

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 373  
Committee Substitute Favorable 4/16/15  
Senate Redistricting Committee Substitute Adopted 7/20/15  
Proposed Conference Committee Substitute H373-PCCS40520-ST-10

Short Title: Elections.

(Public)

Sponsors:

Referred to:

March 30, 2015

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH PROCEDURES FOR THE CONDUCT OF THE 2016  
PRIMARIES, INCLUDING THE PRESIDENTIAL PREFERENCE PRIMARY, AND TO  
MAKE CHANGES TO THE CAMPAIGN FINANCE LAWS.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** Conduct of 2016 Presidential Preference Primary Election. –  
Notwithstanding Article 18A of Chapter 163 of the General Statutes, the 2016 presidential  
preference primary election shall be conducted as provided in this act.

**SECTION 1.(b)** Primary Date. – On March 15, 2016, the voters of this State shall  
be given an opportunity to express the voters' preference for the person to be the presidential  
candidate of the voters' political party.

**SECTION 1.(c)** Qualifications and Registration of Voters. – Any person otherwise  
qualified who will become qualified by age to vote in the general election held in 2016 shall be  
entitled to register and vote in the 2016 presidential preference primary. Such persons may  
register not earlier than 60 days nor later than the last day for making application to register  
under G.S. 163-82.6 prior to the said primary. In addition, persons who will become qualified  
by age to register and vote in the 2016 general election who do not register during the special  
period may register to vote after such period as if the person was qualified on the basis of age,  
but until the person is qualified by age to vote, the person may vote only in primary elections.

**SECTION 1.(d)** Conduct of Election. – The 2016 presidential preference primary  
election shall be conducted and canvassed by the same authority and in the manner provided by  
law for the conduct and canvassing of the primary election for the office of Governor and all  
other offices enumerated in G.S. 163-182.4(b) and under the same provisions stipulated in  
G.S. 163-182.5(c). The State Board of Elections shall have authority to adopt rules and  
regulations, not inconsistent with provisions contained herein, pursuant to the administration of  
this act.

**SECTION 1.(e)** Nomination of Presidential Candidates by State Board of  
Elections. – No later than December 16, 2015, the chair of each political party shall submit to  
the State Board of Elections a list of its presidential candidates to be placed on the 2016  
presidential preference primary ballot. The list must be comprised of candidates whose  
candidacy is generally advocated and recognized in the news media throughout the United



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1 States or in North Carolina, unless any such candidate executes and files with the chair of the  
2 political party an affidavit stating without qualification that the candidate is not and does not  
3 intend to become a candidate for nomination in the 2016 North Carolina presidential preference  
4 primary election. The State Board of Elections shall prepare and publish a list of the names of  
5 the presidential candidates submitted. The State Board of Elections shall convene in Raleigh on  
6 January 5, 2016. At the meeting required by this section, the State Board of Elections shall  
7 nominate as presidential primary candidates all candidates affiliated with a political party,  
8 recognized pursuant to the provisions of Article 9 of Chapter 163 of the General Statutes, who  
9 have been submitted to the State Board of Elections. Additionally, the State Board of Elections,  
10 by vote of at least three of its members in the affirmative, may nominate as a presidential  
11 primary candidate any other person affiliated with a political party that it finds is generally  
12 advocated and recognized in the news media throughout the United States or in North Carolina  
13 as candidates for the nomination by that party. Immediately upon completion of these  
14 requirements, the Board shall release to the news media all such nominees selected. Provided,  
15 however, nothing shall prohibit the partial selection of nominees prior to the meeting required  
16 by this section, if all provisions herein have been complied with.

17 **SECTION 1.(f)** Nomination of Presidential Candidates by Petition. – Any person  
18 seeking the endorsement by the national political party for the office of President of the United  
19 States in 2016, or any group organized in this State on behalf of, and with the consent of, such  
20 person, may file with the State Board of Elections petitions signed by 10,000 persons who, at  
21 the time of the signing, are registered and qualified voters in this State and are affiliated, by  
22 such registration, with the same political party as the candidate for whom the petitions are filed.  
23 Such petitions shall be presented to the county board of elections 10 days before the filing  
24 deadline and shall be certified promptly by the chair of the board of elections of the county in  
25 which the signatures were obtained and shall be filed by the petitioners with the State Board of  
26 Elections no later than 5:00 P.M. on January 4, 2016.

27 The petitions must state the name of the candidate for nomination, along with a  
28 letter of approval signed by such candidate. Said petitions must also state the name and address  
29 of the chair of any such group organized to circulate petitions authorized under this section.  
30 The requirements of G.S. 163-221 prohibiting signing the name of another to a petition shall  
31 apply to any submitted petition. The requirement of the respective chair of county boards of  
32 elections shall be the same as now required under the provisions of G.S. 163-96 as those  
33 requirements relate to the chair of the county board of elections.

34 The State Board of Elections shall forthwith determine the sufficiency of petitions  
35 filed with it and shall immediately communicate its determination to the chair of such group  
36 organized to circulate petitions. The form and style of petition shall be as prescribed by the  
37 State Board of Elections.

38 **SECTION 1.(g)** Notification to Candidates. – The State Board of Elections shall  
39 forthwith contact each person who has been nominated by the Board or by petition and notify  
40 the candidate in writing that the candidate's name will be printed as a candidate of a specified  
41 political party on the 2016 North Carolina presidential preference primary ballot. A candidate  
42 who participates in the 2016 North Carolina presidential preference primary of a particular  
43 party shall have the candidate's name placed on the general election ballot only as a nominee of  
44 that political party. The State Board of Elections shall send a copy of this act to each candidate  
45 with the notice specified above.

46 **SECTION 1.(h)** Voting in Presidential Preference Primary. – The names of all  
47 candidates in the 2016 presidential preference primary shall appear at an appropriate place on  
48 the ballot or voting machine. In addition, the State Board of Elections shall provide a category  
49 on the ballot or voting machine allowing voters in each political party to vote an  
50 "uncommitted" or "no preference" status. The voter shall be able to cast the voter's ballot for  
51 one of the presidential candidates of a political party or for an "uncommitted" or "no

1 preference" status but shall not be permitted to vote for candidates or "uncommitted" status of a  
2 political party different from the voter's registration. Persons registered as "Unaffiliated" shall  
3 not participate in the presidential primary except as provided in G.S. 163-119.

4 **SECTION 1.(i)** Allocation of Delegate Positions. – Upon completion and  
5 certification of the primary results by the State Board of Elections, the Secretary of State shall  
6 certify the results of the 2016 presidential preference primary to the State chair of each political  
7 party. The candidate receiving the highest number of votes in the presidential preference  
8 primary of each party shall be nominated. Each political party shall require the delegate  
9 positions appointed by that party to support the candidate certified as receiving the highest  
10 number of votes until one convention nominating ballot has been taken at the 2016 national  
11 party convention, unless that candidate has withdrawn from the race and has ceased to actively  
12 seek election to the office of President of the United States in more than one state at the time  
13 the first convention nominating ballot is taken at the 2016 national party convention.

14 **SECTION 1.(j)** Conflict With National Rules. – In case of conflict between the  
15 requirements of subsection (i) of this section and the national rules of a political party, the State  
16 executive committee of that party has the authority to resolve the conflict by adopting for that  
17 party the national rules, which shall then supersede any provision in subsection (i) of this  
18 section with which it conflicts, provided that the executive committee shall take only such  
19 action under this section necessary to resolve the conflict.

20 **SECTION 1.(k)** Notification of National Committee. – It shall be the responsibility  
21 of the State chair of each political party, qualified under the laws of this State, to notify his or  
22 her party's national committee no later than December 10, 2015, of the provisions contained  
23 under this act.

24 **SECTION 2.(a)** General Primary Date. – Notwithstanding G.S. 163-1(b), the  
25 primary election in 2016 shall be conducted on the same date as the 2016 presidential  
26 preference primary, as established by subsection (b) of Section 1 of this act.

27 **SECTION 2.(b)** Filing Period. – Notwithstanding G.S. 163-106, the filing period  
28 for the 2016 primary shall open at 12:00 noon on Tuesday, December 1, 2015, and close at  
29 12:00 noon on Monday, December 21, 2015.

30 **SECTION 2.(c)** Eligibility to File. – Notwithstanding G.S. 163-106, no person  
31 shall be permitted to file as a candidate in a party primary unless that person has been affiliated  
32 with that party for at least 75 days as of the date of that person filing such notice of candidacy.  
33 A person registered as "Unaffiliated" shall be ineligible to file as a candidate in a party primary  
34 election.

35 **SECTION 2.(d)** Second Primaries. – Notwithstanding G.S. 163-111(e), if a second  
36 primary is required under G.S. 163-111, the appropriate board of elections, State or county,  
37 shall order that it be held May 24, 2016, if any of the offices for which a second primary is  
38 required are for a candidate for the office of United States Senate or member of the United  
39 States House of Representatives. Otherwise, the second primary shall be held May 3, 2016.

40 There shall be no registration of voters between the dates of the first and second  
41 primaries. Persons whose qualifications to register and vote mature after the day of the first  
42 primary and before the day of the second primary may register on the day of the second  
43 primary and, when thus registered, shall be entitled to vote in the second primary. The second  
44 primary is a continuation of the first primary and any voter who files a proper and timely  
45 written affirmation of change of address within the county under the provisions of  
46 G.S. 163-82.15, in the first primary may vote in the second primary without having to refile  
47 that written affirmation if the voter is otherwise qualified to vote in the second primary. Subject  
48 to this provision for registration, the second primary shall be held under the laws, rules, and  
49 regulations provided for the first primary.

50 **SECTION 2.(e)** Special Elections. – Any special election authorized by statute or  
51 local act that is set for May 2016 shall be placed on the ballot at the time of the presidential

1 preference primary, as established by subsection (b) of Section 1 of this act, unless the unit of  
2 government calling the special election affirmatively changes the date for the special election to  
3 another date in accordance with G.S. 163-287.

4 **SECTION 2.(f)** Statement of Economic Interest. – Notwithstanding G.S. 138A-22,  
5 the statement of economic interest required of any candidate for elective office subject to  
6 Article 2 of Chapter 138A of the General Statutes shall be filed with the State Ethics  
7 Commission on or before February 1, 2016.

8 **SECTION 2.(g)** Campaign Finance Reports. – Notwithstanding Article 22A of  
9 Chapter 163 of the General Statutes, the following changes shall be made to the required  
10 campaign finance reports:

11 (1) The report for the first quarter shall be due Monday, March 7, 2016, and  
12 shall cover the period through February 29, 2016.

13 (2) The report for the second quarter shall also cover March 2016.

14 **SECTION 2.(h)** Temporary Orders. – In order to accommodate the scheduling of  
15 the 2016 primary before the Tuesday after the first Monday in May, the State Board of  
16 Elections may issue temporary orders that may change, modify, delete, amend, or add to any  
17 statute contained in Chapter 163 of the General Statutes, any rules contained in Title 8 of the  
18 North Carolina Administrative Code, or any other election regulation or guideline that may  
19 affect the 2016 primary elections. These temporary orders shall only be effective for the 2016  
20 primary elections.

21 **SECTION 2.(i)** Orders, Not Rules. – Orders issued under this section are not rules  
22 subject to the provisions of Chapter 150B of the General Statutes. Orders issued under this  
23 section shall be published in the North Carolina Register upon issuance.

24 **SECTION 2.(j)** Expiration of Orders. – Any orders issued under this section  
25 become void 10 days after the final certification of all 2016 primary elections. This section  
26 expires 10 days after the final certification of all 2016 primary elections.

27 **SECTION 2.(k)** Definition. – As used in this section, "order" also includes  
28 guidelines and directives.

29 **SECTION 3.(a)** Article 22A of Chapter 163 of the General Statutes is amended by  
30 adding a new section to read:

31 **"§ 163-278.8B. Affiliated party committees.**

32 (a) The leader of each political party caucus of the North Carolina House of  
33 Representatives and the Senate may establish a separate, affiliated party committee to support  
34 the election of candidates of that leader's political party. The affiliated party committee is  
35 deemed a political party for purposes of this Article.

36 (b) Each affiliated party committee shall:

37 (1) Adopt bylaws to include, at a minimum, the designation of a treasurer.

38 (2) Conduct campaigns for candidates who are members of the leader's political  
39 party or manage daily operations of the affiliated party committee.

40 (3) Establish a bank account.

41 (4) Raise and expend funds. Such funds may not be expended or committed to  
42 be expended except when authorized by the leader of the affiliated party  
43 committee.

44 (c) Notwithstanding any other provision of law to the contrary, an affiliated party  
45 committee shall be entitled to use the name, abbreviation, and symbol of the political party of  
46 its leader.

47 (d) For purposes of this section, the term "leader" shall mean the currently elected  
48 President Pro Tempore of the Senate, the currently elected Speaker of the House of  
49 Representatives, or the currently elected minority leader of either house of the General  
50 Assembly, until another person is designated by a political party caucus of members of either

1 house to succeed to one of the aforesaid positions, at which time the newly designated designee  
2 becomes the leader for purposes of this section."

3 **SECTION 3.(b)** G.S. 163-278.6 reads as rewritten:

4 **"§ 163-278.6. Definitions.**

5 When used in this Article:

6 ...

7 (6) The terms "contribute" or "contribution" mean any advance, conveyance,  
8 deposit, distribution, transfer of funds, loan, payment, gift, pledge or  
9 subscription of money or anything of value whatsoever, made to, or in  
10 coordination with, a candidate to support or oppose the nomination or  
11 election of one or more clearly identified candidates, to a political  
12 committee, to a political party, to an affiliated party committee, or to a  
13 referendum committee, whether or not made in an election year, and any  
14 contract, agreement, or other obligation to make a contribution. An  
15 expenditure forgiven by a person or entity to whom it is owed shall be  
16 reported as a contribution from that person or entity. These terms include,  
17 without limitation, such contributions as labor or personal services, postage,  
18 publication of campaign literature or materials, in-kind transfers, loans or  
19 use of any supplies, office machinery, vehicles, aircraft, office space, or  
20 similar or related services, goods, or personal or real property. These terms  
21 also include, without limitation, the proceeds of sale of services, campaign  
22 literature and materials, wearing apparel, tickets or admission prices to  
23 campaign events such as rallies or dinners, and the proceeds of sale of any  
24 campaign-related services or goods. Notwithstanding the foregoing  
25 meanings of "contribution," the word shall not be construed to include  
26 services provided without compensation by individuals volunteering a  
27 portion or all of their time on behalf of a candidate, political committee, or  
28 referendum committee. The term "contribution" does not include an  
29 "independent expenditure." If:

30 a. Any individual, person, committee, association, or any other  
31 organization or group of individuals, including but not limited to, a  
32 political organization (as defined in section 527(e)(1) of the Internal  
33 Revenue Code of 1986) makes, or contracts to make, any  
34 disbursement for any electioneering communication, as defined in  
35 this section; and

36 b. That disbursement is coordinated with a candidate, an authorized  
37 political committee of that candidate, a State or local political party  
38 or committee of that party, an affiliated party committee, or an agent  
39 or official of any such candidate, party, or committee

40 that disbursement or contracting shall be treated as a contribution to the  
41 candidate supported by the electioneering communication or that candidate's  
42 party and as an expenditure by that candidate or that candidate's party.

43 ...

44 (8k) The term "electioneering communication" does not include any of the  
45 following:

46 a. A communication appearing in a news story, commentary, or  
47 editorial distributed through the facilities of any broadcasting station,  
48 unless those facilities are owned or controlled by any political party,  
49 affiliated party committee, political committee, or candidate.

50 b. A communication that constitutes an expenditure or independent  
51 expenditure under this Article.

- 1 c. A communication that constitutes a candidate debate or forum  
 2 conducted pursuant to rules adopted by the Board or that solely  
 3 promotes that debate or forum and is made by or on behalf of the  
 4 person sponsoring the debate or forum.
- 5 d. A communication made while the General Assembly is in session  
 6 which, incidental to advocacy for or against a specific piece of  
 7 legislation pending before the General Assembly, urges the audience  
 8 to communicate with a member or members of the General Assembly  
 9 concerning that piece of legislation or a solicitation of others as  
 10 defined in G.S. 120C-100(a)(13) properly reported under Chapter  
 11 120C of the General Statutes.
- 12 e. A communication that meets all of the following criteria:  
 13 1. Does not mention any election, candidacy, political party,  
 14 opposing candidate, or voting by the general public.  
 15 2. Does not take a position on the candidate's character or  
 16 qualifications and fitness for office.  
 17 3. Proposes a commercial transaction.
- 18 f. A public opinion poll conducted by a news medium, as defined in  
 19 G.S. 8-53.11(a)(3), conducted by an organization whose primary  
 20 purpose is to conduct or publish public opinion polls, or contracted  
 21 for by a person to be conducted by an organization whose primary  
 22 purpose is to conduct or publish public opinion polls. This  
 23 sub-subdivision shall not apply to a push poll. For the purpose of this  
 24 sub-subdivision, "push poll" shall mean the political campaign  
 25 technique in which an individual or organization attempts to  
 26 influence or alter the view of respondents under the guise of  
 27 conducting a public opinion poll.
- 28 g. A communication made by a news medium, as defined in  
 29 G.S. 8-53.11(a)(3), if the communication is in print.

30 ...

31 (14) The term "political committee" means a combination of two or more  
 32 individuals, such as any person, committee, association, organization, or  
 33 other entity that makes, or accepts anything of value to make, contributions  
 34 or expenditures and has one or more of the following characteristics:

- 35 a. Is controlled by a candidate;  
 36 b. Is a political party or executive committee of a political party or is  
 37 controlled by a political party or executive committee of a political  
 38 party;  
 39 c. Is created by a corporation, business entity, insurance company, labor  
 40 union, or professional association pursuant to G.S. 163-278.19(b); or  
 41 d. Has the major purpose to support or oppose the nomination or  
 42 election of one or more clearly identified candidates.
- 43 e. Is an affiliated party committee.

44 Supporting or opposing the election of clearly identified candidates includes  
 45 supporting or opposing the candidates of a clearly identified political party.

46 If the entity qualifies as a "political committee" under sub-subdivision a.,  
 47 b., c., or d. of this subdivision, it continues to be a political committee if it  
 48 receives contributions or makes expenditures or maintains assets or  
 49 liabilities. A political committee ceases to exist when it winds up its  
 50 operations, disposes of its assets, and files its final report.

1 The term "political committee" includes the campaign of a candidate  
2 who serves as his or her own treasurer.

3 Special definitions of "political action committee" and "candidate  
4 campaign committee" that apply only in Part 1A of this Article are set forth  
5 in G.S. 163-278.38Z.

- 6 (15) The term "political party" means any political party organized or operating  
7 in this State, whether or not that party is recognized under the provisions of  
8 G.S. 163-96. A special definition of "political party organization" that  
9 applies only in Part 1A of this Article is set forth in G.S. 163-278.38Z. An  
10 affiliated party committee is deemed a political party for this Article as set  
11 forth in G.S. 163-278.8B.

12 ...."

13 **SECTION 3.(c)** G.S. 163-278.7(b) reads as rewritten:

14 "(b) Each appointed treasurer shall file with the Board at the time required by  
15 G.S. 163-278.9(a)(1) a statement of organization that includes:

- 16 (1) The Name, Address and Purpose of the Candidate, Political Committee, or  
17 Referendum Committee. – When the political committee or referendum  
18 committee is created pursuant to G.S. 163-278.19(b), the name shall be or  
19 include the name of the corporation, insurance company, business entity,  
20 labor union or professional association whose officials, employees, or  
21 members established the committee. When the political committee or  
22 referendum committee is not created pursuant to G.S. 163-278.19(b), the  
23 name shall be or include the economic interest, if identifiable, principally  
24 represented by the committee's organizers or intended to be advanced by use  
25 of the committee's receipts.
- 26 (2) The names, addresses, and relationships of affiliated or connected  
27 candidates, political committees, referendum committees, political parties,  
28 affiliated party committees, or similar organizations;
- 29 (3) The territorial area, scope, or jurisdiction of the candidate, political  
30 committee, or referendum committee;
- 31 (4) The name, address, and position with the candidate or political committee of  
32 the custodian of books and accounts;
- 33 (5) The name and party affiliation of the candidate(s) whom the committee is  
34 supporting or opposing, and the office(s) involved;
- 35 (5a) The name of the referendum(s) which the referendum committee is  
36 supporting or opposing, and whether the committee is supporting or  
37 opposing the referendum;
- 38 (6) The name of the political ~~committee or committee~~, political party or affiliated  
39 party committee being supported or opposed if the committee is supporting  
40 the ticket of a particular ~~political candidate~~ or political party;
- 41 (7) A listing of all banks, safety deposit boxes, or other depositories used,  
42 including the names and numbers of all accounts maintained and the  
43 numbers of all such safety deposit boxes used, provided that the Board shall  
44 keep any account number included in any report filed after March 1, 2003,  
45 and required by this Article confidential except as necessary to conduct an  
46 audit or investigation, except as required by a court of competent  
47 jurisdiction, or unless confidentiality is waived by the treasurer. Disclosure  
48 of an account number in violation of this subdivision shall not give rise to a  
49 civil cause of action. This limitation of liability does not apply to the  
50 disclosure of account numbers in violation of this subdivision as a result of

1 gross negligence, wanton conduct, or intentional wrongdoing that would  
2 otherwise be actionable.

- 3 (8) The name or names and address or addresses of any assistant treasurers  
4 appointed by the treasurer. Such assistant treasurers shall be authorized to  
5 act in the name of the candidate, political committee, or referendum  
6 committee and shall be fully responsible for any act or acts committed by the  
7 assistant treasurer. The treasurer shall be fully liable for any violation of this  
8 Article committed by any assistant treasurer; and
- 9 (9) Any other information which might be requested by the Board that deals  
10 with the campaign organization of the candidate or referendum committee."

11 **SECTION 3.(d)** G.S. 163-278.8A reads as rewritten:

12 **"§ 163-278.8A. (For effective date and applicability, see Editor's note) Campaign sales by**  
13 **political party executive committees.**

14 (a) Exempt Purchase Price Not Treated as "Contribution." – Notwithstanding the  
15 provisions of G.S. 163-278.6(6), the purchase price of goods or services sold by a political  
16 party executive committee or affiliated party committee as provided in subsection (b) of this  
17 section shall not be treated as a "contribution" for purposes of account-keeping under  
18 G.S. 163-278.8, for purposes of the reporting of contributions under G.S. 163-278.11, or for the  
19 purpose of the limit on contributions under G.S. 163-278.13. The treasurer is not required to  
20 obtain, maintain, or report the name or other identifying information of the purchaser of the  
21 goods or services, as long as the requirements of subsection (b) of this section are satisfied.  
22 However, the proceeds from the sales of those goods and services shall be treated as  
23 contributions for other purposes, and expenditures of those proceeds shall be reported as  
24 expenditures under this Article.

25 (b) Exempt Purchase Price. – A purchase price for goods or services sold by a political  
26 party executive committee or affiliated party committee qualifies for the exemption provided in  
27 subsection (a) of this section as long as the sale of the goods or services adheres to a plan that  
28 the treasurer has submitted to and that has been approved in writing by the Executive Director  
29 of the State Board of Elections. The Executive Director shall approve the treasurer's plan upon  
30 and only upon finding that all the following requirements are satisfied:

- 31 (1) That the price to be charged for the goods or services is reasonably close to  
32 the market price for the goods or services.
- 33 (2) That the total amount to be raised from sales under all plans by the  
34 committee does not exceed ten thousand dollars (\$10,000) per election cycle.
- 35 (3) That no purchaser makes total purchases under the plan that exceed fifty  
36 dollars (\$50.00).
- 37 (4) That the treasurer include in the report under G.S. 163-278.11, covering the  
38 relevant time period, all of the following:
- 39 a. A description of the plan.
- 40 b. The amount raised from sales under the plan.
- 41 c. The number of purchases made.
- 42 (5) That the treasurer shall include in the appropriate report under  
43 G.S. 163-278.11 any in-kind contribution made to the political party  
44 ~~executive committee~~ in providing the goods or services sold under the plan  
45 and that no in-kind contribution accepted as part of the plan violates any  
46 provision of this Article.

47 The Executive Director may require a format for submission of a plan, but that format shall  
48 not place undue paperwork burdens upon the treasurer. As used in this subdivision, the term  
49 "election cycle" has the same meaning as in G.S. 163-278.6(7c)."

50 **SECTION 3.(e)** G.S. 163-278.9 reads as rewritten:

51 **"§ 163-278.9. Statements filed with Board.**



1 (a) Except as provided in G.S. 163-278.10A, the treasurer of each candidate and of each  
2 political committee shall file with the Board under certification of the treasurer as true and  
3 correct to the best of the knowledge of that officer the following reports:

4 (1) Organizational Report. – The appointment of the treasurer as required by  
5 G.S. 163-278.7(a), the statement of organization required by  
6 G.S. 163-278.7(b), and a report of all contributions and expenditures not  
7 previously reported shall be filed with the Board no later than the tenth day  
8 following the day the candidate files notice of candidacy or the tenth day  
9 following the organization of the political committee, whichever occurs first.  
10 Any candidate whose campaign is being conducted by a political committee  
11 which is handling all contributions and expenditures for his campaign shall  
12 file a statement with the Board stating such fact at the time required herein  
13 for the organizational report. Thereafter, the candidate's political committee  
14 shall be responsible for filing all reports required by law.

15 (2) Repealed by Session Laws 1999-31, s. 7(a), effective January 1, 2000.

16 (3) (4) Repealed by Session Laws 1997-515, s. 1.

17 (4a) 48-Hour Report. – A political ~~committee or committee~~, political party or  
18 affiliated party committee that receives a contribution or transfer of funds  
19 shall disclose within 48 hours of receipt a contribution or transfer of one  
20 thousand dollars (\$1,000) or more received before an election but after the  
21 period covered by the last report due before that election. The disclosure  
22 shall be by report to the State Board of Elections identifying the source and  
23 amount of the funds. The State Board of Elections shall specify the form and  
24 manner of making the report, including the reporting of in-kind  
25 contributions.

26 (5) Repealed by Session Laws 1985, c. 164, s. 1.

27 (5a) Quarterly Reports. – During even-numbered years during which there is an  
28 election for that candidate or in which the campaign committee is supporting  
29 or opposing a candidate, the treasurer shall file a report by mailing or  
30 otherwise delivering it to the Board no later than seven working days after  
31 the end of each calendar quarter covering the prior calendar quarter, except  
32 that:

33 a. The report for the first quarter shall also cover the period in April  
34 through the seventeenth day before the primary, the first quarter  
35 report shall be due seven days after that date, and the second quarter  
36 report shall not include that period if a first quarter report was  
37 required to be filed; and

38 b. The report for the third quarter shall also cover the period in October  
39 through the seventeenth day before the election, the third quarter  
40 report shall be due seven days after that date, and the fourth quarter  
41 report shall not include that period if a third quarter report was  
42 required to be filed.

43 (6) Semiannual Reports. – If contributions are received or expenditures made  
44 for which no reports are otherwise required by this Article, any and all such  
45 contributions and expenditures shall be reported by the last Friday in July,  
46 covering the period through the last day of June, and shall be reported by the  
47 last Friday in January, covering the period through the last day of December.

48 (b) Except as otherwise provided in this Article, each report shall be current within  
49 seven days prior to the date the report is due and shall list all contributions received and  
50 expenditures made which have not been previously reported.

51 (c) Repealed by Session Laws 1985, c. 164, s. 6.1.

1 (d) Candidates and committees for municipal offices are not subject to subsections (a),  
2 (b) and (c) of this section, unless they make contributions or expenditures concerning elections  
3 covered by this Part. Reports for those candidates and committees are covered by Part 2 of this  
4 Article.

5 (e) Notwithstanding subsections (a) through (c) of this section, any political party  
6 (including a State, district, county, or precinct committee thereof) which is required to file  
7 reports under those subsections and under the Federal Election Campaign Act of 1971, as  
8 amended (2 U.S.C. 434), shall instead of filing the reports required by those subsections, file  
9 with the State Board of Elections:

10 (1) The organizational report required by subsection (a)(1) of this section, and

11 (2) A copy of each report required to be filed under 2 U.S.C. 434, such copy to  
12 be filed on the same day as the federal report is required to be filed.

13 (f) Any report filed under subsection (e) of this section may include matter required by  
14 the federal law but not required by this Article.

15 (g) Any report filed under subsection (e) of this section must contain all the information  
16 required by G.S. 163-278.11, notwithstanding that the federal law may set a higher reporting  
17 threshold.

18 (h) Any report filed under subsection (e) of this section may reflect the cumulative  
19 totals required by G.S. 163-278.11 in an attachment, if the federal law does not permit such  
20 information in the body of the report.

21 (i) Any report or attachment filed under subsection (e) of this section must be certified.

22 (j) **(Effective until January 1, 2017)** Treasurers for the following entities shall  
23 electronically file each report required by this section that shows a cumulative total for the  
24 election cycle in excess of five thousand dollars (\$5,000) in contributions, in expenditures, or in  
25 loans, according to rules adopted by the State Board of Elections:

26 (1) A candidate for statewide office;

27 (2) A State, district, county, or precinct executive committee of a political party,  
28 or an affiliated party committee, if the committee makes contributions or  
29 independent expenditures in excess of five thousand dollars (\$5,000) that  
30 affect contests for statewide office;

31 (3) A political committee that makes contributions in excess of five thousand  
32 dollars (\$5,000) to candidates for statewide office or makes independent  
33 expenditures in excess of five thousand dollars (\$5,000) that affect contests  
34 for statewide office.

35 The State Board of Elections shall provide the software necessary to file an electronic report to  
36 a treasurer required to file an electronic report at no cost to the treasurer.

37 (j) **(Effective January 1, 2017)** Treasurers for each of the following entities shall  
38 electronically file each report required by this section that shows a cumulative total for the  
39 election cycle in excess of the stated amount in contributions, in expenditures, or in loans,  
40 according to rules adopted by the State Board of Elections:

41 (1) A candidate for statewide office, if more than five thousand dollars (\$5,000).

42 (2) A State, district, county, or precinct executive committee of a political party,  
43 or an affiliated party committee, if the committee makes contributions or  
44 independent expenditures in excess of five thousand dollars (\$5,000) that  
45 affect contests for statewide office.

46 (3) A political committee that makes contributions in excess of five thousand  
47 dollars (\$5,000) to candidates for statewide office or makes independent  
48 expenditures in excess of five thousand dollars (\$5,000) that affect contests  
49 for statewide office.

50 (4) All other political committees, if more than ten thousand dollars (\$10,000).

1 The State Board of Elections shall provide the software necessary to file an electronic report to  
2 a treasurer required to file an electronic report at no cost to the treasurer.

3 (k) All reports under this section must be filed by a treasurer or assistant treasurer who  
4 has completed all training as to the duties of the office required by G.S. 163-278.7(f)."

5 **SECTION 3.(f)** G.S. 163-278.10A(b) reads as rewritten:

6 "(b) The exemption from reporting in subsection (a) of this section applies to political  
7 party committees and affiliated party committees under the same terms as for candidates,  
8 except that the term "to further the candidate's campaign" does not relate to a political party  
9 committee's or an affiliated party committee's exemption, and all contributions, expenditures,  
10 and loans during an election shall be counted against the threshold amount for a political party  
11 committee's threshold amount, committee or an affiliated committee."

12 **SECTION 3.(g)** G.S. 163-278.11(b) reads as rewritten:

13 "(b) Statements shall reflect anything of value paid for or contributed by any person or  
14 individual, both as a contribution and expenditure. A political party executive committee or  
15 affiliated party committee that makes an expenditure that benefits a candidate or group of  
16 candidates shall report the expenditure, including the date, amount, and purpose of the  
17 expenditure and the name of and office sought by the candidate or candidates on whose behalf  
18 the expenditure was made. A candidate who benefits from the expenditure shall report the  
19 expenditure or the proportionate share of the expenditure from which the candidate benefitted  
20 as an in-kind contribution if the candidate or the candidate's committee has coordinated with  
21 the political party executive committee or affiliated party committee concerning the  
22 expenditure."

23 **SECTION 3.(h)** G.S. 163-278.13(e) reads as rewritten:

24 "(e) This section shall not apply to any national, State, district or county executive  
25 committee of any political ~~party~~ party or an affiliated party committee. For the purposes of this  
26 section only, the term "political party" means only those political parties officially recognized  
27 under G.S. 163-96."

28 **SECTION 3.(i)** G.S. 163-278.13B(c)(5) reads as rewritten:

29 "(5) No limited contributor shall solicit a contribution from any individual or  
30 political committee on behalf of a limited contributee. This subdivision does  
31 not apply to a limited contributor soliciting a contribution on behalf of a  
32 political party executive committee or an affiliated party committee if the  
33 solicitation is solely for a separate segregated fund kept by the political party  
34 or affiliated party committee limited to use for activities that are not  
35 candidate-specific, including generic voter registration and get-out-the-vote  
36 efforts, pollings, mailings, and other general activities and advertising that  
37 do not refer to a specific individual candidate."

38 **SECTION 3.(j)** G.S. 163-278.14(a) reads as rewritten:

39 "(a) No individual, political committee, or other entity shall make any contribution  
40 anonymously or in the name of another. No candidate, political committee, referendum  
41 committee, political party, affiliated party committee, or treasurer shall knowingly accept any  
42 contribution made by any individual or person in the name of another individual or person or  
43 made anonymously. If a candidate, political committee, referendum committee, political party,  
44 affiliated party committee, or treasurer receives anonymous contributions or contributions  
45 determined to have been made in the name of another, he shall pay the money over to the  
46 Board, by check, and all such moneys received by the Board shall be deposited in the Civil  
47 Penalty and Forfeiture Fund of the State of North Carolina. This subsection shall not apply to  
48 any contribution by an individual with the lawful authority to act on behalf of another  
49 individual, whether through power of attorney, trustee, or other lawful authority."

50 **SECTION 3.(k)** G.S. 163-278.14A(b)(1) reads as rewritten:

1           "(1) Appears in a news story, commentary, or editorial distributed through the  
2           facilities of any broadcasting station, newspaper, or magazine, unless those  
3           facilities are owned or controlled by any political party, affiliated party  
4           committee, or political committee;"

5           **SECTION 3.(l)** G.S. 163-278.15(a) reads as rewritten:

6           "(a) No candidate, political committee, political party, affiliated party committee, or  
7           treasurer shall accept any contribution made by any corporation, foreign or domestic, regardless  
8           of whether such corporation does business in the State of North Carolina, or made by any  
9           business entity, labor union, professional association, or insurance company. This section does  
10          not apply with regard to entities permitted to make contributions by G.S. 163-278.19(f)."

11          **SECTION 3.(m)** G.S. 163-278.16B(a)(4) reads as rewritten:

12          "(4) Contributions to a national, State, or district or county committee of a  
13          political party or a caucus of the political ~~party-party~~ or an affiliated party  
14          committee."

15          **SECTION 3.(n)** G.S. 163-278.18(a) reads as rewritten:

16          "(a) No media and no supplier of materials or services shall charge or require a  
17          candidate, treasurer, political party, affiliated party committee, or individual to pay a charge for  
18          advertising, materials, space, or services purchased for or in support of or in opposition to any  
19          candidate, political committee, or political party that is higher than the normal charge it  
20          requires other customers to pay for comparable advertising, materials, space, or services  
21          purchased for other purposes."

22          **SECTION 3.(o)** G.S. 163-278.19(a1) reads as rewritten:

23          "(a1) A transfer of funds shall be deemed to have been a contribution made indirectly if it  
24          is made to any ~~committee-committee~~, affiliated party committee, or political party account,  
25          whether inside or outside this State, with the intent or purpose of being exchanged in whole or  
26          in part for any other funds to be contributed or expended in an election for North Carolina  
27          office or to offset any other funds contributed or expended in an election for North Carolina  
28          office."

29          **SECTION 3.(p)** G.S. 163-278.19B reads as rewritten:

30          "**§ 163-278.19B. Political party headquarters building funds.**

31          Notwithstanding the provisions of G.S. 163-278.19, a person prohibited by that section  
32          from making a contribution may donate to political parties and affiliated party committees and  
33          political parties and affiliated party committees may accept from such a person money and  
34          other things of value donated to a political party headquarters building fund. Donations to the  
35          political party headquarters building fund shall be subject to all the following rules:

- 36          (1) The donations solicited and accepted are designated to the political party  
37          headquarters building fund.
- 38          (2) Potential donors to that fund are advised that all donations will be  
39          exclusively for the political party headquarters building fund.
- 40          (3) The political party or affiliated party committee establishes a separate  
41          segregated bank account into which shall be deposited only donations for the  
42          political party headquarters building fund from persons prohibited by  
43          G.S. 163-278.19 from making contributions.
- 44          (4) The donations deposited in the separate segregated bank account for the  
45          political party headquarters building fund will be spent only to purchase a  
46          principal headquarters building, to construct a principal headquarters  
47          building, to renovate a principal headquarters building, to pay a mortgage on  
48          a principal headquarters building, to repay donors if a principal headquarters  
49          building is not purchased, constructed, or renovated, or to pay building rent  
50          or monthly or bimonthly utility expenses incurred to operate the principal  
51          headquarters building. Donations deposited into that account shall be used

solely for the purposes set forth in the preceding sentence, and specifically shall not be used for headquarters equipment other than fixtures, personnel compensation, or travel or fundraising expenses or requirements of any kind. Notwithstanding the above, personnel compensation and in-kind benefits may be paid to no more than three personnel whose functions are primarily administrative in nature, such as providing accounting, payroll, or campaign finance reporting services, for the party and whose job functions require no more than ten percent (10%) of work time to be spent on political advocacy each calendar year

- (5) The political party executive committee or affiliated party committee shall report donations to and spending by a political party headquarters building fund on every report required to be made by G.S. 163-278.9. If a committee is excused from making general campaign finance reports under G.S. 163-278.10A, that committee shall nonetheless report donations in any amount to and spending in any amount by the political party headquarters building fund at the times required for reports in G.S. 163-278.9.

If all the criteria set forth in subdivisions (1) through (5) of this section are complied with, then donations to and spending by a political party headquarters building fund do not constitute contributions or expenditures as defined in G.S. 163-278.6. If those criteria are complied with, then donations may be made to a political party headquarters building fund."

**SECTION 3.(q)** G.S. 163-278.38Z reads as rewritten:

**"§ 163-278.38Z. Definitions.**

As used in this Part:

- ...
- (5) "Political action committee" has the same meaning as "political committee" in G.S. 163-278.6(14), except that "political action committee" does not include any political ~~party or party~~, political party organization, organization, or affiliated party committee.
- (6) "Political party organization" means any political party executive committee or any political committee that operates under the direction of a political party executive committee or political party ~~chair, chair,~~ or any affiliated party committee.

...."

**SECTION 4.** Sections 1 and 2 of this act are effective when this act becomes law and apply only to the 2016 primary cycle. The remainder of this act is effective when it becomes law and applies to contributions and expenditures made on or after that date.