

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 867

Short Title: Electoral Fairness Act. (Public)

Sponsors: Representatives Blust; Culp, Farmer-Butterfield, Fox, Gorman, Jones, Luebke, McAllister, Parmon, Ross, and Stam.

Referred to: Election Law and Campaign Finance Reform.

April 7, 2003

A BILL TO BE ENTITLED

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2 AN ACT TO REDUCE THE NUMBER OF SIGNATURES REQUIRED OF A NEW
3 PARTY TO ACHIEVE BALLOT ELIGIBILITY; TO REDUCE THE NUMBER
4 OF VOTES A NEW PARTY MUST GAIN FOR A NOMINEE IN ORDER TO
5 MAINTAIN BALLOT ELIGIBILITY; AND TO ALLOW THAT NOMINEE TO
6 BE ANY STATEWIDE NOMINEE, NOT JUST ITS NOMINEE FOR
7 PRESIDENTIAL ELECTOR OR GOVERNOR.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 163-96(a) reads as rewritten:

10 "(a) Definition. – A political party within the meaning of the election laws of this
11 State shall be either:

- 12 (1) Any group of voters which, at the last preceding general State election,
13 polled for its candidate ~~for Governor, or for presidential electors, for~~
14 any statewide office at least ~~ten two percent (10%) (2%)~~ of the entire
15 vote cast in ~~the State for Governor or for presidential electors;~~the
16 election for that statewide office; or
- 17 (2) Any group of voters which shall have filed with the State Board of
18 Elections petitions for the formulation of a new political party which
19 are signed by registered and qualified voters in this State equal in
20 number to ~~two one-half of one percent (2%) (0.5%)~~ of the total number
21 of voters who voted in the most recent general election for Governor.
22 Also the petition must be signed by at least 200 registered voters from
23 each of four congressional districts in North Carolina. To be effective,
24 the petitioners must file their petitions with the State Board of
25 Elections before 12:00 noon on the first day of June preceding the day
26 on which is to be held the first general State election in which the new
27 political party desires to participate. The State Board of Elections shall
28 forthwith determine the sufficiency of petitions filed with it and shall

1 immediately communicate its determination to the State chairman of
2 the proposed new political party."

3 **SECTION 2.** G.S. 163-97 reads as rewritten:

4 "**§ 163-97. Termination of status as political party.**

5 When any political party fails to poll for its candidate for ~~governor, or for~~
6 ~~presidential electors,~~ any statewide office at least ~~ten-two~~ percent ~~(10%)-(2%)~~ of the
7 entire vote cast in the State ~~for governor or for presidential electors~~ for that office at a
8 general election, it shall cease to be a political party within the meaning of the primary
9 and general election laws and all other provisions of this Chapter."

10 **SECTION 3.** This act becomes effective January 1, 2004, and applies to all
11 primaries and elections held on or after that date.