



# A Candidate's Guide to the 2022 Statewide Primary and General Election

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A Candidate’s  
Guide to Elections  
in North Carolina

This resource has been created to give general guidance and assistance to candidates. This guidance does not absolve a candidate from the responsibility of reading the North Carolina General Statutes and any other state or federal rule, regulation or code related to election administration and campaign finance laws.

If you have any questions concerning this Guide, please contact your county board of elections or the State Board. If your inquiry rises to the level of a request for legal advice to assist you in your campaign, we will encourage you to seek legal counsel.

IMPORTANT DATES		
Candidate Filing Period		
	Primary	Soil & Water
Candidate Filing Period Begins <a href="#">G.S. § 163-106.2</a> ; <a href="#">G.S. § 139-6</a>	12/06/2021	06/13/2022
Last Day to Withdraw as a Candidate <a href="#">G.S. § 163-106.4</a>	12/14/2021	06/28/2022
Candidate Filing Period Ends <a href="#">G.S. § 163-106.2</a> ; <a href="#">G.S. § 139-6</a>	12/17/2021	07/01/2022
Last Day to File a Candidate Challenge <a href="#">G.S. § 163-127.2</a>	01/06/2022	07/18/2022

Election Event Schedule		
Event	Primary Election	General Election
Absentee Voting by Mail Begins <a href="#">G.S. § 163-227.10</a>	01/14/2022	09/09/2022
Voter Registration Deadline <a href="#">G.S. § 163-82.6(d)</a>	02/11/2022	10/14/2022
Voter Challenge Deadline <a href="#">G.S. § 163-85(a)</a>	02/11/2022	10/14/2022
One-stop Voting Begins <a href="#">G.S. § 163-227.2</a>	02/17/2022	10/20/2022
Last Day to Request a Civilian Absentee Ballot <a href="#">G.S. § 163-230.1(a)</a>	03/01/2022	11/01/2022
One-stop Voting Ends <a href="#">G.S. § 163-227.2</a>	03/05/2022	11/05/2022
Last Day to Return an Absentee Ballot <a href="#">G.S. § 163-231</a>	03/08/2022	11/08/2022
Election Day <a href="#">G.S. § 163-1</a> ; <a href="#">G.S. § 163-111</a>	03/08/2022	11/08/2022
County Canvass <a href="#">G.S. § 163-182.5</a>	03/18/2022	11/18/2022
Deadline to File an Election Protest (before 11AM) <a href="#">G.S. § 163-182.9</a> (re: vote count or tabulation)	03/18/2022	11/18/2022
Deadline to Request a Recount <a href="#">G.S. § 163-182.7(b)</a> (county jurisdictional contest)	03/21/2022	11/21/2022
Deadline to Request a Recount <a href="#">G.S. § 163-182.7(c)</a> (state jurisdictional contest)	03/22/2022	11/22/2022
Deadline to File an Election Protest <a href="#">G.S. § 163-182.9</a> (re: other than vote count or tabulation)	03/22/2022	11/22/2022
State Canvass <a href="#">G.S. § 163-182.5(c)</a>	3/29/2022	11/29/2022

\* If any federal contest requires a second primary, the election event date for North Carolina's second primary will be in May; otherwise the election event date for any second primary will be in April.


\*\* There shall be no voter registration between a first primary and a second primary.

## 1 CANDIDATE FILING

The date of the general election is **Tuesday, November 8, 2022**. To determine the nominee for certain contests, there is a primary election on **Tuesday, March 8, 2022**. If no candidate wins the first primary under the provisions of [G.S. § 163-111](#), there may be a second primary for that contest, either on **Tuesday, April 26, 2022** (if no contest for federal office in the state requires a second primary), or **Tuesday, May 17, 2022** (if one or more contests for federal office in the state requires a second primary).

### 1.1 NOTICE OF CANDIDACY

Each person seeking to become a candidate must file a notice of candidacy with the proper board of elections. The State Board provides a [Notice of Candidacy](#) form, which is available on its website or from any county board of elections.

 **North Carolina**  
**Notice of Candidacy**  
G.S. 163-106

**Election information**  
This information will be public.

1 Title of the office sought  
Seat, district, or ward (if applicable)  
Election \_\_\_\_\_ Election date (mm/dd/yyyy) \_\_\_\_\_

**Candidate information**  
You must provide your full legal name in this section. This information will be public.

2 Last name \_\_\_\_\_ Suffix (Jr, Sr, II, III, IV) \_\_\_\_\_  
First name \_\_\_\_\_ Middle name \_\_\_\_\_  
Name to appear on ballot \_\_\_\_\_  
Campaign phone number \_\_\_\_\_ Campaign email \_\_\_\_\_  
NC State Bar number (Judicial and District Attorney candidates only) \_\_\_\_\_

**Residential address**  
This information will be public.

3 Address (not P.O. Box) \_\_\_\_\_ Unit # \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
County \_\_\_\_\_

**Mailing address**  
This information will be public.

4 ☐ Same as above  
Address or P.O. Box \_\_\_\_\_ Unit # \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
County \_\_\_\_\_

**Candidate's pledge**  
Check 1 box and complete the pledge that applies to the office that you are seeking candidacy for.

5 ☐ I am filing for a partisan contest:  
I hereby file notice as a candidate for nomination as \_\_\_\_\_  
in the \_\_\_\_\_ party primary election to be held on (mm/dd/yyyy) \_\_\_\_\_.  
I affiliate with the \_\_\_\_\_ party (and I certify that I am now registered on the registration records of the precinct in which I reside as an affiliate of the \_\_\_\_\_ party).  
I pledge that I have been affiliated with that party for at least 90 days as of the date of the filing of the notice of candidacy. I pledge that if I am defeated in the primary, I will not run for the same office as a write-in candidate in the next general election.

☐ I am filing for a non-partisan contest:  
I hereby file notice that I am a candidate for election to the office of \_\_\_\_\_  
(District/Ward) \_\_\_\_\_ for the governing body of \_\_\_\_\_  
In the regular election to be held on (mm/dd/yyyy) \_\_\_\_\_.  
See G.S. 163-106.5.

**Felony disclosure**

6 Have you ever been convicted of a felony? ☐ Yes ☐ No  
If you have been convicted of a felony, you must complete a **Candidate Felony Disclosure** form within 48 hours of submitting this notice (G.S. 163-106). The required form can be obtained from any election office or from the NC State Board of Elections website at [www.NCSBE.gov](#). A prior felony conviction does not preclude holding elected office if rights of citizenship have been restored. Felony conviction need not be disclosed if the conviction was dismissed as a result of reversal on appeal or resulted in a pardon of innocence or expungement.

2021.04

**Affidavit attesting to nickname**  
Complete only if you would like an acceptable nickname to appear on the ballot in lieu of your legal name.  
Even if your nickname is accepted, your legal last name will still appear on the ballot.

I, \_\_\_\_\_, have been duly sworn, hereby state under oath that I have been commonly known by the nickname \_\_\_\_\_ for at least five years and request that my name be placed on the ballot as follows: \_\_\_\_\_  
In the event that another candidate with the same last name as mine files notice of candidacy for the same office for which I am a candidate, my name should be listed as: \_\_\_\_\_  
State of North Carolina, \_\_\_\_\_ County.  
I hereby certify that \_\_\_\_\_, the candidate who signed this Affidavit attesting to nickname, personally appeared before me this day and signed this document in my presence.  
Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_.  
Name of notary \_\_\_\_\_  
My commission expires (mm/dd/yyyy) \_\_\_\_\_  
Notary, sign here  
☒ X

**Acknowledgment of notice of candidacy**  
This section must be completed by a certifying officer or notary. See G.S. 163-106(a).

Each candidate shall sign the notice of candidacy in the presence of the chairman or secretary of the board of elections, State or county, with which the candidate files. In the alternative, a candidate may have the candidate's signature on the notice of candidacy acknowledged and certified to by an officer authorized to take acknowledgments and administer oaths, in which case the candidate may mail or deliver by commercial courier service the candidate's notice of candidacy to the appropriate board of elections.  
State of North Carolina, \_\_\_\_\_ County.  
I hereby certify that \_\_\_\_\_, the candidate who signed this notice of candidacy, personally appeared before me this day and signed this document in my presence or acknowledged his/her signature to be the same.  
Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_.  
Name of certifying officer or notary \_\_\_\_\_  
Title of certifying officer \_\_\_\_\_  
My commission expires (mm/dd/yyyy) \_\_\_\_\_  
Certifying officer or notary, sign here  
☒ X

**County board of elections certification**  
If you are required to file your notice of candidacy with the State Board of Elections, you must have this certificate signed by the chairman of the board of elections or the director of elections of the county. See G.S. 163-106.5.

I have examined the voter registration records in \_\_\_\_\_ County, and found that \_\_\_\_\_:  
☐ Is a registered voter in this county  
☐ Is registered as \_\_\_\_\_ (Indicate candidate's party affiliation or "unaffiliated", if applicable)  
☐ Has been affiliated with that party for at least 90 days as of the date of the filing of the notice of candidacy  
☐ (Superior Court or District Court Judge only) is a resident of superior court district \_\_\_\_\_ or district court district \_\_\_\_\_.  
Title of county official \_\_\_\_\_ Date (mm/dd/yyyy) \_\_\_\_\_  
Board chair or director of elections, sign here  
☒ X

**Candidate's certification**  
Fraudulently or falsely completing this form is a Class 1 Felony under Chapter 163 of the NC General Statutes.

10 I swear or affirm that the statements on this form are true, correct and complete to the best of my knowledge or belief.  
Candidate, sign and date here (Required) \_\_\_\_\_ Date (mm/dd/yyyy) \_\_\_\_\_  
Sign and date this section in the presence of the certifying officer or notary from section 8. Submit this form to the board of elections in the jurisdiction in which you plan to be a candidate.

#### 1.1.1 FILING JURISDICTION, FILING PERIOD, AND FILING FEES

Candidates for the following office types must file their Notice of Candidacy with the State Board of Elections:

- Federal offices
- State executive offices
- Superior court judge
- District court judge
- District attorney

Candidates for offices of State Senator, State House Representative, and all county and local offices must file their notice of candidacy with their county board of elections.

- Filing for contests subject to party nomination begins at noon on **Monday, December 6, 2021** and ends at noon on **Friday, December 17, 2021**.
- Filing for soil & water conservation supervisors begins at noon on **Monday, June 13, 2022** and ends at noon on **Friday, July 1, 2022**.

- Candidates seeking municipal or other local office must check with their county board of elections for the dates of the filing for these offices.

***PLEASE NOTE:*** Only the candidate may file the notice of candidacy and pay the filing fee in person at the appropriate board of elections. Alternatively, a candidate may have the candidate's signature on the notice of candidacy acknowledged and certified by an officer authorized to take acknowledgments and administer oaths, in which case the candidate may mail or deliver by commercial courier service the candidate's notice of candidacy to the appropriate board of elections.

## Filing with the State Board of Elections

- You must pay the filing fee when you file a notice of candidacy. The fee is generally 1% of the office's base salary, payable by cashier's check, money order, personal check, or campaign check. See N.C.G.S § 163-107 for an overview of filing fees. Read N.C.G.S. § 163-107.1 to learn about filing a petition in lieu of payment of a filing fee. Visit the State Board's Petitions webpage for more information, <https://www.ncsbe.gov/candidates/petitions>.

The following office types file with our agency:

Office	Salary	Filing Fee
Agriculture Commissioner	\$136,699	\$1,367
Associate Justice, State Supreme Court	\$156,664	\$1,567
Attorney General	\$136,699	\$1,367
Chief Justice, State Supreme Court	\$160,838	\$1,608
District Attorney	\$137,399	\$1,374
Governor	\$154,743	\$1,547
Insurance Commissioner	\$136,699	\$1,367
Judge, District Court	\$125,071	\$1,251
Judge, State Court of Appeals	\$150,184	\$1,502
Judge, Superior Court	\$142,082	\$1,421
Labor Commissioner	\$136,699	\$1,367
Lieutenant Governor	\$136,699	\$1,367

Office	Salary	Filing Fee
Secretary of State	\$136,699	\$1,367
State Auditor	\$136,699	\$1,367
State Treasurer	\$136,699	\$1,367
Superintendent of Public Instruction	\$136,699	\$1,367
U.S. Representative	\$174,000	\$1,740
U.S. Senator	\$174,000	\$1,740

### Filing with the County Board of Elections

The following office types file with a county board of elections office. Find [county board of elections contact information](#).

Office	Salary	Filing Fee
<u>Clerk of Superior Court</u>	\$97,375– \$130,688	\$974–\$1,307
County Offices such as Sheriff, Register of Deeds, Board of Education and County Commissioner	<u>Contact county</u>	<u>Contact county</u>
Soil and Water (files in June/July)	Set rate not based on salary	\$5
State Representative	\$13,951	\$140
State Senator	\$13,951	\$140

#### 1.1.2 CANDIDATE'S SIGNATURE

Each candidate must sign the notice of candidacy in the presence of the chair or secretary of the relevant board of elections. Alternatively, a candidate may have his or her signature on the notice of candidacy acknowledged and certified by a Notary Public, in which case the candidate may mail or have the notice of candidacy delivered by commercial courier service to the appropriate board of elections before the deadline.

In signing the notice of candidacy, the candidate shall either:

- use his or her legal name (an initial may be used for a middle name, if applicable), and in the candidate's discretion may also include any nickname by which he or she is commonly known; or
- provide a signed affidavit that the candidate has been known by a certain nickname for at least five years prior to the date of the affidavit, in which case he or she may sign with the nickname in lieu of the legal first name and any middle initial or name. A candidate may not use a last name other than his or her legal last name.

### 1.1.3 GENERAL CANDIDACY REQUIREMENTS

Unless otherwise specified, all candidates must be registered to vote in the state, qualified to vote in an election for the office sought, and 21 years old by the date of the general election. The following table lists additional requirements for certain offices.

Office	Additional Requirements
<b>U.S. Senate</b>	Candidates must be at least 30 years of age, a U.S. citizen for at least 9 years, and a resident of the state by the date of the general election.
<b>U.S. Congress</b>	Candidates must be at least 25 years of age, a U.S. citizen for at least 7 years, and a resident of the state by the date of the general election (a candidate running for U.S. House is not required to be a resident of the congressional district in which the candidate is seeking election).
<b>Governor &amp; Lieutenant Governor</b>	Candidates must be at least 30 years of age; a citizen of the United States for at least five years; and a resident of North Carolina for at least two years by the date of the general election. Candidates must also not have served more than two consecutive terms of the same office.
<b>Council of State</b>	n/a
<b>Attorney General</b>	Candidates must be duly authorized to practice law in the courts of the state.
<b>NC House</b>	Candidates must have resided in the district for one year immediately prior to general election.
<b>NC Senate</b>	Candidates must be at least 25 years of age and have resided in the state as a citizen for two years and in the district for one year prior to the general election.
<b>Judicial and District Attorney</b>	Candidates must be duly authorized to practice law in the courts of the state.
<b>County and Local</b>	n/a

*\*Due to Session Law [2021-107](#), no candidate may file for Sheriff if they have been convicted of a felony in this State, the United States, or any other state.*

#### 1.1.4 ONLY ONE OFFICE PER ELECTION

No person may file for more than one office for any one election. A person who has filed a notice of candidacy may not subsequently file for any other office when the election is on the same date unless the notice for the first office is withdrawn by the deadline. The withdrawal deadline is **December 14, 2021** for candidates who file in December.

#### 1.1.5 CANDIDATE'S NAME ON THE BALLOT

The names of the candidates will appear on the official ballots as they appear on the notice of candidacy. No title, appendage, or appellation indicating rank, status, or position shall be printed on the official ballot in connection with a candidate's name, though candidates may use the title Mr., Mrs., Miss, or Ms. Legitimate nicknames may be permitted on an official ballot, but only if listed on the notice of candidacy. The nickname, which will appear in parentheses on the ballot, may not mislead voters or unduly advertise the candidacy. If a candidate is providing an affidavit to permit the use of a nickname with his or her legal last name, the affidavit shall include the way the ballot shall list the candidate's name (as permitted by law) in the event that another candidate with the same last name files for the same office.

The table below provides examples of what is and what is not acceptable for the candidate's name on ballot if the candidate's name is George Eugene Smith.

Candidate Names on Ballots		Candidate Name on Ballot Examples:	
		Allowed	Not Allowed
❶	A candidate may use either first or middle name before the last name (no nickname affidavit necessary)	George Smith Eugene Smith	
❷	A candidate may abbreviate using the first letter of either his first or middle name (but not last name) (no nickname affidavit necessary).	G. Smith G. E. Smith George E. Smith G. Eugene Smith	George S. G. E. S.
❸	A candidate may choose to include a suffix (no nickname affidavit necessary).	George Smith George Smith, Jr. George Smith III	George Smith, Esq. George Smith, MD
❹	The ONLY title allowed along with a name is Mr./Mrs./Miss/Ms.	Mr. George Smith	General George Smith Judge George Smith Hon. George Smith
❺	If a nickname affidavit is completed, the nickname must either be used in place of the first or middle name, or following the first or middle name in parentheses. Nicknames that indicate rank, status or position are prohibited. Any shortening of a name as it appears in the voter record, other than abbreviation to the first letter, requires a nickname affidavit (such as "Dave" if the voter registration lists the first name as "David")	George (Joey) Smith George E. (Joey) Smith George Eugene (Joey) Smith Eugene (Joey) Smith Joey Smith	George (Da Bomb) Smith George (Vote For Me) Smith George (The Judge) Smith George (Winner) Smith




### 1.1.6 DISCLOSURE OF FELONY CONVICTION

The *Notice of Candidacy* form provided by the State Board of Elections includes a statement that addresses whether the candidate has ever been convicted of a felony. Candidates are required by law to file a statement that answers the following question: “Have you ever been convicted of a felony?” Candidates who answer “yes” to this question must provide the name of the offense, date of conviction, date of restoration of citizenship rights, and the county and state of conviction. Candidates must complete the Felony Disclosure Form, available on the State Board of Elections’ website ([NCSBE.gov](https://ncsbe.gov)), for this purpose. It is a Class I felony for an individual to knowingly provide untrue information in response to this question.

A candidate is not required to disclose a felony conviction if the conviction was dismissed as a result of reversal on appeal or resulted in a pardon of innocence or expungement. A prior felony conviction does not preclude holding elective office if the candidate’s rights of citizenship have been restored.

If a candidate fails to answer the felony question, the board of elections that accepted the filing will notify the candidate of the omission, at which point the candidate has 48 hours to provide the missing information. If a candidate does not provide this information at the time of filing or within 48 hours after the notice, the individual's filing is not considered complete, the individual's name shall not appear on the ballot as a candidate, and votes for the individual shall not be counted. It is a Class I felony to complete the felony disclosure knowing that information as to a felony conviction or the restoration of citizenship is untrue.



**North Carolina  
Felony Disclosure**

Use this form to  
disclose a felony

---

**Election information**  
Please print.

1

Title of the office sought \_\_\_\_\_  
Election \_\_\_\_\_ Election date (mm/dd/yyyy) \_\_\_\_\_  
If the office you are seeking has a district, enter the jurisdiction type (e.g. NC Senate) and district (Dist 10):  
Jurisdiction \_\_\_\_\_ District \_\_\_\_\_

---

**Candidate information**

2

Last name \_\_\_\_\_ Suffix (Jr, Sr., II, III, IV) \_\_\_\_\_  
First name \_\_\_\_\_ Middle name \_\_\_\_\_  
Phone \_\_\_\_\_ Email \_\_\_\_\_

---

**Residential address**

3

Address (not P.O. Box) \_\_\_\_\_ Unit # \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
County \_\_\_\_\_

---

**Felony disclosure**  
Provide the details of your felony convictions.

4

A felony conviction need not be disclosed if the conviction was dismissed as a result of reversal on appeal or resulted in a pardon of innocence or expungement.

A prior felony conviction does not preclude holding elective office if the candidate's rights of citizenship have been restored.

Offense	Date of conviction	County of conviction	State of conviction	Date citizenship rights restored

---

**Candidate's affirmation for felony disclosure**  
Fraudulently or falsely completing this form is a Class I Felony under Chapter 163 of the NC General Statutes.

5

I affirm that the information disclosed here is true, correct, and complete to the best of my knowledge.

**Candidate, sign and date here (Required)**  

X

Date (mm/dd/yyyy)

The information on this form is public record.

Submit this form to the same board of elections where you file your Notice of Candidacy form.

The notice of candidacy is a public record in the office of the board of elections where the candidate files.





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### 1.1.7 WITHDRAWAL OF CANDIDACY

Any person who has filed a notice of candidacy for an office has the right to withdraw it at any time prior to the close of business on the third business day prior to the date on which the right to file for that office expires. The deadline for withdrawal of notice of candidacy for the following filing period is as follows:

- Primary filing period: **Tuesday, December 14, 2022**
- Soil & water filing period: **Monday, June 28, 2022**

The name of any candidate who does not withdraw by the deadline shall be printed on the primary ballot. Any votes received by that candidate shall be counted. The filing fee will not be refunded.

 <b>North Carolina</b> <b>Withdrawal of Notice of Candidacy</b>		Use this form to withdraw your Notice of Candidacy		
<b>Election information</b> Please print.	<b>1</b>	Title of the office sought _____ Election _____ Election date (mm/dd/yyyy) _____		
<b>Candidate information</b> Use the same information that you used to complete your notice of candidacy.	<b>2</b>	Last name _____ Suffix (Jr, Sr., II, III, IV) _____ First name _____ Middle name _____ Address _____ City _____ State _____ Zip _____ County _____ Phone number _____ Email _____		
<b>Candidate's affirmation for withdrawal of candidacy</b> Fraudulently or falsely completing this form is a Class I felony under Chapter 163 of the NC General Statutes.	<b>3</b>	<p>Any person who has filed notice of candidacy for an office shall have the right to withdraw it at any time prior to the close of business on the third business day prior to the date on which the right to file for that office expires.</p> <p>If you withdraw within the deadline, you are entitled to a refund of the candidate's filing fee.</p> <p>I hereby affirm that I have filed as a candidate for office and I am withdrawing my notice of candidacy.</p> <p><b>Candidate, sign and date here (Required)</b></p> <table border="1"><tr><td></td><td>Date (mm/dd/yyyy) _____</td></tr></table> <p>Submit this form to the office where you filed. Find the contact information for your local board of elections at the NCSBE website (<a href="http://vt.ncsbe.gov/BOEInfo">vt.ncsbe.gov/BOEInfo</a>).</p>		Date (mm/dd/yyyy) _____
	Date (mm/dd/yyyy) _____			

### 1.1.8 PARTY AFFILIATION

No one is permitted to file as a candidate in a party primary unless he or she has been affiliated with that party for at least 90 days as of the date of that person's filing of notice of candidacy. A person registered as "unaffiliated" is ineligible to file as a candidate in a partisan primary election.

### 1.1.9 VERIFICATION BY COUNTY BOARD OF ELECTIONS

Candidates required to file their notice of candidacy with the State Board must file, along with their notice, a certificate of registration signed by the chair of the board of elections or the director of elections of the county in which they are registered to vote. For this reason, candidates required to file their notice of candidacy with the State Board must first visit their local county board of elections prior to submitting the notice to the State Board. This certificate serves to verify that the person filing for candidacy is registered to vote in that county and that they have affiliated with the party whose nomination the candidate seeks for the requisite time period.

## 1.2 CANDIDATE CHALLENGES AND ELECTION PROTESTS

### 1.2.1 CHALLENGES: WHEN, HOW AND GROUNDS FOR A CHALLENGE

A challenge to a candidate must be filed with the board of elections that received the notice of candidacy or petition no later than ten business days after the close of the filing period. The challenge must be made in a verified affidavit by a challenger, based on the

challenger’s reasonable suspicion or belief of the facts stated. The grounds for filing a challenge are that the candidate does not meet the constitutional or statutory qualifications for the office, including residency.

### 1.2.2 ELECTION PROTEST

If a challenger discovers grounds for challenging a candidate after the deadline, those grounds may be the basis for an “election protest.” Only registered voters eligible to participate in the election in question and candidates in the election in question are permitted to protest the election.

The timing for filing a protest depends on the nature of the alleged irregularity. A county board shall not delay the canvass of a contest for election protests that do not relate to the counting or tabulating of votes.

Alleged Irregularity	Filing Deadline
<b>Manner in which votes were counted or results tabulated</b>	Before the beginning of the county canvass meeting
<b>Manner in which votes were counted or results tabulated AND protest states good cause for delay in filing</b>	5 PM on the 2 <sup>nd</sup> business day after the county has completed canvass and declared results
<b>Irregularity other than vote counting or results tabulation</b>	5 PM on the 2 <sup>nd</sup> business day after the county has completed its canvass and declared results

If the protest filed before Election Day concerns an irregularity other than vote counting or results tabulation, the protest proceedings shall be stayed until after Election Day (unless a party defending against the protest moves otherwise) if any one of the following conditions exists:

- The ballot has been printed
- The voter registration deadline for that election has passed
- Any of the proceedings will occur within 30 days before Election Day

Persons who wishes to file a protest shall use the form prescribed by the State Board of Elections ([08 NCAC 02 .0111](#)). See the State Board’s [Election Protest Procedures Guide](#) for additional information.

## 2 VOTER REGISTRATION DRIVES

Voter registration is fundamental to elections. Assisting qualified citizens in becoming registered voters and involving them in the democratic process is a worthy cause and carries with it certain responsibilities. Candidates and their campaigns *may* distribute voter registration applications and conduct voter registration drives. Voter registration applications may be picked up in county boards of elections offices in quantities up to 500. Larger quantities may be requested from the State Board. Anyone conducting a voter registration drive must adhere to the following guidelines:

- You must provide individuals with current, state-approved voter registration forms. These forms may be ordered from the State Board of Elections (if quantities are over 500) by filling out and signing a NC Voter Registration Supplies Order Form and faxing it to the number on the form or picked up from county boards of elections' offices (if quantities are below 500). Drive organizers should NOT make copies of the voter registration form available on our website.
- You must refrain from coercing, threatening, or intimidating any person engaged in the registration or voting process.
- You should encourage individuals to complete the entire form. You must refrain from altering any information placed on the form without the permission of the person registering. To do so is a Class 2 misdemeanor.
- If assisting a person in filling out a voter registration form, you must place information on the form that accurately reflects the intent and direction of the person.
- You must not offer a person a voter registration form that has been premarked unless the person receiving the form has requested the premarking. You must not offer a person a voter registration form that has a party affiliation premarked unless the person receiving the form has requested the premarking. To do so is a Class 2 misdemeanor.
- You may not refuse to accept completed voter registration forms.
- A person may not be compensated based on the number of forms submitted for assisting persons in registering to vote. To do so is a Class 2 misdemeanor.
- You must not compensate another or accept compensation based on the number of returned written requests for absentee ballots. To do so is a Class I felony.
- **You are strongly encouraged to submit completed voter registration forms and any accompanying documentation to the county board of elections in the county in which the applicant resides within 5 business days of receiving the forms. You must return the forms so they are received no later than the 25th day before an election. Failure to do so is a Class 2 misdemeanor.**

Applications received by the State Board of Elections will be routed to the proper county board of elections, but voter registration drive organizers are strongly encouraged to route completed applications directly to applicants' proper county board of elections to ensure timely processing.

### 2.1 CAPTURING VOTERS' PERSONAL IDENTIFYING INFORMATION IS UNLAWFUL

No person may retain a voter's full or partial social security number, date of birth, electronic mail address, photocopies of identification for voting, or driver's license number when that information is generated in the voter registration process. This information, whether held by the State Board of Elections or a county board of elections, is confidential and shall not be considered a public record or subject to disclosure to the general public. Cumulative data based on those items of information may be publicly disclosed, as long as information about any individual cannot be discerned from the disclosed data.

Further, it is a misdemeanor for any person who is not an election official, or who is not otherwise authorized by law, to retain a registrant's signature, full or partial Social Security number, date of birth, or the identity of the public agency at which the registrant registered to vote, or any electronic mail address, or driver license number from any form after submission of the form to the county board of elections or elections official.

### 2.2 VOTER CHALLENGES

<b>General Information</b>	<p>A voter challenge is the legal process to contest a person’s eligibility to register and/or vote. In the absence of affirmative proof, the presumption is that a voter is properly registered or affiliated. Each challenge must be made separately, in writing, under oath, and on the Voter Challenge Form. The challenger must show that he or she knows, suspects, or reasonably believes the voter is not qualified or entitled to vote and must attach any evidence to support the challenge. A challenge may only be filed for the reasons listed on this form. Any other reason is not grounds for a challenge.</p> <p>The challenge process is set out in <a href="#">Article 8 of Chapter 163</a>.</p>
<b>Challenges Other Than on Election Day</b>	<p>Any registered voter in the county may challenge the right of any person to register, remain registered, or vote in the county. The challenge must be filed with the county board of elections before the 25th day before the primary, general, or special election.</p> <p>The county board of elections will hold a preliminary hearing on the challenge. The burden of proof is on the challenger, and if the challenger presents no evidence, the county board will dismiss the challenge. If the county board of elections finds there is probable cause for the challenge, it will schedule a hearing and notify the challenger, the challenged voter, and other parties that have requested notice.</p>
<b>Election Day Challenges</b>	<p>Any registered voter in the county may file a voter challenge on Election Day. The challenge is filed at the time the registered voter offers to vote and is made at the precinct.</p> <p>An Election-Day challenge will be heard and decided by the chief judge and judges of election at the precinct.</p>
<b>Absentee Challenges</b>	<p>Any registered voter of the same precinct as the absentee voter may challenge the voter’s absentee ballot. The challenge shall be filed at the county board of elections or with the chief judge of the precinct in which the challenger and the absentee voter are registered between noon and 5:00 p.m. on Election Day. For absentee ballots received after 5:00 p.m. on Election Day, the challenge shall be filed between noon on the day after the election to 5:00 p.m. on the next business day following the deadline for receipt of such ballots. One-stop absentee ballots may also be challenged at a one-stop site or during one-stop voting at the county board office and may also be made by a person conducting one-stop voting.</p> <p>Absentee challenges are heard and decided by the county board of elections on the day set for the canvass of the returns.</p>
<b>Special Note for Residency Challenges AND Challenges Filed Within 90 Days Before Election</b>	<p>Pursuant to the court’s decision in <i>N.C. State Conf. of NAACP v. State Board</i>, 1:16-CV-01274, 2018 WL 3748172 (M.D.N.C. Aug. 7, 2018), voter challenges based on the following grounds are NOT PERMITTED, and no hearing will be held if based on the voter’s:</p> <ul style="list-style-type: none"> <li>• change of residency; or</li> <li>• other qualifications without individualized evidence specific to the voter, if filed within 90 days before a federal election.</li> </ul> <p><b>Do not file a voter challenge based on these grounds.</b> If you file a voter challenge within 90 days before a federal election, you must submit reliable first-hand evidence specific to the voter being challenged. Database matches do not constitute individualized evidence.</p>

Candidates should be aware of the options for voting in North Carolina.

### 3.1 VOTING METHODS

There are three main methods by which a registered voter may cast a ballot in North Carolina:

ABSENTEE BY-MAIL	ABSENTEE ONE-STOP VOTING	ELECTION DAY
Absentee voting by-mail permits any registered voter to request, receive, and return a ballot by mail. Absentee ballots for the March primary election will be available as of <b>January 14, 2022</b> . If a second primary is necessary, absentee ballots will be available as soon as practicable if the election is in April. If the second primary is in May, absentee ballots will be available as of <b>April 1, 2022</b> . Absentee ballots for the general election in November will be available as of <b>September 9, 2022</b> .	Absentee One-Stop Voting – or “early voting” – permits a person to request an absentee ballot in-person, receive the ballot and cast the ballot at any one-stop site in the county. The early voting period begins on the third Thursday prior to the date of an election and ends on the last Saturday before Election Day.  During the early voting period, voting locations vary by county. Voters should check the one-stop schedule in their county to determine specific hours for each early voting site. The schedule for early voting is typically posted by the start of the period for absentee voting by mail.	The hours for voting on Election Day are <b>6:30 AM to 7:30 PM</b> . Any voter who is in line at 7:30 PM will be allowed to vote. On Election Day, registered voters should vote in their assigned precincts to receive the correct ballot style. A voter’s precinct is assigned according to the address where the voter has resided for 30 or more days prior to the date of an election.  Voters who present to vote at a polling site other than their assigned precinct, will be offered a provisional ballot. The county board of elections will review all provisional applications and use current North Carolina law to determine whether to count part or all of the ballot.

### 3.2 VOTER ASSISTANCE

Any voter is entitled to assistance from the voter's near relatives, which state law defines as the voter’s spouse, brother, sister, parent, grandparent, child, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, stepparent, or stepchild, as chosen by the voter. The voter need not be disabled to receive such assistance.

A voter in any the following categories is entitled to assistance from a person of the voter's choice, excluding the voter’s employer or agent of that employer or an officer or agent of the voter’s union:

- A voter who, due to physical disability, is unable to enter the voting booth without assistance.
- A voter who, due to physical disability, is unable to mark a ballot without assistance.
- A voter who, due to illiteracy, is unable to mark a ballot without assistance.
- A voter who, due to blindness, is unable to enter the voting booth or mark a ballot without assistance.

Voters who request assistance at one-stop voting sites are entitled to the same assistance as voters on Election Day. There is no prohibition against a candidate assisting a voter if the voter is entitled to assistance. There is also no prohibition against a person assisting multiple voters if those voters are entitled to assistance.

See <https://www.ncsbe.gov/about-elections/legal-resources/numbered-memos> and click Numbered Memo [2016-16](#) for additional information.

## 4 ELECTION RESULTS

All election results on election night are unofficial. Election results are not made official until all relevant canvasses are completed (the county canvass for local contests and the state canvass for multicounty or statewide contests).

### ABSENTEE BALLOTS

Absentee ballots (including one-stop absentee ballots) are counted at 5:00 PM on Election Day. In some cases, they may be counted as early as 2:00 PM. County boards of elections will not release absentee results until after the close of the polls. Absentee ballots that are timely received *after* election day, will be counted at or prior to the county's canvass meeting.

### ELECTION DAY BALLOTS

Ballots cast on election day are counted after the close of the polls. Polls close at 7:30 PM.

### PROVISIONAL BALLOTS

Provisional ballots are researched after Election Day. If the provisional voter is determined to be eligible, his or her ballot will be counted at or prior to the county's canvass meeting.

## 4.1 COUNTY CANVASS

The county canvass meeting is the meeting that culminates in a county's election results becoming official. The county canvass meeting is conducted 10 days after Election Day. During the 10-day canvass period, county boards of elections will also count eligible absentee ballots that are received after Election Day. Until the county canvass, all election results posted by the county or by the State Board of Elections are unofficial.

These are the specific dates for the 2020 county canvass meetings:

Election Event	County Canvass
March Primary Election	March 18, 2022, at 11 a.m.
November General Election	November 18, 2022, at 11 a.m.

## 4.2 STATE CANVASS

National offices, state offices, multi-county legislative offices, superior court judge, district court judge, district attorney, and statewide and multi-county referenda contests must be canvassed by the State Board. Local contests, for election districts that are in more than one county, including cities, towns or villages that lie in more than county, must also be canvassed by the State Board. All contests are authenticated by the State Board. The date for the state canvass of any primary or second primary will be set by the State Board closer to the time of the election event. The date of the state canvass for the November general election is **Tuesday, November 29, 2022** at 11:00 .

## 5 CAMPAIGN ETIQUETTE

### 5.1 NO ELECTIONEERING NEAR THE FRONT ENTRANCE TO A VOTING SITE

No electioneering may occur within the area immediately outside of the front entrance of a voting place. This area will be marked by signage to designate the area of the “buffer zone,” which is typically 50 feet from the front entrance, but in any case must be at least 25 feet from the front entrance. Persons may not engage in electioneering in this restricted area. If a political sign is placed in this restricted area, it will be removed. For more information about the area in which electioneering is restricted for a specific voting site, please contact your county board of elections office.

### 5.2 CURBSIDE VOTING

Every voting site will offer curbside voting in a designated area, to allow voters with disabilities to cast their vote in a vehicle. If curbside voting is located outside of the “buffer zone,” electioneering restrictions will be in place to ensure the privacy of curbside voters.

Curbside Voters must sign the following affidavit to receive a ballot curbside:

“Do you swear (or affirm) that you are a registered voter in \_\_\_\_\_ County and \_\_\_\_\_ precinct. That because of age or physical disability, you are unable to enter the voting place to vote in person without physical assistance. That you desire to vote outside the voting place and enclosure, and that you understand that a false statement as to your condition will be in violation of North Carolina law.”

### 5.3 ISSUES OR COMPLAINTS AT VOTING SITES

Any issue or complaint relating to a voting site should first be brought to the attention of the polling place’s chief judge (or, in the case of a One-Stop early voting site, the manager of the voting site). If the issue cannot be resolved by the election official at the voting site, the relevant county board of elections office should be contacted.



Form Name	Description of the Form
<b>General Notice of Candidacy Form</b>	This form is used to place a candidate's name on the ballot for a primary and general election.
<b>Felony Disclosure Form</b>	The Felony Disclosure Form should be completed if a candidate has previously been convicted of a felony. The candidate must complete within 48 hours after being notified of the need to complete it when they file for candidacy.
<b>Felony Disclosure Statement (for sheriff candidates only)</b>	Pursuant to <a href="#">Session Law 2021-107</a> , candidates for sheriff must complete several forms and a disclosure statement verifying that they have had no prior felony convictions or expungements.
<b>Withdrawal of the Notice of Candidacy Form</b>	The Withdrawal of Notice of Candidacy can be used for a candidate who wishes to withdraw his or her notice of candidacy. Any person has the right to withdraw at any time prior to the close of business day prior to the date on which the right to file for that office expires under the terms of G.S. § 163-106.2.
<b>Notice of Candidacy via Petition</b>	The Notice of Candidacy via Petition is used when a petitioner candidate has received the required number of signatures set forth by the North Carolina General Statutes and the petition has been certified by either the State Board of Elections or the county board of elections.
<b>Candidate Challenge Form</b>	It is recommended that the challenger use this form to ensure they provide all necessary information. The form is not required, as the statute provides that the challenge be made on an "affidavit."
<b>Candidate Challenge Appeal Form</b>	To file an appeal of a hearing panel's decision on a challenge to candidacy, use this form and include a copy of the panel's decision when you file the appeal.



P.O. Box 27685 RALEIGH, NORTH CAROLINA 27611 (919) 814-3600


*Candidate Special Edition*

**December 2021**

## CANDIDATE NEWSLETTER

Congratulations on filing for public office. This newsletter reviews the requirements of the State Government Ethics Act (“Ethics Act”) that apply to candidates for certain State offices, including financial disclosure requirements, the gift ban, and lobbyist contribution restrictions.

### PART I: STATEMENT OF ECONOMIC INTEREST (SEI)

<b>WHO must file SEIs?</b> 	<p>Candidates for the following North Carolina offices:</p> <ul style="list-style-type: none"> <li>✓ General Assembly (Senate and House)</li> <li>✓ Supreme Court, Court of Appeals, Superior Court, and District Court Judge</li> <li>✓ District Attorney</li> <li>✓ Clerk of Court</li> </ul>
<b>WHAT must I file?</b>	<p>A paper or electronic 2021 Long Form or No Change Form SEI:</p> <ul style="list-style-type: none"> <li>✓ If you are not currently serving in the office which you seek, you <b>must</b> file a “Long Form” SEI.</li> <li>✓ If you are currently serving and seeking reelection to that office, and previously filed a 2021 SEI you should: <ul style="list-style-type: none"> <li>-File a 2021 Long Form SEI if you need to update your SEI disclosures. This will be unlikely, as most 2021 SEI questions request information from 2020.</li> <li>-File a 2021 No Change Form SEI if you have no changes to report.</li> </ul> </li> </ul>
<b>WHEN must I file?</b>	<p>E-file, hand-deliver, or mail your SEI:</p> <ul style="list-style-type: none"> <li>✓ As early as the date on which you file your Notice of Candidacy and no later than the SEI filing deadline of <b>December 28, 2021</b>, at 5 p.m. (10 days after the close of the candidate filing period by statute, an extra day for holiday).</li> <li>✓ Paper SEIs must be <b>postmarked</b> by <b>December 28<sup>th</sup></b>.</li> </ul>
<b>WHERE must I file?</b>	<p>You must file your Long Form or No Change Form SEI directly with the State Ethics Commission. Further information is available on its website at <a href="https://ethics.nc.gov/">https://ethics.nc.gov/</a></p>
<b>HOW do I file?</b>	<p>Go to the Commission’s website and select the “SEI” link. Then select “Candidate Filing.” You can file in the following ways:</p> <ul style="list-style-type: none"> <li>✓ <b>E-file your SEI!</b> The e-file option is easier, and your information will be readily available for later SEI filings. Use your existing account or create a new account if you don’t have one. <b>Candidate SEI e-filing is not available after December 28<sup>th</sup>.</b></li> <li>✓ <b>Paper SEI Filing.</b> You may mail or hand-deliver a completed paper 2021 Candidate SEI. Commission offices are closed from December 23-27, 2021.</li> </ul>

## SEI COMPLETION FAQs

1. **What kind of information must be disclosed?** Certain financial, professional, and personal information regarding you and members of your “immediate family,” including your spouse, unless legally separated and you or your spouse’s children or members of your “extended family” residing in your household.
2. **What if some of the questions do not apply?** Please respond to **all** questions, even if they do not apply to you or members of your immediate family. If the question does not apply, you may indicate “none” or “not applicable.” If you file electronically, the system will ensure that all questions are answered.
3. **What if I file a paper SEI and miss questions?** You will be required to file additional information. You will not satisfy the SEI filing requirement until all questions have been answered.
4. **If I already filed an SEI in 2021, do I still need to file a Candidate SEI in 2021?** Yes. If you are a candidate for a listed office, you must file another Long Form or No Change Form SEI no later than 5 p.m. on December 28, 2021. This is a statutory requirement. 2022 SEIs will not be accepted.
5. **If I file a paper SEI, can I fax or email it?** No. You must mail or hand-deliver your signed original SEI.
6. **Is my SEI a public record?** Yes. All SEIs, including candidate SEIs, are public records and will be available for review on the Commission’s website.

## PENALTIES

1. **Are there fines for filing my SEI late or failing to file it?** Yes. The Ethics Commission may levy a \$250.00 fine for late or non-filing of your SEI.
2. **Are there criminal penalties?** Yes. Knowingly concealing or failing to disclose information is a Class 1 misdemeanor. Knowingly providing false information is a Class H felony.



Contact the State Ethics Commission staff at (919) 814-3600 or by e-mail at [SEI@ethics.nc.gov](mailto:SEI@ethics.nc.gov) if you have any questions about filing an SEI.

**File Your Candidate SEI By December 28, 2021, at 5 p.m.**

**Visit: <https://ethics.nc.gov/seis>**



## PART II: ADDITIONAL INFORMATION FOR CANDIDATES FOR GENERAL ASSEMBLY

### A. THE ETHICS ACT'S GIFT BAN

- ✓ If you are currently a member of the NC General Assembly, are a legislative employee, or a public servant, you cannot accept gifts, directly or indirectly, from registered North Carolina lobbyists or lobbyist principals unless there is an exception in the Ethics Act that would allow that gift.
- ✓ The Ethics Act's gift ban does not apply to judges, district attorneys, or clerks of court or candidates for those offices, although other laws may restrict such gifts.
- ✓ If you do not currently hold a position that is subject to the gift ban, but have filed as a candidate for General Assembly, you are restricted from accepting gifts from lobbyists and lobbyist principals unless there is an exception in the Ethics Act that would allow that gift.
- ✓ A gift is anything of monetary value. There is no de minimis or "small gift" exception; therefore, the value of the gift does not matter.
- ✓ A lobbyist is someone who is paid by either an individual or organization ("lobbyist principal,") to engage in communications or activities designed to influence legislative or executive action. A searchable list of registered lobbyists and lobbyist principals is on the Secretary of State's website at <https://www.sosnc.gov/lobbyists/>.
- ✓ Campaign contributions properly received and reported under the Election Law are not subject to the Ethics Act's gift ban. However, the Elections Law includes various restrictions on campaign contributions.

### B. ADDITIONAL RESTRICTIONS

- ✓ Lobbyists are restricted from making campaign contributions to members of or candidates for General Assembly. Lobbyists also may not collect, take possession of, or transfer those contribution(s).
- ✓ Lobbyists cannot serve as treasurers or assistant treasurers for the campaign committee of a General Assembly candidate.
- ✓ There are additional restrictions against the solicitation, giving, and receipt of campaign contributions to members of the General Assembly while it is in session.



Questions concerning the Ethics Act's gift ban, or lobbyists serving as campaign managers should be directed to the State Ethics Commission staff at (919) 814-3600 or by e-mail at [ethics.commission@ethics.nc.gov](mailto:ethics.commission@ethics.nc.gov).

Questions concerning the acceptance of campaign contributions should be directed to the State Board of Elections at (919) 814-0700.