

North Carolina State Board of Elections and Ethics Enforcement

Petition in lieu of a Filing Fee in 2018

A qualified voter who seeks to be a candidate in any **party primary, or nonpartisan primary or nonpartisan election** may avoid paying a filing fee by filing a written petition with the appropriate board of elections.¹ G.S. § 163-107.1.²

To initiate this process, please obtain a [petition request form](#), fill out the requested information and submit it to this agency at petition.sboe@ncsbe.gov.

Please note the different requirements that apply to the contests for which this process is applicable. For example, for statewide or multi-county contests, there will be **two deadlines** for the petitioner to meet.

A. Petition in lieu of a filing fee while seeking nomination in the party primary for **United States Senator, Governor, Lieutenant Governor, any State executive officer, Supreme Court justice, Court of Appeals judge (statewide contests)**.
G.S. § 163-107.1(b), modified by Session Law 2016-125

- The petitioner must be a qualified voter affiliated with the political party in whose primary the candidates desires to run.
- Petition must be signed by 10,000 registered voters who are members of the political party in whose primary the candidate wishes to run.
- The signature pages for this petition must be separated according to the county of the signers. Each of these signature pages must be examined by the county board of elections where each signer is registered.
- The signature pages must be presented to the appropriate county boards of election (those counties whose voters signed the petition), no later than **Monday, February 12, 2018**.³ The purpose of this deadline is to enable county board of elections staff to verify the signatures of voters from that county before returning the signature pages to the petitioner.
- The petition (comprising all verified signature pages) must be submitted by the petitioner to the State Board before noon on **February 26, 2018**, (the Monday preceding the filing deadline before the primary).

¹ Unaffiliated candidates may also present a petition in lieu of paying a filing fee. See G.S. § 162-122(e).

² Recodified at 163A-980.

³ The statute directs that this date is “15 days prior to the date the petition is due to be filed with the State Board of Elections.” Because in 2018 15th day falls on a Sunday the due date will be the next business day, Monday, February 12, 2018.

B. Petition in lieu of a filing fee while seeking nomination in the party primary for **United States House of Representatives; district attorney; State house of Representatives from multi-county districts; or State Senate from multi-county districts.** G.S. § 163-107.1(c)

- The petitioner must be a qualified voter affiliated with the political party in whose primary the candidate desires to run.
- The petition must be signed by whichever of the following is the greater number:
 - o 5% of the registered voters in 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
 - o 200 registered voters regardless of the voter's political party affiliation.
- The signature pages for this petition must be separated according to the county of the signers. Each of these signature pages must be examined by the county board of elections where each signer is registered.
- The signature pages must be presented to the appropriate county boards of election (those counties whose voters signed the petition), no later than **Monday, February 12, 2018.**⁴ The purpose of this deadline is to enable county board of elections staff to verify the signatures of voters from that county before returning the signature pages to the petitioner.
- The petition (comprising all verified signature pages) must submitted by the petitioner to the State Board before noon on **February 26, 2018,** (which is the statutorily specified date, “the Monday preceding the filing deadline before the primary” in question).

C. Petition in lieu of a filing fee while seeking nomination through primary for **county and municipal offices,** or for a **State House or State Senate** seat in a **district that is contained within a single county:**

- The petitioner must be a qualified voter affiliated with the political party in whose primary the candidate desires to run.
- Petition must be signed by whichever of the following is the greater number:
 - o 5% of the registered voters in 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
 - o 200 registered voters regardless of the voter's political party affiliation.
- The petition must be submitted to the State Board before noon on **February 26, 2018,** (the Monday preceding the filing deadline before the primary).

⁴ The statute directs that this date is “15 days prior to the date the petition is due to be filed with the State Board of Elections.” Because in 2018 15th day falls on a Sunday, the due date will be the next business day, Monday, February 12, 2018.

- D. Petition in lieu of a filing fee while seeking office through **nonpartisan primaries** and **elections**. G.S. § 163-107.1(d) Offices that fall within this category in 2018 include some school board contests, Soil and Water Conservation District Supervisor, and certain town council members and mayor.

Some school board contests are partisan and others are nonpartisan. Please check with your local board of elections to determine whether the school board in a given locale are partisan or nonpartisan. School board districts are also subject to change, so interested persons should check school district boundaries with local county boards before initiating a petition process.

Elected members or “supervisors” of the NC Soil and Water Conservation Districts seek their seats on a nonpartisan basis during regular elections of county officers.

- The petitioner must be a qualified voter of the election area
- The petition must be signed by 5% of the registered voters in the election area in which the office will be voted for.
- The signature pages must be examined by the county board of elections where each signer is registered.
- The signature pages must be presented to the appropriate county board no later than 60 days prior to the filing deadline for the primary or election.

For **2018**, the filing deadline for **most** offices for the primary/election is **February 28th**. Sixty days prior to the filing deadline is December 31st, which falls on a Sunday. The next day, January 1st, is a holiday. Therefore, the deadline by which signature pages must be submitted to the appropriate board of elections is **Tuesday, January 2, 2018**.

Note: Filing for Soil & Water Conservation District Supervisor is from noon on June 11, 2018 to noon on July 6, 2018.

Please check with your county board of elections to verify filing dates for school boards and nonpartisan town council contests.