Short Title:	Rotating Order of Names on Ballot.	(Public)
Sponsors:	Senator Berger of Rockingham.	
Referred to:		

1   A BILL TO BE ENTITLED
2 AN ACT TO ROTATE THE ORDER OF CANDIDATES AND POLITICAL
3   PARTIES AS THEY APPEAR ON BALLOTS.
4 The General Assembly of North Carolina enacts:
5   **SECTION 1.** G.S. 163-165.6 reads as rewritten:
6 "**§ 163-165.6. Arrangement of official ballots.**
7   (a)   Order of Precedence Generally. – Candidate ballot items shall be arranged on
8 the official ballot before referenda.
9   (b)   Order of Precedence for Candidate Ballot Items. – The State Board of
10 Elections shall promulgate rules prescribing the order of offices to be voted on the
11 official ballot. Those rules shall adhere to the following guidelines:
12   (1)   Federal offices shall be listed before State and local offices. Member
13   of the United States House of Representatives shall be listed
14   immediately after United States Senator.
15   (2)   State and local offices shall be listed according to the size of the
16   electorate.
17   (3)   Partisan offices, regardless of the size of the constituency, shall be
18   listed before nonpartisan offices.
19   (4)   When offices are in the same class, they shall be listed in alphabetical
20   order by office name, or in numerical or alphabetical order by district
21   name. Governor and Lieutenant Governor, in that order, shall be listed
22   before other Council of State offices. Mayor shall be listed before
23   other citywide offices. Chair of a board, where elected separately, shall
24   be listed before other board seats having the same electorate. Chief
25   Justice shall be listed before Associate Justices.
26   (5)   Ballot items for full terms of an office shall be listed before ballot
27   items for partial terms of the same office.

1   (c)   Order of Candidates <u>and Parties </u>on ~~Primary~~ Official Ballots. – The order in
2   which candidates <u>and political parties </u>shall appear on a county's official ballots in any
3   ~~primary~~ ballot item shall be determined by the county board of elections using a process
4   designed by the State Board of Elections for ~~random selection.~~<u>rotation of names. The</u>
5   <u>method shall rotate the official ballots so that the names of candidates and parties appear</u>
6   <u>in the maximum number of different orders. The process used shall result in a</u>
7   <u>reasonably even rotation of differently ordered official ballots among the ballot styles in</u>
8   <u>each county in the same election. All the official ballots of the same ballot style in the</u>
9   <u>county shall be in the same order. The same process of rotation among ballot styles shall</u>
10   <u>be used for candidates in party primary ballot items, nonpartisan ballot items, and</u>
11   <u>partisan general election ballot items. In a partisan general election, the names of the</u>
12   <u>party nominees shall be listed first, and the unaffiliated candidates shall be listed after</u>
13   <u>the names of the party nominees. The party nominees shall be rotated by party name.</u>
14   <u>The unaffiliated candidates shall be rotated by candidate name. In a partisan general</u>
15   <u>election, rotation is not required among multiple nominees of the same party in a</u>
16   <u>multi-seat ballot item, as long as the groups of party nominees are rotated by party</u>
17   <u>name. Rotation is not required of choices in referenda.</u>
18   ~~(d)~~   ~~Order of Party Candidates on General Election Official Ballot.~~   ~~Candidates~~
19   ~~in any ballot item on a general election official ballot shall appear in the following~~
20   ~~order:~~
21   ~~(1)~~   ~~Nominees of political parties that reflect at least five percent (5%) of~~
22   ~~statewide voter registration, according to the most recent statistical~~
23   ~~report published by the State Board of Elections, in alphabetical order~~
24   ~~by party and in alphabetical order within the party.~~
25   ~~(2)~~   ~~Nominees of other political parties, in alphabetical order by party and~~
26   ~~in alphabetical order within the party.~~
27   ~~(3)~~   ~~Unaffiliated candidates, in alphabetical order.~~
28   (e)   Straight-Party Voting. – Each official ballot shall be arranged so that the
29   voter may cast one vote for a party's nominees for all offices except President and Vice
30   President. A vote for President and Vice President shall be cast separately from a
31   straight-party vote. The official ballot shall be prepared so that a voter may cast a
32   straight-party vote, but then make an exception to that straight-party vote by voting for a
33   candidate not nominated by that party or by voting for fewer than all the candidates
34   nominated by that party. Instructions for general election ballots shall clearly advise
35   voters of the rules in this subsection and of the statutes providing for the counting of
36   ballots.
37   (f)   Write-In Voting. – Each official ballot shall be so arranged so that voters may
38   cast write-in votes for candidates except where prohibited by G.S. 163-123 or other
39   statutes governing write-in votes. Instructions for general election ballots shall clearly
40   advise voters of the rules of this subsection and of the statutes governing write-in
41   voting.
42   (g)   Order of Precedence for Referenda. – The referendum questions to be voted
43   on shall be arranged on the official ballot in the following order:

1   (1)   Proposed amendments to the North Carolina Constitution, in the
2   chronological order in which the proposals were approved by the
3   General Assembly.
4   (2)   Other referenda to be voted on by all voters in the State, in the
5   chronological order in which the proposals were approved by the
6   General Assembly.
7   (3)   Referenda to be voted on by fewer than all the voters in the State, in
8   the chronological order of the acts by which the referenda were
9   properly authorized."
10   **SECTION 2.** This act becomes effective January 1, 2008, and applies to all
11 primaries and elections conducted on or after that date until January 1, 2011, when this
12 act shall expire.