

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

**SESSION LAW 2010-100
HOUSE BILL 1136**

AN ACT TO PERMIT THE PERSONAL REPRESENTATIVE OF A DECEASED
CANDIDATE WHO DID NOT FILE A WRITTEN DESIGNATION PRIOR TO DEATH
TO FILE SUCH WRITTEN DESIGNATION WITHIN NINETY DAYS OF DEATH.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-278.16B(c) reads as rewritten:

"(c) Contributions made to a candidate or candidate campaign committee do not become a part of the personal estate of the individual candidate. The candidate may file with the board a written designation of those funds that directs to which of the permitted uses in subsection (a) of this section ~~they~~ those funds shall be paid in the event of the death or incapacity of the candidate. If the candidate fails to file the written designation before death, the personal representative of the estate may file the written designation within 90 days of the date of death, and may only direct those funds to donations under subdivision (a)(3) of this section. After the payment of permitted outstanding debts of the account, the candidate's filed written designation shall control. If the candidate files no such written designation, the funds after payment of permitted outstanding debts shall be distributed in accordance with subdivision (a)(8) of this section."

SECTION 2. This act is effective when it becomes law. For any candidate campaign committee that is in active status with the State Board of Elections as of the date this act becomes law, the personal representative of the estate may file the written designation within 90 days of the day this act receives preclearance under section 5 of the Voting Rights Act.

In the General Assembly read three times and ratified this the 9th day of July, 2010.

s/ Walter H. Dalton
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Beverly E. Perdue
Governor

Approved 3:12 p.m. this 20th day of July, 2010

