

North Carolina Bipartisan State Board of Elections & Ethics Enforcement

Candidate for President of the United States in 2020

This information pertains only to the North Carolina ballot. Other states have different requirements for persons seeking entry on primary or general election ballots.

Below are qualifications required of a presidential candidate, the election dates for 2020, and instructions for how to participate in a [presidential primary](#), how to participate as an [“unaffiliated candidate”](#) and how to participate as a [“write-in candidate.”](#)

1) **Qualifications.** [United States Constitution Art. II § 1](#)

An individual seeking election to be the President of the United States must be a natural born citizen of the United States, at least 35 years of age, and a resident of the United States for at least 14 years.

According to North Carolina law, individuals serving a current felony sentence, including any period of probation or parole, are not eligible to be registered to vote or to run for elected office in North Carolina. *But see* [U.S. Term Limits v. Thornton, 514 U.S. 779 \(1995\)](#).

2) **Election Dates for 2020:** [G.S. § 163A-700; S.L. 2018-21](#)

- **Primary:** The Tuesday after the first Monday in March.
Tuesday, March 3, 2020
- **General election:** The Tuesday after the first Monday in November.
Tuesday, November 3, 2020

3) **What action is required for a person to have his or her name entered on the ballot for the presidential primary election?**

There are two ways to qualify for placement on North Carolina’s presidential primary ballot: nomination by the State Board of Elections and Ethics Enforcement (State Board) or nomination via petition. Both processes entail affiliation with a political party recognized by the State of North Carolina.

Nomination by the State Board [G.S. § 163A-1253](#) No later than 90 days before the primary, the chair of each recognized political party shall submit to the State Board a list of its presidential candidates to be placed on the presidential preference primary. The list must be comprised of candidates whose candidacy is generally advocated and recognized in the news media throughout the United States or North Carolina, unless any such candidate executes and files with the chair of the political party an affidavit stating

without qualification that the candidate is not and does not intent to become a candidate for nomination in the primary.

Nomination by petition [G.S. § 163A-1254](#)

Any person seeking the endorsement by a national political party may submit a petition signed by 10,000 qualified voters who are affiliated with the same political party as the person for whom the petitions are filed. In North Carolina, voters are either affiliated (by voter registration) with political parties recognized by the state or they are considered “unaffiliated.” Please see below for information about running as an [unaffiliated candidate](#).

The petition signature pages must be separated according to the county of each signer’s residence. (For example, signatures collected from voters of Brunswick County shall be on pages that are kept separate from pages of signatures collected from New Hanover County). These signature pages must then be filed with the relevant county board of elections for each affected county for verification no later than 5:00 p.m. ten days prior to the petition filing deadline. For the 2020 presidential election, the tenth day prior to that deadline is **Friday, December 27, 2019**. The chairs of the boards of elections for each county where signatures were obtained shall promptly certify the relevant signature pages and return them to the candidate. The candidate shall submit the pages to the State Board office no later than 5:00 p.m. on the Monday preceding the State Board meeting to nominate presidential candidates. According to current law, in 2020, this date will be **Monday, January 6, 2020**.

The State Board office shall notify each person who qualifies that his or her name will be printed on the ballot.

4) How does a person seek office as an unaffiliated candidate for President?

A person seeking to run as an unaffiliated candidate will do so without participating in the presidential primary election.

Seeking office as an unaffiliated candidate for President: [G.S. §§ 163A-1005](#),

A candidate desiring to have his or her name printed on the general election ballot as an unaffiliated candidate for President must file a petition to do so. This petition:

- must be signed by 1.5% of the total number of voters who voted in the most recent general election for Governor¹;
- must be signed by at least 200 registered voters from each of three congressional districts in North Carolina; and
- must be signed only by persons registered to vote in North Carolina.

¹ **In 2018 and 2020, the number of required signatures will be 71,545.**

The petition signature sheets must be separated according to the county of each signer's residence. (For example, signatures collected from voters of Brunswick County shall be on signature sheets that are kept separate from sheets of signatures collected from New Hanover County).

This petition is subject to two important deadlines:

- Signatures sheets must be submitted to each county from which signatures were collected by noon on the day of the primary. In 2020, this deadline is **12 noon on Tuesday, March 3**. Staff from these counties shall verify the signatures to ensure that each signer is an eligible voter for the contest.
- The chairs of the county boards of elections must file the verified signature sheets with the State Board of Elections and Ethics Enforcement no later than 15 business days after canvass of the primary. In 2020, this deadline is by **5 p.m. on Friday, April 3**.

5) How does a person seek office as a write-in candidate for President?

A person seeking to run as a write-in candidate will do so without participating in the presidential primary election.

Seeking office as a write-in candidate for President:

A write-in option on the general election ballot for the presidential contest is provided only if at least one person *is certified* as a write-in candidate for that office. The certification process is provided by [§ 163A-1006](#) and described herein briefly. When there is a write-in space on the ballot, voters may write in any name. However, only a write-in candidate certified by the process described in [§ 163A-1006](#) could qualify to win the election.²

A person seeking to become a presidential write-in candidate must obtain signatures of 500 qualified North Carolina voters and engage in a two-step process that involves the county boards of elections where each signer is registered and the State Board.

The petition signature pages must be separated according to the county of the signer's residence. (For example, signatures collected from voters of Brunswick County shall be on pages that are kept separate from pages of signatures collected from New Hanover County). These signature pages must then be filed with the relevant county board of elections for each affected county for verification by 5:00 p.m. 15 days before the complete petition is due to the State Board of Elections. In 2020, that date is **Tuesday, July 21**. Upon completion of verification, which shall not exceed two weeks, the county board of elections staff shall return the petition signature pages to the candidate. The candidate shall then submit the pages to the State Board of Elections office no later than noon on the 90th day before the general election. In 2020, this date is **Wednesday, August 5th**.

² Thus, no matter how many votes he receives, Daffy Duck will not be able to qualify.

Provided verification is properly completed and all requirements have been met, a person shall be certified as a write-in candidate by the State Board.

- 6) **What other steps must be taken for a person's name to appear on the general election ballot (whether as the national party nominee, or as an unaffiliated candidate who has qualified through this state's petition process)?** [G.S. §§ 163A-700\(c\), 163A-1226](#); U.S. Const. Art. II § 1

Presidential electors who would be authorized to cast votes in the nation's [electoral college](#) must be nominated.

The state party nominates the electors for its nominee at its convention, unless otherwise provided by its plan of organization under [163A-700\(c\)](#). An unaffiliated candidate nominates his or her own electors. There must be one elector from each congressional district in the state, and two from the state at-large (15 total). The state party or unaffiliated candidate must file this list of electors with the [North Carolina Secretary of State's office](#) no later than 12:00 noon on the first Friday in August. In 2020, this date is **Friday, August 7**.

A presidential candidate who has qualified for the general election ballot as an unaffiliated candidate must also provide the name of the candidate for vice president on the presidential ticket to the State Board, no later than noon on the first Friday in August. In 2020, this date is **Friday, August 7**.

- 7) **What campaign reporting requirements apply to presidential candidates?** [G.S. §163A-1448](#); Federal Election Campaign Act of 1971, P.L. 92-225, as amended (Title 2, U.S.C. Section 439)

Please contact the Federal Election Commission (FEC) for filing requirements. The FEC has a toll-free phone number, 1-800-424-9530, or visit www.fec.gov.

- 8) Related Questions:

How does North Carolina select delegates for the Presidential Primary?

Delegates are selected in accordance with Section 1(i) and (j) of G.S. § 163A-1257.

What is the U. S. Electoral College, and how does it work?

Please visit the [National Archives web page dedicated to the Electoral College](#).

What are the party rules for Republicans, Democrats, Libertarians, Green Party or Constitution Party (or other political parties that may be recognized in North Carolina) that apply to candidates who wish to be nominated?

Persons interested in political party rules applicable to presidential elections and their nominees should contact the political party organizations at the state or national level.