

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 32
HOUSE BILL 20

AN ACT TO REQUIRE BOARDS OF ELECTION TO CHECK THE PARTY AFFILIATION
OF CANDIDATES FILING IN PARTISAN PRIMARIES, AND TO AMEND THE
CURRENT STATUTES CONCERNING MUNICIPAL ELECTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-106 is amended by adding the following new subsection:

"(f) Candidates required to file their notice of candidacy with the State Board of Elections under subsection (c) of this section shall file along with their notice a certificate signed by the chairman of the board of elections or the supervisor of elections of the county in which they are registered to vote, stating that the person is registered to vote in that county, stating the party with which the person is affiliated, and that the person has not changed his affiliation from another party or from unaffiliated within three months prior to the filing deadline under subsection (c) of this section. In issuing such certificate, the chairman or supervisor 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."

Sec. 2. G.S. 163-106 is amended by adding a new subsection to read:

"(g) When any candidate files a notice of candidacy with a county board of elections under subsection (c) of this section or under G.S. 163-291(2), the chairman or supervisor 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 is not eligible under subsection (c) of this section. The board shall give notice of cancellation to any candidate whose notice of candidacy has been cancelled under this subsection by mail or by having the notice served on him by the sheriff."

Sec. 3. G.S. 163-294.2(b) is amended by deleting the words "after the expiration of the registration period", and inserting in lieu thereof the words "upon receipt of the notice of candidacy".

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 20th day of February, 1981.