



# NORTH CAROLINA

## STATE BOARD OF ELECTIONS

FACTSHEET: CANDIDATES  
FOR US CONGRESS  
2020  
PAGE 1 OF 4

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### 1

#### Qualifications

#### U.S. House

- 25 years of age or older by the date of the general election
- A U.S. citizen for at least 7 years
- A resident of the state when elected (a candidate running for U.S. House is not required to be a resident of the congressional district in which the candidate is seeking election)
- A registered voter of the state.<sup>1</sup>

#### U.S. Senate

- 30 years of age or older by the date of the general election
- A U.S. citizen for at least 9 years
- A resident of the state when elected
- A registered voter of the state.<sup>2</sup>  
([N.C. Const. Art. VI § 6, 8](#);  
[U.S. Const. Art. I §§ 2, 3](#))

### 2

#### To Enter the 2020 Contest

A person may seek office through:

- partisan primary, described below in 3), or
- by filing a petition as a write-in candidate, referenced below in 4), or
- by filing a petition to be an unaffiliated candidate, referenced below in 5).

### 3

#### Filing to participate in a party primary

**Filing to participate in a party primary** is the most conventional method of seeking office. The candidate will file certain paperwork, along with a fee that must be paid by check or money order (there is a mechanism for [waiving the fee](#)) during a specific period for filing that is specified by statute.

**First step:** candidates should visit the county board of elections where they are registered to vote. Staff there will provide an affirmation on the notice of candidacy form that the candidate has been registered with his or her party for the required ninety day period.<sup>3</sup>

During the filing period, the candidate may bring the notice of candidacy form to the State Board of Elections or have it completed in the presence of a notary and sent, along with the filing fee, via United States Postal Service or commercial courier, or by a surrogate to the State Board of Elections. (Please see information about mailing [below](#).)

**When do candidates for U.S. House or U.S. Senate file?**<sup>4</sup> The filing begins at **noon, December 2, 2019**, and ends at **noon, December 20, 2019**.

- Filings submitted prior to the filing period will not be accepted.
- Filings that are received after the filing period will not be accepted, regardless of the time a mailed filing was deposited or postmarked. If a notice of

<sup>1</sup> But see *U.S. Terms Limits, Inc. v. Thornton*, 514 U.S. 779 (1995).

<sup>2</sup> But see *U.S. Terms Limits, Inc. v. Thornton*, 514 U.S. 779 (1995).

<sup>3</sup> Certificate of affiliation: [prev. § 163-106(f)] text currently available online under [§ 163A-977](#).

<sup>4</sup> Filing period [prev. § 163-106(c)]; text currently available online under [§ 163A-974](#).



candidacy and filing fee are not received at the State Board offices by the filing deadline, the candidate has missed the opportunity to file.

**What to bring:** filing fee and notice of candidacy form.

- **Filing fee.** The filing fee is 1% of the annual salary of the office sought.<sup>5</sup>
  - **In lieu of filing fee:** Candidates may avoid payment of the filing fee by submission of a petition signed by registered voters.<sup>6</sup> Please see the fact sheet “[Filing Petition in lieu of Filing Fee](#)” located on the petition page of this agency’s website: <https://www.ncsbe.gov/petition-info>
- **Notice of Candidacy<sup>7</sup>:**
  - The notice of candidacy form will be made available no earlier than two weeks prior to the filing period. Filings submitted prior to the filing period will not be accepted.
  - The form includes a certificate that must be signed by the chair of the board of elections or the director of elections of the county in which the candidate is registered to vote, stating that the candidate is registered to vote in that county. (See “[First Step](#)” above.)
  - The notice of candidacy shall be signed by the candidate either in the presence of the chair or of the secretary of the State Board, or it shall be signed and acknowledged before an officer authorized to take acknowledgements who shall certify the notice under seal.
  - A candidate must be a registered voter affiliated with the same political party with which he or she intends to file. A person changing party affiliation must do so more than **90** days prior to the date the candidate files.<sup>8</sup>
  - The candidate shall indicate on the notice of candidacy form his or her political affiliation.<sup>9</sup> The party designation shall be included on the ballot.”
    - With respect to United States Senate offices for which there are two vacancies, a written statement designating the vacancy to which the candidate seeks election shall be included.<sup>10</sup>

<sup>5</sup> Filing Fee: [prev. § 163-107] text currently available online under [§ 163A-979](#). The amount of the fee is calculated each year upon finalization of the budget for that year.

<sup>6</sup> Petition in lieu of filing fee: [prev. § 163-107.1] text currently available online under [§ 163A-980](#).

<sup>7</sup> Notice of Candidacy described: [prev. § 163-106] text currently available online under [§ 163A-972](#); [When and with whom Notice is filed](#): [prev. § 163-106(c)] text currently available online under [§ 163A-974](#).

<sup>8</sup> Party affiliation requirement: [prev. § 163-106(f)]; text currently available online under [§ 163A-977](#)

<sup>9</sup> Candidates are only permitted to affiliate with political parties recognized under North Carolina law. “Political parties” [prev. § 163-96] text currently available online under [§ 163-950](#).

<sup>10</sup> Notice of candidacy for certain offices to indicate vacancy. [§ 163A-975](#)



- **Felony record.**<sup>11</sup> The notice of candidacy form includes questions about any previous felony convictions of the candidate; if the candidate has any convictions, additional information is required on a separate form within 48 hours of submitting the notice of candidacy. Active felons who have not had their citizenship rights fully restored, (restoration occurs automatically upon completion of any felony sentence, including any periods of probation or parole), are not eligible to register to vote or run for elected office.

### Where do candidates for U.S. House or U.S. Senate file?

- Office of the State Board of Elections, 3rd floor of Dobbs Building, 430 N. Salisbury St., Raleigh, NC
- Parking: visitors may park in Dec #75, a block south of the Dobbs Building on Salisbury Street. Drivers passing the Dobbs Building (gray building on the left as one heads south on Salisbury Street from Peace Street) will note the State Capitol Police office building on the right, after which is an historic red brick building. The parking deck is immediately after the red brick building.

### Method of delivery. There are options:

- In person: Candidates are welcome to file in person (a notary will be provided by State Board staff) or have their notarized filing presented by a surrogate at the State Board; or
- By mail: Candidates may have their fee and notarized notice of candidacy sent to the State Board via commercial courier or United States Postal Service.
  - **NOTE:** Any United States Postal Service mail that is addressed to our physical address is automatically diverted to our post office address, which builds in a delay on receipt. For this reason, candidates are encouraged to use the mailing, rather than the [physical office address](#) when using United State Postal Services.
  - State Board of Elections mailing address: P O BOX 27255, Raleigh, NC 27611-7255.
- Notice of candidacy and filing fee must be received at the State Board offices before the filing deadline regardless of the time a mailed filing was deposited or postmarked. If a notice of candidacy and filing fee are not received at the State Board offices by the filing deadline, the candidate has missed the opportunity to file.

<sup>11</sup> Felony Disclosure required: [prev. § 163-106(a1)]; text currently available online at [§ 163A-972\(e\)](#); Exclusion from electoral franchise: [prev. § 163-55(a)(2)]; text currently available online at [§ 163A-841\(a\)\(2\)](#).



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**4**  
Seeking office as a write-in candidate<sup>12</sup>

A candidate who wishes to run as a write-in should review the fact sheet, “[To file as a Write-in Candidate in 2020](#)” on the petition page of this agency’s website: <https://www.ncsbe.gov/petition-info> . See the caption “Petition Fact Sheets” on the left side of the page.

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**5**  
Seeking office as unaffiliated<sup>13</sup>

A candidate who wishes to run unaffiliated (without party) should review the fact sheet, “[To file as an Unaffiliated Candidate in 2020](#)” on the petition page of this agency’s website: <https://www.ncsbe.gov/petition-info> . See the caption “Petition Fact Sheets” on the left side of the page.

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**6**  
Election Dates for 2020<sup>14</sup>

- **Primary:** The Tuesday after the first Monday in March preceding the general election: **Tuesday, March 3, 2020**
- **Second primary** (will only be held in certain circumstances, and if requested by a candidate)<sup>15</sup>
  - If any federal office contest requires a second primary, all second primaries will be held **Tuesday, May 12, 2020**
  - If no federal office contest requires a second primary, any second primaries will be held **Tuesday, April 21, 2020**
- **General election:** The Tuesday after the first Monday in November, **Tuesday, November 3, 2020.**

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**7**  
What are the campaign reporting requirements?<sup>16</sup>

Campaign reporting requirements for candidates to Congress are provided by the Federal Election Campaign Act of 1971, P.L. 92-225, as amended ([Title 252, U.S.C. Chapter 301](#)). Candidates for Congress should contact the Federal Election Commission (FEC) for requirements for registering a campaign finance committee. The FEC has a toll-free phone number, 1-800-424-9530 and a website: [www.fec.gov](http://www.fec.gov). Candidates for Congress need not register a campaign finance committee with the North Carolina State Board of Elections unless they intend to contribute to other North Carolina candidates.

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<sup>12</sup> Write-in candidate: [prev. § 163-123]; text currently available online under [§ 163A-1006](#).

<sup>13</sup> Unaffiliated candidate: [prev. § 163-122]; text currently available online under [§ 163A-1005](#)

<sup>14</sup> Election Dates: [prev. § 163-1]; text currently available online under [§ 163A-700](#).

<sup>15</sup> Second Primary: [prev. § 163-111]; text currently available online under [§ 163A-984\(e\)](#).

<sup>16</sup> Campaign Reporting: [prev. § 163-278.30]; text currently available online under [§ 163A-1448](#).