

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 837
SENATE BILL 707

AN ACT TO PROVIDE A SIMPLIFIED CAMPAIGN FINANCE REPORTING SYSTEM
FOR MUNICIPALITIES WITH A POPULATION OF 50,000 OR OVER.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-278.6(19) is amended by adding immediately after "G.S. 163-278.7" the citation "or G.S. 163-278.40A".

Sec. 2. G.S. 163-278.9(d) is rewritten to read:

"(d) Candidates and committees for municipal offices in a city with a population of 50,000 or greater, which are required to submit reports by G.S. 163-278.6(18) are not subject to subsections (a) (b) and (c) of this section. Reports for those candidates and committees are covered by Part 2 of this Article."

Sec. 3. Article 22A of Chapter 163 of the General Statutes is amended by redesignating the current text as Part 1 and adding a new Part 2 to read:

"Part 2. Municipal Campaign Reporting.

"§ 163-278.40. Definitions. — When used in this Part, words and phrases have the same meaning as in G.S. 163-278.6, except that:

- (1) the term 'board' means the county board of elections;
- (2) the term 'city' means any incorporated city, town, or village with a population of 50,000 or over, according to the most recent decennial federal census.

"§ 163-278.40A. Organizational report. — (a) Each candidate and political committee in a city election shall appoint a treasurer and, under verification, report the name and address of the treasurer to the board. A candidate may appoint himself or any other individual, including any relative except his spouse, as his treasurer. If the candidate fails to designate a treasurer, the candidate shall be deemed to have appointed himself as treasurer. A candidate or political committee may remove his or its treasurer.

(b) The organizational report shall state the bank account and number of such campaign fund. Each report required by this Part shall reflect all contributions, expenditures and loans made in behalf of a candidate. The organizational report shall be filed with the County Board of Elections within 10 days after the candidate files a notice of candidacy with the County Board of Elections, or within 10 days following the organization of the political committee, whichever occurs first.

"§ 163-278.40B. Campaign report; partisan election. — In any city election conducted on a partisan basis in accordance with G.S. 163-279(a)(2) and G.S. 163-291, the following reports shall be filed in addition to the organizational report:

- (1) Pre-primary report. The treasurer shall file a report with the board no later than the tenth day preceding each primary election.
- (2) Pre-election report. The treasurer shall file a report 10 days prior to the election, unless a second primary is held and the candidate appeared on the ballot in the second primary, in which case the report shall be filed 10 days before the second primary.

- (3) Final report. The treasurer shall file a final report 15 days after the election. A candidate eliminated in the first or second primary must file the final report no later than 15 days after that primary.
- (4) Annual report. If contributions are received or expenditures made during a calendar year, for which no reports are otherwise required by this section, any and all contributions and expenditures shall be reported by January 7 of the following year.

"§ 163-278.40C. Campaign report; nonpartisan election and runoff. — If any city election conducted under the nonpartisan election and runoff basis in accordance with G.S. 163-279(a)(4) and G.S. 163-293, the following reports shall be filed in addition to the organizational report:

- (1) Pre-election report. The treasurer shall file a report with the board no later than 10 days prior to the election.
- (2) Final report. The treasurer shall file a final report 15 days after the election, unless the candidate is in a runoff, in which case the report shall be filed 15 days after the runoff.
- (3) Annual report. If contributions are received or expenditures made during a calendar year, for which no reports are otherwise required by this section, any and all such contributions and expenditures shall be reported by January 7 of the following year.

"§ 163-278.40D. Campaign report; nonpartisan primary and elections. — In any city election conducted under the nonpartisan primary method in accordance with G.S. 163-279(a)(3) and G.S. 163-294, the following reports shall be filed in addition to the organizational report:

- (1) Pre-primary report. The treasurer shall file a report 10 days prior to the primary if the candidate is in a primary or 10 days prior to the election, if the candidate is not in a primary.
- (2) Final report. The treasurer shall file a final report 15 days after the election, unless the candidate was eliminated in a primary in which case the report shall be filed 15 days after the primary.
- (3) Annual report. If contributions are received or expenditures made during a calendar year, for which no reports are otherwise required by this section, any and all contributions and expenditures shall be reported by January 7 of the following year.

"§ 163-278.40E. Campaign report; nonpartisan plurality. — In any city election conducted under the nonpartisan plurality method under G.S. 163-279(a)(1) and G.S. 163-292, the following reports shall be filed in addition to the organizational report:

- (1) Pre-election report. The treasurer shall file a report 10 days prior to the election.
- (2) Final report. The candidate shall file a final report 15 days after the election.
- (3) Annual report. If contributions are received or expenditures made during a calendar year, for which no reports are otherwise required by this section, any and all such contributions and expenditures shall be reported by January 7 of the following year.

"§ 163-278.40F. Form of report. — Forms of reports under this Part shall be prescribed by the board.

"§ 163-278.40G. Content. — Except as otherwise provided in this Part, each report shall be current within seven days prior to the date the report is due and shall list all contributions received and expenditures made which have not been previously reported.

"§ 163-278.40H. Notice of reports due. — The supervisor of the board shall advise, or cause to be advised, no less than five days nor more than 15 days before each report is due each

candidate or treasurer whose organizational report has been filed under G.S. 163-278.40A of the specific date each report is due. He shall immediately notify any individual, candidate, treasurer, or political committee, to file a statement under this Part if:

- (1) It appears that the individual, candidate, treasurer, or political committee has failed to file a statement as required by law or that a statement filed does not conform to this Part; or
- (2) A written complaint is filed under oath with the board by any registered voter of this State alleging that a statement filed with the board does not conform to this Part or to the truth or that an individual, candidate, treasurer, or political committee has failed to file a statement required by this Part.

"§ 163-278.40I. Part 1 to apply. — (a) Except as provided in this Part or in G.S. 163-278.9(d), the provisions of Part 1 shall apply to municipal elections covered by this Part.

(b) G.S. 163-278.7, G.S. 163-278.9(a), (b) and (c), G.S. 163-278.22(1) and (9), the first paragraph of G.S. 163-278.23, G.S. 163-278.24, G.S. 163-278.25, and G.S. 163-278.26 shall not apply to this Part."

Sec. 4. G.S. 163-278.27(a) is amended by deleting "or G.S. 163-278.18" and inserting "G.S. 163-278.18, G.S. 163-278.40A, G.S. 163-278.40B, G.S. 163-278.40C, G.S. 163-278.40D or G.S. 163-278.40E".

Sec. 5. This act shall become effective with respect to primaries and elections occurring on or after September 1, 1981.

In the General Assembly read three times and ratified, this the 7th day of July, 1981.