

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 150

Short Title: Presidential Primary in February. (Public)

Sponsors: Senators Brock; Allran, Blake, Brown, East, Forrester, Hunt, Jacumin, Rouzer, and Tillman.

Referred to: Judiciary I.

February 12, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO MOVE THE PRESIDENTIAL PREFERENCE PRIMARY TO FEBRUARY.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 163-213.2 reads as rewritten:

5 "**§ 163-213.2. Primary to be held; date; qualifications and registration of voters.**

6 On the ~~Tuesday after the first Monday in May, 1992,~~ first Tuesday in February 2012, and
7 every four years thereafter, the voters of this State shall be given an opportunity to express their
8 preference for the person to be the presidential candidate of their political party.

9 Any person otherwise qualified who will become qualified by age to vote in the general
10 election held in the same year of the presidential preference primary shall be entitled to register
11 and vote in the presidential preference primary. Such persons may register not earlier than 60
12 days nor later than the last day for making application to register under G.S. 163-82.6 prior to
13 the said primary. In addition, persons who will become qualified by age to register and vote in
14 the general election for which the primary is held, who do not register during the special period
15 may register to vote after such period as if they were qualified on the basis of age, but until they
16 are qualified by age to vote, they may vote only in primary elections."

17 **SECTION 2.** G.S. 163-213.4 reads as rewritten:

18 "**§ 163-213.4. Nomination by State Board of Elections.**

19 By the ~~first-third~~ Tuesday in February ~~November~~ of the year preceding the North Carolina
20 presidential preference primary, the chair of each political party shall submit to the State Board
21 of Elections a list of its presidential candidates to be placed on the presidential preference
22 primary ballot. The list must be comprised of candidates whose candidacy is generally
23 advocated and recognized in the news media throughout the United States or in North Carolina,
24 unless any such candidate executes and files with the chair of the political party an affidavit
25 stating without qualification that the candidate is not and does not intend to become a candidate
26 for nomination in the North Carolina Presidential Preference Primary Election. The State Board
27 of Elections shall prepare and publish a list of the names of the presidential candidates
28 submitted. The State Board of Elections shall convene in Raleigh on the first Tuesday in ~~March~~
29 December preceding the presidential preference primary election. At the meeting required by
30 this section, the State Board of Elections shall nominate as presidential primary candidates all
31 candidates affiliated with a political party, recognized pursuant to the provisions of Article 9 of
32 Chapter 163 of the General Statutes, who have been submitted to the State Board of Elections.
33 Immediately upon completion of these requirements, the Board shall release to the news media
34 all such nominees selected. Provided, however, nothing shall prohibit the partial selection of
35 nominees prior to the meeting required by this section, if all provisions herein have been
36 complied with."



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SECTION 3. This act is effective when it becomes law.