

§ 163-165.6. Arrangement of official ballots.

(a) Order of Precedence Generally. – Candidate ballot items shall be arranged on the official ballot before referenda.

(b) Order of Precedence for Candidate Ballot Items. – The State Board of Elections shall promulgate rules prescribing the order of offices to be voted on the official ballot. Those rules shall adhere to the following guidelines:

- (1) Federal offices shall be listed before State and local offices. Member of the United States House of Representatives shall be listed immediately after United States Senator.
- (2) State and local offices shall be listed according to the size of the electorate.
- (3) Partisan offices, regardless of the size of the constituency, shall be listed before nonpartisan offices.
- (4) When offices are in the same class, they shall be listed in alphabetical order by office name, or in numerical or alphabetical order by district name. Governor and Lieutenant Governor, in that order, shall be listed before other Council of State offices. The Supreme Court shall be listed before the Court of Appeals. Judicial offices and district attorney shall be listed, in that order, after other offices in the same class. Mayor shall be listed before other citywide offices. Chair of a board, where elected separately, shall be listed before other board seats having the same electorate. Chief Justice shall be listed before Associate Justices.
- (5) Ballot items for full terms of an office shall be listed before ballot items for partial terms of the same office.
- (6) Ballot items for retention elections held under Article 1A of Chapter 7A of the General Statutes shall be grouped with like State offices, but shall be listed after offices for which an election is conducted under Article 25 of this Chapter.

(c) Order of Candidates on Official Ballots. – The order in which candidates shall appear on official ballots in any election ballot item shall be either alphabetical order or reverse alphabetical order by the last name of the candidate, which order shall be determined each election by drawing at the State Board after the closing of the filing period for all offices on the ballot.

(d), (e) Repealed by Session Laws 2018-99, s. 1, effective June 26, 2018, and applicable to elections held on or after that date.

(f) No Straight-Party Voting. – Each official ballot shall not contain any place that allows a voter with one mark to vote for the candidates of a party for more than one office.

(g) Write-In Voting. – Each official ballot shall be so arranged so that voters may cast write-in votes for candidates except where prohibited by G.S. 163-123 or other statutes governing write-in votes. Instructions for general election ballots shall clearly advise voters of the rules of this subsection and of the statutes governing write-in voting.

(h) Order of Precedence for Referenda. – Without referencing a numerical order or other reference of order by category or within a category, the referendum questions to be voted on shall be arranged on the official ballot in the following order:

- (1) Proposed amendments to the North Carolina Constitution, in the chronological order in which the proposals were approved by the General Assembly. Proposed amendments shall be designated by only the phrase "Constitutional Amendment" prior to setting forth the referendum question.
- (2) Other referenda to be voted on by all voters in the State, in the chronological order in which the proposals were approved by the General Assembly.

- (3) Referenda to be voted on by fewer than all the voters in the State, in the chronological order of the acts by which the referenda were properly authorized. (2001-460, s. 3; 2002-158, s. 14; 2013-381, ss. 31.1, 32.1; 2014-111, s. 2; 2015-66, s. 4; 2016-109, ss. 3, 4(a); 2017-6, s. 3; 2018-13, s. 3.6; 2018-99, s. 1; 2018-131, 1st Ex. Sess., s. 1(a); 2018-146, s. 3.1(a), (b).)