



NORTH CAROLINA

State Board of Elections & Ethics Enforcement

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KIM WESTBROOK STRACH
Executive Director

NUMBERED MEMO 2017-01

TO: County Boards of Elections
FROM: Kim Westbrook Strach, Executive Director
RE: Municipal Election Schedule
DATE: July 5, 2017

This Numbered Memo describes changes affecting municipal elections this year. If pending court proceedings or legislation change the information in this Memo, my office will issue guidance immediately.

County Board Members

Statute directs the State Board to appoint county board members on July 11. That will not occur unless the governor nominates members of the State Board.

Your county boards will hold over “until their successors are appointed and qualified.” G.S. 163-30. That means current members may conduct board business until new members are appointed and sworn, but all three members must be present to meet the new quorum requirement. G.S. 163-31 (amended by [S.L. 2017-6 § 7\(i\)](#)). County boards that currently have a vacancy may not meet to conduct board business because they do not meet the three-member quorum requirement.

Municipal Calendar

Last July, the General Assembly established a 10-day canvass period to certify all elections (S.L. 2016-109). One week later, the Fourth Circuit reinstated a 17-day early voting period. These events created a problem for the 2017 municipal election schedule: Early voting for some counties would begin before primary or election results were certified.

On April 26, I appeared before the House Committee on Elections and Ethics Law to discuss necessary changes to the calendar to address this critical issue. My office provided extensive input on a bill that would have eliminated second primaries for partisan elections this year to address the overlapping dates. See H.B. 843. The bill had unanimous support from the Committee but was not adopted before legislators left Raleigh last week.

Late Friday morning, the General Assembly approved a measure giving my office limited authority to set a new canvass date. [H.B. 528 § 6.8\(a\)](#). Governor Cooper has not yet approved the

measure. If he does or if the legislation becomes law, we will need to shorten the canvass period.

The shortening of the canvass period is necessary to correct the municipal calendar for 2017, though a compressed certification timeframe is certainly not optimal and will require all of our efforts to ensure accurate elections are certified. **At present, the shortened canvass period would likely be six days from the date of the elections in September and October (September 18 and October 16).** There were a half-dozen ties and five new elections ordered during the 2015 municipal election cycle. Narrow margins raise the stakes for election administrators, and we want and will support your work to ensure the accuracy of all elections conducted this year.

Materials

Numerous deadlines flow from the canvass date, including deadlines affecting provisional voters, overseas absentee voters, and those wishing to file an election protest. My staff is reviewing and updating forms and instructions that include the canvass date, but we ask that you be vigilant to check the accuracy of materials you distribute to the public and candidates. Should H.B. 528 become law, we will be making these changes.

We have been working on updating the *Candidate's Guide to Elections in North Carolina* which will be available on our website by the end of business tomorrow. It will also include the campaign finance guide.

Candidate Filing

Candidates filing begins at noon on Friday, July 7. Training on candidate filing was provided via webinar on June 28, 2017. If you missed the training or would like to review the training, it is available in the Election Resource Center on our website.