

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE DRH70230-RR-27A (3/20)

Short Title: Electoral Fairness Act.

(Public)

Sponsors: Representative Blust.

Referred to:

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

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

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

1 forthwith determine the sufficiency of petitions filed with it and shall
2 immediately communicate its determination to the State chairman of
3 the proposed new political party."

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

5 "**§ 163-97. Termination of status as political party.**

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

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