

# North Carolina State Board of Elections

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## -- *Unaffiliated Candidates for Elections in 2020* --

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- 1) **What action is required for a person to have his or her name entered on the ballot for the general election without being affiliated with a political party?**

**The prospective candidate should first obtain and complete a petition request form.**

This form serves two functions: 1) it enables the appropriate board of elections to register the petition for processing, and 2) it guides the petitioner through the legal requirements for a successful petition. Once the form is completed, it should be submitted to the board of elections that has jurisdiction over the contest.

Once the petitioner has completed and submitted the petition request form, **the board of elections will provide a recommended template of the petition signature pages to be circulated**. The petitioner must collect the required number of signatures and return the petition signatures sheets prior to the statutory deadline (see below). The board of elections will verify that the signatures are of eligible registered voters and inform the petitioner whether he or she has qualified. An individual who successfully qualifies as an unaffiliated candidate will be listed on the ballot for the general election.

**Before gathering signatures, petitioners should check with the relevant board of elections to inquire about eligibility requirements for signers, which vary by contest.**

The number of petition signatures required, the due date for the petitions, and the appropriate elections board with jurisdiction are determined by the type of office sought:<sup>1</sup>

**A. Statewide Offices (U.S. Senate, Governor, Council of State, Supreme Court, and Court of Appeals).** The first step for the petitioner is to obtain a petition request form and submit it to the State Board of Elections, as noted in section (1) of this fact sheet.

- Petitions for these offices must be signed by qualified North Carolina registered voters equaling 1.5% of the total number of North Carolinians who voted in the most recent general election for governor. [In 2020, the number of required signatures will be **71,545** signatures];
- Petitions for these offices must be signed by at least **200** registered voters from each of three congressional districts in North Carolina; and

The petitioner must file signature pages with the appropriate county board of elections by noon on the day of the primary. This deadline is noon on **March 3, 2020**.

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<sup>1</sup> Unaffiliated candidates nominated by petition: [§ 163-122\(a\)\(1\)](#)

Petition signature pages must be separated by county and designated accordingly.

The county boards of elections for each separate county shall verify the signatures and ensure that each signer is an eligible voter for the contest in question. The chair of each county board of elections must file the signature pages with State Board of Elections no later than 15 business days after canvass of the primary. Since canvass of the primary takes place March 13 (ten calendar days from the primary), this deadline is 5:00 pm on **Friday, April 3, 2020**.

**B. District Offices that cover more than one district (U.S. House, North Carolina House and Senate offices for districts that cover more than one county, district attorney).** The first step for the petitioner is to obtain a petition request form and submit it to the State Board of Elections, as noted in section (1) of this fact sheet.

- Petitions for General Assembly seats where the district lies in more than one county must be signed by the number of qualified voters in the district equaling 4% of the total number of registered voters in that district as of January 1 of the election year.<sup>2</sup>
- Petitions for district offices *other than* General Assembly seats must be signed by the number of qualified voters in the district equaling 1.5% of the total number of registered voters in that district as of January 1 of the election year.<sup>2</sup>

The petitioner must file signature pages with the involved county boards of election by noon on the day of the primary. This deadline is 12:00 noon on **March 3, 2020**.

Petition signature pages must be separated by county and designated accordingly. Staff from the involved county boards shall verify the signatures to ensure that each signer is an eligible voter for the contest. The chair of the county boards of elections must file the verified signature pages with State Board of Elections no later than 15 business days after canvass of the primary. Since canvass of the primary takes place March 13 (ten calendar days from the primary), this deadline is 5:00 pm on Friday, **April 3, 2020**.

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<sup>2</sup> This data will be updated when it becomes available for 2020. Petitioners initiating their petitions prior to that date will be provided an estimate based on the 2019 data and should expect revision of the number after January 2020.

**C. District Court and Superior Court Judges.** The first step for the petitioner is to obtain a petition request form and submit it to the State Board of Elections, as noted in section (1) of this fact sheet.

Petitions for these offices:

- are filed with the State Board regardless of whether the district lies entirely in one county or in more than one county; and
- must be signed by the number of qualified voters in the district equaling 2% of the total number of registered voters in that district as reflected by the State Board's voter registration records as of January 1 of the general election year.<sup>3</sup>

The petitioner must file signature pages with the involved county boards of election by noon the day of the primary. This deadline is noon on **March 3, 2020**.

Petition signature pages must be separated by county and designated accordingly. Staff from the involved county boards shall verify the signatures to ensure that each signer is an eligible voter for the contest. The chair of the county boards of elections must file the verified signature pages with State Board of Elections no later than 15 business days after canvass of the primary. Since canvass of the primary takes place March 13 (ten calendar days from the primary), this second deadline is by 5:00 pm on **April 3, 2020**.

**D. District offices for State House and Senate offices that lie within a single county and county offices (such as Sheriff, Register of Deeds and County Commissioner).** The first step for the petitioner is to obtain a [petition request form](#) and submit it to the involved county board of elections.

Petitions for these offices must be signed by the number of qualified voters in the district equaling 4% of the total number of registered voters in the district as of January 1 of the election year.<sup>3</sup>

The petitioner must file signature pages with the county board of elections by noon on the day of the primary. In 2020, the deadline is noon on **March 3<sup>rd</sup>**.

County board of elections staff will verify that signers meet applicable requirements no later than 15 business days after canvass of the primary. Since canvass of the primary takes place March 13 (ten calendar days from the primary), this county deadline is 5:00 pm on **April 3, 2020**.

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<sup>3</sup> This data will be updated when it becomes available for 2020. Petitioners initiating their petitions prior to that date will be provided an estimate based on the 2019 data and should expect revision of the number after January 2020.

**E. Partisan municipal office.** The first step for the petitioner is to obtain a [petition request form](#) and submit it to the appropriate county board of elections.

Petitions for these offices must be signed by the number of qualified voters in the district equaling 1.5% of the total number of voters qualified to vote in the municipal election as of January 1 of the election year.<sup>4</sup>

\* *North Carolina municipalities have different election dates.* Interested persons should inquire with the [county board of elections](#) that has jurisdiction over the municipal election in question to determine what date matches the petition deadline for that municipality.

**2) Is there a filing fee to run as an unaffiliated candidate?**<sup>5</sup>

Yes. For most offices, the filing fee is 1% of the annual salary of the elected office.<sup>6</sup>

**3) Date of the General Election:** The Tuesday after the first Monday in November, **November 3, 2020.**

**4) May I run as an unaffiliated candidate even if I am affiliated *as a voter* with a political party?**

Yes. An unaffiliated candidate means that your *candidacy* is not affiliated with a political party. Your *voter registration affiliation* does not affect your eligibility to be an unaffiliated candidate.

**5) What are the campaign reporting requirements?**<sup>7</sup>

If you are running for a *federal* office, such as Congress (U.S. House or U.S. Senate), you are not required to register a candidate campaign finance committee with North Carolina *unless* you plan to make contributions from your campaign to North Carolina committees (such as a candidate's campaign or a party's committee). As a federal office seeker, you must inquire with the [Federal Election Commission](#) to discover the requirements for reporting campaign finances.

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<sup>4</sup> This data will be updated when it becomes available for 2020. Petitioners initiating their petitions prior to that date will be provided an estimate based on the 2019 data and should expect revision of the number after January 2020.

<sup>5</sup> Filing Fees for unaffiliated candidates are equal to those for candidates in primary: § 163-122(e).

<sup>6</sup> For county offices compensated partly by salary and partly by fees, the amount of the filing fee is 1% of the first annual salary to be received (exclusive of fees): § 163-107(a).

<sup>7</sup> Campaign Reporting: § [163-278.9](#)

If you are running for a non-federal state or local office in North Carolina (any of the offices described in the paragraphs above, except for Congress), please note the following requirements:

North Carolina law requires financial disclosure of all political activities, *even when the candidate spends only personal funds*. The time of filing of these reports, and the types of reports will vary by the type of campaign. Every candidate is legally responsible for his or her compliance with campaign reporting laws.

The treasurer of every campaign committee is required by law to receive training in campaign finance reports and law. Since candidates are also required to comply with campaign finance law, it is highly recommended that candidates obtain the training as well. This **mandatory campaign finance training** is available online or in-person at numerous training sessions offered by this agency. Please call our agency at 919/814-0700 and ask to speak with someone in the Training division.

**IMPORTANT: You must file an organizational report with the appropriate elections office within ten days of receiving funds or making payments for your election for office or giving consent for anyone else to receive funds or transfer anything of value for the purpose of bringing about your election for office.** You trigger your obligation to file an organizational report by making expenditures for your petition. For further information about this report and other campaign finance requirements, please call our agency at 919/814-0700 and ask to speak with someone from the Disclosure section of this agency.

## **6) Disclosure of economic interest is also required of *nonfederal* candidates<sup>8</sup>**

The State Government Ethics Act requires that candidates for an office covered by the Act file a Statement of Economic Interest with the State Ethics Commission. **An individual seeking to qualify as an unaffiliated candidate subject to the Act must file the Statement of Economic Interest within three days of filing the petition.** To inquire whether you are covered by this Act, please call 919/814-3600 and ask to speak with Ethics Commission staff about the Statement of Economic Interest.

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<sup>8</sup> Statement of Economic Interest: [Session Law 2014-111](#), § 13.(a) for the current version of this statute.