

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H.B. 843
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10275-ST-45 (03/02)

Short Title: Adjust Municipal Election Schedule.

(Public)

Sponsors: Representative Lewis.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ADJUST THE MUNICIPAL ELECTION SCHEDULE IN ODD-NUMBERED
3 YEARS SO AS TO NOT HAVE OVERLAPPING REQUIREMENTS OF THE COUNTY
4 BOARDS OF ELECTIONS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 163-294.5(c) reads as rewritten:

7 "(c) Candidates seeking municipal office shall file their notices of candidacy with the
8 board of elections no earlier than 12:00 noon on the first Friday in July and no later than 12:00
9 noon on the third ~~Friday~~ Tuesday in July preceding the election, except:

- 10 (1) In the year following a federal decennial census, candidates seeking
11 municipal office in any city which elects members of its governing board on
12 a district basis, or requires that candidates reside in a district in order to run,
13 shall file their notices of candidacy with the board of elections no earlier
14 than 12:00 noon on the fourth Monday in July and no later than 12:00 noon
15 on the second Friday in August preceding the election; and
16 (2) In the second year following a federal decennial census, if the election is
17 held then under G.S. 160A-23.1, candidates seeking municipal office shall
18 file their notices of candidacy with the board of elections at the same time as
19 notices of candidacy for county officers are required to be filed under
20 G.S. 163-106.

21 Notices of candidacy which are mailed must be received by the board of elections before
22 the filing deadline regardless of the time they were deposited in the mails."

23 **SECTION 2.** G.S. 163-279 reads as rewritten:

24 "**§ 163-279. Time of municipal primaries and elections.**

25 (a) Primaries and elections for offices filled by election of the people in cities, towns,
26 incorporated villages, and special districts shall be held in 1973 and every two or four years
27 thereafter as provided by municipal charter on the following days:

- 28 (1) If the election is nonpartisan and decided by simple plurality, the election
29 shall be held on Tuesday after the first Monday in November.
30 (2) If the election is partisan, the election shall be held on Tuesday after the first
31 Monday in November, the first primary shall be held on the second Tuesday
32 after Labor Day, and the second primary, if required, shall be held on the
33 fourth Tuesday before the election Day. G.S. 163-227.1 shall not apply, and
34 no candidate may request a second primary.
35 (3) If the election is nonpartisan and the nonpartisan primary method of election
36 is used, the election shall be held on Tuesday after the first Monday in



1 November and the nonpartisan primary shall be held on the ~~fourth Tuesday~~
2 ~~before the election.~~ second Tuesday after Labor Day.
3 (4) If the election is nonpartisan and the election and runoff election method of
4 election is used, the election shall be held on the ~~fourth Tuesday before the~~
5 ~~Tuesday after the first Monday in November,~~ second Tuesday after Labor
6 Day, and the runoff election, if required, shall be held on Tuesday after the
7 first Monday in November.
8 (b) Repealed by Session Laws 2011-141, s. 1(a), effective July 1, 2011.
9 (c) Officers of sanitary districts elected in 1970 shall hold office until the first Monday
10 in December, 1973, notwithstanding G.S. 130-126. Beginning in 1973, sanitary district
11 elections shall be held at the times provided in this section or in G.S. 130A-50(b1)."
12 **SECTION 3.** This act is effective when it becomes law and applies to elections
13 held on or after that date.