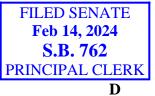
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2023



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SENATE BILL DRS35318-LU-155

Short Title:	Modify State Board of Elections Authority.	(Public)
Sponsors:	Senator Chaudhuri (Primary Sponsor).	
Referred to:		

1	A BILL TO BE ENTITLED		
2	AN ACT TO MODIFY THE AUTHORITY OF THE STATE BOARD OF ELECTIONS IN		
3	HANDLING CERTAIN CHALLENGES TO CANDIDACY.		
4	The General Assembly of North Carolina enacts:		
5	SECTION 1. G.S. 163-127.1 reads as rewritten:		
6	"§ 163-127.1. Definitions.		
7	As used in this Article, the following terms mean:		
8	(1) Board. – State Board of Elections.		
9	(2) Candidate. – A person having filed a notice of candidacy under the appropriate		
10	statute for any elective office in this State. State or a person who has been		
11	nominated as a presidential candidate pursuant to G.S. 163-213.4.		
12	(3) Challenger. – Any qualified voter registered in the same district as the office		
13	for which the candidate has filed or petitioned.petitioned or, in the case of a		
14	challenge to a presidential candidate, any qualified voter in this State.		
15	(4) Office. – The elected office for which the candidate has filed or petitioned."		
16	SECTION 2. G.S. 163-127.2 reads as rewritten:		
17	"§ 163-127.2. When and how a challenge to a candidate may be made.		
18	(a) When. – A challenge to a candidate may be filed under this Article with the board of		
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21	(b) How. – The challenge must be made in a verified affidavit by a challenger, based on		
22	reasonable suspicion or belief of the facts stated. Grounds for filing a challenge are that the		
23	candidate does not meet the constitutional or statutory qualifications for the office, including		
24	residency.		
25	(c) If Defect Discovered After Deadline, Protest Available. – If a challenger discovers		
26	one or more grounds for challenging a candidate after the deadline in subsection (a) of this		
27	section, the grounds may be the basis for a protest under G.S. 163-182.9.		
28	(d) Authority of the State Board. – The State Board shall have authority to review		
29	challenges to qualifications under the United States Constitution, including qualifications found		
30	in (i) Section 1[5] of Article II, (ii) Section 3 of the Fourteenth Amendment, and (iii) the		
31	Twenty-Second Amendment."		
32	SECTION 3. This act is effective when it becomes law.		

