

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

1

SENATE BILL 863

Short Title: Presidential Primary Changed.

(Public)

Sponsors: Senators Cochrane, Davis, McDaniel, Carpenter, Forrester, Blackmon, Ledbetter, Carrington, Shaw, Clark, Hartsell, McKoy, Horton, Sawyer, and Allran.

Referred to: Judiciary II/Election Laws

April 26, 1995

A BILL TO BE ENTITLED

AN ACT TO PROVIDE AN EARLIER DATE FOR THE PRESIDENTIAL PRIMARY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-213.2 reads as rewritten:

"§ 163-213.2. Primary to be held; date; qualifications and registration of voters.

On the ~~Tuesday after the first Monday in May, 1992,~~ first Monday in March 1996, and every four years thereafter, the voters of this State shall be given an opportunity to express their preference for the person to be the presidential candidate of their political party.

Any person otherwise qualified who will become qualified by age to vote in the general election held in the same year of the presidential preference primary shall be entitled to register and vote in the presidential preference primary. Such persons may register not earlier than 60 days nor later than the 21st day prior to the said primary. In addition, persons who will become qualified by age to register and vote in the general election for which the primary is held, who do not register during the special period may register to vote after such period as if they were qualified on the basis of age, but until they are qualified by age to vote, they may vote only in primary elections."

Sec. 2. G.S. 163-213.3 reads as rewritten:

"§ 163-213.3. Conduct of election.

1 The presidential preference primary election shall be conducted and canvassed by the
2 same authority and in the manner provided by law for the conduct and canvassing of the
3 primary election for the office of Governor and all other offices enumerated in G.S. 163-
4 187 and under the same provisions stipulated in G.S. ~~163-188~~-163-188, except that the
5 latest date by which absentee ballots shall be available shall be 30 days prior to the date
6 of the primary. The State Board of Elections shall have authority to promulgate
7 reasonable rules and regulations, not inconsistent with provisions contained herein,
8 pursuant to the administration of this Article."

9 Sec. 3. G.S. 163-213.4 reads as rewritten:

10 **"§ 163-213.4. Nomination by State Board of Elections.**

11 The State Board of Elections shall convene in Raleigh on the first Tuesday in ~~February~~
12 January preceding the presidential preference primary election. At the meeting required
13 by this section, the State Board of Elections shall nominate as presidential primary
14 candidates all candidates affiliated with a political party, recognized pursuant to the
15 provisions of Article 9 of Chapter 163 of the General Statutes, who have become eligible
16 to receive payments from the Presidential Primary Matching Payment Account, as
17 provided in section 9033 of the U.S. Internal Revenue Code of 1954, as amended.
18 Immediately upon completion of these requirements, the Board shall release to the news
19 media all such nominees selected. Provided, however, nothing shall prohibit the partial
20 selection of nominees prior to the meeting required by this section, if all provisions
21 herein have been complied with."

22 Sec. 4. Article 18A of Chapter 163 of the General Statutes is amended by
23 adding a new section to read:

24 **"§ 163-213.11A. Costs of presidential preference primary.**

25 The State Board of Elections shall reimburse the county boards of elections for their
26 reasonable costs in conducting the Presidential Preference Primary, in accordance with
27 rules adopted by the State Board of Elections."

28 Sec. 5. There is appropriated from the General Fund to the State Board of
29 Elections for the 1995-96 fiscal year the sum of two million six hundred thousand dollars
30 (\$2,600,000) to implement this act.

31 Sec. 6. This act is effective upon ratification, except that Section 5 becomes
32 effective July 1, 1995.