immediately notify such candidate and permit the candidate to
26 exercise any options available to the candidate within a 48-hour period
27 following the notification:

- 28 Governor,
- 29 Lieutenant Governor,
- 30 All State executive officers,
- 31 ~~Justices, Judges, or~~ District Attorneys of the General Court of Justice,
- 32 United States Senators,
- 33 Members of the United States House of Representatives,
- 34 State Senators in multi-county senatorial districts, and
- 35 Members of the State House of Representatives in multi-county representative
36 districts."

37 **SECTION 2.12.** G.S. 163-114 reads as rewritten:

38 **"§ 163-114. Filling vacancies among party nominees occurring after nomination and before
39 election.**

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

44	Position	
45	President	Vacancy is to be filled by
46	Vice President	appointment of national
47		executive committee of
48		political party in which
49		vacancy occurs
50		
51	Presidential elector or	Vacancy is to be filled by ap-

1	alternate elector	pointment of State execu-
2	Any elective State office	tive committee of political
3	United States Senator	party in which vacancy occurs
4		
5	A district office, including:	Appropriate district executive
6	Member of the United	committee of political
7	States House of Repre-	party in which vacancy occurs
8	sentatives	
9	Judge of district court	
10	District Attorney	
11	State Senator in a multi-	
12	county senatorial district	
13	Member of State House of	
14	Representatives in a	
15	multi-county representative district	
16		
17	State Senator in a single-	County executive committee
18	county senatorial district	of political party in which
19	Member of State House of	vacancy occurs, provided, in
20	Representatives in a	the case of the State Senator
21	single-county represen-	or State Representative in a
22	tative district	single-county district where
23	Any elective county office	not all the county is located
24		in that district, then in
25		voting, only those members of
26		the county executive committee
27		who reside within the district
28		shall vote vote.
29	Judge of superior court in a	County executive committee of
30	single county judicial	political party in which vacancy
31	district where the district is	occurs; provided, in the case of a
32	the whole county or part of the	superior court judge in a single-
33	county	county district where not all
34		the county is located in that
35		district, then in voting, only
36		those members of the county
37		executive committee who
38		reside within the district shall
39		vote
40	Judge of superior court in a	Appropriate district executive
41	multicounty judicial	committee of political party in
42	district	which vacancy occurs.
43		

44 The party executive making a nomination in accordance with the provisions of this section shall
 45 certify the name of its nominee to the chairman of the board of elections, State or county, that
 46 has jurisdiction over the ballot item under G.S. 163-182.4. If at the time a nomination is made
 47 under this section the general election ballots have already been printed, the provisions of
 48 G.S. 163-165.3(c) shall apply. If a vacancy occurs in a nomination of a political party and that
 49 vacancy arises from a cause other than death and the vacancy in nomination occurs more than
 50 120 days before the general election, the vacancy in nomination may be filled under this section

1 only if the appropriate executive committee certifies the name of the nominee in accordance with
 2 this paragraph at least 75 days before the general election.

3 ~~(b) In a county which is partly in a multicounty judicial district, in choosing that county's~~
 4 ~~member or members of the judicial district executive committee for the multicounty district, only~~
 5 ~~the county convention delegates or county executive committee members who reside within the~~
 6 ~~area of the county which is within that multicounty district may vote.~~

7"

8 **SECTION 2.13.** G.S. 163-122 is amended by adding a new subsection to read:

9 "(c1) This section does not apply to elections under Article 26 of this Chapter."

10 **SECTION 2.14.** G.S. 163-123(h) reads as rewritten:

11 "(h) Certain Elections Excluded. – This section does not apply to the following elections:

- 12 (1) Municipal elections or special district elections conducted under Subchapter
- 13 IX of this Chapter.
- 14 (2) Nonpartisan board of education elections conducted under G.S. 115C-37.
- 15 (3) Nonpartisan judicial elections conducted under Subchapter XI of this
- 16 Chapter."

17 **SECTION 2.15.** G.S. 163-165.5(a)(3) reads as rewritten:

18 "(3) The names of the candidates as they appear on their notice of candidacy filed
 19 pursuant to G.S. 163-106, 163-106.1, 163-106.2, 163-106.3, 163-106.4,
 20 163-106.5, ~~and~~ 163-106.6, and 163-352, or on petition forms filed in
 21 accordance with G.S. 163-122. No title, appendage, or appellation indicating
 22 rank, status, or position shall be printed on the official ballot in connection
 23 with the candidate's name. Candidates, however, may use the title Mr., Mrs.,
 24 Miss, or Ms. Nicknames shall be permitted on an official ballot if used in the
 25 notice of candidacy or qualifying petition, but the nickname shall appear
 26 according to standards adopted by the State Board of Elections. Those
 27 standards shall allow the presentation of legitimate nicknames in ways that do
 28 not mislead the voter or unduly advertise the candidacy. In the case of
 29 candidates for presidential elector, the official ballot shall not contain the
 30 names of the candidates for elector but instead shall contain the nominees for
 31 President and Vice President which the candidates for elector represent. The
 32 State Board of Elections shall establish a review procedure that local boards
 33 of elections shall follow to ensure that candidates' names appear on the official
 34 ballot in accordance with this subdivision."

35 **SECTION 2.16.** This Part becomes effective with respect to primaries and elections
 36 held on or after January 1, 2026.

37
 38 **PART III. REESTABLISH NORTH CAROLINA PUBLIC CAMPAIGN FUND**

39 **SECTION 3.1.** G.S. 163-278.69 is recodified as G.S. 163-278.129.

40 **SECTION 3.2.** Chapter 163 of the General Statutes is amended by adding the
 41 following new Article to read:

42 "Article 22I.

43 "The North Carolina Public Campaign Fund.

44 **§ 163-278.120. Purpose of the North Carolina Public Campaign Fund.**

45 The purpose of this Article is to ensure the fairness of democratic elections in North Carolina
 46 and to protect the constitutional rights of voters and candidates from the detrimental effects of
 47 increasingly large amounts of money being raised and spent to influence the outcome of
 48 elections, those effects being especially problematic in elections of the judiciary, since
 49 impartiality is uniquely important to the integrity and credibility of the courts. Accordingly, this
 50 Article reestablishes the North Carolina Public Campaign Fund as an alternative source of
 51 campaign financing for candidates who demonstrate public support and voluntarily accept strict

1 fundraising and spending limits. This Article is available to candidates for justice of the Supreme
2 Court and judge of the Court of Appeals in elections to be held in 2026 and thereafter.

3 **§ 163-278.121. Definitions.**

4 The following definitions apply in this Article:

- 5 (1) Board. – The State Board of Elections.
- 6 (2) Candidate. – An individual who becomes a candidate as described in
7 G.S. 163-278.6. The term includes a political committee authorized by the
8 candidate for that candidate's election.
- 9 (3) Certified candidate. – A candidate running for office who chooses to receive
10 campaign funds from the Fund and who is certified under
11 G.S. 163-278.123(c).
- 12 (4) Contested primary and contested general election. – An election in which
13 there are more candidates than the number to be elected. A distribution from
14 the Fund pursuant to this Article is not a "contribution" and is not subject to
15 the limitations of G.S. 163-278.13 or the prohibitions of G.S. 163-278.15 or
16 G.S. 163-278.19.
- 17 (5) Contribution. – Defined in G.S. 163-278.6. A distribution from the Fund
18 pursuant to this Article is not a "contribution" and is not subject to the
19 limitations of G.S. 163-278.13 or the prohibitions of G.S. 163-278.15 or
20 G.S. 163-278.19.
- 21 (6) Electioneering communication. – As defined in G.S. 163-278.6, except that it
22 is made during the period beginning 30 days before absentee ballots become
23 available for a primary and ending on primary election day and during the
24 period 60 days before absentee ballots become available for a general election
25 and ending on general election day.
- 26 (7) Expenditure. – Defined in G.S. 163-278.6.
- 27 (8) Fund. – The North Carolina Public Campaign Fund established in
28 G.S. 163-278.122.
- 29 (9) Independent expenditure. – Defined in G.S. 163-278.6.
- 30 (10) Maximum qualifying contributions. – An amount of qualifying contributions
31 equal to 60 times the filing fee for candidacy for the office.
- 32 (11) Minimum qualifying contributions. – An amount of qualifying contributions
33 equal to 30 times the filing fee for candidacy for the office.
- 34 (12) Nonparticipating candidate. – A candidate running for office who is not
35 seeking to be certified under G.S. 163-278.123(c).
- 36 (13) Office. – A position on the North Carolina Court of Appeals or North Carolina
37 Supreme Court.
- 38 (14) Participating candidate. – A candidate for office who has filed a declaration
39 of intent to participate under G.S. 163-278.123.
- 40 (15) Political committee. – Defined in G.S. 163-278.6.
- 41 (16) Qualifying contribution. – A contribution of not less than ten dollars (\$10.00)
42 and not more than five hundred dollars (\$500.00) in the form prescribed for
43 noncash monetary contributions in G.S. 163-278.14(b) to the candidate or the
44 candidate's committee that meets both of the following conditions:
 - 45 a. Made by an individual who is a registered voter in this State at the time
46 of the submittal of the report specified in G.S. 163-278.123(c).
 - 47 b. Made during the qualifying period and obtained with the approval of
48 the candidate or the candidate's committee.
- 49 (17) Qualifying period. – The period beginning September 1 in the year before the
50 election and ending on the day of the primary of the election year.
- 51 (18) Referendum committee. – Defined in G.S. 163-278.6.

1 (19) Trigger for matching funds. – The dollar amount at which matching funds are
2 released for certified candidates. In the case of a primary, the trigger equals
3 the maximum qualifying contributions for participating candidates. In the case
4 of a contested general election, the trigger equals the base level of funding
5 available under G.S. 163-278.125(b)(4).

6 **"§ 163-278.122. North Carolina Public Campaign Fund established; sources of funding.**

7 (a) Establishment of Fund. – The North Carolina Public Campaign Fund is established to
8 finance the election campaigns of certified candidates for office and to pay administrative and
9 enforcement costs of the Board related to this Article. The Fund is a special, dedicated,
10 nonlapsing, nonreverting fund. All expenses of administering this Article, including production
11 and distribution of the Voter Guide required by G.S. 163-278.129 and personnel and other costs
12 incurred by the Board, including public education about the Fund, shall be paid from the Fund
13 and not from the General Fund. Any interest generated by the Fund is credited to the Fund. The
14 Board shall administer the Fund.

15 (b) Sources of Funding. – Money received from all of the following sources shall be
16 deposited in the Fund:

17 (1) Designations made to the Fund by individual taxpayers pursuant to
18 G.S. 105-159.2.

19 (2) Fund revenues distributed for an election that remain unspent or uncommitted
20 at the time the recipient is no longer a certified candidate in the election.

21 (3) Money ordered returned to the Fund in accordance with G.S. 163-278.128.

22 (4) Voluntary donations made directly to the Fund. Corporations, other business
23 entities, labor unions, and professional associations may make donations to
24 the Fund.

25 (5) Money collected from the fifty dollar (\$50.00) surcharge on attorney
26 membership fees in G.S. 84-34.

27 (c) Determination of Fund Amount. – By October 1, 2026, and every two years thereafter,
28 the State Board shall prepare and provide to the Joint Legislative Elections Oversight Committee
29 a report documenting, evaluating, and making recommendations relating to the administration,
30 implementation, and enforcement of this Article. In its report, the Board shall set out the funds
31 received to date and the expected needs of the Fund for the next election.

32 **"§ 163-278.123. Requirements for participation; certification of candidates.**

33 (a) Declaration of Intent to Participate. – Any individual choosing to receive campaign
34 funds from the Fund shall first file with the Board a declaration of intent to participate under this
35 Article as a candidate for a stated office. The declaration of intent shall be filed before or during
36 the qualifying period and before collecting any qualifying contributions. In the declaration, the
37 candidate shall swear or affirm that only one political committee, identified with its treasurer,
38 shall handle all contributions, expenditures, and obligations for the participating candidate and
39 that the candidate will comply with the contribution and expenditure limits set forth in subsection
40 (d) of this section and all other requirements set forth in this Article or adopted by the Board.
41 Failure to comply is a violation of this Article.

42 (b) Demonstration of Support of Candidacy. – Participating candidates who seek
43 certification to receive campaign funds from the Fund shall first, during the qualifying period,
44 obtain qualifying contributions from at least 350 registered voters in an aggregate sum that at
45 least equals the amount of minimum qualifying contributions described in G.S. 163-278.121(11)
46 but that does not exceed the amount of maximum qualifying contributions described in
47 G.S. 163-278.121(10).

48 No payment, gift, anything of value, or the opportunity to win anything of value shall be
49 given in exchange for a qualifying contribution.

1 (c) Certification of Candidates. – Upon receipt of a submittal of the record of
2 demonstrated support by a participating candidate, the Board shall determine whether or not the
3 candidate has complied with all of the following requirements:

- 4 (1) Signed and filed a declaration of intent to participate in this Article.
- 5 (2) Submitted a report itemizing the appropriate number of qualifying
6 contributions received from registered voters, which the Board shall verify
7 through a random sample or other means it adopts. The report shall include
8 the county of residence of each registered voter listed.
- 9 (3) Filed a valid notice of candidacy pursuant to Article 26 of this Chapter.
- 10 (4) Otherwise met the requirements for participation in this Article.

11 The Board shall certify candidates complying with the requirements of this section as soon
12 as possible and no later than five business days after receipt of a satisfactory record of
13 demonstrated support.

14 (d) Restrictions on Contributions and Expenditures for Participating and Certified
15 Candidates. – The following restrictions shall apply to contributions and expenditures with
16 respect to participating and certified candidates:

- 17 (1) Beginning January 1 of the year before the election and before the filing of a
18 declaration of intent, a candidate for office may accept in contributions up to
19 ten thousand dollars (\$10,000) from sources and in amounts permitted by
20 Article 22A of this Chapter and may expend up to ten thousand dollars
21 (\$10,000) for any campaign purpose. A candidate who exceeds either of these
22 limits shall be ineligible to file a declaration of intent or receive funds from
23 the Fund.
- 24 (2) From the filing of a declaration of intent through the end of the qualifying
25 period, a candidate may accept only qualifying contributions, contributions
26 under ten dollars (\$10.00) from North Carolina voters, and personal and
27 family contributions permitted under subdivision (4) of this subsection. The
28 total contributions the candidate may accept during this period shall not
29 exceed the maximum qualifying contributions for that candidate. In addition
30 to these contributions, the candidate may only expend during this period the
31 remaining money raised pursuant to subdivision (1) of this subsection and
32 possible matching funds received pursuant to G.S. 163-278.127. Except for
33 personal and family contributions permitted under subdivision (4) of this
34 subsection, multiple contributions from the same contributor to the same
35 candidate shall not exceed five hundred dollars (\$500.00).
- 36 (3) After the qualifying period and through the date of the general election, the
37 candidate shall expend only the funds the candidate receives from the Fund
38 pursuant to G.S. 163-278.125(b)(4) plus any funds remaining from the
39 qualifying period and possible matching funds.
- 40 (4) During the qualifying period, the candidate may contribute up to one thousand
41 dollars (\$1,000) of that candidate's own money to the campaign. Debt incurred
42 by the candidate for a campaign expenditure shall count toward that limit. The
43 candidate may accept in contributions one thousand dollars (\$1,000) from
44 each member of that candidate's family consisting of spouse, parent, child,
45 brother, and sister. Up to five hundred dollars (\$500.00) of a contribution from
46 the candidate's family member may be treated as a qualifying contribution if
47 it meets the requirements of G.S. 163-278.121(16)a. and b.
- 48 (5) A candidate and the candidate's committee shall limit the use of all revenues
49 permitted by this subsection to expenditures for campaign-related purposes
50 only. The Board shall publish guidelines outlining permissible
51 campaign-related expenditures. In establishing those guidelines, the Board

1 shall differentiate expenditures that reasonably further a candidate's campaign
2 from expenditures for personal use that would be incurred in the absence of
3 the candidacy. In establishing the guidelines, the Board shall review relevant
4 provisions of the Federal Election Campaign Act, and rules adopted pursuant
5 to it, and similar provisions in other states.

6 (6) Any contribution received by a participating or certified candidate that falls
7 outside that permitted by this subsection shall be returned to the donor as soon
8 as practicable. Contributions intentionally made, solicited, or accepted in
9 violation of this Article are subject to civil penalties as specified in
10 G.S. 163-278.128. The funds involved shall be forfeited to the Civil Penalty
11 and Forfeiture Fund.

12 (7) A candidate shall return to the Fund any amount distributed for an election
13 that is unspent and uncommitted at the date of the election, or at the time the
14 individual ceases to be a certified candidate, whichever occurs first. For
15 accounting purposes, all qualifying, personal, and family contributions shall
16 be considered spent before revenue from the Fund is spent or committed.

17 (e) Revocation. – A candidate may revoke, in writing to the Board, a decision to
18 participate in the Fund at any time before the deadline set by the Board for the candidate's
19 submission of information for the Voter Guide described in G.S. 163-278.129. After a timely
20 revocation, that candidate may accept and expend outside the limits of this Article without
21 violating this Article. Within 10 days after revocation, a candidate shall return to the State Board
22 all money received from the Fund.

23 **"§ 163-278.124. Special participation provisions for candidates in vacancy elections.**

24 (a) Participation Provisions Modified. – Candidates involved in elections described in
25 G.S. 163-358 may participate in the Fund subject to the provisions of G.S. 163-278.123 as
26 modified by this section. The Board shall adapt other provisions of this Article, including
27 G.S. 163-278.127, to those elections.

28 (b) Qualifying. – The Board shall designate a special qualifying period of no less than
29 four weeks for these candidates, beginning at the close of the notice-of-candidacy filing period.
30 To receive certification, a participating candidate shall raise at least 225 qualifying contributions,
31 totaling at least 20 times the amount of the filing fee for the office, for a four-week qualifying
32 period. If the Board sets a longer qualifying period, then for each additional week that the
33 qualifying period extends beyond four weeks, the minimum number of qualifying contributions
34 required for certification shall increase by 25 and the minimum amount of the qualifying
35 contributions shall increase by two times the filing fee. The minimum qualifying contributions
36 shall not exceed the limit set by G.S. 163-278.123(b).

37 (c) Allocations. – Certified candidates shall receive one percent (1%) of the funding to
38 which they would be eligible under G.S. 163-278.125 times the number of calendar days between
39 the end of the special qualifying period and the day of the general election. That amount shall
40 not exceed one hundred percent (100%) of the funding to which they would be eligible under
41 G.S. 163-278.125.

42 **"§ 163-278.125. Distribution from the Fund.**

43 (a) Timing of Fund Distribution. – The Board shall distribute to a certified candidate
44 revenue from the Fund in an amount determined under subdivision (b)(4) of this section within
45 five business days after the certified candidate's name is approved to appear on the ballot in a
46 contested general election but no earlier than five business days after the primary.

47 (b) Amount of Fund Distribution. – By August 1, 2026, and no less frequently than every
48 two years thereafter, the Board shall determine the amount of funds, rounded to the nearest one
49 hundred dollars (\$100.00), to be distributed to certified candidates as follows:

50 (1) Uncontested primaries. – No funds shall be distributed.

- 1 (2) Contested primaries. – No funds shall be distributed except as provided in
2 G.S. 163-278.127.
- 3 (3) Uncontested general elections. – No funds shall be distributed.
- 4 (4) Contested general elections. – Funds shall be distributed to a certified
5 candidate for a position on the Court of Appeals in an amount equal to 125
6 times the candidate's filing fee as set forth in G.S. 163-353. Funds shall be
7 distributed to a certified candidate for a position on the Supreme Court in an
8 amount equal to 175 times the candidate's filing fee as set forth in
9 G.S. 163-353.

10 (c) Method of Fund Distribution. – The Board, in consultation with the State Treasurer
11 and the State Controller, shall develop a rapid, reliable method of conveying funds to certified
12 candidates. In all cases, the Board shall distribute funds to certified candidates in a manner that
13 is expeditious, ensures accountability, and safeguards the integrity of the Fund. If the money in
14 the Fund is insufficient to fully fund all certified candidates, then the available money shall be
15 distributed proportionally, according to each candidate's eligible funding, and the candidate may
16 raise additional money in the same manner as a noncertified candidate for the same office up to
17 the unfunded amount of the candidate's eligible funding.

18 **"§ 163-278.126. Reporting requirements.**

19 (a) Reporting by Noncertified Candidates and Other Entities. – Any noncertified
20 candidate with a certified opponent shall report total contributions received to the Board by
21 facsimile machine or electronically within 24 hours after the total amount of contributions
22 received exceeds eighty percent (80%) of the trigger for matching funds as defined in
23 G.S. 163-278.121(19). Any entity making independent expenditures in support of or opposition
24 to a certified candidate or in support of a candidate opposing a certified candidate, or paying for
25 electioneering communications, referring to one of those candidates, shall report the total
26 expenditures or payments made to the Board by facsimile machine or electronically within 24
27 hours after the total amount of expenditures or payments made for the purpose of making the
28 independent expenditures or electioneering communications exceed five thousand dollars
29 (\$5,000). After the initial 24-hour filing, the noncertified candidate or other reporting entity shall
30 comply with an expedited reporting schedule. The schedule and forms for reports required by
31 this subsection shall be supplied by the Board.

32 (b) Reporting by Participating and Certified Candidates. – Notwithstanding other
33 provisions of law, participating and certified candidates shall report any money received,
34 including all previously unreported qualifying contributions, all campaign expenditures,
35 obligations, and related activities to the Board according to procedures developed by the Board.
36 A certified candidate who ceases to be certified or ceases to be a candidate or who loses an
37 election shall file a final report with the Board and return any unspent revenues received from
38 the Fund. In developing these procedures, the Board shall utilize existing campaign reporting
39 procedures whenever practical.

40 (c) Timely Access to Reports. – The Board shall ensure prompt public access to the
41 reports received in accordance with this Article. The Board may utilize electronic means of
42 reporting and storing information.

43 **"§ 163-278.127. Matching funds.**

44 (a) When Matching Funds Become Available. – When any report or group of reports
45 shows that "funds in opposition to a certified candidate or in support of an opponent to that
46 candidate" as described in this section exceed the trigger for matching funds as defined in
47 G.S. 163-278.121(19), the Board shall issue immediately to that certified candidate an additional
48 amount equal to the reported excess within the limits set forth in this section. "Funds in opposition
49 to a certified candidate or in support of an opponent to that candidate" shall be equal to the sum
50 of subdivisions (1) and (2) of this subsection as follows:

- 51 (1) The greater of the following:

- 1 a. Campaign expenditures or obligations made, or funds raised or
2 borrowed, whichever is greater, reported by any one nonparticipating
3 candidate who is an opponent of a certified candidate. Where a
4 certified candidate has more than one nonparticipating candidate as an
5 opponent, the measure shall be taken from the nonparticipating
6 candidate showing the highest relevant dollar amount.
7 b. The funds distributed in accordance with G.S. 163-278.125(b) to a
8 certified opponent of the certified candidate.

9 (2) The aggregate total of all expenditures and payments reported in accordance
10 with G.S. 163-278.126(a) of entities making independent expenditures or
11 electioneering communications in opposition to the certified candidate or in
12 support of any opponent of that certified candidate.

13 (b) Limit on Matching Funds Before Date of Primary. – Total matching funds to a
14 certified candidate before the date of the primary shall be limited to an amount equal to two times
15 the maximum qualifying contributions for the office sought. Matching funds are available to a
16 certified candidate with an opponent in the primary or to a certified candidate who is clearly
17 referred to in expenditures reportable under G.S. 163-278.125 made in opposition to that
18 candidate.

19 (c) Limit on Matching Funds in Contested General Election. – Total matching funds to a
20 certified candidate in a contested general election shall be limited to an amount equal to two
21 times the amount described in G.S. 163-278.125(b)(4).

22 (d) Expedited Distribution of Matching Funds. – When a candidate becomes entitled to
23 any amount of matching funds under subsection (a) of this section, the Board shall authorize the
24 issuance of that amount to the candidate as soon as practicable. The Department of
25 Administration shall transfer that amount to the candidate as soon as practicable and in no event
26 later than 12 hours after receiving notice from the Board that the candidate has become entitled
27 to it. The Department of Administration shall develop a method of rapidly transferring funds to
28 a candidate or otherwise fulfilling the requirements of this subsection in conjunction with the
29 Board. The candidate shall return to the Board as soon as practicable any amount of the matching
30 funds that the candidate has not spent at the date of the election or at the time the individual
31 ceases to be a certified candidate, whichever occurs first.

32 (e) Determinations by Board. – In the case of electioneering communications, the Board
33 shall determine which candidate, if any, is entitled to receive matching funds as a result of the
34 communication. The Board shall issue matching funds based on the communication only if it
35 ascertains that the communication is susceptible of no reasonable interpretation other than as an
36 appeal to vote for or against a specific candidate. In making its determination, the Board shall
37 not consider evidence external to the communication itself of the intent of the sponsor or the
38 effect of the communication. The Board shall notify each candidate it determines is entitled to
39 receive matching funds based on those communications, the sponsor of those communications,
40 and any candidate who is an opponent of the candidate it determines is entitled to the matching
41 funds. The Board shall give the sponsor of the communication and any opposing candidate an
42 adequate opportunity to rebut the determination of the Board. In considering the rebuttal, all
43 candidates in the race and the sponsor shall be given adequate and equal opportunity to be heard.
44 The Board shall adopt procedures for implementing this subsection, balancing in those
45 procedures adequacy of opportunity to rebut and adequacy and equality of opportunity to be
46 heard on the rebuttal with the need to expedite the decision on awarding matching funds. The
47 Board shall distribute the matching funds, if any, at the conclusion of its process.

48 (f) Proportional Measuring of Multicandidate Communications. – In calculating the
49 amount of matching funds a certified candidate is eligible to receive under this section, the Board
50 shall include the proportion of expenditures, obligations, or payments for multicandidate
51 communications that pertain to the candidate.

1 (g) No Matching Funds for Certain Communications Involving All Candidates. – No
2 matching funds are available under this section as a result of an expenditure that supports all
3 candidates for the same office or opposes all candidates for the same office. No matching funds
4 are available under this section as a result of an electioneering communication that the Board
5 ascertains is susceptible of no reasonable interpretation other than as an appeal to vote for all
6 candidates for the same office or to vote against all candidates for the same office.

7 **"§ 163-278.128. Civil penalty.**

8 In addition to any other penalties that may be applicable, any individual, political committee,
9 or other entity that violates any provision of this Article is subject to a civil penalty of up to ten
10 thousand dollars (\$10,000) per violation or three times the amount of any financial transactions
11 involved in the violation, whichever is greater. In addition to any fine, for good cause shown, a
12 candidate found in violation of this Article may be required to return to the Fund all amounts
13 distributed to the candidate from the Fund. If the Board makes a determination that a violation
14 of this Article has occurred, the Board shall calculate and assess the amount of the civil penalty
15 and shall notify the entity that is assessed the civil penalty of the amount that has been assessed.
16 The Board shall then proceed in the manner prescribed in G.S. 163-278.34. In determining
17 whether or not a candidate is in violation of this Article, the Board may consider as a mitigating
18 factor any circumstances out of the candidate's control."

19 **SECTION 3.3.** G.S. 84-34 reads as rewritten:

20 **"§ 84-34. Membership fees and list of members.**

21 (a) Every active member of the North Carolina State Bar shall, prior to the first day of
22 July of each year, pay to the secretary-treasurer an annual membership fee in an amount
23 determined by the Council but not to exceed three hundred twenty-five dollars
24 ~~(\$325.00)~~(\$325.00), plus a surcharge of fifty dollars (\$50.00) for the implementation of Article
25 22I of Chapter 163 of the General Statutes.

26 ...

27 (c) The fees shall be disbursed by the secretary-treasurer on the order of the Council. The
28 fifty dollar (\$50.00) surcharge shall be sent on a monthly schedule to the State Board of Elections.
29 The secretary-treasurer shall annually, at a time and in a law magazine or daily newspaper to be
30 prescribed by the Council, publish an account of the financial transactions of the Council in a
31 form to be prescribed by it. The secretary-treasurer shall compile and keep currently correct from
32 the names and mailing addresses forwarded to the secretary-treasurer and from any other
33 available sources of information a list of members of the North Carolina State Bar and furnish to
34 the clerk of the superior court in each county, not later than the first day of October in each year,
35 a list showing the name and address of each attorney for that county who has not complied with
36 the provisions of this Article. The name of each of the active members who are in arrears in the
37 payment of membership fees shall be furnished to the presiding judge by the clerk of the superior
38 court of each county wherein the member or members reside, and the court shall thereupon take
39 action that is necessary and proper. The names and addresses of attorneys so certified shall be
40 kept available to the public. The Secretary of Revenue is hereby directed to supply the
41 secretary-treasurer, from records of license tax payments, with any information for which the
42 secretary-treasurer may call in order to enable the secretary-treasurer to comply with this
43 requirement.

44 The list submitted to several clerks of the superior court shall also be submitted to the Council
45 and it shall take the action thereon that is necessary and proper."

46 **SECTION 3.4.** G.S. 105-159.2 is reenacted as it existed immediately before its
47 repeal and reads as rewritten:

48 **"§ 105-159.2. Designation of tax to North Carolina Public Campaign Fund.**

49 (a) Allocation to the North Carolina Public Campaign Fund. – To ensure the financial
50 viability of the North Carolina Public Campaign Fund established in Article ~~22D~~22I of Chapter
51 163 of the General Statutes, the Department must allocate to that Fund three dollars (\$3.00) from

1 the income taxes paid each year by each individual with an income tax liability of at least that
2 amount, if the individual agrees. A taxpayer must be given the opportunity to indicate an
3 agreement or objection to that allocation in the manner described in subsection (b) of this section.
4 In the case of a married couple filing a joint return, each individual must have the option of
5 agreeing or objecting to the allocation. The amounts allocated under this subsection to the Fund
6 must be credited to it on a monthly basis.

7"

8 **SECTION 3.5.** G.S. 163-278.5 reads as rewritten:

9 "**§ 163-278.5. Scope of Article; severability.**

10 The provisions of this Article apply to primaries and elections for North Carolina offices and
11 to North Carolina referenda and do not apply to primaries and elections for federal offices or
12 offices in other States or to non-North Carolina referenda. Any provision in this Article that
13 regulates a non-North Carolina entity does so only to the extent that the entity's actions affect
14 elections for North Carolina offices or North Carolina referenda.

15 The provisions of this Article are severable. If any provision is held invalid by a court of
16 competent jurisdiction, the invalidity does not affect other provisions of the Article that can be
17 given effect without the invalid provision.

18 This section applies to Articles ~~and [Article] 22I and 22M~~ of the General Statutes to the same
19 extent that it applies to this Article."

20 **SECTION 3.6.** G.S. 163-278.13 is amended by adding a new subsection to read:

21 "(k) In order to make meaningful the provisions of Article 22I of this Chapter, the
22 following provisions shall apply with respect to candidates for justice of the Supreme Court and
23 judge of the Court of Appeals:

24 (1) No candidate shall accept, and no contributor shall make to that candidate, a
25 contribution in any election exceeding one thousand dollars (\$1,000), except
26 as provided for elsewhere in this subsection.

27 (2) A candidate may accept, and a family contributor may make to that candidate,
28 a contribution not exceeding two thousand dollars (\$2,000) in an election if
29 the contributor is that candidate's parent, child, brother, or sister.

30 As used in this subsection, "candidate" is also a political committee authorized by the
31 candidate for that candidate's election. Nothing in this subsection shall prohibit a candidate or
32 the spouse of that candidate from making a contribution or loan secured entirely by that
33 individual's assets to that candidate's own campaign."

34 **SECTION 3.7.** Section 38.1(a) of S.L. 2013-381 reads as rewritten:

35 "**SECTION 38.1(a)** Article 22D of Chapter 163 of the General Statutes is ~~repealed, except~~
36 ~~that G.S. 163-278.69 is repealed effective upon exhaustion of the funds for publication of the~~
37 ~~Judicial Voter Guide.~~repealed."

38 **SECTION 3.8.** Sections 38.1(l), 38.1(m), and 38.1(o) of S.L. 2013-381 are repealed.

39 **SECTION 3.9.** Section 3.2 of this Part is effective when it becomes law, provided
40 that distributions from the Fund shall begin in the 2026 election year. Section 3.4 of this Part is
41 effective for taxable years beginning on or after January 1, 2026. The remainder of this Part
42 becomes effective January 1, 2026.

43 44 **PART IV. SEVERABILITY AND EFFECTIVE DATE**

45 **SECTION 4.1.** The provisions of this act are severable. If any provision of this act
46 is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions
47 of the act that can be given effect without the invalid provision.

48 **SECTION 4.2.** This Part is effective when it becomes law. Except as otherwise
49 provided, this act is effective when it becomes law.