

North Carolina State Board of Elections

-- *Petition as an Unaffiliated Candidate for Special Election in 2019* --

In 2019, a special election is being held for U. S. House District 9. Persons who wish to qualify in either contest as an Unaffiliated candidate shall first obtain a [petition request form](#) and submit it to the State Board of Elections, as noted in section (1) of this fact sheet.

Key Dates for the Petitioner

The petitioner is subject to two deadlines: May 14, 2019 and June 17, 2019.

1st deadline: The petitioner must file signature pages with the affected county boards of election by noon on the day of the primary, **May 14, 2019**.

2nd deadline: 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 no later than 15 business days after canvass of the primary. Since canvass of the primary takes place May 24 (ten calendar days from the primary), this second deadline is by 5:00 pm on **June 17, 2019**.

The general election date for this special election is **September 10, 2019**.¹

- 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?**²

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

This form serves two functions: 1) it enables the State Board to register the petition for processing and 2) it guides the petitioner through the legal requirements for a successful petition. Once the petitioner has completed Part I of the form, it should be submitted to State Board of Elections. In response, the State Board will provide:

- a) a copy of the petition request form that includes the number of signatures required and the dates by which they must be submitted to the county boards and then the State Board (noted above); and
- b) a template of the petition signature pages to be circulated.

¹ If a second primary is required, the second primary will be September 10 and the general election shall be held November 5, 2019.

² Unaffiliated candidate by petition: [prev. § 163-122(a)(1)]; text currently available online under [§ 163A-1005](#).

The petitioner must collect the required number of signatures and return the petition signatures sheets prior to the deadline(s) (see [above](#)).

According to [§ 163A-1005](#) the required number of signatures shall equal 1.5% of the number of registered voters in the district as of January 1 of the year of the election. The number of registered voters in U.S. Congressional District 9 as of January 1, 2019 was 539,918.

The required number of signatures of registered voters of District 9 is 8,099.

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.

- 2) **Is there a filing fee to run as an unaffiliated candidate?**³ Yes. For most offices, the filing fee is 1% of the annual salary of the elected office. The current congressional salary is \$174,000. The filing fee is **\$1,740.00**.

Note: a petitioner will not pay the fee unless the petition is successful. Once the petition has been certified by the State Board as successful, the petitioner will be provided a notice of candidacy form (specific to petitioners) and will be asked to submit the fee by check.

- 3) **May I run as an unaffiliated candidate even if I am affiliated as a voter with a political party?** 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.
- 4) **May I run as an unaffiliated if I lost in the primary?** No, not for the same office in the same year. North Carolina's "sore loser" statute prohibits a candidate who loses in a primary election from running in the general election.⁴
- 5) **What are the campaign reporting requirements for congressional candidates?** Candidates for federal office such as Congress file their regular disclosure reports with the [Federal Election Commission](#). A federal candidate is not required to register with the State Board of Elections unless he or she wishes to use committee funds to contribute to North Carolina state or local committees. In that event, the federal candidate committee must register with the State Board of Elections within ten calendar days of making the first contribution to a North Carolina state or local committee.

If a federal candidate committee registers with North Carolina, it shall file additional disclosure reports on a regular schedule.⁵ Please call our agency at 919/814-0700 and ask to speak with someone from the Disclosure section of this agency.

³ Filing Fees for unaffiliated candidates are equal to those for candidates in primary: [prev. § 163-122(e)] text currently available online under [§ 163A-1005\(e\)](#).

⁴ State level "Sore Loser" statute: [prev. § 163-122(a)] text currently available under § 163A-10051

⁵ Campaign Reporting: [prev. § 163-278.30]; text currently available online under [§ 163A-1448](#).