

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**HOUSE BILL 34**

Short Title: Ban Butterfly and Punch-Card Ballots. (Public)

Sponsors: Representatives Goodwin; Allred, Barefoot, Buchanan, Cole, Davis, Insko, Justus, Luebke, Wainwright, and Weiss.

Referred to: Election Law and Campaign Finance Reform.

February 1, 2001

A BILL TO BE ENTITLED  
AN ACT TO BAN BUTTERFLY AND PUNCH-CARD BALLOTS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 163-140(a) reads as rewritten:

"(a) Kinds of General Election Ballots; Right to Combine. – For purposes of general elections, there shall be seven kinds of official ballots entitled:

- (1) Ballot for presidential electors
- (2) Ballot for United States Senator
- (3) Ballot for member of the United States House of Representatives
- (4) State ballot
- (5) County ballot
- (6) Repealed by Session Laws 1973, c. 793, s. 56
- (7) Ballot for constitutional amendments and other propositions submitted to the people
- (8) Judicial ballot for superior court.

Use of official ballots shall be limited to the purposes indicated by their titles. The printing on all ballots shall be plain and legible but, unless large type is specified by this section, type larger than 10-point shall not be used in printing ballots. All general election ballots shall be prepared in such a way as to leave sufficient blank space beneath each name printed thereon in which a voter may conveniently write the name of any person for whom he may desire to vote.

No general election ballot shall be used which requires the voter to punch out a hole with a stylus or other tool.

Unless prohibited by this section, the board of elections, State or county, charged by law with printing ballots may, in its discretion, combine any two or more official ballots. Whenever two or more ballots are combined, the voting instructions for the State ballot set out in subsection (b)(4) of this section shall be used, except that if the

1 two ballots being combined do not contain a multi-seat race, then the second sentence of  
2 instruction b. shall not appear on the ballot.

3 Contests in the general election for seats in the State House of Representatives and  
4 State Senate shall be on ballots that are separate from ballots containing non-legislative  
5 contests, except where the voting system used makes separation of ballots impractical.  
6 State House and State Senate contests shall be on the same ballot, unless one is a  
7 single-seat contest and the other a multi-seat contest.

8 All candidates for the Appellate Division shall appear on the same ballot."

9 **SECTION 2.** G.S. 163-140(b)(1) reads as rewritten:

10 "(1) Ballot for Presidential Electors: On the ballot for presidential electors  
11 there shall be printed, under the titles of the offices, the names of the  
12 candidates for President and Vice-President of the United States  
13 nominated by each political party qualified under the provisions of  
14 G.S. 163-96, and the names of the unaffiliated candidates for President  
15 and Vice-President qualified under the provisions of G.S. 163-122 and  
16 G.S. 163-209. A separate column shall be assigned to each political  
17 party with candidates on the ballot, and a separate column shall be  
18 assigned to each pair of unaffiliated candidates for President and  
19 Vice-President, if any, and the columns shall be separated by distinct  
20 black lines. The ballot shall not have two parallel sets of columns with  
21 some of the parties in one column and the other parties in a second  
22 column. At the head of each party column the party name shall be  
23 printed in large type and below it a circle, one-half inch in diameter,  
24 and below the circle the names of the party's candidates for President  
25 and Vice-President in that order. At the head of the columns for  
26 unaffiliated candidates shall be printed in large type the words  
27 "Unaffiliated Candidates", and below it a circle, one-half inch in  
28 diameter, and below the circle the names of a pair of unaffiliated  
29 candidates for President and Vice-President. On the face of the ballot,  
30 above the party column division, the following instructions shall be  
31 printed in heavy black type:

- 32 a. To vote this ballot, make a cross (X) mark in the circle below  
33 the name of the political party for whose candidates you wish to  
34 vote or below the heading for the unaffiliated candidates for  
35 whom you wish to vote.
- 36 b. A vote for the names of a political party's candidates for  
37 President and Vice-President is a vote for the electors of that  
38 party, and a vote for the names of unaffiliated candidates for  
39 President and Vice-President is a vote for electors named by the  
40 unaffiliated candidate for President, the names of whom are on  
41 file with the Secretary of State.
- 42 c. If you tear or deface or wrongly mark this ballot, return it and  
43 get another.

1                               On the bottom of the ballot shall be printed an identified facsimile of  
2                               the signature of the Chairman of the State Board of Elections.

3                               The official ballot for presidential electors shall not be combined  
4                               with any other official ballots."

5                               **SECTION 3.** Section 2 of this act is effective when it becomes law. Section  
6 1 of this act becomes effective July 1, 2002, and applies to elections conducted on or  
7 after that date.