

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2017

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HOUSE BILL 843

Short Title: Adjust Municipal Election Schedule. (Public)

Sponsors: Representative Lewis.
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Elections and Ethics Law

April 13, 2017

A BILL TO BE ENTITLED
AN ACT TO ADJUST THE MUNICIPAL ELECTION SCHEDULE IN ODD-NUMBERED
YEARS SO AS TO NOT HAVE OVERLAPPING REQUIREMENTS OF THE COUNTY
BOARDS OF ELECTIONS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-294.5(c) reads as rewritten:

(c) Candidates seeking municipal office shall file their notices of candidacy with the
board of elections no earlier than 12:00 noon on the first Friday in July and no later than 12:00
noon on the third ~~Friday~~ Tuesday in July preceding the election, except:

(1) In the year following a federal decennial census, candidates seeking
municipal office in any city which elects members of its governing board on
a district basis, or requires that candidates reside in a district in order to run,
shall file their notices of candidacy with the board of elections no earlier
than 12:00 noon on the fourth Monday in July and no later than 12:00 noon
on the second Friday in August preceding the election; and

(2) In the second year following a federal decennial census, if the election is
held then under G.S. 160A-23.1, candidates seeking municipal office shall
file their notices of candidacy with the board of elections at the same time as
notices of candidacy for county officers are required to be filed under
G.S. 163-106.

Notices of candidacy which are mailed must be received by the board of elections before
the filing deadline regardless of the time they were deposited in the mails."

SECTION 2. G.S. 163-279 reads as rewritten:

"§ 163-279. Time of municipal primaries and elections.

(a) Primaries and elections for offices filled by election of the people in cities, towns,
incorporated villages, and special districts shall be held in 1973 and every two or four years
thereafter as provided by municipal charter on the following days:

(1) If the election is nonpartisan and decided by simple plurality, the election
shall be held on Tuesday after the first Monday in November.

(2) If the election is partisan, the election shall be held on Tuesday after the first
Monday in November, the first primary shall be held on the second Tuesday
after Labor Day, and the second primary, if required, shall be held on the
~~fourth Tuesday before the election Day.~~ G.S. 163-227.1 shall not apply, and
no candidate may request a second primary.



- 1 (3) If the election is nonpartisan and the nonpartisan primary method of election
2 is used, the election shall be held on Tuesday after the first Monday in
3 November and the nonpartisan primary shall be held on the ~~fourth Tuesday~~
4 ~~before the election.~~ second Tuesday after Labor Day.
- 5 (4) If the election is nonpartisan and the election and runoff election method of
6 election is used, the election shall be held on the ~~fourth Tuesday before the~~
7 ~~Tuesday after the first Monday in November,~~ second Tuesday after Labor
8 Day, and the runoff election, if required, shall be held on Tuesday after the
9 first Monday in November.
- 10 (b) Repealed by Session Laws 2011-141, s. 1(a), effective July 1, 2011.
- 11 (c) Officers of sanitary districts elected in 1970 shall hold office until the first Monday
12 in December, 1973, notwithstanding G.S. 130-126. Beginning in 1973, sanitary district
13 elections shall be held at the times provided in this section or in G.S. 130A-50(b1)."
- 14 **SECTION 3.** This act is effective when it becomes law and applies to elections
15 held on or after that date.