TITLE 08 – STATE BOARD OF ELECTIONS

Notice *is hereby given in accordance with G.S. 150B-21.2 that the State Board of Elections intends to adopt the rule cited as 08 NCAC 21 .0605.*

Link to agency website pursuant to G.S. 150B-19.1(c): *https://www.ncsbe.gov/about-elections/legal-resources/rulemaking*

Proposed Effective Date: *January 1, 2027*

Public Hearing:
Date: *October 5, 2026*
Time: *10:00 a.m.*
Location: *State Board of Elections, Dobbs Building, 430 N. Salisbury St., Raleigh, NC 27603*

Reason for Proposed Action: *The proposed rule outlines what must be included in a political party exempt sales plan and the deadline for submission to the State Board of Elections for approval.*

Comments may be submitted to: *Adam Steele, P.O. Box 27255, Raleigh, NC 27611; email rulemaking.sboe@ncsbe.gov (Comments may be submitted online at https://www.ncsbe.gov/about-elections/legal-resources/rulemaking)*

Comment period ends: *November 16, 2026*

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to oah.rules@oah.nc.gov. If you have any further questions concerning the submission of objections to the Commission, please review 26 NCAC 05 .0110 or call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (>= $1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

CHAPTER 21 - DEPARTMENTAL RULES

SECTION .0600 – POLITICAL PARTY COMMITTEES

08 NCAC 21 .0605 EXEMPT SALES PLANS

(a) A political party committee treasurer seeking approval of an exempt sales plan pursuant to G.S. 163-278.8A shall complete and file a Political Party Exempt Sales Plan with the State Board of Elections using the form available on the State Board's website or using any electronic portal made available by the State Board for this purpose at least 15 business days before the proposed start date of the sales.
(b) Forms shall be scanned and emailed to campaign.reporting@ncsbe.gov. The treasurer shall preserve and retain the original signed form for at least two years, counting from the period end date of the election cycle in which the exempt sales occur.
(c) The Political Party Exempt Sales Plan filed with the State Board of Elections shall include the following:

(1) The dates the exempt sales will be conducted.
(2) A general description of each item to be sold.
(3) The fair market value of each item to be sold.
(4) The price the political party will charge for each item sold.
(5) The estimated quantity of each item to be sold.
(6) The estimated sales receipts.
(7) A signed certification that the treasurer understands the following:
    (A) No purchaser may make total purchases exceeding fifty dollars ($50.00);
    (B) The total amount raised from all exempt sales cannot exceed twenty thousand dollars ($20,000) per election cycle; and
    (C) The amount raised and number of purchases made from the sale must be disclosed on the disclosure report for the relevant time period.

(d) The Executive Director shall deny a Political Party Exempt Sales Plan that does not conform to G.S. 163-278.8A or this Rule, or if the political party committee has outstanding debts or liabilities related to anonymous contributions for which the State Board has issued penalty assessments or ordered forfeitures under G.S. 163-278.34(b).

History Note: *Authority G.S. 163-278.21; G.S. 163-278.8A;*
Eff. January 1, 2027.