

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

FILED SENATE  
Feb 17, 2025  
S.B. 107  
PRINCIPAL CLERK

S

D

SENATE BILL DRS55004-LUxfe-41A

Short Title: Judge Joe John Nonpartisan Jud. Elections Act. (Public)

Sponsors: Senators Grafstein, Batch, and Chaudhuri (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REENACT NONPARTISAN JUDICIAL ELECTIONS, TO MAKE  
3 CONFORMING STATUTORY CHANGES RELATING TO REENACTMENT OF  
4 NONPARTISAN JUDICIAL ELECTIONS, AND TO REESTABLISH PUBLIC  
5 FINANCING FOR JUDICIAL CAMPAIGNS.

6 Whereas, Representative and former Court of Appeals Judge Joseph Robert (Joe)  
7 John was a lifelong public servant and champion of an independent judiciary; and

8 Whereas, Judge John served the people of North Carolina at the highest levels in all  
9 three branches of State government; and

10 Whereas, Judge John's broad experience informed his deep understanding of the  
11 genius of the separation of powers; and

12 Whereas, Judge John was a man of integrity who understood the importance of a  
13 judiciary free from fear or favor; and

14 Whereas, Judge John never wavered in his belief in the central role of a nonpartisan  
15 judiciary in upholding our democracy; and

16 Whereas, his experience and values compelled Judge John to introduce a bill each  
17 legislative session of his four terms to return North Carolina to the nonpartisan election of judges;  
18 and

19 Whereas, the need to restore public confidence in an independent judiciary has never  
20 been more urgent; Now, therefore,  
21 The General Assembly of North Carolina enacts:

22  
23 **PART I. REENACT NONPARTISAN JUDICIAL ELECTIONS**

24 **SECTION 1.1.** Chapter 163 of the General Statutes is amended by adding a new  
25 Subchapter to read:

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

28 "Article 26.

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

30 **"§ 163-350. Applicability.**

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

34 **"§ 163-351. Nonpartisan primary election method.**

35 (a) General. – Except as provided in G.S. 163-358, there shall be a primary to narrow the  
36 field of candidates to two candidates for each position to be filled if, when the filing period closes,



\* D R S 5 5 0 0 4 - L U X F E - 4 1 A \*

1 there are more than two candidates for a single office or the number of candidates for a group of  
2 offices exceeds twice the number of positions to be filled. If only one or two candidates file for  
3 a single office, no primary shall be held for that office, and the candidates shall be declared  
4 nominated. If the number of candidates for a group of offices does not exceed twice the number  
5 of positions to be filled, no primary shall be held for those offices, and the candidates shall be  
6 declared nominated.

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

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

22 **"§ 163-352. Notice of candidacy.**

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

26  
27 Date: \_\_\_\_\_

28  
29 I hereby file notice that I am a candidate for election to the office of \_\_\_\_\_ in the  
30 regular election to be held \_\_\_\_\_.

31  
32 Signed: \_\_\_\_\_  
33 (Name of Candidate)

34  
35 Witness: \_\_\_\_\_

36  
37 The notice of candidacy shall be either signed in the presence of the chairman or secretary of  
38 the State Board or signed and acknowledged before an officer authorized to take  
39 acknowledgments who shall certify the notice under seal. An acknowledged and certified notice  
40 may be mailed to the State Board. In signing a notice of candidacy, the candidate shall use only  
41 the candidate's legal name and, in the candidate's discretion, any nickname by which the  
42 candidate is commonly known. A candidate may also, in lieu of that candidate's first name and  
43 legal middle initial or middle name, if any, sign that candidate's nickname, provided the candidate  
44 appends to the notice of candidacy an affidavit that the candidate has been commonly known by  
45 that nickname for at least five years prior to the date of making the affidavit. The candidate shall  
46 also include with the affidavit the way the candidate's name (as permitted by law) should be listed  
47 on the ballot if another candidate with the same last name files a notice of candidacy for that  
48 office.

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

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

5       Justices of the Supreme Court.

6       Judges of the Court of Appeals.

7       Judges of the superior courts.

8       Judges of the district courts.

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

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

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

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

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

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

49 **"§ 163-353. Filing fees required of candidates; refunds.**

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

4       (b) Refund of Fees. – If any person who has filed a notice of candidacy and paid the filing  
5 fee prescribed in subsection (a) of this section withdraws his or her notice of candidacy within  
6 the period prescribed in G.S. 163-352(c), the candidate shall be entitled to have the fee the  
7 candidate paid refunded. The chairman of the State Board shall cause a warrant to be drawn on  
8 the State Treasurer for the refund payment.

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

15 **"§ 163-354. Petition in lieu of payment of filing fee.**

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

19       (b) Requirements of Petition; Deadline for Filing. – If the candidate is seeking the office  
20 of justice of the Supreme Court, judge of the Court of Appeals, or superior or district court judge,  
21 that individual shall file a written petition with the State Board no later than 12:00 noon on  
22 Monday preceding the filing deadline before the primary. If the office is justice of the Supreme  
23 Court or judge of the Court of Appeals, the petition shall be signed by 8,000 registered voters in  
24 the State. If the office is superior or district court judge, the petition shall be signed by five percent  
25 (5%) of the registered voters of the election area in which those registered voters will vote for  
26 that office. The board of elections shall verify the names on the petition and, if the petition and  
27 notice of candidacy are found to be sufficient, the candidate's name shall be printed on the  
28 appropriate ballot. Petitions shall be presented to the county board of elections for verification at  
29 least 15 days before the petition is due to be filed with the State Board. The State Board may  
30 adopt rules to implement this section and to provide standard petition forms.

31 **"§ 163-355. Certification of notices of candidacy.**

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

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

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

49 **"§ 163-356. Rules when vacancies for superior court judge are to be voted on.**

50       If a vacancy occurs in a judicial district for any offices of superior court judge, and on account  
51 of the occurrence of the vacancy there is to be an election for one or more terms in that district

1 to fill the vacancy or vacancies, at that same election in accordance with G.S. 163-9 and Section  
2 19 of Article IV of the North Carolina Constitution, the nomination and election shall be  
3 determined by the following special rules in addition to any other provisions of law:

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

7 (2) If the vacancy occurs beginning on the opening of the filing period under  
8 G.S. 163-352(b) and ending on the sixtieth day before the general election,  
9 candidate filing shall be as provided by G.S. 163-358 without designation as  
10 to the vacancy.

11 (3) The general election ballot shall contain, without designation as to vacancy,  
12 spaces for the election to fill the vacancy where nominations were made or  
13 candidates filed under subdivision (1) or (2) of this section. Except as provided  
14 in G.S. 163-358, the persons receiving the highest numbers of votes equal to  
15 the term or terms to be filled shall be elected to the term or terms.

16 **§ 163-357. Failure of candidates to file; death or other disqualification of a candidate; no**  
17 **withdrawal from candidacy.**

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

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

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

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

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

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

13 **"§ 163-358. Elections to fill vacancy in office created after primary filing period opens.**

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

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

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

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

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

44 **"§ 163-359. Voting in primary.**

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

51 **"§ 163-360. Date of primary.**

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

3 **"§ 163-361. Ballots.**

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

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

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

14 Justice of the Supreme Court.

15 Judge of the Court of Appeals.

16 Superior court judge.

17 District court judge.

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

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

24 **"§ 163-362. Counting of ballots.**

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

28 **"§ 163-363. Other rules.**

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

31 **SECTION 1.2.** This Part becomes effective with respect to primaries and elections  
32 held on or after January 1, 2026.

33  
34 **PART II. CONFORMING STATUTORY CHANGES**

35 **SECTION 2.1.** G.S. 18C-112(e)(1) reads as rewritten:

36 "(1) Files a notice of candidacy under G.S. 163-106 through 163-106.6 or  
37 G.S. 163-352 or a petition under ~~G.S. 163-107.1~~G.S. 163-107.1 or  
38 G.S. 163-354."

39 **SECTION 2.2.** G.S. 163-1(b) reads as rewritten:

40 "(b) On Tuesday next after the first Monday in March preceding each general election to  
41 be held in November for the officers referred to in subsection (a) of this section, there shall be  
42 held in all election precincts within the territory for which the officers are to be elected a primary  
43 election for the purpose of nominating candidates for each political party in the State for those  
44 ~~offices~~offices and nonpartisan candidates as to the offices elected under the provisions of Article  
45 26 of this Chapter."

46 **SECTION 2.3.** G.S. 163-22.3 reads as rewritten:

47 **"§ 163-22.3. State Board of Elections littering notification.**

48 At the time an individual files with the State Board of Elections a notice of candidacy  
49 pursuant to G.S. 163-106, 163-112, 163-291, ~~or~~163-294.2, or 163-352, is certified to the State  
50 Board of Elections by a political party executive committee to fill a nomination vacancy pursuant  
51 to G.S. 163-114, is certified to the State Board of Elections by a new political party as that party's

1 nominee pursuant to G.S. 163-98, qualifies with the State Board of Elections as an unaffiliated  
 2 or write-in candidate pursuant to Article 11 of this Chapter, or formally initiates a candidacy with  
 3 the State Board of Elections pursuant to any statute or local act, the State Board of Elections shall  
 4 notify the candidate of the provisions concerning campaign signs in G.S. 136-32 and  
 5 G.S. 14-156, and the rules adopted by the Department of Transportation pursuant to  
 6 G.S. 136-18."

7 **SECTION 2.4.** G.S. 163-82.10B reads as rewritten:

8 "**§ 163-82.10B. Confidentiality of date of birth.**

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

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

19 ...."

20 **SECTION 2.5.** G.S. 163-106.2(a) reads as rewritten:

21 "(a) Candidates seeking party primary nominations for the following offices shall file their  
 22 notice of candidacy with the State Board no earlier than 12:00 noon on the first Monday in  
 23 December and no later than 12:00 noon on the third Friday in December preceding the primary:

24 Governor

25 Lieutenant Governor

26 All State executive officers

27 ~~Justices of the Supreme Court~~

28 ~~Judges of the Court of Appeals~~

29 ~~Judges of the superior court~~

30 ~~Judges of the district court~~

31 United States Senators

32 Members of the House of Representatives of the United States

33 ~~District attorneys~~attorneys."

34 **SECTION 2.6.** G.S. 163-106.3 reads as rewritten:

35 "**§ 163-106.3. Notice of candidacy for certain offices to indicate vacancy.**

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

48 **SECTION 2.7.** G.S. 163-106.5 reads as rewritten:

49 "**§ 163-106.5. Certificate of registration to vote in county and party affiliation; cancellation**  
 50 **of candidacy; residency requirements for judges.**"candidacy.



1 (a) Candidates required to file their notice of candidacy with the State Board of Elections  
 2 under G.S. 163-106.2 shall file along with their notice a certificate signed by the chairman of the  
 3 board of elections or the director of elections of the county in which they are registered to vote,  
 4 stating that the person is registered to vote in that county, ~~if the candidacy is for superior court~~  
 5 ~~judge and the county contains more than one superior court district, stating the superior court~~  
 6 ~~district of which the person is a resident,~~ stating the party with which the person is affiliated, and  
 7 that the person has not changed his~~the person's~~ affiliation from another party or from unaffiliated  
 8 within three months prior to the filing deadline under G.S. 163-106.2. In issuing such certificate,  
 9 the chairman or director shall check the registration records of the county to verify such  
 10 information. During the period commencing 36 hours immediately preceding the filing deadline  
 11 the State Board of Elections shall accept, on a conditional basis, the notice of candidacy of a  
 12 candidate who has failed to secure the verification ordered herein subject to receipt of verification  
 13 no later than three days following the filing deadline. The State Board of Elections shall prescribe  
 14 the form for such certificate, and distribute it to each county board of elections no later than the  
 15 last Monday in December of each odd-numbered year.

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

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

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

34 **SECTION 2.8.** G.S. 163-107(a) reads as rewritten:

35 "(a) Fee Schedule. – At the time of filing a notice of candidacy, each candidate shall pay  
 36 to the board of elections with which the candidate files under the provisions of G.S. 163-106,  
 37 163-106.1, 163-106.2, 163-106.3, 163-106.4, 163-106.5, and 163-106.6, a filing fee for the office  
 38 sought in the amount specified in the following tabulation:

39 <b>Office Sought</b>	<b>Amount of Filing Fee</b>
40 Governor	One percent (1%) of the annual salary of the office sought
41 Lieutenant Governor	One percent (1%) of the annual salary of the office sought
42 All State executive offices	One percent (1%) of the annual salary of the office sought
43 <del>All Justices, Judges, and District At-</del>	One percent (1%) of the annual salary of the
44 <del>torneys of the General Court of</del>	office sought
45 Justice	
46 United States Senator	One percent (1%) of the annual salary of the office sought
47 Members of the United States House	One percent (1%) of the annual salary of

1	of Representatives	the office sought
2		
3	State Senator	One percent (1%) of the annual salary of the office
4		sought
5	Member of the State House	One percent (1%) of the annual salary of
6	of Representatives	the office sought
7	All county offices not compensated by	One percent (1%) of the annual salary of
8	fees	office sought
9	All county offices compensated partly	One percent (1%) of the first annual
10	by salary and partly by fees	salary to be received (exclusive of fees)

11

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

16 **SECTION 2.9.** G.S. 163-107.1 reads as rewritten:

17 **"§ 163-107.1. Petition in lieu of payment of filing fee.**

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

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

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

1 the petition is due to be filed with the State Board of Elections, and such petition must be filed  
2 with the State Board no later than 12:00 noon on Monday preceding the filing deadline. The State  
3 Board of Elections may adopt rules to implement this section and to provide standard petition  
4 forms.

5 ...."

6 **SECTION 2.10.** G.S. 163-108(b) reads as rewritten:

7 "(b) No later than 10 days after the time for filing notices of candidacy under the  
8 provisions of G.S. 163-106.2 has expired, the chairman of the State Board of Elections shall  
9 certify to the chairman of the county board of elections in each county in the appropriate district  
10 the names of candidates for nomination to the ~~following offices~~ office of district attorney who  
11 have filed the required notice and pledge and paid the required filing fee to the State Board of  
12 Elections, so that their names may be printed on the official county ~~ballots: Superior court judge,~~  
13 ~~district court judge, and district attorney ballots."~~

14 **SECTION 2.11.** G.S. 163-111(c)(1) reads as rewritten:

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

- 28 Governor,
- 29 Lieutenant Governor,
- 30 All State executive officers,
- 31 ~~Justices, Judges, or~~ District Attorneys of the General Court of Justice,
- 32 United States Senators,
- 33 Members of the United States House of Representatives,
- 34 State Senators in multi-county senatorial districts, and
- 35 Members of the State House of Representatives in multi-county representative  
36 districts."

37 **SECTION 2.12.** G.S. 163-114 reads as rewritten:

38 **"§ 163-114. Filling vacancies among party nominees occurring after nomination and before**  
39 **election.**

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

44	Position	
45	President	Vacancy is to be filled by
46	Vice President	appointment of national
47		executive committee of
48		political party in which
49		vacancy occurs
50		
51	Presidential elector or	Vacancy is to be filled by ap-

1	alternate elector	pointment of State execu-
2	Any elective State office	tive committee of political
3	United States Senator	party in which vacancy occurs
4		
5	A district office, including:	Appropriate district executive
6	Member of the United	committee of political
7	States House of Repre-	party in which vacancy occurs
8	sentatives	
9	<del>Judge of district court</del>	
10	District Attorney	
11	State Senator in a multi-	
12	county senatorial district	
13	Member of State House of	
14	Representatives in a	
15	multi-county representative district	
16		
17	State Senator in a single-	County executive committee
18	county senatorial district	of political party in which
19	Member of State House of	vacancy occurs, provided, in
20	Representatives in a	the case of the State Senator
21	single-county represen-	or State Representative in a
22	tative district	single-county district where
23	Any elective county office	not all the county is located
24		in that district, then in
25		voting, only those members of
26		the county executive committee
27		who reside within the district
28		shall <del>vote</del> vote.
29	<del>Judge of superior court in a</del>	<del>County executive committee of</del>
30	<del>single county judicial</del>	<del>political party in which vacancy</del>
31	<del>district where the district is</del>	<del>occurs; provided, in the case of a</del>
32	<del>the whole county or part of the</del>	<del>superior court judge in a single-</del>
33	<del>county</del>	<del>county district where not all</del>
34		<del>the county is located in that</del>
35		<del>district, then in voting, only</del>
36		<del>those members of the county</del>
37		<del>executive committee who</del>
38		<del>reside within the district shall</del>
39		<del>vote</del>
40	<del>Judge of superior court in a</del>	<del>Appropriate district executive</del>
41	<del>multicounty judicial</del>	<del>committee of political party in</del>
42	<del>district</del>	<del>which vacancy occurs.</del>
43		

44 The party executive making a nomination in accordance with the provisions of this section shall  
 45 certify the name of its nominee to the chairman of the board of elections, State or county, that  
 46 has jurisdiction over the ballot item under G.S. 163-182.4. If at the time a nomination is made  
 47 under this section the general election ballots have already been printed, the provisions of  
 48 G.S. 163-165.3(c) shall apply. If a vacancy occurs in a nomination of a political party and that  
 49 vacancy arises from a cause other than death and the vacancy in nomination occurs more than  
 50 120 days before the general election, the vacancy in nomination may be filled under this section

1 only if the appropriate executive committee certifies the name of the nominee in accordance with  
 2 this paragraph at least 75 days before the general election.

3 ~~(b) In a county which is partly in a multicounty judicial district, in choosing that county's~~  
 4 ~~member or members of the judicial district executive committee for the multicounty district, only~~  
 5 ~~the county convention delegates or county executive committee members who reside within the~~  
 6 ~~area of the county which is within that multicounty district may vote.~~

7 ...."

8 **SECTION 2.13.** G.S. 163-122 is amended by adding a new subsection to read:

9 "(c1) This section does not apply to elections under Article 26 of this Chapter."

10 **SECTION 2.14.** G.S. 163-123(h) reads as rewritten:

11 "(h) Certain Elections Excluded. – This section does not apply to the following elections:

12 (1) Municipal elections or special district elections conducted under Subchapter  
 13 IX of this Chapter.

14 (2) Nonpartisan board of education elections conducted under G.S. 115C-37.

15 (3) Nonpartisan judicial elections conducted under Subchapter XI of this  
 16 Chapter."

17 **SECTION 2.15.** G.S. 163-165.5(a)(3) reads as rewritten:

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

35 **SECTION 2.16.** This Part becomes effective with respect to primaries and elections  
 36 held on or after January 1, 2026.

### 37 38 **PART III. REESTABLISH NORTH CAROLINA PUBLIC CAMPAIGN FUND**

39 **SECTION 3.1.** G.S. 163-278.69 is recodified as G.S. 163-278.129.

40 **SECTION 3.2.** Chapter 163 of the General Statutes is amended by adding the  
 41 following new Article to read:

42 "Article 22I.

43 "The North Carolina Public Campaign Fund.

44 **§ 163-278.120. Purpose of the North Carolina Public Campaign Fund.**

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

1 fundraising and spending limits. This Article is available to candidates for justice of the Supreme  
2 Court and judge of the Court of Appeals in elections to be held in 2026 and thereafter.

3 **§ 163-278.121. Definitions.**

4 The following definitions apply in this Article:

- 5 (1) Board. – The State Board of Elections.
- 6 (2) Candidate. – An individual who becomes a candidate as described in  
7 G.S. 163-278.6. The term includes a political committee authorized by the  
8 candidate for that candidate's election.
- 9 (3) Certified candidate. – A candidate running for office who chooses to receive  
10 campaign funds from the Fund and who is certified under  
11 G.S. 163-278.123(c).
- 12 (4) Contested primary and contested general election. – An election in which  
13 there are more candidates than the number to be elected. A distribution from  
14 the Fund pursuant to this Article is not a "contribution" and is not subject to  
15 the limitations of G.S. 163-278.13 or the prohibitions of G.S. 163-278.15 or  
16 G.S. 163-278.19.
- 17 (5) Contribution. – Defined in G.S. 163-278.6. A distribution from the Fund  
18 pursuant to this Article is not a "contribution" and is not subject to the  
19 limitations of G.S. 163-278.13 or the prohibitions of G.S. 163-278.15 or  
20 G.S. 163-278.19.
- 21 (6) Electioneering communication. – As defined in G.S. 163-278.6, except that it  
22 is made during the period beginning 30 days before absentee ballots become  
23 available for a primary and ending on primary election day and during the  
24 period 60 days before absentee ballots become available for a general election  
25 and ending on general election day.
- 26 (7) Expenditure. – Defined in G.S. 163-278.6.
- 27 (8) Fund. – The North Carolina Public Campaign Fund established in  
28 G.S. 163-278.122.
- 29 (9) Independent expenditure. – Defined in G.S. 163-278.6.
- 30 (10) Maximum qualifying contributions. – An amount of qualifying contributions  
31 equal to 60 times the filing fee for candidacy for the office.
- 32 (11) Minimum qualifying contributions. – An amount of qualifying contributions  
33 equal to 30 times the filing fee for candidacy for the office.
- 34 (12) Nonparticipating candidate. – A candidate running for office who is not  
35 seeking to be certified under G.S. 163-278.123(c).
- 36 (13) Office. – A position on the North Carolina Court of Appeals or North Carolina  
37 Supreme Court.
- 38 (14) Participating candidate. – A candidate for office who has filed a declaration  
39 of intent to participate under G.S. 163-278.123.
- 40 (15) Political committee. – Defined in G.S. 163-278.6.
- 41 (16) Qualifying contribution. – A contribution of not less than ten dollars (\$10.00)  
42 and not more than five hundred dollars (\$500.00) in the form prescribed for  
43 noncash monetary contributions in G.S. 163-278.14(b) to the candidate or the  
44 candidate's committee that meets both of the following conditions:
  - 45 a. Made by an individual who is a registered voter in this State at the time  
46 of the submittal of the report specified in G.S. 163-278.123(c).
  - 47 b. Made during the qualifying period and obtained with the approval of  
48 the candidate or the candidate's committee.
- 49 (17) Qualifying period. – The period beginning September 1 in the year before the  
50 election and ending on the day of the primary of the election year.
- 51 (18) Referendum committee. – Defined in G.S. 163-278.6.

1           (19) Trigger for matching funds. – The dollar amount at which matching funds are  
2 released for certified candidates. In the case of a primary, the trigger equals  
3 the maximum qualifying contributions for participating candidates. In the case  
4 of a contested general election, the trigger equals the base level of funding  
5 available under G.S. 163-278.125(b)(4).

6 **"§ 163-278.122. North Carolina Public Campaign Fund established; sources of funding.**

7           (a) Establishment of Fund. – The North Carolina Public Campaign Fund is established to  
8 finance the election campaigns of certified candidates for office and to pay administrative and  
9 enforcement costs of the Board related to this Article. The Fund is a special, dedicated,  
10 nonlapsing, nonreverting fund. All expenses of administering this Article, including production  
11 and distribution of the Voter Guide required by G.S. 163-278.129 and personnel and other costs  
12 incurred by the Board, including public education about the Fund, shall be paid from the Fund  
13 and not from the General Fund. Any interest generated by the Fund is credited to the Fund. The  
14 Board shall administer the Fund.

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

17           (1) Designations made to the Fund by individual taxpayers pursuant to  
18 G.S. 105-159.2.

19           (2) Fund revenues distributed for an election that remain unspent or uncommitted  
20 at the time the recipient is no longer a certified candidate in the election.

21           (3) Money ordered returned to the Fund in accordance with G.S. 163-278.128.

22           (4) Voluntary donations made directly to the Fund. Corporations, other business  
23 entities, labor unions, and professional associations may make donations to  
24 the Fund.

25           (5) Money collected from the fifty dollar (\$50.00) surcharge on attorney  
26 membership fees in G.S. 84-34.

27           (c) Determination of Fund Amount. – By October 1, 2026, and every two years thereafter,  
28 the State Board shall prepare and provide to the Joint Legislative Elections Oversight Committee  
29 a report documenting, evaluating, and making recommendations relating to the administration,  
30 implementation, and enforcement of this Article. In its report, the Board shall set out the funds  
31 received to date and the expected needs of the Fund for the next election.

32 **"§ 163-278.123. Requirements for participation; certification of candidates.**

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

42           (b) Demonstration of Support of Candidacy. – Participating candidates who seek  
43 certification to receive campaign funds from the Fund shall first, during the qualifying period,  
44 obtain qualifying contributions from at least 350 registered voters in an aggregate sum that at  
45 least equals the amount of minimum qualifying contributions described in G.S. 163-278.121(11)  
46 but that does not exceed the amount of maximum qualifying contributions described in  
47 G.S. 163-278.121(10).

48           No payment, gift, anything of value, or the opportunity to win anything of value shall be  
49 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 ten thousand dollars (\$10,000) from sources and in amounts permitted by  
20 Article 22A of this Chapter and may expend up to ten thousand dollars  
21 (\$10,000) for any campaign purpose. A candidate who exceeds either of these  
22 limits shall be ineligible to file a declaration of intent or receive funds from  
23 the 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 and  
32 possible matching funds received pursuant to G.S. 163-278.127. Except for  
33 personal and family contributions permitted under subdivision (4) of this  
34 subsection, multiple contributions from the same contributor to the same  
35 candidate shall not exceed five hundred dollars (\$500.00).
- 36           (3) After the qualifying period and through the date of the general election, the  
37 candidate shall expend only the funds the candidate receives from the Fund  
38 pursuant to G.S. 163-278.125(b)(4) plus any funds remaining from the  
39 qualifying period and possible matching funds.
- 40           (4) During the qualifying period, the candidate may contribute up to one thousand  
41 dollars (\$1,000) of that candidate's own money to the campaign. Debt incurred  
42 by the candidate for a campaign expenditure shall count toward that limit. The  
43 candidate may accept in contributions one thousand dollars (\$1,000) from  
44 each member of that candidate's family consisting of spouse, parent, child,  
45 brother, and sister. Up to five hundred dollars (\$500.00) of a contribution from  
46 the candidate's family member may be treated as a qualifying contribution if  
47 it meets the requirements of G.S. 163-278.121(16)a. and b.
- 48           (5) A candidate and the candidate's committee shall limit the use of all revenues  
49 permitted by this subsection to expenditures for campaign-related purposes  
50 only. The Board shall publish guidelines outlining permissible  
51 campaign-related expenditures. In establishing those guidelines, the Board



1 shall differentiate expenditures that reasonably further a candidate's campaign  
2 from expenditures for personal use that would be incurred in the absence of  
3 the candidacy. In establishing the guidelines, the Board shall review relevant  
4 provisions of the Federal Election Campaign Act, and rules adopted pursuant  
5 to it, and similar provisions in other states.

6 (6) Any contribution received by a participating or certified candidate that falls  
7 outside that permitted by this subsection shall be returned to the donor as soon  
8 as practicable. Contributions intentionally made, solicited, or accepted in  
9 violation of this Article are subject to civil penalties as specified in  
10 G.S. 163-278.128. The funds involved shall be forfeited to the Civil Penalty  
11 and Forfeiture Fund.

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

17 (e) Revocation. – A candidate may revoke, in writing to the Board, a decision to  
18 participate in the Fund at any time before the deadline set by the Board for the candidate's  
19 submission of information for the Voter Guide described in G.S. 163-278.129. After a timely  
20 revocation, that candidate may accept and expend outside the limits of this Article without  
21 violating this Article. Within 10 days after revocation, a candidate shall return to the State Board  
22 all money received from the Fund.

23 **"§ 163-278.124. Special participation provisions for candidates in vacancy elections.**

24 (a) Participation Provisions Modified. – Candidates involved in elections described in  
25 G.S. 163-358 may participate in the Fund subject to the provisions of G.S. 163-278.123 as  
26 modified by this section. The Board shall adapt other provisions of this Article, including  
27 G.S. 163-278.127, to those elections.

28 (b) Qualifying. – The Board shall designate a special qualifying period of no less than  
29 four weeks for these candidates, beginning at the close of the notice-of-candidacy filing period.  
30 To receive certification, a participating candidate shall raise at least 225 qualifying contributions,  
31 totaling at least 20 times the amount of the filing fee for the office, for a four-week qualifying  
32 period. If the Board sets a longer qualifying period, then for each additional week that the  
33 qualifying period extends beyond four weeks, the minimum number of qualifying contributions  
34 required for certification shall increase by 25 and the minimum amount of the qualifying  
35 contributions shall increase by two times the filing fee. The minimum qualifying contributions  
36 shall not exceed the limit set by G.S. 163-278.123(b).

37 (c) Allocations. – Certified candidates shall receive one percent (1%) of the funding to  
38 which they would be eligible under G.S. 163-278.125 times the number of calendar days between  
39 the end of the special qualifying period and the day of the general election. That amount shall  
40 not exceed one hundred percent (100%) of the funding to which they would be eligible under  
41 G.S. 163-278.125.

42 **"§ 163-278.125. Distribution from the Fund.**

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

47 (b) Amount of Fund Distribution. – By August 1, 2026, and no less frequently than every  
48 two years thereafter, the Board shall determine the amount of funds, rounded to the nearest one  
49 hundred dollars (\$100.00), to be distributed to certified candidates as follows:

50 (1) Uncontested primaries. – No funds shall be distributed.

- 1           (2)    Contested primaries. – No funds shall be distributed except as provided in  
2                    G.S. 163-278.127.
- 3           (3)    Uncontested general elections. – No funds shall be distributed.
- 4           (4)    Contested general elections. – Funds shall be distributed to a certified  
5                    candidate for a position on the Court of Appeals in an amount equal to 125  
6                    times the candidate's filing fee as set forth in G.S. 163-353. Funds shall be  
7                    distributed to a certified candidate for a position on the Supreme Court in an  
8                    amount equal to 175 times the candidate's filing fee as set forth in  
9                    G.S. 163-353.

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

18    **"§ 163-278.126. Reporting requirements.**

19       (a)    Reporting by Noncertified Candidates and Other Entities. – Any noncertified  
20            candidate with a certified opponent shall report total contributions received to the Board by  
21            facsimile machine or electronically within 24 hours after the total amount of contributions  
22            received exceeds eighty percent (80%) of the trigger for matching funds as defined in  
23            G.S. 163-278.121(19). Any entity making independent expenditures in support of or opposition  
24            to a certified candidate or in support of a candidate opposing a certified candidate, or paying for  
25            electioneering communications, referring to one of those candidates, shall report the total  
26            expenditures or payments made to the Board by facsimile machine or electronically within 24  
27            hours after the total amount of expenditures or payments made for the purpose of making the  
28            independent expenditures or electioneering communications exceed five thousand dollars  
29            (\$5,000). After the initial 24-hour filing, the noncertified candidate or other reporting entity shall  
30            comply with an expedited reporting schedule. The schedule and forms for reports required by  
31            this subsection shall be supplied by the Board.

32       (b)    Reporting by Participating and Certified Candidates. – Notwithstanding other  
33            provisions of law, participating and certified candidates shall report any money received,  
34            including all previously unreported qualifying contributions, all campaign expenditures,  
35            obligations, and related activities to the Board according to procedures developed by the Board.  
36            A certified candidate who ceases to be certified or ceases to be a candidate or who loses an  
37            election shall file a final report with the Board and return any unspent revenues received from  
38            the Fund. In developing these procedures, the Board shall utilize existing campaign reporting  
39            procedures whenever practical.

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

43    **"§ 163-278.127. Matching funds.**

44       (a)    When Matching Funds Become Available. – When any report or group of reports  
45            shows that "funds in opposition to a certified candidate or in support of an opponent to that  
46            candidate" as described in this section exceed the trigger for matching funds as defined in  
47            G.S. 163-278.121(19), the Board shall issue immediately to that certified candidate an additional  
48            amount equal to the reported excess within the limits set forth in this section. "Funds in opposition  
49            to a certified candidate or in support of an opponent to that candidate" shall be equal to the sum  
50            of subdivisions (1) and (2) of this subsection as follows:

- 51            (1)    The greater of the following:

1           a.     Campaign expenditures or obligations made, or funds raised or  
2           borrowed, whichever is greater, reported by any one nonparticipating  
3           candidate who is an opponent of a certified candidate. Where a  
4           certified candidate has more than one nonparticipating candidate as an  
5           opponent, the measure shall be taken from the nonparticipating  
6           candidate showing the highest relevant dollar amount.

7           b.     The funds distributed in accordance with G.S. 163-278.125(b) to a  
8           certified opponent of the certified candidate.

9           (2)    The aggregate total of all expenditures and payments reported in accordance  
10          with G.S. 163-278.126(a) of entities making independent expenditures or  
11          electioneering communications in opposition to the certified candidate or in  
12          support of any opponent of that certified candidate.

13          (b)    Limit on Matching Funds Before Date of Primary. – Total matching funds to a  
14          certified candidate before the date of the primary shall be limited to an amount equal to two times  
15          the maximum qualifying contributions for the office sought. Matching funds are available to a  
16          certified candidate with an opponent in the primary or to a certified candidate who is clearly  
17          referred to in expenditures reportable under G.S. 163-278.125 made in opposition to that  
18          candidate.

19          (c)    Limit on Matching Funds in Contested General Election. – Total matching funds to a  
20          certified candidate in a contested general election shall be limited to an amount equal to two  
21          times the amount described in G.S. 163-278.125(b)(4).

22          (d)    Expedited Distribution of Matching Funds. – When a candidate becomes entitled to  
23          any amount of matching funds under subsection (a) of this section, the Board shall authorize the  
24          issuance of that amount to the candidate as soon as practicable. The Department of  
25          Administration shall transfer that amount to the candidate as soon as practicable and in no event  
26          later than 12 hours after receiving notice from the Board that the candidate has become entitled  
27          to it. The Department of Administration shall develop a method of rapidly transferring funds to  
28          a candidate or otherwise fulfilling the requirements of this subsection in conjunction with the  
29          Board. The candidate shall return to the Board as soon as practicable any amount of the matching  
30          funds that the candidate has not spent at the date of the election or at the time the individual  
31          ceases to be a certified candidate, whichever occurs first.

32          (e)    Determinations by Board. – In the case of electioneering communications, the Board  
33          shall determine which candidate, if any, is entitled to receive matching funds as a result of the  
34          communication. The Board shall issue matching funds based on the communication only if it  
35          ascertains that the communication is susceptible of no reasonable interpretation other than as an  
36          appeal to vote for or against a specific candidate. In making its determination, the Board shall  
37          not consider evidence external to the communication itself of the intent of the sponsor or the  
38          effect of the communication. The Board shall notify each candidate it determines is entitled to  
39          receive matching funds based on those communications, the sponsor of those communications,  
40          and any candidate who is an opponent of the candidate it determines is entitled to the matching  
41          funds. The Board shall give the sponsor of the communication and any opposing candidate an  
42          adequate opportunity to rebut the determination of the Board. In considering the rebuttal, all  
43          candidates in the race and the sponsor shall be given adequate and equal opportunity to be heard.  
44          The Board shall adopt procedures for implementing this subsection, balancing in those  
45          procedures adequacy of opportunity to rebut and adequacy and equality of opportunity to be  
46          heard on the rebuttal with the need to expedite the decision on awarding matching funds. The  
47          Board shall distribute the matching funds, if any, at the conclusion of its process.

48          (f)    Proportional Measuring of Multicandidate Communications. – In calculating the  
49          amount of matching funds a certified candidate is eligible to receive under this section, the Board  
50          shall include the proportion of expenditures, obligations, or payments for multicandidate  
51          communications that pertain to the candidate.

1       (g) No Matching Funds for Certain Communications Involving All Candidates. – No  
2 matching funds are available under this section as a result of an expenditure that supports all  
3 candidates for the same office or opposes all candidates for the same office. No matching funds  
4 are available under this section as a result of an electioneering communication that the Board  
5 ascertains is susceptible of no reasonable interpretation other than as an appeal to vote for all  
6 candidates for the same office or to vote against all candidates for the same office.

7 **"§ 163-278.128. Civil penalty.**

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

19       **SECTION 3.3.** G.S. 84-34 reads as rewritten:

20 **"§ 84-34. Membership fees and list of members.**

21       (a) Every active member of the North Carolina State Bar shall, prior to the first day of  
22 July of each year, pay to the secretary-treasurer an annual membership fee in an amount  
23 determined by the Council but not to exceed three hundred twenty-five dollars  
24 ~~(\$325.00)~~(\$325.00), plus a surcharge of fifty dollars (\$50.00) for the implementation of Article  
25 22I of Chapter 163 of the General Statutes.

26       ...

27       (c) The fees shall be disbursed by the secretary-treasurer on the order of the Council. The  
28 fifty dollar (\$50.00) surcharge shall be sent on a monthly schedule to the State Board of Elections.  
29 The secretary-treasurer shall annually, at a time and in a law magazine or daily newspaper to be  
30 prescribed by the Council, publish an account of the financial transactions of the Council in a  
31 form to be prescribed by it. The secretary-treasurer shall compile and keep currently correct from  
32 the names and mailing addresses forwarded to the secretary-treasurer and from any other  
33 available sources of information a list of members of the North Carolina State Bar and furnish to  
34 the clerk of the superior court in each county, not later than the first day of October in each year,  
35 a list showing the name and address of each attorney for that county who has not complied with  
36 the provisions of this Article. The name of each of the active members who are in arrears in the  
37 payment of membership fees shall be furnished to the presiding judge by the clerk of the superior  
38 court of each county wherein the member or members reside, and the court shall thereupon take  
39 action that is necessary and proper. The names and addresses of attorneys so certified shall be  
40 kept available to the public. The Secretary of Revenue is hereby directed to supply the  
41 secretary-treasurer, from records of license tax payments, with any information for which the  
42 secretary-treasurer may call in order to enable the secretary-treasurer to comply with this  
43 requirement.

44       The list submitted to several clerks of the superior court shall also be submitted to the Council  
45 and it shall take the action thereon that is necessary and proper."

46       **SECTION 3.4.** G.S. 105-159.2 is reenacted as it existed immediately before its  
47 repeal and reads as rewritten:

48 **"§ 105-159.2. Designation of tax to North Carolina Public Campaign Fund.**

49       (a) Allocation to the North Carolina Public Campaign Fund. – To ensure the financial  
50 viability of the North Carolina Public Campaign Fund established in Article ~~22D~~22I of Chapter  
51 163 of the General Statutes, the Department must allocate to that Fund three dollars (\$3.00) from

1 the income taxes paid each year by each individual with an income tax liability of at least that  
2 amount, if the individual agrees. A taxpayer must be given the opportunity to indicate an  
3 agreement or objection to that allocation in the manner described in subsection (b) of this section.  
4 In the case of a married couple filing a joint return, each individual must have the option of  
5 agreeing or objecting to the allocation. The amounts allocated under this subsection to the Fund  
6 must be credited to it on a monthly basis.

7 ...."

8 **SECTION 3.5.** G.S. 163-278.5 reads as rewritten:

9 "**§ 163-278.5. Scope of Article; severability.**

10 The provisions of this Article apply to primaries and elections for North Carolina offices and  
11 to North Carolina referenda and do not apply to primaries and elections for federal offices or  
12 offices in other States or to non-North Carolina referenda. Any provision in this Article that  
13 regulates a non-North Carolina entity does so only to the extent that the entity's actions affect  
14 elections for North Carolina offices or North Carolina referenda.

15 The provisions of this Article are severable. If any provision is held invalid by a court of  
16 competent jurisdiction, the invalidity does not affect other provisions of the Article that can be  
17 given effect without the invalid provision.

18 This section applies to Articles ~~and [Article] 22I and 22M~~ of the General Statutes to the same  
19 extent that it applies to this Article."

20 **SECTION 3.6.** G.S. 163-278.13 is amended by adding a new subsection to read:

21 "(k) In order to make meaningful the provisions of Article 22I of this Chapter, the  
22 following provisions shall apply with respect to candidates for justice of the Supreme Court and  
23 judge of the Court of Appeals:

24 (1) No candidate shall accept, and no contributor shall make to that candidate, a  
25 contribution in any election exceeding one thousand dollars (\$1,000), except  
26 as provided for elsewhere in this subsection.

27 (2) A candidate may accept, and a family contributor may make to that candidate,  
28 a contribution not exceeding two thousand dollars (\$2,000) in an election if  
29 the contributor is that candidate's parent, child, brother, or sister.

30 As used in this subsection, "candidate" is also a political committee authorized by the  
31 candidate for that candidate's election. Nothing in this subsection shall prohibit a candidate or  
32 the spouse of that candidate from making a contribution or loan secured entirely by that  
33 individual's assets to that candidate's own campaign."

34 **SECTION 3.7.** Section 38.1(a) of S.L. 2013-381 reads as rewritten:

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

38 **SECTION 3.8.** Sections 38.1(l), 38.1(m), and 38.1(o) of S.L. 2013-381 are repealed.

39 **SECTION 3.9.** Section 3.2 of this Part is effective when it becomes law, provided  
40 that distributions from the Fund shall begin in the 2026 election year. Section 3.4 of this Part is  
41 effective for taxable years beginning on or after January 1, 2026. The remainder of this Part  
42 becomes effective January 1, 2026.

#### 43 44 **PART IV. SEVERABILITY AND EFFECTIVE DATE**

45 **SECTION 4.1.** The provisions of this act are severable. If any provision of this act  
46 is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions  
47 of the act that can be given effect without the invalid provision.

48 **SECTION 4.2.** This Part is effective when it becomes law. Except as otherwise  
49 provided, this act is effective when it becomes law.