

S

D

SENATE BILL DRS55030-LUxfay-42F

Short Title: Fix Our Democracy.

(Public)

Sponsors: Senators Marcus, Mohammed, and Salvador (Primary Sponsors).

Referred to:

21 Whereas, short-term political incentives are currently set against the long-term public
22 good; and

Whereas, the needed reforms are generally well known; and

Whereas, the people of North Carolina are demanding free and fair elections and a true democracy; and

Whereas, restoring the people's trust in our work begins with restoring the people's fundamental role in our elections; Now, therefore,
The General Assembly of North Carolina enacts:

PART I. NONPARTISAN REDISTRICTING PROCESS

SECTION 1.1.(a) Section 3 of Article II of the North Carolina Constitution reads as

32 rewritten:

"Sec. 3. Senate districts; apportionment of Senators.

The Senators shall be elected from districts. The General Assembly, at the first regular session convening after the return of every decennial census of population taken by order of Congress, shall revise the senate districts and the apportionment of Senators among those districts, subject



1 to the following requirements: Assembly shall establish a nonpartisan process to revise the senate
2 districts and the apportionment of Senators among those districts pursuant to Section 25 of this
3 Article.

4 (1) Each Senator shall represent, as nearly as may be, an equal number of inhabitants, the
5 number of inhabitants that each Senator represents being determined for this purpose by dividing
6 the population of the district that he represents by the number of Senators apportioned to that
7 district;

8 (2) Each senate district shall at all times consist of contiguous territory;
9 (3) No county shall be divided in the formation of a senate district;
10 (4) When established, the senate districts and the apportionment of Senators shall remain
11 unaltered until the return of another decennial census of population taken by order of Congress."

12 **SECTION 1.1.(b)** Section 5 of Article II of the North Carolina Constitution reads as
13 rewritten:

14 **"Sec. 5. Representative districts; apportionment of Representatives.**

15 The Representatives shall be elected from districts. The General Assembly, at the first regular
16 session convening after the return of every decennial census of population taken by order of
17 Congress, shall revise the representative districts and the apportionment of Representatives
18 among those districts, subject to the following requirements: Assembly shall establish a
19 nonpartisan process to revise the representative districts and the apportionment of
20 Representatives among those districts pursuant to Section 25 of this Article.

21 (1) Each Representative shall represent, as nearly as may be, an equal number of
22 inhabitants, the number of inhabitants that each Representative represents being determined for
23 this purpose by dividing the population of the district that he represents by the number of
24 Representatives apportioned to that district;

25 (2) Each representative district shall at all times consist of contiguous territory;
26 (3) No county shall be divided in the formation of a representative district;
27 (4) When established, the representative districts and the apportionment of
28 Representatives shall remain unaltered until the return of another decennial census of population
29 taken by order of Congress."

30 **SECTION 1.1.(c)** Article II of the North Carolina Constitution is amended by adding
31 a new section to read:

32 **"Sec. 25. Redistricting.**

33 The General Assembly shall establish by law a nonpartisan process to revise electoral districts
34 for the General Assembly and the House of Representatives of the United States Congress after
35 the return of every decennial census of population taken by order of Congress. The process shall
36 meet at least all of the following requirements:

37 (1) The General Assembly shall have no role in revising electoral districts for the General
38 Assembly or the House of Representatives of the United States Congress.

39 (2) Each member of the Senate and House of Representatives of the General Assembly
40 and the House of Representatives of the United States Congress shall represent, as nearly as may
41 be, an equal number of inhabitants.

42 (3) Each electoral district shall at all times consist of contiguous territory.

43 (4) To the extent practicable and consistent with federal law, no county shall be divided
44 in the formation of an electoral district for the Senate or House of Representatives of the General
45 Assembly.

46 (5) When established, the electoral districts for the Senate and House of Representatives
47 of the General Assembly shall remain unaltered until the return of another decennial census of
48 population taken by order of Congress.

49 (6) Electoral districts adopted pursuant to the process shall have the force and effect of
50 acts of the General Assembly."

1 **SECTION 1.1.(d)** Subsection (5) of Section 22 of Article II of the North Carolina
2 Constitution reads as rewritten:

- 3 "(5) ~~Other exceptions.~~ Appointments to office. Every ~~bill~~:
- 4 (a) ~~In bill in~~ which the General Assembly makes an appointment or appointments
5 to public office and which contains no other ~~matter~~;
- 6 (b) ~~Revising the senate districts and the apportionment of Senators among those~~
7 districts and containing no other matter;
- 8 (c) ~~Revising the representative districts and the apportionment of Representatives~~
9 among those districts and containing no other matter; or
- 10 (d) ~~Revising the districts for the election of members of the House of~~
11 ~~Representatives of the Congress of the United States and the apportionment~~
12 ~~of Representatives among those districts and containing no other matter,~~
13 ~~matter shall be read three times in each house before it becomes law and shall~~
14 be signed by the presiding officers of both houses."

15 **SECTION 1.2.(a)** The amendments set out in Section 1.1 of this act shall be
16 submitted to the qualified voters of the State at the statewide general election to be held in
17 November 2024, which election shall be conducted under the laws then governing elections in
18 the State. Ballots, voting systems, or both may be used in accordance with Chapter 163 of the
19 General Statutes. The question to be used in the voting systems and ballots shall be:

20 "[] FOR [] AGAINST

21 A constitutional amendment providing for a nonpartisan process to be established in
22 law to redistrict the State for the purpose of electing members of the General Assembly and the
23 United States House of Representatives. The General Assembly would establish the nonpartisan
24 process in law and have no other role in the creation of the districts."

25 **SECTION 1.2.(b)** If a majority of votes cast on the question are in favor of the
26 amendments set out in Section 1.1 of this act, the State Board of Elections shall certify the
27 amendments to the Secretary of State. The Secretary of State shall enroll the amendments so
28 certified among the permanent records of that office. The amendments are effective upon
29 certification.

30 **SECTION 1.3.** Except as otherwise provided, this Part is effective when it becomes
31 law.

32 **PART II. NONPARTISAN JUDICIAL ELECTIONS**

33 **SECTION 2.1.** Chapter 163 of the General Statutes is amended by adding a new
34 Subchapter to read:

35 **"SUBCHAPTER XI. ELECTION OF APPELLATE, SUPERIOR, AND DISTRICT** **COURT JUDGES.**

36 "Article 26.

37 "Nomination and Election of Appellate, Superior, and District Court Judges.

38 **"§ 163-350. Applicability.**

39 The nomination and election of justices of the Supreme Court, judges of the Court of Appeals,
40 and superior and district court judges of the General Court of Justice shall be as provided by this
41 Article.

42 **"§ 163-351. Nonpartisan primary election method.**

43 (a) General. – Except as provided in G.S. 163-358, there shall be a primary to narrow the
44 field of candidates to two candidates for each position to be filled if, when the filing period closes,
45 there are more than two candidates for a single office or the number of candidates for a group of
46 offices exceeds twice the number of positions to be filled. If only one or two candidates file for
47 a single office, no primary shall be held for that office and the candidates shall be declared
48 nominated. If the number of candidates for a group of offices does not exceed twice the number

of positions to be filled, no primary shall be held for those offices and the candidates shall be declared nominated.

(b) Determination of Nominees. – In the primary, the two candidates for a single office receiving the highest number of votes and those candidates for a group of offices receiving the highest number of votes equal to twice the number of positions to be filled shall be declared nominated. If two or more candidates receiving the highest number of votes each receive the same number of votes, the State Board shall determine their relative ranking by lot and shall declare the nominees accordingly. The canvass of the primary shall be held on the same date as the primary canvass fixed under G.S. 163-182.5. The canvass shall be conducted in accordance with Article 15A of this Chapter.

(c) Determination of Election Winners. – In the election, the names of those candidates declared nominated without a primary and those candidates nominated in the primary shall be placed on the ballot. The candidate for a single office receiving the highest number of votes shall be elected. Those candidates for a group of offices receiving the highest number of votes equal in number to the number of positions to be filled shall be elected. If two candidates receiving the highest number of votes each received the same number of votes, the State Board shall determine the winner by lot.

§ 163-352. Notice of candidacy.

(a) Form of Notice. – Each person offering to be a candidate for election shall do so by filing a notice of candidacy with the State Board in the following form, inserting the words in parentheses when appropriate:

Date:

I hereby file notice that I am a candidate for election to the office of _____ in the regular election to be held _____, ____.

Signed: _____
(Name of Candidate)

Witness:

The notice of candidacy shall be either signed in the presence of the chairman or secretary of the State Board or signed and acknowledged before an officer authorized to take acknowledgments who shall certify the notice under seal. An acknowledged and certified notice may be mailed to the State Board. In signing a notice of candidacy, the candidate shall use only the candidate's legal name and, in the candidate's discretion, any nickname by which the candidate is commonly known. A candidate may also, in lieu of that candidate's first name and legal middle initial or middle name, if any, sign that candidate's nickname, provided the candidate appends to the notice of candidacy an affidavit that the candidate has been commonly known by that nickname for at least five years prior to the date of making the affidavit. The candidate shall also include with the affidavit the way the candidate's name (as permitted by law) should be listed on the ballot if another candidate with the same last name files a notice of candidacy for that office.

A notice of candidacy signed by an agent or any person other than the candidate himself or herself shall be invalid.

(b) Time for Filing Notice of Candidacy. – Candidates seeking election to the following offices shall file their notice of candidacy with the State Board no earlier than 12:00 noon on the first Monday in December and no later than 12:00 noon on the third Friday in December preceding the election:

(1) Justices of the Supreme Court.

1 (2) Judges of the Court of Appeals.

2 (3) Judges of the superior courts.

3 (4) Judges of the district courts.

4 (c) Withdrawal of Notice of Candidacy. – Any person who has filed a notice of candidacy
5 for an office shall have the right to withdraw it at any time prior to the close of business on the
6 third business day prior to the date on which the right to file for that office expires under the
7 terms of subsection (b) of this section.

8 (d) Certificate That Candidate is Registered Voter. – Candidates shall file, along with
9 their notice, a certificate signed by the chairman of the board of elections or the supervisor of
10 elections of the county in which they are registered to vote stating that the person is registered to
11 vote in that county. In issuing the certificate, the chairman or supervisor shall check the
12 registration records of the county to verify the information. During the period commencing 36
13 hours immediately preceding the filing deadline, the State Board shall accept, on a conditional
14 basis, the notice of candidacy of a candidate who has failed to secure the verification required by
15 this subsection subject to receipt of verification no later than three days following the filing
16 deadline. The State Board shall prescribe the form for the certificate and distribute it to each
17 county board of elections no later than the last Monday in December of each odd-numbered year.

18 (e) Candidacy for More Than One Office Prohibited. – No person may file a notice of
19 candidacy for more than one office or group of offices described in subsection (b) of this section,
20 or for an office or group of offices described in subsection (b) of this section and an office
21 described in G.S. 163-106.2, for any one election. If a person has filed a notice of candidacy with
22 a board of elections under this section or under G.S. 163-106.2 for one office or group of offices,
23 then a notice of candidacy may not later be filed for any other office or group of offices under
24 this section when the election is on the same date unless the notice of candidacy for the first
25 office is withdrawn under subsection (c) of this section.

26 (f) Notice of Candidacy for Certain Offices to Indicate Vacancy. – In any election in
27 which there are two or more vacancies for the office of justice of the Supreme Court, judge of
28 the Court of Appeals, or district court judge to be filled by nominations, each candidate shall, at
29 the time of filing notice of candidacy, file with the State Board a written statement designating
30 the vacancy to which the candidate seeks election. Votes cast for a candidate shall be effective
31 only for election to the vacancy for which the candidate has given notice of candidacy as provided
32 in this subsection.

33 A person seeking election for a specialized district judgeship established under G.S. 7A-147
34 shall, at the time of filing notice of candidacy, file with the State Board a written statement
35 designating the specialized judgeship to which the person seeks nomination.

36 (g) Notice of Candidacy for Superior Court Judge; Residency. – No person may file a
37 notice of candidacy for superior court judge unless that person is at the time of filing the notice
38 of candidacy a resident of the judicial district as it will exist at the time the person would take
39 office if elected. No person may be nominated as a superior court judge under G.S. 163-114
40 unless that person is at the time of nomination a resident of the judicial district as it will exist at
41 the time the person would take office if elected. This subsection implements Section 9(1) of
42 Article IV of the North Carolina Constitution which requires regular superior court judges to
43 reside in the district for which elected.

44 **"§ 163-353. Filing fees required of candidates; refunds."**

45 (a) Fee Schedule. – At the time of filing a notice of candidacy under this Article, each
46 candidate shall pay to the State Board a filing fee for the office the candidate seeks in the amount
47 of one percent (1%) of the annual salary of the office sought.

48 (b) Refund of Fees. – If any person who has filed a notice of candidacy and paid the filing
49 fee prescribed in subsection (a) of this section withdraws his or her notice of candidacy within
50 the period prescribed in G.S. 163-352(c), the candidate shall be entitled to have the fee the

1 candidate paid refunded. The chairman of the State Board shall cause a warrant to be drawn on
2 the State Treasurer for the refund payment.

3 (c) Refund of Fees Upon Death of Candidate. – If any person who has filed a notice of
4 candidacy and paid the filing fee prescribed in subsection (a) of this section dies prior to the date
5 of the election, the personal representative of the estate shall be entitled to have the fee refunded
6 if application is made to the board of elections to which the fee was paid no later than one year
7 after the date of death and refund shall be made in the same manner as the withdrawal of notice
8 of candidacy.

9 "**§ 163-354. Petition in lieu of payment of filing fee.**

10 (a) General. – Any qualified voter who seeks election under this Article may, in lieu of
11 payment of any filing fee required for the office sought, file a written petition requesting to be a
12 candidate for a specified office with the State Board.

13 (b) Requirements of Petition; Deadline for Filing. – If the candidate is seeking the office
14 of justice of the Supreme Court, judge of the Court of Appeals, or superior or district court judge,
15 that individual shall file a written petition with the State Board no later than 12:00 noon on
16 Monday preceding the filing deadline before the primary. If the office is justice of the Supreme
17 Court or judge of the Court of Appeals, the petition shall be signed by 8,000 registered voters in
18 the State. If the office is superior or district court judge, the petition shall be signed by five percent
19 (5%) of the registered voters of the election area in which those registered voters will vote for
20 that office. The board of elections shall verify the names on the petition, and if the petition and
21 notice of candidacy are found to be sufficient, the candidate's name shall be printed on the
22 appropriate ballot. Petitions shall be presented to the county board of elections for verification at
23 least 15 days before the petition is due to be filed with the State Board. The State Board may
24 adopt rules to implement this section and to provide standard petition forms.

25 "**§ 163-355. Certification of notices of candidacy.**

26 (a) Names of Candidates Sent to Secretary of State. – Within three days after the time for
27 filing notices of candidacy with the State Board under the provisions of G.S. 163-352(b) has
28 expired, the chairman or secretary of that Board shall certify to the Secretary of State the name
29 and address of each person who has filed with the State Board, indicating in each instance the
30 office sought.

31 (b) Notification of Local Boards. – No later than 10 days after the time for filing notices
32 of candidacy under the provisions of G.S. 163-352(b) has expired, the chairman of the State
33 Board shall certify to the chairman of the county board of elections in each county in the
34 appropriate district the names of candidates for nomination to the offices of justice of the
35 Supreme Court, judge of the Court of Appeals, and superior and district court judge who have
36 filed the required notice and paid the required filing fee or presented the required petition to the
37 State Board so that their names may be printed on the official judicial ballot for justice of the
38 Supreme Court, judge of the Court of Appeals, and superior and district court judge.

39 (c) Receipt of Notification by County Board. – Within two days after receipt of each of
40 the letters of certification from the chairman of the State Board required by subsection (b) of this
41 section, each county board of elections chairman shall acknowledge receipt by letter addressed
42 to the chairman of the State Board.

43 "**§ 163-356. Rules when vacancies for superior court judge are to be voted on.**

44 If a vacancy occurs in a judicial district for any offices of superior court judge, and on account
45 of the occurrence of the vacancy there is to be an election for one or more terms in that district
46 to fill the vacancy or vacancies, at that same election in accordance with G.S. 163-9 and Section
47 19 of Article IV of the North Carolina Constitution, the nomination and election shall be
48 determined by the following special rules in addition to any other provisions of law:

49 (1) If the vacancy occurs prior to the opening of the filing period under
50 G.S. 163-352(b), nominations shall be made by primary election as provided
51 by this Article without designation as to the vacancy.

- 1 (2) If the vacancy occurs beginning on the opening of the filing period under
2 G.S. 163-352(b) and ending on the sixtieth day before the general election,
3 candidate filing shall be as provided by G.S. 163-358 without designation as
4 to the vacancy.
- 5 (3) The general election ballot shall contain, without designation as to vacancy,
6 spaces for the election to fill the vacancy where nominations were made or
7 candidates filed under subdivision (1) or (2) of this section. Except as provided
8 in G.S. 163-358, the persons receiving the highest numbers of votes equal to
9 the term or terms to be filled shall be elected to the term or terms.

10 **"§ 163-357. Failure of candidates to file; death or other disqualification of a candidate; no**
11 **withdrawal from candidacy.**

12 (a) Insufficient Number of Candidates. – If, when the filing period expires, candidates
13 have not filed for an office to be filled under this Article, the State Board shall extend the filing
14 period for five days for any such offices.

15 (b) Death or Disqualification of Candidate Before Primary. – If a candidate for
16 nomination in a primary dies or becomes disqualified before the primary but after the ballots
17 have been printed, the State Board shall determine whether or not there is time to reprint the
18 ballots. If the Board determines that there is not enough time to reprint the ballots, the deceased
19 or disqualified candidate's name shall remain on the ballots. If that candidate receives enough
20 votes for nomination, such votes shall be disregarded and the candidate receiving the next highest
21 number of votes below the number necessary for nomination shall be declared nominated. If the
22 death or disqualification of the candidate leaves only two candidates for each office to be filled,
23 the nonpartisan primary shall not be held and all candidates shall be declared nominees.

24 (c) Earlier Non-Primary Vacancies; Reopening Filing. – If there is no primary because
25 only one or two candidates have filed for a single office, or the number of candidates filed for a
26 group of offices does not exceed twice the number of positions to be filled, or if a primary has
27 occurred and eliminated candidates, and thereafter a remaining candidate dies or otherwise
28 becomes disqualified before the election and before the ballots are printed, the State Board shall,
29 upon notification of the death or other disqualification, immediately reopen the filing period for
30 an additional five days during which time additional candidates shall be permitted to file for
31 election. If the ballots have been printed at the time the State Board receives notice of the
32 candidate's death or other disqualification, the State Board shall determine whether there will be
33 sufficient time to reprint them before the election if the filing period is reopened for three days.
34 If the State Board determines that there will be sufficient time to reprint the ballots, it shall reopen
35 the filing period for three days to allow other candidates to file for election and that election shall
36 be conducted as provided in G.S. 163-358(b).

37 (d) Later Vacancies; Ballots Not Reprinted. – If the ballots have been printed at the time
38 the State Board receives notice of a candidate's death or other disqualification, and if the Board
39 determines that there is not enough time to reprint the ballots before the election if the filing
40 period is reopened for three days, then regardless of the number of candidates remaining for the
41 office or group of offices, the ballots shall not be reprinted and the name of the vacated candidate
42 shall remain on the ballots. If a vacated candidate should poll the highest number of votes in the
43 election for a single office or enough votes to be elected to one of a group of offices, the State
44 Board shall declare the office vacant and it shall be filled in the manner provided by law.

45 (e) No Withdrawal Permitted of Living, Qualified Candidate After Close of Filing. –
46 After the close of the candidate filing period, a candidate who has filed a notice of candidacy for
47 the office, who has not withdrawn notice before the close of filing as permitted by
48 G.S. 163-352(b), who remains alive, and has not become disqualified for the office may not
49 withdraw his or her candidacy. That candidate's name shall remain on the ballot, any votes cast
50 for the candidate shall be counted in the primary or election, and if the candidate wins, the
51 candidate may fail to qualify by refusing to take the oath of office.

1 (f) Death, Disqualification, or Failure to Qualify After Election. – If a person elected to
2 the office of justice of the Supreme Court, judge of the Court of Appeals, or superior or district
3 court judge dies or becomes disqualified on or after election day and before the person has
4 qualified by taking the oath of office, or fails to qualify by refusing to take the oath of office, the
5 office shall be deemed vacant and shall be filled as provided by law.

6 **"§ 163-358. Elections to fill vacancy in office created after primary filing period opens."**

7 (a) General. – If a vacancy is created in the office of justice of the Supreme Court, judge
8 of the Court of Appeals, or judge of superior court after the filing period for the primary opens
9 but more than 60 days before the general election, and under the North Carolina Constitution an
10 election is to be held for that position, such that the office shall be filled in the general election
11 as provided in G.S. 163-9, the election to fill the office for the remainder of the term shall be
12 conducted without a primary using the method provided in subsection (b) of this section. If a
13 vacancy is created in the office of justice of the Supreme Court, judge of the Court of Appeals,
14 or judge of superior court before the filing period for the primary opens, and under the North
15 Carolina Constitution an election is to be held for that position, such that the office shall be filled
16 in the general election as provided in G.S. 163-9, the election to fill the office for the remainder
17 of the term shall be conducted in accordance with G.S. 163-351.

18 (b) Method for Vacancy Election. – If a vacancy for the office of justice of the Supreme
19 Court, judge of the Court of Appeals, or judge of superior court occurs more than 60 days before
20 the general election and after the opening of the filing period for the primary, then the State Board
21 shall designate a special filing period of one week for candidates for the office. If more than two
22 candidates file and qualify for the office in accordance with G.S. 163-352, then the Board shall
23 conduct the election for the office as follows:

24 (1) When the vacancy described in this section occurs more than 63 days before
25 the date of the second primary for members of the General Assembly, a special
26 primary shall be held on the same day as the second primary. The two
27 candidates with the most votes in the special primary shall have their names
28 placed on the ballot for the general election held on the same day as the general
29 election for members of the General Assembly.

30 (2) When the vacancy described in this section occurs less than 64 days before
31 the date of the second primary, a general election for all the candidates shall
32 be held on the same day as the general election for members of the General
33 Assembly and the results shall be determined on a plurality basis as provided
34 by G.S. 163-292.

35 (c) Applicable Provisions. – Except as provided in this section, the provisions of this
36 Article apply to elections conducted under this section.

37 **"§ 163-359. Voting in primary."**

38 Any person who will become qualified by age or residence to register and vote in the general
39 election for which the primary is held, even though not so qualified by the date of the primary,
40 shall be entitled to register for the primary and general election prior to the primary and then to
41 vote in the primary after being registered. The person may register not earlier than 60 days nor
42 later than the last day for making application to register under G.S. 163-82.6(d) prior to the
43 primary.

44 **"§ 163-360. Date of primary."**

45 The primary shall be held on the same date as established for primary elections under
46 G.S. 163-1(b).

47 **"§ 163-361. Ballots."**

48 (a) General. – In elections there shall be official ballots. The ballots shall be printed to
49 conform to the requirement of G.S. 163-165.6(c) and to show the name of each person who has
50 filed notice of candidacy and the office for which each aspirant is a candidate.

1 Only those who have filed the required notice of candidacy with the proper board of elections
2 and who have paid the required filing fee or qualified by petition shall have their names printed
3 on the official primary ballots. Only those candidates properly nominated shall have their names
4 appear on the official general election ballots.

5 (b) Ballots to Be Furnished by County Board of Elections. – It shall be the duty of the
6 county board of elections to print official ballots for the following offices to be voted for in the
7 primary:

- 8 (1) Justice of the Supreme Court.
- 9 (2) Judge of the Court of Appeals.
- 10 (3) Superior court judge.
- 11 (4) District court judge.

12 In printing ballots, the county board of elections shall be governed by instructions of the State
13 Board with regard to width, color, kind of paper, form, and size of type.

14 Three days before the election, the chairman of the county board of elections shall distribute
15 official ballots to the chief judge of each precinct in the chairman's county, and the chief judge
16 shall give a receipt for the ballots received. On the day of the primary, it shall be the chief judge's
17 duty to have all the ballots so delivered available for use at the precinct voting place.

18 **"§ 163-362. Counting of ballots."**

19 Counting of ballots in primaries and elections held under this Article shall be under the same
20 rules as for counting of ballots in nonpartisan municipal elections under Article 24 of this
21 Chapter.

22 **"§ 163-363. Other rules."**

23 Except as provided by this Article, the conduct of elections shall be governed by Subchapter
24 VI of this Chapter."

25 **SECTION 2.2.** G.S. 18C-112(e)(1) reads as rewritten:

- 26 "(1) Files a notice of candidacy under G.S. 163-106 through 163-106.6 or
27 G.S. 163-352 or a petition under G.S. 163-107.1. G.S. 163-107.1 or
28 G.S. 163-354."

29 **SECTION 2.3.** G.S. 163-1(b) reads as rewritten:

30 "(b) On Tuesday next after the first Monday in March preceding each general election to
31 be held in November for the officers referred to in subsection (a) of this section, there shall be
32 held in all election precincts within the territory for which the officers are to be elected a primary
33 election for the purpose of nominating candidates for each political party in the State for those
34 offices and nonpartisan candidates as to the offices elected under the provisions of Article
35 26 of this Chapter."

36 **SECTION 2.4.** G.S. 163-22.3 reads as rewritten:

37 **"§ 163-22.3. State Board of Elections littering notification."**

38 At the time an individual files with the State Board of Elections a notice of candidacy
39 pursuant to G.S. 163-106, 163-112, 163-291, or 163-294.2, or 163-352, is certified to the State
40 Board of Elections by a political party executive committee to fill a nomination vacancy pursuant
41 to G.S. 163-114, is certified to the State Board of Elections by a new political party as that party's
42 nominee pursuant to G.S. 163-98, qualifies with the State Board of Elections as an unaffiliated
43 or write-in candidate pursuant to Article 11 of this Chapter, or formally initiates a candidacy with
44 the State Board of Elections pursuant to any statute or local act, the State Board of Elections shall
45 notify the candidate of the provisions concerning campaign signs in G.S. 136-32 and
46 G.S. 14-156, and the rules adopted by the Department of Transportation pursuant to
47 G.S. 136-18."

48 **SECTION 2.5.** G.S. 163-82.10B reads as rewritten:

49 **"§ 163-82.10B. Confidentiality of date of birth."**

50 Boards of elections shall keep confidential the date of birth of every voter-registration
51 applicant and registered voter, except in the following situations:

1 (1) When a voter has filed notice of candidacy for elective office under
2 G.S. 163-106, 163-122, 163-123, or 163-294.2, or 163-352, has been
3 nominated as a candidate under G.S. 163-98 or G.S. 163-114, or has otherwise
4 formally become a candidate for elective office. The exception of this
5 subdivision does not extend to an individual who meets the definition of
6 "candidate" only by beginning a tentative candidacy by receiving funds or
7 making payments or giving consent to someone else to receive funds or
8 transfer something of value for the purpose of exploring a candidacy.
9 "

10 **SECTION 2.6.** G.S. 163-106.2(a) reads as rewritten:

11 "(a) Candidates seeking party primary nominations for the following offices shall file their
12 notice of candidacy with the State Board no earlier than 12:00 noon on the first Monday in
13 December and no later than 12:00 noon on the third Friday in December preceding the primary:
14 Governor
15 Lieutenant Governor
16 All State executive officers
17 ~~Justices of the Supreme Court~~
18 ~~Judges of the Court of Appeals~~
19 ~~Judges of the superior court~~
20 ~~Judges of the district court~~
21 United States Senators
22 Members of the House of Representatives of the United States
23 District ~~attorneys~~sattorneys."

24 **SECTION 2.7.** G.S. 163-106.3 reads as rewritten:

25 **"§ 163-106.3. Notice of candidacy for certain offices to indicate vacancy.**

26 In any primary in which there are ~~two or more vacancies for associate justices for the Supreme~~
27 ~~Court, two or more vacancies for the Court of Appeals, two or more vacancies for superior or~~
28 ~~district court judge, or two vacancies for United States Senator from North Carolina, each~~
29 candidate shall, at the time of filing notice of candidacy, file with the State Board of Elections a
30 written statement designating the vacancy to which the candidate seeks nomination. The
31 designation shall not be the name or names of any incumbent or other individual but shall be
32 designated as determined by the State Board of Elections. A person seeking election for a
33 specialized district judgeship established under G.S. 7A-147 shall, at the time of filing notice of
34 candidacy, file with the State Board of Elections a written statement designating the specialized
35 judgeship to which the person seeks nomination. Votes cast for a candidate shall be effective
36 only for nomination to the vacancy for which the candidate has given notice of candidacy as
37 provided in this section."

38 **SECTION 2.8.** G.S. 163-106.5 reads as rewritten:

39 **"§ 163-106.5. Certificate of registration to vote in county and party affiliation; cancellation**
40 **of candidacy; residency requirements for judges.candidacy.**

41 (a) Candidates required to file their notice of candidacy with the State Board of Elections
42 under G.S. 163-106.2 shall file along with their notice a certificate signed by the chairman of the
43 board of elections or the director of elections of the county in which they are registered to vote,
44 stating that the person is registered to vote in that county, ~~if the candidacy is for superior court~~
45 ~~judge and the county contains more than one superior court district, stating the superior court~~
46 ~~district of which the person is a resident~~, stating the party with which the person is affiliated, and
47 that the person has not changed ~~his~~the person's affiliation from another party or from unaffiliated
48 within three months prior to the filing deadline under G.S. 163-106.2. In issuing such certificate,
49 the chairman or director shall check the registration records of the county to verify such
50 information. During the period commencing 36 hours immediately preceding the filing deadline
51 the State Board of Elections shall accept, on a conditional basis, the notice of candidacy of a

1 candidate who has failed to secure the verification ordered herein subject to receipt of verification
2 no later than three days following the filing deadline. The State Board of Elections shall prescribe
3 the form for such certificate, and distribute it to each county board of elections no later than the
4 last Monday in December of each odd-numbered year.

5 (b) When any candidate files a notice of candidacy with a board of elections under
6 G.S. 163-106.2 or under G.S. 163-291(2), the board of elections shall, immediately upon receipt
7 of the notice of candidacy, inspect the registration records of the county, and cancel the notice of
8 candidacy of any person who does not meet the constitutional or statutory qualifications for the
9 office, including residency.

10 The board shall give notice of cancellation to any candidate whose notice of candidacy has
11 been cancelled under this section by mail or by having the notice served on ~~him~~the candidate by
12 the sheriff, and to any other candidate filing for the same office. A candidate who has been
13 adversely affected by a cancellation or another candidate for the same office affected by a
14 substantiation under this section may request a hearing on the cancellation. If the candidate
15 requests a hearing, the hearing shall be conducted in accordance with Article 11B of this Chapter.

16 (e) ~~No person may file a notice of candidacy for superior court judge, unless that person
is, at the time of filing the notice of candidacy, a resident of the judicial district as it will exist at
the time the person would take office if elected. No person may be nominated as a superior court
judge under G.S. 163-114, unless that person is, at the time of nomination, a resident of the
judicial district as it will exist at the time the person would take office if elected. This subsection
implements Section 9(1) of Article IV of the North Carolina Constitution, which requires regular
superior court judges to reside in the district for which elected."~~

23 **SECTION 2.9.** G.S. 163-107(a) reads as rewritten:

24 "(a) Fee Schedule. – At the time of filing a notice of candidacy, each candidate shall pay
25 to the board of elections with which the candidate files under the provisions of G.S. 163-106,
26 163-106.1, 163-106.2, 163-106.3, 163-106.4, 163-106.5, and 163-106.6, a filing fee for the office
27 sought in the amount specified in the following tabulation:

Office Sought	Amount of Filing Fee
Governor	One percent (1%) of the annual salary of the office sought
Lieutenant Governor	One percent (1%) of the annual salary of the office sought
All State executive offices	One percent (1%) of the annual salary of the office sought
All Justices, Judges, and District Attorneys of the General Court of Justice	One percent (1%) of the annual salary of the office sought
United States Senator	One percent (1%) of the annual salary of the office sought
Members of the United States House of Representatives	One percent (1%) of the annual salary of the office sought
State Senator	One percent (1%) of the annual salary of the office sought
Member of the State House of Representatives	One percent (1%) of the annual salary of the office sought
All county offices not compensated by fees	One percent (1%) of the annual salary of the office sought
All county offices compensated partly by salary and partly by fees	One percent (1%) of the first annual salary to be received (exclusive of fees)

1 The salary of any office that is the basis for calculating the filing fee is the starting salary for the
2 office, rather than the salary received by the incumbent, if different. If no starting salary can be
3 determined for the office, then the salary used for calculation is the salary of the incumbent, as
4 of January 1 of the election year."

5 **SECTION 2.10.** G.S. 163-107.1 reads as rewritten:

6 **"§ 163-107.1. Petition in lieu of payment of filing fee.**

7 (a) Any qualified voter who seeks nomination in the party primary of the political party
8 with which ~~he~~the qualified voter affiliates may, in lieu of payment of any filing fee required for
9 the office ~~he seeks, sought,~~ file a written petition requesting ~~him~~ to be a candidate for a specified
10 office with the appropriate board of elections, State, county or municipal.

11 (b) If the candidate is seeking the office of United States Senator, Governor, Lieutenant
12 Governor, ~~or any State executive officer, Justice of the Supreme Court, or Judge of the Court of~~
~~Appeals, officer,~~ the petition must be signed by 10,000 registered voters who are members of the
13 political party in whose primary the candidate desires to run, except that in the case of a political
14 party as defined by G.S. 163-96(a)(2) which will be making nominations by primary election,
15 the petition must be signed by five percent (5%) of the registered voters of the State who are
16 affiliated with the same political party in whose primary the candidate desires to run, or in the
17 alternative, the petition shall be signed by no less than 8,000 registered voters regardless of the
18 voter's political party affiliation, whichever requirement is greater. The petition must be filed
19 with the State Board of Elections not later than 12:00 noon on Monday preceding the filing
20 deadline before the primary in which he seeks to run. The names on the petition shall be verified
21 by the board of elections of the county where the signer is registered, and the petition must be
22 presented to the county board of elections at least 15 days before the petition is due to be filed
23 with the State Board of Elections. When a proper petition has been filed, the candidate's name
24 shall be printed on the primary ballot.

26 (c) County, Municipal and District Primaries. – If the candidate is seeking one of the
27 offices set forth in G.S. 163-106.2 but which is not listed in subsection (b) of this section, or a
28 municipal or any other office requiring a partisan primary which is not set forth in G.S. 163-106.2
29 or G.S. 163-106.3, the candidate shall file a written petition with the appropriate board of
30 elections no later than 12:00 noon on Monday preceding the filing deadline before the primary.
31 The petition shall be signed by five percent (5%) of the registered voters of the election area in
32 which the office will be voted for, who are affiliated with the same political party in whose
33 primary the candidate desires to run, or in the alternative, the petition shall be signed by no less
34 than 200 registered voters regardless of said voter's political party affiliation, whichever
35 requirement is greater. The board of elections shall verify the names on the petition, and if the
36 petition is found to be sufficient, the candidate's name shall be printed on the appropriate primary
37 ballot. Petitions for candidates for member of the U.S. House of Representatives, District
38 Attorney, ~~judge of the superior court, judge of the district court,~~ and members of the State House
39 of Representatives from multi-county districts or members of the State Senate from multi-county
40 districts must be presented to the county board of elections for verification at least 15 days before
41 the petition is due to be filed with the State Board of Elections, and such petition must be filed
42 with the State Board no later than 12:00 noon on Monday preceding the filing deadline. The State
43 Board of Elections may adopt rules to implement this section and to provide standard petition
44 forms.

45"

46 **SECTION 2.11.** G.S. 163-108(b) reads as rewritten:

47 (b) No later than 10 days after the time for filing notices of candidacy under the
48 provisions of G.S. 163-106.2 has expired, the chairman of the State Board of Elections shall
49 certify to the chairman of the county board of elections in each county in the appropriate district
50 the names of candidates for nomination to the ~~following offices~~office of district attorney who
51 have filed the required notice and pledge and paid the required filing fee to the State Board of

1 Elections, so that their names may be printed on the official county ballots: Superior court judge,
2 ~~district court judge, and district attorney ballots.~~"

3 **SECTION 2.12.** G.S. 163-111(c)(1) reads as rewritten:

4 "(1) A candidate who is apparently entitled to demand a second primary, according
5 to the unofficial results, for one of the offices listed below, and desiring to do
6 so, shall file a request for a second primary in writing with the Executive
7 Director of the State Board of Elections no later than 12:00 noon on the ninth
8 day (including Saturdays and Sundays) following the date on which the
9 primary was conducted, and such request shall be subject to the certification
10 of the official results by the State Board of Elections. If the vote certification
11 by the State Board of Elections determines that a candidate who was not
12 originally thought to be eligible to call for a second primary is in fact eligible
13 to call for a second primary, the Executive Director of the State Board of
14 Elections shall immediately notify such candidate and permit the candidate to
15 exercise any options available to the candidate within a 48-hour period
16 following the notification:

17 Governor,
18 Lieutenant Governor,
19 All State executive officers,
20 Justices, Judges, or District Attorneys of the General Court of Justice,
21 United States Senators,
22 Members of the United States House of Representatives,
23 State Senators in multi-county senatorial districts, and
24 Members of the State House of Representatives in multi-county
25 representative districts."

26 **SECTION 2.13.** G.S. 163-114 reads as rewritten:

27 **"§ 163-114. Filling vacancies among party nominees occurring after nomination and before
28 election.**

29 (a) If any person nominated as a candidate of a political party for one of the offices listed
30 below (either in a primary or convention or by virtue of having no opposition in a primary) dies,
31 resigns, or for any reason becomes ineligible or disqualified before the date of the ensuing general
32 election, the vacancy shall be filled by appointment according to the following instructions:

Position	Vacancy is to be filled by appointment of national executive committee of political party in which vacancy occurs
President	
Vice President	
Presidential elector or alternate elector	Vacancy is to be filled by appointment of State executive committee of political party in which vacancy occurs
Any elective State office	
United States Senator	
A district office, including: Member of the United States House of Representatives	Appropriate district executive committee of political party in which vacancy occurs
Judge of district court	
District Attorney	
State Senator in a multi-	

1	county senatorial district	
2	Member of State House of	
3	Representatives in a	
4	multi-county representative district	
5		
6	State Senator in a single-	County executive committee
7	county senatorial district	of political party in which
8	Member of State House of	vacancy occurs, provided, in
9	Representatives in a	the case of the State Senator
10	single-county represen-	or State Representative in a
11	tative district	single-county district where
12	Any elective county office	not all the county is located
13		in that district, then in
14		voting, only those members of
15		the county executive committee
16		who reside within the district
17		shall vote <u>vote</u> .
18	Judge of superior court in a	County executive committee of
19	single county judicial	political party in which vacancy
20	district where the district is	occurs; provided, in the case of a
21	the whole county or part of the	superior court judge in a single-
22	county	county district where not all
23		the county is located in that
24		district, then in voting, only
25		those members of the county
26		executive committee who
27		reside within the district shall
28		vote
29	Judge of superior court in a	Appropriate district executive
30	multicounty judicial	committee of political party in
31	district	which vacancy occurs.
32		
33	The party executive making a nomination in accordance with the provisions of this section shall	
34	certify the name of its nominee to the chairman of the board of elections, State or county, that	
35	has jurisdiction over the ballot item under G.S. 163-182.4. If at the time a nomination is made	
36	under this section the general election ballots have already been printed, the provisions of	
37	G.S. 163-165.3(c) shall apply. If a vacancy occurs in a nomination of a political party and that	
38	vacancy arises from a cause other than death and the vacancy in nomination occurs more than	
39	120 days before the general election, the vacancy in nomination may be filled under this section	
40	only if the appropriate executive committee certifies the name of the nominee in accordance with	
41	this paragraph at least 75 days before the general election.	
42	(b) In a county which is partly in a multicounty judicial district, in choosing that county's	
43	member or members of the judicial district executive committee for the multicounty district, only	
44	the county convention delegates or county executive committee members who reside within the	
45	area of the county which is within that multicounty district may vote.	
46"	
47	SECTION 2.14. G.S. 163-122 is amended by adding a new subsection to read:	
48	"(c1) <u>This section does not apply to elections under Article 26 of this Chapter."</u>	
49	SECTION 2.15. G.S. 163-123(h) reads as rewritten:	

1 "(h) Municipal and Nonpartisan Elections Excluded. – This section does not apply to
2 municipal elections conducted under Subchapter IX of this ~~Chapter~~~~Chapter and does not apply~~
3 ~~to nonpartisan elections, except for elections under Subchapter XI of this Chapter.~~"

4 **SECTION 2.16.** G.S. 163-165.5(a)(3) reads as rewritten:

5 "(3) The names of the candidates as they appear on their notice of candidacy filed
6 pursuant to G.S. 163-106, 163-106.1, 163-106.2, 163-106.3, 163-106.4,
7 163-106.5, ~~and~~ 163-106.6, and 163-352, or on petition forms filed in
8 accordance with G.S. 163-122. No title, appendage, or appellation indicating
9 rank, status, or position shall be printed on the official ballot in connection
10 with the candidate's name. Candidates, however, may use the title Mr., Mrs.,
11 Miss, or Ms. Nicknames shall be permitted on an official ballot if used in the
12 notice of candidacy or qualifying petition, but the nickname shall appear
13 according to standards adopted by the State Board of Elections. Those
14 standards shall allow the presentation of legitimate nicknames in ways that do
15 not mislead the voter or unduly advertise the candidacy. In the case of
16 candidates for presidential elector, the official ballot shall not contain the
17 names of the candidates for elector but instead shall contain the nominees for
18 President and Vice President which the candidates for elector represent. The
19 State Board of Elections shall establish a review procedure that local boards
20 of elections shall follow to ensure that candidates' names appear on the official
21 ballot in accordance with this subdivision."

22 **SECTION 2.17.** This Part becomes effective with respect to primaries and elections
23 held on or after January 1, 2024.

24 **PART III. ENHANCE LEGISLATOR TO LOBBYIST REVOLVING DOOR
25 RESTRICTIONS**

26 **SECTION 3.1.** G.S. 120C-304 reads as rewritten:

27 **"§ 120C-304. Restrictions.**

28 (a) No legislator or former legislator may register as a lobbyist under this Article:

29 (1) While in office.

30 (2) ~~Before the later of the close of session as set forth in G.S. 120C-100(a)(7)b.1
31 in which the legislator served or six months For a period of two years~~ after
32 leaving office.

33 (b) No public servant or former public servant as defined in G.S. 138A-3(70)a. may
34 register as a lobbyist under this Chapter while in office or ~~within six months for a period of two
35 years~~ after leaving office.

36 (c) No public servant or former public servant as defined in G.S. 138A-3(70)c. may
37 register as a lobbyist under this Chapter ~~within six months for a period of two years~~ after
38 separation from employment as a public servant. No other employee of any State agency may
39 register as a lobbyist under this Chapter to lobby the State agency that previously employed the
40 former employee ~~within six months for a period of two years~~ after voluntary separation or
41 separation for cause from that State agency.

42 "

43 **SECTION 3.2.** This Part becomes effective October 1, 2023.

44 **PART III-A. ELIMINATE WET INK REGISTRATION**

45 **SECTION 3A.1.** G.S. 163-82.6(c) reads as rewritten:

46 "(c) Signature. – The form shall be valid only if signed by the applicant. An ~~electronically
47 captured signature, including signatures on applications generated by computer programs of
48 third party groups, shall not be valid on a voter registration form, except as provided in Article
49 21A of this Chapter. Notwithstanding the provisions of this subsection, an electronically captured~~

1 image of the signature of a voter on an electronic voter registration form offered by a State agency
2 shall be considered a valid signature for all purposes for which a signature on a paper voter
3 registration form is used."

5 PART IV. ONLINE VOTER REGISTRATION

6 SECTION 4.1. G.S. 163-82.3(a) reads as rewritten:

7 "a) Form Developed by State Board of Elections. – The State Board of Elections shall
8 develop an application form for voter ~~registration~~. registration that may be (i) printed out in blank
9 form or (ii) filled in online as set forth in G.S. 163-82.5A. Any person may use the form to apply
10 to do any of the following:

- 11 (1) Register to vote.
- 12 (2) Change party affiliation or unaffiliated status.
- 13 (3) Report a change of address within a county.
- 14 (4) Report a change of name.

15 The county board of elections for the county where the applicant resides shall accept the form
16 as application for any of those purposes if the form is submitted as set out in G.S. 163-82.3.this
17 section."

18 SECTION 4.2. Article 7A of Chapter 163 of the General Statutes is amended by
19 adding a new section to read:

20 "§ 163-82.5A. Online voter registration.

21 (a) This section may be cited as the "Online Voter Registration Act."
22 (b) Require Availability of Internet for Voter Registration. – The State Board of Elections
23 shall ensure that the following services are available to the public at any time on its official public
24 website:

- 25 (1) Online application for voter registration, the content of which shall be
equivalent to the form provided by designated voter registration agencies.
- 26 (2) Online assistance to those applying to register to vote.
- 27 (3) Online completion and submission by applicants of the voter registration
application, including the signature of the applicant pursuant to subsection (d)
of this section.
- 28 (4) Online receipt of completed voter registration applications.

29 (c) To the extent any State agency described in G.S. 163-82.19 or G.S. 163-82.20 has
30 signatures of clients, those agencies shall cooperate in sharing those signatures with the State
31 Board of Elections.

32 (d) An application submitted under this section shall be deemed submitted to the election
33 authority on the date it is received.

34 (e) An applicant for voter registration under this section provides a signature by doing
35 any of the following:

- 36 (1) In the case of an applicant who has a signature on file with a State government
agency, authorizing the agency to transmit that signature to election officials.
- 37 (2) Submitting with the application an electronic copy of the applicant's
handwritten signature through electronic means in a manner prescribed by the
State Board of Elections.

38 (f) Upon submission of a completed voter registration application under this section, the
39 State Board of Elections official website shall generate an immediate electronic confirmation on
40 the website that the application has been received, with instructions as to how the applicant may
41 check the status of the application thereafter.

42 (g) The State Board of Elections shall accept an online voter registration application
43 submitted under this section and ensure that the individual is registered to vote in this State if
44 each of the following is satisfied:

- (1) The individual meets the same voter registration eligibility requirements applicable to individuals who register to vote by mail.

(2) The individual provides a signature in accordance with subsection (e) of this section.

(h) The State Board of Elections shall inform the applicant for voter registration of the disposition of the application by regular mail. Additionally, the State Board shall make available to the applicant the option to receive the disposition notification by email.

(i) No legal distinction shall be made between registration under this section and registration by written application in accordance with the provisions of this Article.

(j) The State Board of Elections shall ensure that any registered voter may at any time update the voter's registration information, including the voter's address, online through the State Board's official public website in accordance with maintenance of the computerized statewide voter registration list.

(k) Except as provided in G.S. 163-82.6A, the State Board shall revise any information on the computerized list to reflect the update made by the voter at any time until the deadlines for registration under G.S. 163-82.6(d) for a primary or general election.

(I) Upon receipt of updated registration information under this section, the State Board of Elections shall send a notice confirming receipt of the updated information by regular mail, and by email, if available."

SECTION 4.3. G.S. 163-82.6(d) reads as rewritten:

"(d) Registration Deadlines for a Primary or Election. – In order to be valid for a primary or election, the form must comply with one of the following:

- (1) If submitted by mail, must be postmarked at least 25 days before the primary or election, except that any mailed application on which the postmark is missing or unclear is validly submitted if received in the mail not later than 20 days before the primary or ~~election~~selection.
 - (2) If submitted in person, by facsimile transmission, ~~or~~ by transmission of a scanned document, ~~or by online voter registration pursuant to G.S. 163-82.5A,~~ must be received by the county board of elections by a time established by that board, but no earlier than 5:00 P.M., on the twenty-fifth day before the primary or ~~election~~selection.
 - (3) If submitted through a delegatee who violates the duty set forth in subsection (a) of this section, must be signed by the applicant and given to the delegatee not later than 25 days before the primary or election, except as provided in subsection (f) of this section."

SECTION 4.4. G.S. 163-82.10(a1) reads as rewritten:

"(a1) Personal Identifying Information. – Full or partial social security numbers, dates of birth, the identity of the public agency at which the voter registered under G.S. 163-82.20, any electronic mail address submitted under this Article, Article 20, or Article 21A of this Chapter, photocopies of identification for voting, and drivers license numbers, whether held by the State Board or a county board of elections, or obtained through online voter registration under G.S. 163-82.5A, are confidential and shall not be considered public records and subject to disclosure to the general public under Chapter 132 of the General Statutes. Cumulative data based on those items of information may be publicly disclosed as long as information about any individual cannot be discerned from the disclosed data. Disclosure of information in violation of this subsection shall not give rise to a civil cause of action. This limitation of liability does not apply to the disclosure of information in violation of this subsection as a result of gross negligence, wanton conduct, or intentional wrongdoing that would otherwise be actionable."

SECTION 4.5. In establishing online voter registration in accordance with this Part, the State Board of Elections shall establish appropriate technological security measures to protect against unauthorized access to information. The State Board of Elections shall ensure that online

1 voter registration under this Part is provided in a manner that is accessible to persons with
2 disabilities so as to provide the same opportunity for access and participation as for other voters.

3 **SECTION 4.6.** There is appropriated from the General Fund to the State Board of
4 Elections the sum of two hundred fifteen thousand dollars (\$215,000) in recurring funds for each
5 year of the 2023-2025 fiscal biennium and the sum of ninety thousand dollars (\$90,000) in
6 nonrecurring funds for the 2023-2024 fiscal year to implement online voter registration pursuant
7 to this Part.

8 **SECTION 4.7.** Sections 4.1 through 4.5 of this Part become effective December 1,
9 2023. Section 4.6 of this Part becomes effective July 1, 2023.

10 **PART V. AUTOMATIC VOTER REGISTRATION**

11 **SECTION 5.1.** G.S. 163-82.3 reads as rewritten:

12 **"§ 163-82.3. Voter registration application forms.~~forms~~; automatic voter registration at
13 certain agencies.**

14 (a) Form Developed by State Board of Elections. – The State Board of Elections shall
15 develop an application form for voter registration. Any person may use the form to apply to do
16 any of the following:
17 ...

18 (c) ~~Agency Application Form. Application.~~ – The county board of elections where an
19 applicant resides shall accept as application for any of the purposes set out in subsection (a) of
20 this section ~~a form automatic voter registration~~ developed pursuant to G.S. 163-82.19 or
21 G.S. 163-82.20."

22 **SECTION 5.2.** G.S. 163-82.6 reads as rewritten:

23 **"§ 163-82.6. Acceptance of application forms.**

24 (a) How the Form May Be Submitted. – The county board of elections shall accept any
25 form described in G.S. 163-82.3 if the applicant submits the form by mail, facsimile transmission,
26 transmission of a scanned document, or in ~~person~~person or by ~~automatic voter registration~~
27 pursuant to G.S. 163-82.19 or G.S. 163-82.20. The applicant may delegate the submission of the
28 form to another person. Any person who communicates to an applicant acceptance of that
29 delegation shall deliver that form so that it is received by the appropriate county board of
30 elections in time to satisfy the registration deadline in subdivision (1) or (2) of subsection (d) of
31 this section for the next election. It shall be a Class 2 misdemeanor for any person to communicate
32 to the applicant acceptance of that delegation and then fail to make a good faith effort to deliver
33 the form so that it is received by the county board of elections in time to satisfy the registration
34 deadline in subdivision (1) or (2) of subsection (d) of this section for the next election. It shall be
35 an affirmative defense to a charge of failing to make a good faith effort to deliver a delegated
36 form by the registration deadline that the delegatee informed the applicant that the form would
37 not likely be delivered in time for the applicant to vote in the next election. It shall be a Class 2
38 misdemeanor for any person to sell or attempt to sell a completed voter registration form or to
39 condition its delivery upon payment.
40 ...

41 (d) Registration Deadlines for a Primary or Election. – In order to be valid for a primary
42 or election, the ~~form~~form must comply with one of the following:

43 (1) If submitted by mail, must be postmarked at least 25 days before the primary
44 or election, except that any mailed application on which the postmark is
45 missing or unclear is validly submitted if received in the mail not later than 20
46 days before the primary or ~~elec~~lection,election.

47 (2) If submitted in person, by facsimile transmission, ~~or~~by transmission of a
48 scanned document, ~~or by automatic voter registration~~, must be received by the
49 county board of elections by a time established by that board, but no earlier
50 than 5:00 P.M., on the twenty-fifth day before the primary or ~~elec~~lection,election.

(3) If submitted through a delegatee who violates the duty set forth in subsection (a) of this section, must be signed by the applicant and given to the delegatee not later than 25 days before the primary or election, except as provided in subsection (f) of this section.

11

SECTION 5.3. G.S. 163-82.19 reads as rewritten:

"§ 163-82.19. Voter Automatic voter registration at drivers license offices; coordination on data interface.

(a) Automatic Voter Registration at Drivers License Offices. – The Beginning January 1, 2024, the Division of Motor Vehicles shall, pursuant to the rules adopted by in consultation with the State Board of Elections, modify its forms so that implement a method by which any eligible person who applies for original issuance, renewal or correction of a drivers license, or special identification card issued under G.S. 20-37.7 may, on a part of the form, complete an application to register shall be automatically registered to vote, or able to update the voter's registration if the voter has changed his or her address or moved from one precinct to another or from one county to another. The person taking the application shall ask if the applicant is a citizen of the United States. If the applicant states that the applicant is not a citizen of the United States, or declines to answer the question, the person taking the application shall inform the applicant that it is a felony for a person who is not a citizen of the United States to apply to register to vote. The application shall state in clear language the penalty for violation of this section. The necessary forms shall be prescribed by the State Board of Elections. The form must ask for the previous voter registration address of the voter, if any. If a previous address is listed, and it is not in the county of residence of the applicant, the appropriate county board of elections shall treat the application as an authorization to cancel the previous registration and also process it as such under the procedures of G.S. 163-82.9. If a previous address is listed and that address is in the county where the voter applies to register, the application shall be processed as if it had been submitted under G.S. 163-82.9.inform the applicant of the following:

- (1) That the applicant shall be registered to vote or have the applicant's voter registration record updated, as applicable, unless the applicant declines.
 - (2) The qualifications to vote under G.S. 163-55.
 - (3) That the applicant should not register if the applicant does not meet the qualifications described under subdivision (2) of this subsection.
 - (4) That any person who willfully and knowingly and with fraudulent intent gives false information on the application is guilty of a Class I felony.
 - (5) That if the applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and be used for voter registration purposes only.
 - (6) Information regarding the address confidentiality program under Chapter 15C of the General Statutes, including how to register for the program and how voter registration may impact participation in the program.

41 (a1) Requirements. – If the applicant does not decline voter registration, the person taking
42 the application shall require the applicant to provide all information requested of the applicant
43 under G.S. 163-82.4, including declaring a preference to be affiliated with a political party or a
44 preference to be an unaffiliated voter. If the applicant fails to declare a political party affiliation,
45 the applicant's political affiliation shall be designated as unaffiliated. The applicant shall provide
46 an electronic signature as required under G.S. 163-82.6(c), subject to the penalty of perjury, by
47 which the applicant attests that the information provided by the applicant is true and that the
48 applicant meets all qualifications to become a registered voter.

49 (a2) When Registration Effective. — Registration shall become effective as provided in
50 G.S. 163-82.7. Applications to register to vote accepted at a drivers license office under this
51 section until the deadline established in G.S. 163-82.6(d)(2) shall be treated as timely made for

1 an election, and no person who completes an application at that drivers license office shall be
2 denied the vote in that election for failure to apply earlier than that deadline.

3 ~~(a3) All applications shall be forwarded by the Transmittal from Department of~~
4 ~~Transportation to Board of Elections. – The Department of Transportation shall electronically~~
5 ~~transmit the applications of applicants who have not declined voter registration to the appropriate~~
6 ~~board of elections not later than five business days after the date of acceptance, according to rules~~
7 ~~which shall be promulgated by the State Board of Elections. Those rules shall provide for a~~
8 ~~paperless, instant, electronic transfer of applications to the appropriate board of elections.~~

9 ~~(a4) Confidentiality of Declination to Register. – No information relating to a declination~~
10 ~~to register to vote in connection with a voter registration application at a Division of Motor~~
11 ~~Vehicles office may be used for any purpose other than voter registration. The State Board shall~~
12 ~~ensure that information acquired for purposes of automatic voter registration under this section~~
13 ~~is kept confidential in accordance with G.S. 163-82.4(c), including compliance with any voter~~
14 ~~registration requirements under G.S. 163-82.10.~~

15 ~~(b) Any Ineligible Applications Prohibited. – If a person who is ineligible to vote~~
16 ~~becomes registered to vote pursuant to this section, the person shall not be eligible to vote but~~
17 ~~shall not automatically be subject to criminal penalty. However, any person who willfully and~~
18 ~~knowingly and with fraudulent intent gives false information on the application described under~~
19 ~~this section is guilty of a Class I felony.~~

20 ...

21 ~~(d) No Requirement to Determine Eligibility. – Nothing in this section shall be construed~~
22 ~~as requiring the Department of Transportation to determine eligibility for voter registration and~~
23 ~~voting."~~

24 **SECTION 5.4.** G.S. 163-82.20 reads as rewritten:

25 **"§ 163-82.20. Voter registration at other public agencies; automatic voter**
26 **registration.**

27 (a) Voter Registration Agencies. – Every office in this State which accepts:

28 ...

29 (b) Duties of Voter Registration Agencies. – ~~A Agencies; Automatic Voter Registration~~
30 ~~Information. – Beginning January 1, 2025, a voter registration agency described in subsection~~
31 ~~(a) of this section shall, unless the applicant declines, in writing, to register to vote: in consultation~~
32 ~~with the State Board, provide, with each application for service or assistance, and with each~~
33 ~~recertification, renewal, or change of address relating to such service or assistance, an application~~
34 ~~process for automatic voter registration. The person taking the application shall inform the~~
35 ~~applicant of the following:~~

36 (1) ~~Distribute with each application for service or assistance, and with each~~
37 ~~recertification, renewal, or change of address relating to such service or~~
38 ~~assistance:~~

39 a. ~~The voter registration application form described in G.S. 163-82.3(a)~~
40 ~~or (b); or~~

41 b. ~~The voter registration agency's own form, if it is substantially~~
42 ~~equivalent to the form described in G.S. 163-82.3(a) or (b) and has~~
43 ~~been approved by the State Board of Elections, provided that the~~
44 ~~agency's own form may be a detachable part of the agency's paper~~
45 ~~application or may be a paperless computer process, as long as the~~
46 ~~applicant is required to sign an attestation as part of the application to~~
47 ~~register.~~

48 ~~That the applicant shall be registered to vote or have the applicant's voter~~
49 ~~registration record updated, as applicable, unless the applicant declines.~~

- (2) Provide a form that contains the elements required by section 7(a)(6)(B) of the National Voter Registration Act; and The qualifications to vote under G.S. 163-55.
 - (3) Provide to each applicant who does not decline to register to vote the same degree of assistance with regard to the completion of the registration application as is provided by the office with regard to the completion of its own forms. That the applicant should not register if the applicant does not meet the qualifications described under subdivision (2) of this subsection.
 - (4) That any person who willfully and knowingly and with fraudulent intent gives false information on the application is guilty of a Class I felony.
 - (5) That if the applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and be used for voter registration purposes only.
 - (6) Information regarding the address confidentiality program under Chapter 15C of the General Statutes, including how to register for the program and how voter registration may impact participation in the program.

(b1) Requirements. – If the applicant does not decline voter registration, the person taking the application shall require the applicant to provide all information requested of the applicant under G.S. 163-82.4, including declaring a preference to be affiliated with a political party or a preference to be an unaffiliated voter. If the applicant fails to declare a political party affiliation, the applicant's political affiliation shall be designated as unaffiliated. The applicant shall provide an electronic signature as required under G.S. 163-82.6(c), subject to the penalty of perjury, by which the applicant attests that the information provided by the applicant is true and that the applicant meets all qualifications to become a registered voter.

(c) Employment Security Law Applicants. – Provided that voter registration agencies designated under subdivision (a)(3) of this section shall only be required to provide the services set out in this subsection to applicants for new claims, reopened claims, and changes of address under Chapter 96 of the General Statutes, the Employment Security Law.

212

(f) Confidentiality of Declination to Register. – No information relating to a declination to register to vote in connection with an application made at a voter registration agency may be used for any purpose other than voter registration. The State Board shall ensure that information acquired for purposes of automatic voter registration under this section is kept confidential in accordance with G.S. 163-82.4(c), including compliance with any voter registration requirements under G.S. 163-82.10.

(g) Transmittal From Agency to Board of Elections. – Any voter registration application completed at a voter registration agency shall be accepted by that agency in lieu of the applicant's mailing the application. Any such application so received shall be transmitted. The agency shall electronically transmit the applications of applicants who did not decline voter registration to the appropriate board of elections not later than five business days after acceptance, according to rules which shall be promulgated by the State Board of Elections.

(i) Ineligible Applications Prohibited. – No person shall make application to register to vote under this section if that person is ineligible on account of age, citizenship, lack of residence for the period of time provided by law, or because of conviction of a felony. If a person who is ineligible to vote becomes registered to vote pursuant to this section, the person shall not be eligible to vote but shall not automatically be subject to criminal penalty. However, any person who willfully and knowingly and with fraudulent intent gives false information on the application described under this section is guilty of a Class I felony.

(j) No Requirement to Determine Eligibility. – Nothing in this section shall be construed as requiring agencies to determine eligibility for voter registration and voting."

1 **SECTION 5.5.** G.S. 163-82.20A reads as rewritten:

2 **"§ 163-82.20A. Voter registration upon restoration of citizenship."**

3 The State Board of Elections, the Division of Prisons of the Department of Adult Correction,
4 and the Administrative Office of the Courts shall jointly develop and implement educational
5 programs and procedures for persons to apply to register to vote at the time they are restored to
6 citizenship and all filings required have been completed under Chapter 13 of the General Statutes.
7 Those procedures shall be designed to do both of the following:

8 (1) Inform the person that the restoration of rights removes the person's
9 disqualification from voting, but that in order to vote the person must register
10 to ~~vote~~vote, including informing the person of automatic voter registration in
11 accordance with G.S. 163-82.19 or G.S. 163-82.20.

12 (2) Provide an opportunity to that person to register to vote.

13 At a minimum, the program shall include a written notice to the person whose citizenship has
14 been restored, informing that person that the person may now register to vote, with a voter
15 registration form enclosed with the notice."

16 **SECTION 5.6.** Sections 5.1 through 5.3 and Section 5.5 of this Part become effective
17 January 1, 2024. Section 5.4 of this Part becomes effective January 1, 2025. The remainder of
18 this Part is effective when it becomes law.

19

20 **PART VI. OPEN MEETINGS LAW REFORM/LIVE VIDEO AND AUDIO**
21 **STREAMING IN LEGISLATIVE COMPLEX**

22 **SECTION 6.1.** G.S. 143-318.14A reads as rewritten:

23 **"§ 143-318.14A. Legislative commissions, committees, and standing subcommittees."**

24 ...

25 (b) Reasonable public notice of all meetings of commissions, committees, and standing
26 subcommittees of the General Assembly shall be ~~given~~given to all members of the General
27 Assembly; to all members of the commissions, committees, and standing subcommittees; and to
28 the Legislative Services Office, which shall post the notice on the General Assembly website.
29 For purposes of this subsection, "reasonable public notice" includes, but is not limited
30 to:"adequate public notice" means written or electronic notice that is posted and emailed to those
31 who have requested notice at least 48 hours before the time of the meeting. The notice shall
32 include the time, date, location, and, to the extent known, the agenda of the meeting.

33 (1) Notice given openly at a session of the Senate or of the House; or
34 (2) Notice mailed or sent by electronic mail to those who have requested notice,
35 and to the Legislative Services Office, which shall post the notice on the
36 General Assembly web site.

37 (b1) The chair of the commission, committee, or standing subcommittee shall make the
38 agenda for a meeting noticed under subsection (b) of this section readily available for public
39 inspection no less than 24 hours in advance of the time of the meeting. Except for items of an
40 emergency nature, the agenda shall not be altered after the notice has been made available to the
41 public. The commission, committee, or standing subcommittee may modify the agenda to include
42 items of an emergency nature only during the meeting. As used in this subsection, items of an
43 emergency nature are matters that involve unexpected circumstances that require immediate
44 consideration by the commission, committee, or standing subcommittee.

45 (b2) No later than 24 hours in advance of the time of the meeting, the chair of the
46 commission, committee, or standing subcommittee shall make available to the members of the
47 same the text of all bills, proposed committee substitutes, and amendments that will be considered
48 during the scheduled meeting. No commission, committee, or standing subcommittee shall
49 consider or act on a bill, proposed committee substitute, or amendment that has not been made
50 available to the members in accordance with this subsection.

1 (b3) G.S. 143-318.12 shall not apply to meetings of commissions, committees, and
2 standing subcommittees of the General Assembly.

3 "

4 **SECTION 6.2.** The Legislative Services Officer (LSO) shall ensure live audiovisual
5 streaming of all floor proceedings and all committee meetings held in the Legislative Complex.
6 Live audiovisual streaming shall include (i) public participation and comment to the extent
7 allowed by the streaming technology and (ii) access to the recorded live stream on a centralized
8 website within 48 hours after all floor proceedings or committee meetings.

9 **SECTION 6.3.** This Part is effective when it becomes law.

10 **PART VII. ABSENTEE BALLOTS**

11 **SECTION 7.1.(a)** G.S. 163-229(b)(3) reads as rewritten:

12 "(3) A space for the identification of the ~~two persons~~ person witnessing the casting
13 of the absentee ballot in accordance with G.S. 163-231, ~~those persons'~~
14 ~~signatures, and those persons' addresses~~~~that person's signature, and that~~
15 ~~person's address.~~"

16 **SECTION 7.1.(b)** G.S. 163-231(a) reads as rewritten:

17 "(a) Procedure for Voting Absentee Ballots. – In the presence of ~~two persons~~ one person
18 who ~~are-is~~ at least 18 years of age, and who ~~are-is~~ not disqualified by G.S. 163-226.3(a)(4) or
19 G.S. 163-237(c), the voter shall do all of the following:

20 ...
21 (5) Require ~~those two persons~~ the person in whose presence the voter marked that
22 voter's ballots to sign the application and certificate as ~~witnesses-a witness~~ and
23 to indicate ~~those persons' addresses~~~~the person's address~~. Failure to list a ZIP
24 code does not invalidate the application and certificate.

25 (6) ~~Do one of the following:~~ Have the witness in whose presence the voter marked
26 that voter's ballots certify that the voter is the person submitting the marked
27 ballots.

- 28 a. ~~Have the application notarized. The notary public may be the person~~
29 ~~in whose presence the voter marked that voter's ballot.~~
30 b. ~~Have the two persons in whose presence the voter marked that voter's~~
31 ~~ballots to certify that the voter is the registered voter submitting the~~
32 ~~marked ballots.~~

33 Alternatively to the prior paragraph of this subsection, any requirement for two witnesses
34 shall be satisfied if witnessed by one notary public, who shall comply with all the other
35 requirements of that paragraph. The notary shall affix a valid notarial seal to the envelope, and
36 include the word "Notary Public" below his or her signature.

37 The ~~persons~~ person in whose presence the ballot is marked shall at all times respect the
38 secrecy of the ballot and the privacy of the absentee voter, unless the voter requests assistance
39 and that person is otherwise authorized by law to give assistance. When thus executed, the sealed
40 container-return envelope, with the ballots enclosed, shall be transmitted in accordance with the
41 provisions of subsection (b) of this section to the county board of elections which issued the
42 ballots."

43 **SECTION 7.2.** G.S. 163-230.2(c) reads as rewritten:

44 "(c) Return of Request. – The completed request form for absentee ballots shall be
45 delivered ~~either in person or by mail, email, or fax to the county board of elections only by any~~
46 of the following:

- 47 (1) The voter.
48 (2) The voter's near relative or verifiable legal guardian.
49 (3) A member of a multipartisan team trained and authorized by the county board
50 of elections pursuant to G.S. 163-226.3."

1 **SECTION 7.3.** This Part is effective when it becomes law and applies to elections
2 held on or after that date.
3

4 **PART VIII. USE OF CERTAIN CAMPUSES/VOTING PLACES**

5 **SECTION 8.1.** G.S. 163-129(a) reads as rewritten:

6 "(a) At the voting place in each precinct established under the provisions of G.S. 163-128,
7 the county board of elections shall provide or procure by lease or otherwise a suitable structure
8 or part of a structure in which registration and voting may be conducted. To this end, the county
9 board of elections shall be entitled to demand and use any school or other State, county, or
10 municipal building, or a part thereof, or any other building, or a part thereof, which is supported
11 or maintained, in whole or in part by or through tax ~~revenues provided, however, that revenues,~~
12 including ensuring the use of voting places on college campuses. The State Board of Elections
13 shall also make reasonable efforts to provide means for other college campuses to be used as
14 voting places. However, this section shall not be construed to permit any board of elections to
15 demand and use any tax exempt church property for such purposes without the express consent
16 of the individual church involved, for the purpose of conducting registration and voting for any
17 primary or election, and it may require that the requisitioned premises, or a part thereof, be
18 vacated for these purposes."

19 **PART IX. VOTER LIST MAINTENANCE**

20 **SECTION 9.1.** G.S. 163-82.14 reads as rewritten:

21 **"§ 163-82.14. List maintenance.**

22 ...
23 (b) Death. – The Department of Health and Human Services shall furnish free of charge
24 to the State Board of Elections every month, in a format prescribed by the State Board of
25 Elections, the names of deceased persons who were residents of the State. The State Board of
26 Elections shall distribute every month to each county board of elections the names on that list of
27 deceased persons who were residents of that county. The Department of Health and Human
28 Services shall base each list upon information supplied by death certifications it received during
29 the preceding month. Upon the receipt of those names, each county board of elections shall
30 remove from its voter registration records any person the list shows to be ~~dead~~. dead upon
31 confirming that the complete date of birth of the deceased person and the last four digits of the
32 social security number are identical to the person to be removed from the voter registration
33 records. If the last four digits of the social security number are not available from voter
34 registration records, then the county board of elections shall not remove the voter unless it has
35 matched the complete date of birth and other identification information from the deceased records
36 received from the Department of Health and Human Services or a near relative. Each county
37 board of elections shall also remove from its voter registration records a person identified as
38 deceased by a signed statement of a near relative or personal representative of the estate of the
39 deceased voter. The county board need not send any notice to the address of the person so
40 removed.
41 ...

42 (d) Change of Address. – A county board of elections shall conduct a systematic program
43 to remove from its list of registered voters those who have moved out of the county, and to update
44 the registration records of persons who have moved within the county. The county board shall
45 remove a person from its list if the registrant:
46

- 47 (1) Gives confirmation in writing of a change of address for voting purposes out
48 of the county. "Confirmation in writing" for purposes of this subdivision shall
49 include:any of the following:
50 a. A report to the county board from the Department of Transportation
51 or from a voter registration agency listed in G.S. 163-82.20 that the

1 voter has reported a change of address for voting purposes outside the
2 ~~county; county.~~

3 b. A notice of cancellation received under ~~G.S. 163-82.9;~~
4 ~~or G.S. 163-82.9.~~

5 c. A notice of cancellation received from an election jurisdiction outside
6 the State.

7 (2) Fails to respond after no less than 60 days to a confirmation mailing sent by
8 the county board in accordance with this subdivision and does not vote or
9 appear to vote in an election beginning on the date of the notice and ending
10 on the day after the date of the second general election for the United States
11 House of Representatives that occurs after the date of the notice. A county
12 board sends a confirmation notice in accordance with this subdivision if the
13 ~~notice; notice~~ complies with each of the following:

14 a. Is a postage prepaid and preaddressed return card, sent by forwardable
15 mail, on which the registrant may state current ~~address; address~~.

16 b. Contains or is accompanied by a notice to the effect that if the
17 registrant did not change residence but remained in the county, the
18 registrant should return the card not later than the deadline for
19 registration by mail in ~~G.S. 163-82.6(d)(1); and G.S. 163-82.6(d)(1).~~

20 c. Contains or is accompanied by information as to how the registrant
21 may continue to be eligible to vote if the registrant has moved outside
22 the county.

23 d. If a voter has provided the county board of elections with an email
24 address, is an email that (i) provides the confirmation mailing has been
25 sent, (ii) contains information on how the registrant may confirm the
26 registrant's current address online, and (iii) contains information on
27 how the voter may continue to be eligible to vote if the registrant has
28 moved outside the county. If the voter has not provided an email
29 address to the county board but has provided a phone number, the
30 county board shall contact the voter by phone to provide this
31 information.

32 A county board shall send a confirmation mailing in accordance with this
33 subdivision to every registrant after every congressional election if the county
34 board has not confirmed the registrant's address by another means.

35 (3) Any registrant who is removed from the list of registered voters pursuant to
36 this subsection shall be reinstated if the voter appears to vote and gives oral or
37 written affirmation that the voter has not moved out of the county but has
38 maintained residence continuously within the county. That person shall be
39 allowed to vote as provided in G.S. 163-82.15(f).

40 (d1) Notwithstanding subsection (d) of this section, a county board of elections shall not
41 remove a registrant from its list of registered voters solely based on the county board receiving a
42 return mailing as "undeliverable" without taking steps to confirm the registrant's current address
43 by other means.

44"

45 PART X. TRUE SOURCE OF SPENDING

46 SECTION 10.1. G.S. 163-278.12 is amended by adding a new subsection to read:

47 "(h) Except for political committees that do not receive more than six thousand four
48 hundred dollars (\$6,400), or the amount set by G.S. 163-278.13, from any one person in an
49 election, a filer, when reporting donations of one thousand dollars (\$1,000) or more in the
50 aggregate under this subsection, shall disclose the identity of the original source of the funds, the

1 amounts of those donations, and any intermediaries who transferred the funds before they were
2 contributed to the filer. For purposes of this subsection, "original source" means an individual
3 who contributes wages, investment income, or bequests or a person that contributes money
4 received through ordinary commercial transactions. Any person or entity making a donation of
5 one thousand dollars (\$1,000) or more, in the aggregate, in an election to a person or entity
6 required to report donations under this subsection shall inform that person or entity of the identity
7 of the original sources of funds being transferred, the amounts of the persons' original funds being
8 transferred, and the identity of any persons who previously transferred the original funds."

9 **SECTION 10.2.** G.S. 163-278.12C is amended by adding a new subsection to read:

10 "(e) Except for political committees that do not receive more than six thousand four
11 hundred dollars (\$6,400), or the amount set by G.S. 163-287.13, from any one person in an
12 election, a filer, when reporting donations of one thousand dollars (\$1,000) or more in the
13 aggregate under this subsection, shall disclose the identity of the original source of the funds, the
14 amounts of those donations, and any intermediaries who transferred the funds before they were
15 contributed to the filer. "Original source" has the same meaning as in G.S. 163-278.12(h). Any
16 person or entity making a donation of one thousand dollars (\$1,000) or more, in the aggregate,
17 in an election to a person or entity required to report donations under this subsection shall inform
18 that person or entity of the identity of the original sources of funds being transferred, the amounts
19 of the persons' original funds being transferred, and the identity of any persons who previously
20 transferred the original funds."

21 **SECTION 10.3.** G.S. 163-278.39(a) is amended by adding a new subdivision to
22 read:

23 "(5) In an advertisement made by a sponsor other than a candidate, political party
24 organization, an individual solely spending the individual's own personal
25 funds received through wages, investment income, or bequests or a person
26 solely spending money received through ordinary commercial transactions,
27 the advertisement bears the legend or includes the statement: "[Names of top
28 three donors] are the top donors who helped pay for this message." In a
29 television advertisement or digital communication, this disclosure shall be
30 made by visual legend. In advertisements made by a sponsor that reports
31 original sources under G.S. 163-278.12 or G.S. 163-278.12C, the top three
32 donors shall be the three original sources who have donated the highest
33 aggregate amounts to the sponsor in the election cycle."

34 **PART XI. TRANSPARENCY FOR DIGITAL CAMPAIGN ADS**

35 **SECTION 11.1.** G.S. 163-278.6 reads as rewritten:

36 **"§ 163-278.6. Definitions.**

37 When used in this Article:

38 ...

39 (28a) The term "digital communication" means any communication, for a fee,
40 placed or promoted on a public-facing website, web application, or digital
41 application, including a social network, advertising network, or search engine.

42 ...

43 (41) The term "electioneering communication" means any broadcast, cable, or
44 satellite communication, or mass mailing, or telephone bank–bank, or digital
45 communication that has all the following characteristics:

- 46 a. Refers to a clearly identified candidate for elected office.
47 b. In the case of the general election in November of the even-numbered
48 year is aired or transmitted within 60 days of the election for that
49 office.
50 c. May be received by either:

- 1 1. 50,000 or more individuals in the State in an election for
2 statewide office or 7,500 or more individuals in any other
3 election if in the form of broadcast, cable, or satellite
4 communication.
5 2. 20,000 or more households, cumulative per election, in a
6 statewide election or 2,500 households, cumulative per
7 election, in any other election if in the form of mass mailing or
8 telephone bank.

9 "

10 **SECTION 11.2.** G.S. 163-278.38Z(1) reads as rewritten:

- 11 "(1) "Advertisement" means any message appearing in the print media, on
12 television, or on radio ~~television or radio, or through digital communication~~
13 that constitutes a contribution or expenditure under this Article."

14 **SECTION 11.3.** G.S. 163-278.39 reads as rewritten:

15 **"§ 163-278.39. Basic disclosure requirements for all political advertisements.**

16 (a) Basic Requirements. – It shall be unlawful for any sponsor to sponsor an
17 advertisement in the print ~~media or media, on radio or television television, or through digital~~
18 ~~communication~~ that constitutes an expenditure, independent expenditure, electioneering
19 communication, or contribution required to be disclosed under this Article unless all the
20 following conditions are met:

- 21 (1) It bears the legend or includes the statement: "Paid for by ____ [Name of
22 candidate, candidate campaign committee, political party organization,
23 political action committee, referendum committee, individual, or other
24 sponsor]." In television ~~or digital communication~~ advertisements, this
25 disclosure shall be made by visual legend.

26

27 If an advertisement described in this section is jointly sponsored, the disclosure statement
28 shall name all the sponsors.

- 29 (b) Size Requirements. – The following shall apply to the various forms of advertisement:

- 30 (1) In a print media advertisement covered by subsection (a) of this section, the
31 height of all disclosure statements required by that subsection shall constitute
32 at least five percent (5%) of the height of the printed space of the
33 advertisement, provided that the type shall in no event be less than 12 points
34 in size. In an advertisement in a newspaper or a newspaper insert, the total
35 height of the disclosure statement need not constitute five percent of the
36 printed space of the advertisement if the type of the disclosure statement is at
37 least 28 points in size. If a single advertisement consists of multiple pages,
38 folds, or faces, the disclosure requirement of this section applies only to one
39 page, fold, or face.

- 40 (2) In a television advertisement covered by subsection (a) of this section, the
41 visual disclosure legend shall constitute four percent (4%) of vertical picture
42 height in size, and where the television advertisement that appears is paid for
43 by a candidate or candidate campaign committee, the visual disclosure legend
44 shall appear simultaneously with an easily identifiable photograph of the
45 candidate for at least two seconds.

- 46 (3) In a radio advertisement covered by subsection (a) of this section, the
47 disclosure statement shall last at least two seconds, provided the statement is
48 spoken so that its contents may be easily understood.

- 49 (4) In a digital communication advertisement covered by subsection (a) of this
50 section, the disclosure statement shall appear (i) in letters at least as large as
51 the smallest text in the digital communication or (ii) in a heading or similar

1 section of text displayed above or within the digital communication that is
2 visually distinct from the text of the digital communication and shall have a
3 reasonable degree of color contrast between the background and the disclosure
4 statement. If the digital communication is disseminated through a medium in
5 which the provision of the disclosure statement is not possible, the digital
6 communication shall, in a clear and conspicuous manner, include the
7 following:

- 8 a. The name of the person who paid for the digital communication.
9 b. A means for the recipient of the digital communication to obtain the
10 remainder of the information required by this section with minimal
11 effort and without receiving or viewing any additional material other
12 than the disclosure statement.

13 (c) Misrepresentation of Authorization. – Notwithstanding G.S. 163-278.27(a), any
14 candidate, candidate campaign committee, political party organization, political action
15 committee, referendum committee, individual, or other sponsor making an advertisement in the
16 print media or media, on radio or television television, or through digital communication bearing
17 any legend required by subsection (a) of this section that misrepresents the sponsorship or
18 authorization of the advertisement is guilty of a Class 1 misdemeanor."

19 **SECTION 11.4.** G.S. 163-278.39C reads as rewritten:

20 **"§ 163-278.39C. Scope of disclosure requirements.**

21 The disclosure requirements of this Part apply to any sponsor of an advertisement in the print
22 media or media, on radio or television television, or through digital communication the cost or
23 value of which constitutes an expenditure or contribution required to be disclosed under this
24 Article, except that the disclosure requirements of this Part:

- 25 (1) Do not apply to an individual who makes uncoordinated independent
26 expenditures aggregating less than one thousand dollars (\$1,000) in a political
27 campaign; and
28 (2) Do not apply to an individual who incurs expenses with respect to a
29 referendum.

30 The disclosure requirements of this Part do not apply to any advertisement the expenditure
31 for which is required to be disclosed by G.S. 163-278.12A alone and by no other law."

32 **SECTION 11.5.** Part 1A of Article 22A of Chapter 163 of the General Statutes is
33 amended by adding a new section to read:

34 **"§ 163-278.39D. State Board of Elections to maintain records of digital communications
35 for political advertising.**

36 Any person using digital communication, as defined under G.S. 163-278.6(28a), that is
37 covered by G.S. 163-278.39(a) shall submit that digital communication to the State Board of
38 Elections along with the disclosure information required under G.S. 163-278.39. The State Board
39 of Elections shall maintain the information submitted pursuant to this section on the State Board
40 of Elections website and the information shall be deemed public records and available for
41 inspection on the website. The State Board shall display the following information on its website
42 as related to the digital communication:

- 43 (1) The name of the person.
44 (2) The city and state where the entity is located.
45 (3) The amount spent by the person for each candidate.
46 (4) A copy of the political advertisement.
47 (5) The dates or date range on which the political advertisement runs."

48 **SECTION 11.6.** This Part becomes effective September 1, 2023, and applies to
49 elections conducted on or after that date.

50 **PART XII. PROTECTION AGAINST FOREIGN INTERFERENCE**

1 **SECTION 12.1.** G.S. 163-278.39 is amended by adding a new subsection to read:

2 "(a) Notwithstanding any provision of law to the contrary and in accordance with any
3 federal law, a foreign national expending funds for political advertising that addresses a specific
4 issue to influence State or local government policy, a State or local government officer, or an
5 election shall include a statement in the advertisement that identifies the foreign national and a
6 statement disclosing that the advertising is sponsored by the foreign national. The phrase "foreign
7 national" shall have the same meaning as defined in 52 U.S.C. § 30121(b)."

8

9 **PART XIII. LIMITATIONS/SUPER PACS INFLUENCE**

10 **SECTION 13.1.** Part 1 of Article 22A of Chapter 163 of the General Statutes is
11 amended by adding a new section to read:

12 **"§ 163-278.12B. Limitations on super political action committees' influence."**

13 (a) Notwithstanding any other provision of law to the contrary, any political committee
14 that makes only independent expenditures shall notify the State Board of Elections, in writing,
15 of any of the following:

16 (1) Any contribution in excess of one thousand dollars (\$1,000) received by the
17 committee before an election but after the period covered by the last report
18 due before that election. This notification shall be made within 48 hours after
19 the receipt of the contribution and shall include the name of the committee,
20 the contributor, and the date of receipt and amount of the contribution.

21 (2) Any contribution or donation in excess of one thousand dollars (\$1,000) made
22 by the committee before an election but after the period covered by the last
23 report due before that election. This notification shall be made within 48 hours
24 after the contribution or donation is made and shall include the name of the
25 committee and the recipient and the date and amount of the contribution or
26 donation.

27 (b) Any person who receives, directly or indirectly, a contribution or donation subject to
28 subsection (a) of this section and who transfers more than one thousand dollars (\$1,000) of the
29 funds to another person shall disclose to that person, in writing, at the time the transfer is made
30 each of the following:

31 (1) The identification of the political committee who made the contribution or
32 donation and the date and amount of the contribution or donation.

33 (2) The identification of any other person subject to this section, as either a prior
34 transferor or transferee of the funds from the political committee, and the date
35 and amount of the contribution or donation.

36 (c) For purposes of this section, a contribution or donation includes a pledge, promise,
37 understanding, or agreement to make a future contribution or donation."

38

39 **PART XIV. REESTABLISH NORTH CAROLINA PUBLIC CAMPAIGN FUND**

40 **SECTION 14.1.** G.S. 163-278.69 is recodified as G.S. 163-278.158.

41 **SECTION 14.2.** Chapter 163 of the General Statutes is amended by adding the
42 following new Article to read:

43 "Article 22I.

44 "The North Carolina Public Campaign Fund.

45 **"§ 163-278.150. Purpose of the North Carolina Public Campaign Fund."**

46 The purpose of this Article is to ensure the fairness of democratic elections in North Carolina
47 and to protect the constitutional rights of voters and candidates from the detrimental effects of
48 increasingly large amounts of money being raised and spent to influence the outcome of
49 elections, those effects being especially problematic in elections of the judiciary, since
50 impartiality is uniquely important to the integrity and credibility of the courts. Accordingly, this
51 Article establishes the North Carolina Public Campaign Fund as an alternative source of

1 campaign financing for candidates who demonstrate public support and voluntarily accept strict
2 fundraising and spending limits. This Article is available to candidates for justice of the Supreme
3 Court and judge of the Court of Appeals in elections to be held in 2024 and thereafter.

4 "**§ 163-278.151. Definitions.**

5 The following definitions apply in this Article:

- 6 (1) Board. – The State Board of Elections.
- 7 (2) Candidate. – An individual who becomes a candidate as described in
8 G.S. 163-278.6(9). The term includes a political committee authorized by the
9 candidate for that candidate's election.
- 10 (3) Certified candidate. – A candidate running for office who chooses to receive
11 campaign funds from the Fund and who is certified under
12 G.S. 163-278.153(c).
- 13 (4) Contested primary and contested general election. – An election in which
14 there are more candidates than the number to be elected. A distribution from
15 the Fund pursuant to this Article is not a "contribution" and is not subject to
16 the limitations of G.S. 163-278.13 or the prohibitions of G.S. 163-278.15 or
17 G.S. 163-278.19.
- 18 (5) Contribution. – Defined in G.S. 163-278.6. A distribution from the Fund
19 pursuant to this Article is not a "contribution" and is not subject to the
20 limitations of G.S. 163-278.13 or the prohibitions of G.S. 163-278.15 or
21 G.S. 163-278.19.
- 22 (6) Electioneering communication. – As defined in G.S. 163-278.6, except that it
23 is made during the period beginning 30 days before absentee ballots become
24 available for a primary and ending on primary election day and during the
25 period 60 days before absentee ballots become available for a general election
26 and ending on general election day.
- 27 (7) Expenditure. – Defined in G.S. 163-278.6.
- 28 (8) Fund. – The North Carolina Public Campaign Fund established in
29 G.S. 163-278.152.
- 30 (9) Independent expenditure. – Defined in G.S. 163-278.6.
- 31 (10) Maximum qualifying contributions. – An amount of qualifying contributions
32 equal to 60 times the filing fee for candidacy for the office.
- 33 (11) Minimum qualifying contributions. – An amount of qualifying contributions
34 equal to 30 times the filing fee for candidacy for the office.
- 35 (12) Nonparticipating candidate. – A candidate running for office who is not
36 seeking to be certified under G.S. 163-278.153(c).
- 37 (13) Office. – A position on the North Carolina Court of Appeals or North Carolina
38 Supreme Court.
- 39 (14) Participating candidate. – A candidate for office who has filed a declaration
40 of intent to participate under G.S. 163-278.153.
- 41 (15) Political committee. – Defined in G.S. 163-278.6.
- 42 (16) Qualifying contribution. – A contribution of not less than ten dollars (\$10.00)
43 and not more than five hundred dollars (\$500.00) in the form prescribed for
44 noncash monetary contributions in G.S. 163-278.14(b) to the candidate or the
45 candidate's committee that meets both of the following conditions:
 - 46 a. Made by an individual who is a registered voter in this State at the time
47 of the submittal of the report specified in G.S. 163-278.153(c).
 - 48 b. Made during the qualifying period and obtained with the approval of
49 the candidate or candidate's committee.
- 50 (17) Qualifying period. – The period beginning September 1 in the year before the
51 election and ending on the day of the primary of the election year.

1 (18) Referendum committee. – Defined in G.S. 163-278.6.

2 **"§ 163-278.152. North Carolina Public Campaign Fund established; sources of funding."**

3 (a) Establishment of Fund. – The North Carolina Public Campaign Fund is established to
4 finance the election campaigns of certified candidates for office and to pay administrative and
5 enforcement costs of the Board related to this Article. The Fund is a special, dedicated,
6 nonlapsing, nonreverting fund. All expenses of administering this Article, including production
7 and distribution of the Voter Guide required by G.S. 163-278.158 and personnel and other costs
8 incurred by the Board, including public education about the Fund, shall be paid from the Fund
9 and not from the General Fund. Any interest generated by the Fund is credited to the Fund. The
10 Board shall administer the Fund.

11 (b) Sources of Funding. – Money received from all of the following sources shall be
12 deposited in the Fund:

- 13 (1) Designations made to the Public Campaign Fund by individual taxpayers
14 pursuant to G.S. 105-159.3.
- 15 (2) Public Campaign Fund revenues distributed for an election that remain
16 unspent or uncommitted at the time the recipient is no longer a certified
17 candidate in the election.
- 18 (3) Money ordered returned to the Public Campaign Fund in accordance with
19 G.S. 163-278.157.
- 20 (4) Voluntary donations made directly to the Public Campaign Fund.
21 Corporations, other business entities, labor unions, and professional
22 associations may make donations to the Fund.
- 23 (5) Money collected from the sixty dollar (\$60.00) surcharge on attorney
24 membership fees in G.S. 84-34.

25 (c) Determination of Fund Amount. – By October 1, 2024, and every two years thereafter,
26 the State Board shall prepare and provide to the Joint Legislative Elections Oversight Committee
27 a report documenting, evaluating, and making recommendations relating to the administration,
28 implementation, and enforcement of this Article. In its report, the Board shall set out the funds
29 received to date and the expected needs of the Fund for the next election.

30 **"§ 163-278.153. Requirements for participation; certification of candidates."**

31 (a) Declaration of Intent to Participate. – Any individual choosing to receive campaign
32 funds from the Fund shall first file with the Board a declaration of intent to participate under this
33 Article as a candidate for a stated office. The declaration of intent shall be filed before or during
34 the qualifying period and before collecting any qualifying contributions. In the declaration, the
35 candidate shall swear or affirm that only one political committee, identified with its treasurer,
36 shall handle all contributions, expenditures, and obligations for the participating candidate and
37 that the candidate will comply with the contribution and expenditure limits set forth in subsection
38 (d) of this section and all other requirements set forth in this Article or adopted by the Board.
39 Failure to comply is a violation of this Article.

40 (b) Demonstration of Support of Candidacy. – Participating candidates who seek
41 certification to receive campaign funds from the Fund shall first, during the qualifying period, if
42 seeking office on the Supreme Court, obtain qualifying contributions from at least 425 registered
43 voters in an aggregate sum that at least equals the amount of minimum qualifying contributions
44 described in G.S. 163-278.151(11) but that does not exceed the amount of maximum qualifying
45 contributions described in G.S. 163-278.151(10). If a participating candidate is seeking
46 certification for an office on the Court of Appeals, the candidate shall obtain qualifying
47 contributions from at least 400 registered voters in an aggregate sum that at least equals the
48 amount of minimum qualifying contributions described in G.S. 163-278.151(11) but that does
49 not exceed the amount of maximum qualifying contributions described in G.S. 163-278.151(10).

50 No payment, gift, anything of value, or the opportunity to win anything of value shall be
51 given in exchange for a qualifying contribution.

1 (c) Certification of Candidates. – Upon receipt of a submittal of the record of
2 demonstrated support by a participating candidate, the Board shall determine whether or not the
3 candidate has complied with all of the following requirements:

- 4 (1) Signed and filed a declaration of intent to participate in this Article.
5 (2) Submitted a report itemizing the appropriate number of qualifying
6 contributions received from registered voters, which the Board shall verify
7 through a random sample or other means it adopts. The report shall include
8 the county of residence of each registered voter listed.
9 (3) Filed a valid notice of candidacy pursuant to Article 26 of this Chapter.
10 (4) Otherwise met the requirements for participation in this Article.

11 The Board shall certify candidates complying with the requirements of this section as soon
12 as possible and no later than five business days after receipt of a satisfactory record of
13 demonstrated support.

14 (d) Restrictions on Contributions and Expenditures for Participating and Certified
15 Candidates. – The following restrictions shall apply to contributions and expenditures with
16 respect to participating and certified candidates:

- 17 (1) Beginning January 1 of the year before the election and before the filing of a
18 declaration of intent, a candidate for office may accept in contributions up to
19 twenty-five thousand dollars (\$25,000) from sources and in amounts
20 permitted by Article 22A of this Chapter and may expend up to twenty-five
21 thousand dollars (\$25,000) for any campaign purpose. A candidate who
22 exceeds either of these limits shall be ineligible to file a declaration of intent
23 or receive funds from the Public Campaign Fund.
24 (2) From the filing of a declaration of intent through the end of the qualifying
25 period, a candidate may accept only qualifying contributions, contributions
26 under ten dollars (\$10.00) from North Carolina voters, and personal and
27 family contributions permitted under subdivision (4) of this subsection. The
28 total contributions the candidate may accept during this period shall not
29 exceed the maximum qualifying contributions for that candidate. In addition
30 to these contributions, the candidate may only expend during this period the
31 remaining money raised pursuant to subdivision (1) of this subsection. Except
32 for personal and family contributions permitted under subdivision (4) of this
33 subsection, multiple contributions from the same contributor to the same
34 candidate shall not exceed five hundred dollars (\$500.00).
35 (3) After the qualifying period and through the date of the general election, the
36 candidate shall expend only the funds the candidate receives from the Fund
37 pursuant to G.S. 163-278.155(b)(4) plus any funds remaining from the
38 qualifying period.
39 (4) During the qualifying period, the candidate may contribute up to one thousand
40 dollars (\$1,000) of that candidate's own money to the campaign and may
41 accept in contributions one thousand dollars (\$1,000) from each member of
42 that candidate's family consisting of spouse, parent, child, brother, and sister.
43 Up to five hundred dollars (\$500.00) of a contribution from the candidate's
44 family member may be treated as a qualifying contribution if it meets the
45 requirements of G.S. 163-278.151(16)a. and b.
46 (5) A candidate and the candidate's committee shall limit the use of all revenues
47 permitted by this subsection to expenditures for campaign-related purposes
48 only. The Board shall publish guidelines outlining permissible
49 campaign-related expenditures. In establishing those guidelines, the Board
50 shall differentiate expenditures that reasonably further a candidate's campaign
51 from expenditures for personal use that would be incurred in the absence of

1 the candidacy. In establishing the guidelines, the Board shall review relevant
2 provisions of the Federal Election Campaign Act, and rules adopted pursuant
3 to it, and similar provisions in other states.

4 (6) Any contribution received by a participating or certified candidate that falls
5 outside that permitted by this subsection shall be returned to the donor as soon
6 as practicable. Contributions intentionally made, solicited, or accepted in
7 violation of this Article are subject to civil penalties as specified in
8 G.S. 163-278.157. The funds involved shall be forfeited to the Civil Penalty
9 and Forfeiture Fund.

10 (7) A candidate shall return to the Fund any amount distributed for an election
11 that is unspent and uncommitted at the date of the election, or at the time the
12 individual ceases to be a certified candidate, whichever occurs first. For
13 accounting purposes, all qualifying, personal, and family contributions shall
14 be considered spent before revenue from the Fund is spent or committed.

15 (e) Revocation. – A candidate may revoke, in writing to the Board, a decision to
16 participate in the Public Campaign Fund at any time before the deadline set by the Board for the
17 candidate's submission of information for the Voter Guide described in G.S. 163-278.158. After
18 a timely revocation, that candidate may accept and expend outside the limits of this Article
19 without violating this Article. Within 10 days after revocation, a candidate shall return to the
20 State Board all money received from the Fund.

21 **"§ 163-278.154. Special participation provisions for candidates in vacancy elections.**

22 (a) Participation Provisions Modified. – Candidates involved in elections described in
23 G.S. 163-358 may participate in the Fund subject to the provisions of G.S. 163-278.153 as
24 modified by this section. The Board shall adapt other provisions of this Article to those elections.

25 (b) Qualifying. – The Board shall designate a special qualifying period of no less than
26 four weeks for these candidates, beginning at the close of the notice-of-candidacy filing period.
27 To receive certification, a participating candidate shall raise at least 225 qualifying contributions,
28 totaling at least 20 times the amount of the filing fee for the office, for a four-week qualifying
29 period. If the Board sets a longer qualifying period, then for each additional week that the
30 qualifying period extends beyond four weeks, the minimum number of qualifying contributions
31 required for certification shall increase by 25 and the minimum amount of the qualifying
32 contributions shall increase by two times the filing fee. The minimum qualifying contributions
33 shall not exceed the limit set by G.S. 163-278.153(b).

34 (c) Allocations. – Certified candidates shall receive one percent (1%) of the funding to
35 which they would be eligible under G.S. 163-278.155 times the number of calendar days between
36 the end of the special qualifying period and the day of the general election. That amount shall
37 not exceed one hundred percent (100%) of the funding to which they would be eligible under
38 G.S. 163-278.155.

39 **"§ 163-278.155. Distribution from the Fund.**

40 (a) Timing of Fund Distribution. – The Board shall distribute to a certified candidate
41 revenue from the Fund in an amount determined under subdivision (b)(4) of this section within
42 five business days after the certified candidate's name is approved to appear on the ballot in a
43 contested general election but no earlier than five business days after the primary.

44 (b) Amount of Fund Distribution. – By August 1, 2024, and no less frequently than every
45 two years thereafter, the Board shall determine the amount of funds, rounded to the nearest one
46 hundred dollars (\$100.00), to be distributed to certified candidates as follows:

- 47 (1) Uncontested primaries. – No funds shall be distributed.
48 (2) Contested primaries. – No funds shall be distributed.
49 (3) Uncontested general elections. – No funds shall be distributed.
50 (4) Contested general elections. – Funds shall be distributed to a certified
51 candidate for a position on the Court of Appeals in an amount equal to 225

1 times the candidate's filing fee as set forth in G.S. 163-353. Funds shall be
2 distributed to a certified candidate for a position on the Supreme Court in an
3 amount equal to 350 times the candidate's filing fee as set forth in
4 G.S. 163-353.

5 (c) Method of Fund Distribution. – The Board, in consultation with the State Treasurer
6 and the State Controller, shall develop a rapid, reliable method of conveying funds to certified
7 candidates. In all cases, the Board shall distribute funds to certified candidates in a manner that
8 is expeditious, ensures accountability, and safeguards the integrity of the Fund. If the money in
9 the Fund is insufficient to fully fund all certified candidates, then the available money shall be
10 distributed proportionally, according to each candidate's eligible funding, and the candidate may
11 raise additional money in the same manner as a noncertified candidate for the same office up to
12 the unfunded amount of the candidate's eligible funding.

13 (d) Beginning October 1, 2028, and every five years thereafter, the Board shall appoint a
14 three-member committee to conduct an independent review regarding any need for modification
15 of funds distributed to certified candidates pursuant to this section. The committee shall consist
16 of one member from the North Carolina Bar Association, one member who is a public financing
17 expert, as determined by the Board, and one member who is a former Justice of the North
18 Carolina Supreme Court or Judge of the North Carolina Court of Appeals who has used the Fund.
19 In conducting the independent review, the committee shall, at a minimum, consider the need for
20 modification of funds as a result of changes in election costs and inflationary adjustments.

21 "**§ 163-278.156. Reporting requirements.**

22 (a) Reporting by Participating and Certified Candidates. – Notwithstanding other
23 provisions of law, participating and certified candidates shall report any money received,
24 including all previously unreported qualifying contributions, all campaign expenditures,
25 obligations, and related activities to the Board according to procedures developed by the Board.
26 A certified candidate who ceases to be certified or ceases to be a candidate or who loses an
27 election shall file a final report with the Board and return any unspent revenues received from
28 the Fund. In developing these procedures, the Board shall utilize existing campaign reporting
29 procedures whenever practical.

30 (b) Timely Access to Reports. – The Board shall ensure prompt public access to the
31 reports received in accordance with this Article. The Board may utilize electronic means of
32 reporting and storing information.

33 "**§ 163-278.157. Civil penalty.**

34 In addition to any other penalties that may be applicable, any individual, political committee,
35 or other entity that violates any provision of this Article is subject to a civil penalty of up to ten
36 thousand dollars (\$10,000) per violation or three times the amount of any financial transactions
37 involved in the violation, whichever is greater. In addition to any fine, for good cause shown, a
38 candidate found in violation of this Article may be required to return to the Fund all amounts
39 distributed to the candidate from the Fund. If the Board makes a determination that a violation
40 of this Article has occurred, the Board shall calculate and assess the amount of the civil penalty
41 and shall notify the entity that is assessed the civil penalty of the amount that has been assessed.
42 The Board shall then proceed in the manner prescribed in G.S. 163-278.34. In determining
43 whether or not a candidate is in violation of this Article, the Board may consider as a mitigating
44 factor any circumstances out of the candidate's control."

45 SECTION 14.3. G.S. 84-34 reads as rewritten:

46 "**§ 84-34. Membership fees and list of members.**

47 Every active member of the North Carolina State Bar shall, prior to the first day of July of
48 each year, pay to the secretary-treasurer an annual membership fee in an amount determined by
49 the Council but not to exceed three hundred dollars (\$300.00), and every plus a surcharge of sixty
50 dollars (\$60.00) for the implementation of Article 22I of Chapter 163 of the General Statutes. A
51 member shall be provided the option to designate that the surcharge required by this section be

1 used in its entirety for the Judicial Voter Guide described in G.S. 163-278.158. Each member
2 shall notify the secretary-treasurer of the member's correct mailing address. Any member who
3 fails to pay the required dues by the last day of June of each year shall be subject to a late fee in
4 an amount determined by the Council but not to exceed thirty dollars (\$30.00). All dues for prior
5 years shall be as were set forth in the General Statutes then in effect. The membership fee shall
6 be regarded as a service charge for the maintenance of the several services authorized by this
7 Article, and shall be in addition to all fees required in connection with admissions to practice,
8 and in addition to all license taxes required by law. The fee shall not be prorated: Provided, that
9 no fee shall be required of an attorney licensed after this Article shall have gone into effect until
10 the first day of January of the calendar year following that in which the attorney was licensed;
11 but this proviso shall not apply to attorneys from other states admitted on certificate. The fees
12 shall be disbursed by the secretary-treasurer on the order of the Council. The sixty dollar (\$60.00)
13 surcharge shall be sent on a monthly schedule to the State Board of Elections. The
14 secretary-treasurer shall annually, at a time and in a law magazine or daily newspaper to be
15 prescribed by the Council, publish an account of the financial transactions of the Council in a
16 form to be prescribed by it. The secretary-treasurer shall compile and keep currently correct from
17 the names and mailing addresses forwarded to the secretary-treasurer and from any other
18 available sources of information a list of members of the North Carolina State Bar and furnish to
19 the clerk of the superior court in each county, not later than the first day of October in each year,
20 a list showing the name and address of each attorney for that county who has not complied with
21 the provisions of this Article. The name of each of the active members who are in arrears in the
22 payment of membership fees shall be furnished to the presiding judge at the next term of the
23 superior court after the first day of October of each year, by the clerk of the superior court of
24 each county wherein the member or members reside, and the court shall thereupon take action
25 that is necessary and proper. The names and addresses of attorneys so certified shall be kept
26 available to the public. The Secretary of Revenue is hereby directed to supply the
27 secretary-treasurer, from records of license tax payments, with any information for which the
28 secretary-treasurer may call in order to enable the secretary-treasurer to comply with this
29 requirement.

30 The list submitted to several clerks of the superior court shall also be submitted to the Council
31 at its October meeting of each year and it shall take the action thereon that is necessary and
32 proper."

33 **SECTION 14.4.** Part 2 of Article 4 of Chapter 105 of the General Statutes is amended
34 by adding a new section to read:

35 **"§ 105-159.3. Designation of tax to North Carolina Public Campaign Fund.**

36 (a) Allocation to the North Carolina Public Campaign Fund. – To ensure the financial
37 viability of the North Carolina Public Campaign Fund established in Article 22I of Chapter 163
38 of the General Statutes, the Department must allocate to that Fund three dollars (\$3.00) from the
39 income taxes paid each year by each individual with an income tax liability of at least that
40 amount, if the individual agrees. A taxpayer must be given the opportunity to indicate an
41 agreement to that allocation in the manner described in subsection (b) of this section. In the case
42 of a married couple filing a joint return, each individual must have the option of agreeing to the
43 allocation. The amounts allocated under this subsection to the Fund must be credited to it on a
44 quarterly basis.

45 (b) Returns. – Individual income tax returns must give an individual an opportunity to
46 agree to the allocation of three dollars (\$3.00) of the individual's tax liability to the North Carolina
47 Public Campaign Fund. The Department must make it clear to the taxpayer that the dollars will
48 support a nonpartisan court system, that the dollars will go to the Fund if the taxpayer marks an
49 agreement, and that allocation of the dollars neither increases nor decreases the individual's tax
50 liability. The following statement satisfies the intent of this requirement: "Three dollars (\$3.00)
51 will go to the North Carolina Public Campaign Fund to support a nonpartisan court system, if

1 you agree. Your tax remains the same whether or not you agree." The Department must consult
2 with the State Board of Elections to ensure that the information given to taxpayers complies with
3 the intent of this section.

4 The Department must inform the entities it approves to reproduce the return of the
5 requirements of this section and that a return may not reflect an agreement or objection unless
6 the individual completing the return decided to agree or object after being presented with the
7 information required by subsection (c) of this section. No software package used in preparing
8 North Carolina income tax returns may default to an agreement or objection. A paid preparer of
9 tax returns may not mark an agreement or objection for a taxpayer without the taxpayer's consent.

10 (c) Instructions. – The instructions for individual income tax returns must include the
11 following explanatory statement: "The North Carolina Public Campaign Fund provides campaign
12 money to nonpartisan candidates for the North Carolina Supreme Court and Court of Appeals
13 who voluntarily accept strict campaign spending and fundraising limits. The Fund also helps
14 finance educational materials about voter registration, the role of the appellate courts, and the
15 candidates seeking election as appellate judges in North Carolina. Three dollars (\$3.00) from the
16 taxes you pay will go to the Fund if you mark an agreement. Regardless of what choice you make,
17 your tax will not increase, nor will any refund you are entitled to be reduced."

18 **SECTION 14.5.** G.S. 163-278.5 reads as rewritten:

19 "**§ 163-278.5. Scope of Article; severability.**

20 ...
21 This section applies to Articles ~~and 22I and 22M~~ of the General Statutes to the same extent
22 that it applies to this Article."

23 **SECTION 14.6.** G.S. 163-278.23 reads as rewritten:

24 "**§ 163-278.23. Duties of Executive Director of State Board.**

25 ...
26 This section applies to Articles ~~and 22I and 22M of the General Statutes this Chapter~~ to the
27 same extent that it applies to this Article."

28 **SECTION 14.7.** G.S. 163-278.99E reads as rewritten:

29 "**§ 163-278.99E. Voter education.**

30 Relationship to the Judicial Voter Guide. – The State Board may publish the Voter Guide in
31 conjunction with the Judicial Voter Guide described in ~~G.S. 163-278.69~~G.S. 163-278.158.

32 **SECTION 14.8.** Section 38.1(a) of S.L. 2013-381 reads as rewritten:

33 "**SECTION 38.1.(a)** Article 22D of Chapter 163 of the General Statutes is repealed, except
34 that ~~G.S. 163-278.69 is repealed effective upon exhaustion of the funds for publication of the~~
35 ~~Judicial Voter Guide~~repealed."

36 **SECTION 14.9.** Sections 21.1(i), 21.1(j), and 21.1(l) of S.L. 2013-360 and Sections
37 38.1(l), 38.1(m), and 38.1(o) of S.L. 2013-381 are repealed.

38 **SECTION 14.10.** Sections 14.1, 14.2, and 14.5 through 14.9 of this Part are effective
39 when this Part becomes law, provided that distributions from the Fund shall begin in the 2024
40 election year. G.S. 163-278.152(b)(5), as enacted by Section 14.2 of this Part, and Section 14.3
41 of this Part become effective January 1, 2024, and apply to the membership fees due for 2024.
42 Section 14.4 of this Part is effective for taxable years beginning on or after January 1, 2024. The
43 remainder of this Part is effective when it becomes law.

44 **PART XV. CERTAIN INDIVIDUALS' VOTING RIGHTS RESTORED**

45 **SECTION 15.1.** G.S. 13-1 reads as rewritten:

46 "**§ 13-1. Restoration of citizenship.**

47 Any person convicted of a crime, whereby the rights of citizenship are forfeited, shall have
48 such rights automatically restored upon the occurrence of any one of the following conditions:

49 (1) The ~~unconditional discharge of an inmate, of a probationer, or of a parolee by~~
50 ~~the agency of the State having jurisdiction of that person or of a defendant~~

1 under a suspended sentence by the court.release from active punishment to a
2 period of post-release supervision or parole of a person whose sentence was
3 not suspended by the court.

4 (1a) Upon the suspension of an active sentence resulting in the imposition of an
5 intermediate or community punishment.

6 "

7 **SECTION 15.2.** G.S. 13-2(a) reads as rewritten:

8 "(a) The agency, department, or court having jurisdiction over the inmate, probationer,
9 parolee or defendant person at the time histhe person's rights of citizenship are restored under
10 the provisions of G.S. 13-1(1) or (1a) shall immediately issue a certificate or order in duplicate
11 evidencing the offender'sunconditionalperson's discharge and specifying the restoration of his
12 the person's rights of citizenship.

13 The original of such certificate or order shall be promptly transmitted to the clerk of the
14 General Court of Justice in the county where the official record of the case from which the
15 conviction arose is filed. The clerk shall then file the certificate or order without charge with the
16 official record of the case."

17 **SECTION 15.3.** G.S. 163-82.14(c) reads as rewritten:

18 "(c) Conviction of a Felony. –

19 (1) Report of Conviction Within the State. – The State Board of Elections, on or
20 before the fifteenth day of every month, shall report to the county board of
21 elections of that county the name, county of residence, and residence address
22 if available, of each individual against whom a final judgment of conviction
23 of a felony has been entered in that county in the preceding calendar
24 month.month and whose rights have been forfeited and not yet restored under
25 G.S. 13-1.

26 (2) Report of Federal Conviction. – The Executive Director of the State Board of
27 Elections, upon receipt of a notice of conviction sent by a United States
28 Attorney pursuant to section 8(g) of the National Voter Registration Act, shall
29 notify the appropriate county boards of elections of theconvictionany
30 conviction for which citizen rights have been forfeited and not yet restored
31 under G.S. 13-1.

32 (3) County Board's Duty Upon Receiving Report of Conviction. – When a county
33 board of elections receives a notice pursuant to subdivision (1) or (2) of this
34 subsection relating to a resident of that county and that person is registered to
35 vote in that county, the board shall, after giving 30 days' written notice to the
36 voter at his registration address, and if the voter makes no objection, remove
37 the person's name from its registration records. If the voter notifies the county
38 board of elections of his objection to the removal within 30 days of the notice,
39 the chairman of the board of elections shall enter a challenge under
40 G.S. 163-85(c)(5), and the notice the county board received pursuant to this
41 subsection shall be prima facie evidence for the preliminary hearing that the
42 registrant was convicted of a felonyfelony and the registrant's citizenship
43 rights have not been restored."

44

45 **PART XVI. PENALTIES FOR VIOLATIONS OF THIS ACT**

46 **SECTION 16.1.** It is unlawful to try to evade the reporting and disclosure
47 requirements of Parts X through XIII of this act by structuring, or attempting to structure, any
48 solicitation, contribution, donation, expenditure, disbursement, or other transaction. The penalty
49 for any violation of these Parts of the act shall be not less than the amount contributed or
50 undisclosed or greater than double that amount contributed or undisclosed.

51

1 **PART XVII. SEVERABILITY**

2 **SECTION 17.1.** If any provision of this act or its application is held invalid, the
3 invalidity does not affect other provisions or applications of this act that can be given effect
4 without the invalid provisions or application and, to this end, the provisions of this act are
5 severable.

6 **PART XVIII. EFFECTIVE DATE**

7 **SECTION 18.1.** Except as otherwise provided, this act is effective when it becomes
8 law.
9