

North Carolina Bipartisan State Board of Elections & Ethics Enforcement

Write-in Petitions for Contests in 2018

1) Basics of the Write-in Process ([NCGS §§ 163-123](#), [163-165.6\(f\)](#), [163-165.5\(5\)](#), [163-182.1\(a\)\(6\)](#))

The foregoing explanation applies only to contests **other** than municipal. **There is no petition process to be a write-in candidate for a municipal election**, whether partisan or nonpartisan. **The option for a write-in is automatically included on municipal ballots**, and a person whose name is written in may be elected to that office if sufficient votes are cast.

In partisan elections for all **non**-municipal contests, persons interested in qualifying as a write-in candidate must be certified after completing a petition process. If the petition is successful, a write-in slot will be provided on the general election (not primary) ballot, and votes for that candidate will be counted.

Names of persons who have not qualified through petition may be written in, but regardless of the number of votes these persons receive, they will not be considered as candidates for the election. If no person qualifies as a write-in candidate for partisan elections, the ballot will not include a write-in option for that office.

A qualified write-in candidate's name will be listed in the official, final abstract of the election results, which is kept by the state for official and historical purposes.

2) How to begin:

The petitioner's first step is to complete and submit a [petition request form](#). This form enables the appropriate board of elections to enter the petition into its system and helps the petitioner meet the legal requirements for a successful petition. The board of elections provides write-in petition signature sheets that are customized for the purpose. The petitioner must collect signatures of registered voters within the relevant jurisdiction.¹ The type of office determines where petitions are submitted, how many signatures are required, and when petitions and other documents are due.

A declaration of intent² must be submitted with the completed petition to either the State Board of Elections and Ethics Enforcement (for multi-county or statewide petitions), or

¹ The State Board of Elections and Ethics Enforcement or a county board of elections will provide, on request, a recommended template for the petition pages to be circulated.

² A declaration of intent is a signed, dated document that includes the applicant's name, residential address, a statement of the applicant's intent to be a write-in candidate, the title of the office sought, and the date of the election. Please see [this link](#) for a recommended format for submitting a declaration of intent.

to the relevant county board of elections (for those petitions addressing a contest that takes place in only one county).

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

3) Following are the requirements specific to certain contests:

A. U.S. Senate, governor, and other statewide offices, including judicial: A person seeking to become a write-in candidate for one of these offices must submit a petition signed by **500 qualified North Carolina voters**. The petitioner's first step is to complete and submit a [petition request form](#). Completed petitions for these statewide offices are subject to two deadlines:

1st deadline: The petitioner must file signature pages with the appropriate county board of elections by 5:00 p.m. on **July 24, 2018** (15 days before the final documentation is due to the State Board of Elections)

Petition signature pages must be segregated by county; each signature page must be submitted to the board of elections for the county in which the signatures on given page were gathered.

Verification must be completed by staff of the county boards of elections in time to **return the verified signature pages to the petitioner**, who must submit the complete petition to the State Board of Elections and Ethics Enforcement by the second deadline.

2nd deadline: The petitioner must submit the petition (comprising all of the verified signature pages) and a [declaration of intent](#) to the State Board of Elections and Ethics Enforcement by noon on the 90th day before the general election. This filing date is **Tuesday, August 8, 2018**.

B. U.S. House, judgeships, District Attorney, or North Carolina House or Senate for districts that cover more than one county. Please note the **CAVEAT at the end of this fact sheet for contests that may be affected by redistricting efforts**. The petitioner's first step is to complete and submit a [petition request form](#). A person who seeks to become a write-in candidate for one of these offices must submit a petition signed by **250 qualified North Carolina voters registered in the affected county or counties**. Completed petitions for these offices are subject to two deadlines.

1st deadline: The petitioner must file signature pages with the appropriate county board of elections by 5:00 p.m. on **July 24, 2018** (15 days before the final documentation is due to the State Board of Elections).

Petition signature pages must be segregated by county; each signature page must be submitted to the board of elections for the county in which the signatures on given page were gathered.

Verification of the signatures must be completed by staff of the county boards of elections in time to return the verified signature pages to the petitioner.

2nd deadline: The petitioner must submit the petition (comprising all of the verified signature pages) and a [declaration of intent](#) to the State Board of Elections by noon on the 90th day before the general election, **Tuesday, August 8, 2018.**

C. County offices, and North Carolina House or Senate for districts that cover only one county: A person seeking to become a write-in candidate must submit a petition signed by a number of qualified voters in the affected county, depending on how many registered voters are eligible to vote for this office:

- If there are **5,000 or more such voters, the requirement is 100 signatures.**
- If there are **fewer than 5,000 such voters, the requirement is signatures totaling 1% of the number of registered voters** eligible to vote for the office.

Deadline: The signature pages and [declaration of intent](#) are due at the county board of elections office by noon on the 90th day before the general election, **Tuesday, August 8, 2018.**

4) If a candidate loses in a primary, may the candidate run as a write-in candidate in the general election? ([NCGS § 163-123\(e\)](#)) No. The candidate is prohibited from doing so. The prohibition is acknowledged in the [pledge](#) that is part of the candidate's notice of candidacy (which he or she signs when filing for office before the primary).

5) Filing fee? There is no filing fee for a write-in candidate.

6) Date of the general election in 2018: The Tuesday after the first Monday in November, **Tuesday, November 6, 2018.**

7) 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.

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's main line at 919/814-0700 and ask to speak with someone from our 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 process. 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's main line at 919/814-0700, and ask to speak with someone from our Disclosure section.

8) 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 a write-in candidate 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 \(SEI\)](#).

9) CAVEAT regarding districts that may be affected by redistricting.

If a petition were started prior to new or redrawn districts becoming finalized and includes signatures of those who longer reside in the district as a result of the new district lines, the counties 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.