

North Carolina Bipartisan State Board of Elections & Ethics Enforcement

Unaffiliated Candidates for Elections in 2018

- 1) **What action is required for a person to have his or her name entered on the ballot for the general election without being affiliated with a political party?**¹

The prospective candidate should first obtain and complete a [petition request form](#).

This form serves two functions: 1) it enables the appropriate board of elections to register the petition for processing and 2) it guides the petitioner through the legal requirements for a successful petition. Once the form is completed, it should be submitted to the board of elections that has jurisdiction over the contest.

Once the petitioner has completed and submitted the petition request form, **the elections board will provide a recommended template of the petition signature pages to be circulated**. The petitioner must collect the required number of signatures and return the petition signatures sheets prior to the statutory deadline. The board of elections will check the signatures and inform the petitioner whether he or she has qualified. An individual who successfully qualifies as an unaffiliated candidate will be listed on the ballot for the general election.

Before gathering signatures, petitioners should check with the relevant board of elections to inquire about eligibility requirements for signers.

The number of petition signatures required, the due date for the petitions, and the appropriate elections board with jurisdiction are determined by the type of office sought:

- A. Statewide Offices (U.S. Senate, Governor, Council of State, Supreme Court, and Court of Appeals*).** The first step for the petitioner is to obtain a [petition request form](#) and submit it to the State Board of Elections and Ethics Enforcement, as noted in section (1) of this fact sheet. Petitions for these offices:
- must be signed by qualified voters equaling 1.5% of the total number of North Carolinians who voted in the most recent general election for governor. [In 2018 and 2020, the number of required signatures will be **71,545** signatures.]
 - must be signed by at least **200** registered voters from each of three congressional districts in North Carolina
 - must be signed only by persons registered to vote in North Carolina

¹ Changes made by Session Law [2017-214](#), which affect the time by which petitions must be submitted and the number of signatures required, are reflected in this fact sheet.

The petitioner must file signature pages with the appropriate county board of elections by noon on the day of the primary. This deadline is 12:00 noon on **May 8, 2018**.

Petition signature pages must be separated by county and designated accordingly.

The county boards of elections for each affected county shall verify the signatures and ensure that each signer is an eligible voter for the contest in question. The chair of each county board of elections must file the signature pages with State Board of Elections and Ethics Enforcement no later than 15 business days after canvass of the primary, **June 11, 2018**.

***Per Session Law 2017-214, there will be no judicial primary in 2018. Prospective candidates wishing to run as unaffiliated for Supreme Court or Court of Appeals judge do not need to file a petition. The candidate filing period will be noon June 18 to noon June 29.**

- B. District Offices that cover more than one district (U.S. House, North Carolina House and Senate offices for districts that cover more than one county, district attorney).** Please note the **CAVEAT at the end of this fact sheet for contests that may be affected by redistricting.** The first step for the petitioner is to obtain a petition request form and submit it to the State Board of Elections and Ethics Enforcement, as noted in section (1) of this fact sheet. Only persons registered to vote in the affected districts may sign petitions for these offices.
- Petitions for General Assembly seats must be signed by the number of qualified voters in the district equaling 4% of the total number of registered voters in that district as of January 1 of the election year. [This data](#) will be updated when it becomes available for 2018.
 - Petitions for district offices other than General Assembly seats must be signed by the number of qualified voters in the district equaling 1.5% of the total number of registered voters in that district as of January 1 of the election year. [This data](#) will be updated when it becomes available for 2018.

The petitioner must file signature pages with the affected county boards of election by noon on the day of the primary. This deadline is 12:00 noon on **May 8, 2018**.

Petition signature pages must be separated by county and designated accordingly. Staff from the affected county boards shall verify the signatures to ensure that each signer is an eligible voter for the contest. The chair of the county boards of elections must file the verified signature pages with State Board of Elections and Ethics Enforcement no later than 15 business days after canvass of the primary, **June 11, 2018**.

C. District Court and Superior Court Judges. Per Session Law 2017-214, there will be no judicial primary in 2018. Prospective candidates wishing to run as unaffiliated do not need to file a petition. The candidate filing period will be noon June 18 to noon June 29.

Please note the CAVEAT at the end of this fact sheet for contests that may be affected by redistricting.

D. District offices for State House and Senate offices that lie only within a single county and county offices (such as Sheriff, Register of Deeds and County Commissioner). Please note the caveat at the end of this fact sheet for contests that may be affected by redistricting. The first step for the petitioner is to obtain a [petition request form](#) and submit it to the affected county board of elections.

Petitions for these offices:

- must be signed by the number of qualified voters in the district equaling 4% of the total number of registered voters in the district as of January 1 of the election year. [This data](#) will be updated when it becomes available for 2018.
- must be signed only by persons registered to vote in the county in question

The petitioner must file signature pages with the county board of elections by noon on the day of the primary. In 2018, the deadline is 12:00 noon on **May 8, 2018**.

County board of elections staff will verify that signers meet applicable requirements no later than 15 business days after canvass of the primary, **June 11, 2018**.

E. Partisan municipal office. The first step for the petitioner is to obtain a [petition request form](#) and submit it to the affected county board of elections.

Petitions for these offices:

- must be signed by the number of qualified voters in the district equaling 1.5% of the total number of voters qualified to vote for the office in question as of January 1 of the election year.
- must be signed only by persons qualified and registered to vote in the municipality in question.

The petitioner shall file the signed petition with the county board of elections with jurisdiction over the municipal election in question no later than 12:00 noon on the Friday preceding the seventh Saturday before the election.

** North Carolina municipalities have different election dates.* Interested persons should inquire with the [county board of elections](#) that has jurisdiction over the municipal election in question to determine what date matches the petition deadline for that municipality.

The county board of elections shall verify that signers meet applicable requirements no later than 15 business days after canvass of the primary.

2) Is there a filing fee to run as an unaffiliated candidate?

Yes. Generally, the filing fee is 1% of the annual salary of the elected office. Please check the [fact sheet](#) for the contest being considered to confirm the filing fee.

3) Date of the General Election: The Tuesday after the first Monday in November, **November 6, 2018.**

4) If I lose the primary contest, may I still run as an unaffiliated candidate to appear on the general election ballot for that same contest? No, not for the same office in the same year. North Carolina's "sore loser" statute, [NCGS § 163-122\(a\)](#), prohibits a candidate who loses in a primary election from running in the general election.

5) May I run as an unaffiliated candidate even if I am affiliated as a voter with a political party? ([NCGS § 163-122\(a\)](#))

Yes. An unaffiliated candidate means that your *candidacy* is not affiliated with a political party. Your *voter registration affiliation* does not affect your eligibility to be an unaffiliated candidate.

6) What are the campaign reporting requirements? ([NCGS §163-278.9](#))

North Carolina law requires financial disclosure of all political activities, even when the candidate spends only personal funds. The time of filing of these reports, and the types of reports will vary by the type of campaign. Every candidate is responsible for compliance with campaign reporting laws. All prospective candidates should review the State Board of Elections and Ethics Enforcement [Candidate Campaign Finance Manual](#).

The treasurer of every campaign committee is required by law to receive training in campaign finance reports and law. Since candidates are also required to comply with campaign finance law, it is highly recommended that candidates obtain the training as well. This **mandatory campaign finance training** is available online or in-person at numerous training sessions offered by this agency. Please call our agency at 919/814-0700 and ask to speak with someone in the Training division.

IMPORTANT: You must file an organizational report with the appropriate elections office within ten days of becoming a candidate. You trigger this status by undertaking the petition. Within ten days of first spending any money (such as making copies of the petition forms or buying gas for travel to collect signatures) or of first receiving a contribution (as would be the case if someone else paid any expenses or provided the actual copies or gasoline), you must file the organizational report. For further information about this report and other campaign finance requirements, please call our agency at 919/814-0700, and ask to speak with someone from the Disclosure section of this agency.

7) **Disclosure of economic interest is also required** ([NCGS § 138A-22\(d\)](#))

The State Government Ethics Act requires that candidates for an office covered by the Act file a Statement of Economic Interest with the State Board of Elections and Ethics Enforcement. **An individual seeking to qualify as an unaffiliated candidate subject to the Act must file the Statement of Economic Interest within three days of filing the petition.** Please see the section of our webpage that discusses the requirements at this link: [Statement of Economic Interest \(SEI\)](#).

8) **CAVEAT regarding districts that may be affected by Remedial Redistricting Plans pursuant to Covington v. North Carolina.** If a petition started prior to the districts becoming finalized includes signatures of those who no longer reside in the district as a result of the new district lines, the county board may only count signatures of those who reside in the new district. Further, if the petitioner is no longer living in the district because of the changed lines, he or she will not meet the requirements to be a candidate in that district.