

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 107
HOUSE BILL 191

AN ACT TO REPEAL CHAPTER 819, SESSION LAWS OF 1947, RELATING TO
PRIMARY ELECTIONS IN THE TOWN OF NASHVILLE IN NASH COUNTY
AND TO PRESCRIBE IN LIEU THEREOF A FILING PROCEDURE.

The General Assembly of North Carolina do enact:

Section 1. Chapter 819, Session Laws of 1947, is hereby repealed.

Sec. 2. Elections of town officers in the Town of Nashville shall be held under the general law governing municipal elections. Any qualified elector of the Town of Nashville may file as a candidate for mayor or commissioner by written notice of candidacy in substantially the following form:

"I, _____, hereby give notice that I am a candidate for election to the office of _____ – _____,
(Mayor) (Commissioner)

to be voted on at the election to be held on the _____ day of May 19____, and I hereby request that my name be printed on the official ballot for such office. I also certify that I am a resident and qualified elector of the Town of Nashville, residing at _____ in said town.

(address)

(Signed) _____
Candidate

Date

Witness:

_____."

The notice of candidacy prescribed herein must be filed in the office of the town clerk not earlier than thirty (30) days nor later than ten (10) days before the date of election. The town clerk shall preserve all such notices until expiration of the term of the office for which the candidate filed. Any candidate may withdraw his notice of candidacy not later than the last day for filing, by submitting written notice of withdrawal with the town clerk. At the time of filing notice of candidacy, each candidate so filing, shall pay to the town clerk a filing fee of five dollars (\$5.00). The proceeds from filing fees shall be used to defray the costs of printing ballots and other election costs. Should any candidate withdraw as provided in this Section, or otherwise, his filing fee shall be forfeited.

Nothing in this Section shall prevent write-in votes for any person otherwise qualified whose name does not appear on the official printed ballot because of failure to comply herewith.

Sec. 3. The purpose and intent of this Act is to abolish the procedure of nomination by primaries for candidates for office in the Town of Nashville and, in lieu thereof, to prescribe a reasonable and orderly method of filing for office.

Sec. 4. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 5. This Act shall become effective upon its ratification.

In the General Assembly read three times and ratified, this the 24th day of March, 1961.