

1 voted for. The board of elections shall verify the names on the petition, and if the
2 petition and notice of candidacy are found to be sufficient, the candidate's name shall be
3 printed on the appropriate ballot. Petitions must be presented to the county board of
4 elections for verification at least 15 days before the petition is due to be filed with the
5 State Board of Elections. The State Board of Elections may adopt rules to implement
6 this section and to provide standard petition forms."

7 **SECTION 5.** G.S. 163-326(b) reads as rewritten:

8 "(b) Notification of Local Boards. – No later than 10 days after the time for filing
9 notices of candidacy under the provisions of G.S. 163-323(b) has expired, the chairman
10 of the State Board of Elections shall certify to the chairman of the county board of
11 elections in each county in the appropriate district the names of candidates for
12 nomination to the offices of superior and district court judge and district attorney who
13 have filed the required notice and paid the required filing fee or presented the required
14 petition to the State Board of Elections, so that their names may be printed on the
15 official judicial ~~ballot for superior and district court ballot.~~"

16 **SECTION 6.** G.S. 163-327(b) reads as rewritten:

17 "(b) Death, Disqualification, or Resignation of Official After Election. – If a
18 person elected to the office of superior or district court judge or district attorney dies,
19 becomes disqualified, or resigns on or after election day and before he has qualified by
20 taking the oath of office, the office shall be deemed vacant and shall be filled as
21 provided by law."

22 **SECTION 7.** G.S. 163-332(b) reads as rewritten:

23 "(b) Ballots to Be Furnished by County Board of Elections. - It shall be the duty of
24 the county board of elections to print official ballots for the following offices to be
25 voted for in the primary:

26 Superior court judge.

27 District court judge.

28 District attorney.

29 In printing ballots, the county board of elections shall be governed by instructions of
30 the State Board of Elections with regard to width, color, kind of paper, form, and size of
31 type."

32 **SECTION 8.** G.S. 163-106(c) reads as rewritten:

33 "(c) Time for Filing Notice of Candidacy. – Candidates seeking party primary
34 nominations for the following offices shall file their notice of candidacy with the State
35 Board of Elections no earlier than 12:00 noon on the second Monday in February and
36 no later than 12:00 noon on the last business day in February preceding the primary:

37 Governor

38 Lieutenant Governor

39 All State executive officers

40 United States Senators

41 Members of the House of Representatives of the United States

42 ~~District attorneys~~

43 Candidates seeking party primary nominations for the following offices shall file
44 their notice of candidacy with the county board of elections no earlier than 12:00 noon

1 on the second Monday in February and no later than 12:00 noon on the last business day
 2 in February preceding the primary:
 3 State Senators
 4 Members of the State House of Representatives
 5 All county offices."

6 **SECTION 9.** G.S. 163-107(a) reads as rewritten:

7 "(a) Fee Schedule. – At the time of filing a notice of candidacy, each candidate
 8 shall pay to the board of elections with which he files under the provisions of G.S.
 9 163-106 a filing fee for the office he seeks in the amount specified in the following
 10 tabulation:

Office Sought	Amount of Filing
Governor	One percent (1%) of the annual salary of the office sought
Lieutenant Governor	One percent (1%) of the annual salary of the office sought
All State executive offices	One percent (1%) of the annual salary of the office sought
All Justices, Justices and Judges, Judges and District Attorneys of the General Court of Justice other than superior and district court judge	One percent (1%) of the annual salary of the office sought
United States Senator	One percent (1%) of the annual salary of the office sought
Members of the United States House of Representatives	One percent (1%) of the annual salary of the office sought
State Senator	One percent (1%) of the annual salary of the office sought
Member of the State House of Representatives	One percent (1%) of the annual salary of the office sought
All county offices not compensated by fees	One percent (1%) of the annual salary of the office sought
County commissioners, if compensated entirely by fees	Ten dollars (\$10.00)
Members of county board of education, if compensated entirely by fees	Five dollars (\$5.00)
Sheriff, if compensated entirely by fees	Forty dollars (\$40.00), plus one percent (1%) of the income of the office above four thousand dollars (\$4,000)
Clerk of superior court, if compensated entirely by fees	Forty dollars (\$40.00), plus one percent (1%) of the income of the

1		office above four thousand
2		dollars (\$4,000)
3	Register of deeds, if compensated	
4	entirely by fees	Forty dollars (\$40.00), plus one
5		percent (1%) of the income of the
6		office above four thousand
7		dollars (\$4,000)
8	Any other county office, if compensated	
9	entirely by fees	Twenty dollars (\$20.00), plus one
10		percent (1%) of the income of
11		the office above two thousand
12		dollars (\$2,000)
13	All county offices compensated partly	
14	by salary and partly by fees	One percent (1%) of the first annual
15		salary to be received (exclusive
16		of fees)"

SECTION 10. G.S. 163-111(c)(1) reads as rewritten:

"(1) A candidate who is apparently entitled to demand a second primary, according to the unofficial results, for one of the offices listed below, and desiring to do so, shall file a request for a second primary in writing or by telegram with the Executive Director of the State Board of Elections no later than 12:00 noon on the seventh day (including Saturdays and Sundays) following the date on which the primary was conducted, and such request shall be subject to the certification of the official results by the State Board of Elections. If the vote certification by the State Board of Elections determines that a candidate who was not originally thought to be eligible to call for a second primary is in fact eligible to call for a second primary, the Executive Director of the State Board of Elections shall immediately notify such candidate and permit him to exercise any options available to him within a 48-hour period following the notification:

- Governor,
- Lieutenant Governor,
- All State executive officers,
- ~~Justices, Judges, or District Attorneys~~ Justice and Judges of the
 General Court of Justice, other than superior and district
 court judges,
- United States Senators,
- Members of the United States House of Representatives,
- State Senators in multi-county senatorial districts, and
- Members of the State House of Representatives in multi-county
 representative districts."

SECTION 11. G.S. 163-107.1(c) reads as rewritten:

"(c) County, Municipal and District Primaries. – If the candidate is seeking one of the offices set forth in G.S. 163-106(c) but which is not listed in subsection (b) of this section, or a municipal or any other office requiring a partisan primary which is not set forth in G.S. 163-106(c) or (d), he shall file a written petition with the appropriate board of elections no later than 12:00 noon on Monday preceding the filing deadline before the primary. The petition shall be signed by ten percent (10%) of the registered voters of the election area in which the office will be voted for, who are affiliated with the same political party in whose primary the candidate desires to run, or in the alternative, the petition shall be signed by no less than 200 registered voters regardless of said voter's political party affiliation, whichever requirement is greater. The board of elections shall verify the names on the petition, and if the petition is found to be sufficient, the candidate's name shall be printed on the appropriate primary ballot. Petitions for candidates for member of the U.S. House of ~~Representatives, District Attorney,~~ Representatives and members of the State House of Representatives from multi-county districts or members of the State Senate from multi-county districts must be presented to the county board of elections for verification at least 15 days before the petition is due to be filed with the State Board of Elections, and such petition must be filed with the State Board of Elections no later than 12:00 noon on Monday preceding the filing deadline. The State Board of Elections may adopt rules to implement this section and to provide standard petition forms."

SECTION 12. G.S. 163-114 reads as rewritten:

"§ 163-114. Filling vacancies among party nominees occurring after nomination and before election.

If any person nominated as a candidate of a political party for one of the offices listed below (either in a primary or convention or by virtue of having no opposition in a primary) dies, resigns, or for any reason becomes ineligible or disqualified before the date of the ensuing general election, the vacancy shall be filled by appointment according to the following instructions:

Position	
President	Vacancy is to be filled by appointment
Vice President	of national executive committee of political party in which vacancy occurs
Presidential elector or alternate elector	Vacancy is to be filled by appointment
Any elective State office	of State executive committee of political party in which vacancy occurs
United States Senator	
A district office, including:	Appropriate district executive committee of political party in which vacancy occurs
Member of the United States House of Representatives	
District Attorney	
State Senator in a multi-county	

1	senatorial district	
2	Member of State House of	
3	Representatives in a multi-county	
4	representative district	
5		
6	State Senator in a single-county	County executive committee of
7	senatorial district	political party in which vacancy
8	Member of State House of	occurs, provided, in the case of
9	Representatives in a single-county	the
10	representative district	State Senator or State
11	Any elective county office	Representative in a single-county
12		district where not all the county is
13		located in that district, then in
14		voting, only those members of the
15		county executive committee who
16		reside within the district shall vote

17 The party executive making a nomination in accordance with the provisions of this
 18 section shall certify the name of its nominee to the chairman of the board of elections,
 19 State or county, charged with the duty of printing the ballots on which the name is to
 20 appear. If at the time a nomination is made under this section the general election ballots
 21 have already been printed, the provisions of G.S. 163-165.3(c) shall apply. If a vacancy
 22 occurs in a nomination of a political party and that vacancy arises from a cause other
 23 than death and the vacancy in nomination occurs more than 120 days before the general
 24 election, the vacancy in nomination may be filled under this section only if the
 25 appropriate executive committee certifies the name of the nominee in accordance with
 26 this paragraph at least 75 days before the general election.

27 In a county not all of which is located in one congressional district, in choosing the
 28 congressional district executive committee member or members from that area of the
 29 county, only the county convention delegates or county executive committee members
 30 who reside within the area of the county which is within the congressional district may
 31 vote.

32 In a county which is partly in a multi-county senatorial district or which is partly in a
 33 multi-county House of Representatives district, in choosing that county's member or
 34 members of the senatorial district executive committee or House of Representatives
 35 district executive committee for the multi-county district, only the county convention
 36 delegates or county executive committee members who reside within the area of the
 37 county which is within that multi-county district may vote."

38 **SECTION 13.** This act becomes effective with respect to elections held on
 39 or after January 1, 2003.