

North Carolina Bipartisan State Board of Elections & Ethics Enforcement

Candidates for North Carolina General Assembly in 2018

1) **Qualifications** [N.C. Const. Art. II §§ 6, 7, Art. VI § 6](#) **Attention to persons who reside in districts affected by the General Assembly's redistricting plans [2017-207; 2017-208]: Please see special instructions at the end of this fact sheet.**

- **State Senator**

- At least 25 years of age by the date of the general election
- Residence in state for two years prior to election.
- Residence in district for one year immediately prior to general election¹
- Registered to vote in the district and eligible to vote for the office

- **State House Representative**

- At least 21 years of age by the date of the general election
- Residence in district for one year immediately prior to general election²
- Registered to vote in the district and eligible to vote for the office

- **What action is required for a person to have his or her name entered on the ballot for the primary election?** Typically, a person seeking office pays a filing fee and files certain papers during a specific period designated by statute. However, statutes provide an alternative mechanism, as described [below](#).

- **Filing fee.** The filing fee is 1% of the annual salary of the office sought.
- **In lieu of filing fee.** it is possible to avoid the filing fee by submission of a petition signed by registered voters. For more information, see [North Carolina General Statute § 163-107.1](#) (for judicial offices, see [§ 163-325](#)).
- **Form to file.** Each candidate must file a **notice of candidacy form** with the county board of elections in the county of his or her residence. **Filings submitted prior to the filing period (see below) will not be accepted.**
- **Felony record.** The notice of candidacy form includes questions about any previous felony convictions of the candidate; if there are 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 (completion of any felony sentence, including probation) are not eligible to be registered to vote or to run for elected office.
- **Party affiliation.** In partisan contests, 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 **90** days prior to the date the candidate files.

¹ Please see instructions that affect this requirement in the last item on this fact sheet.

² Ibid.

- **Certification of affiliation.** At the time of filing, each candidate must also file a certificate signed by the director or chair of the county board of elections where the candidate currently resides. The certification states the party with which the candidate is affiliated and affirms that the candidate has not changed party affiliation in the past 90 days.
- 2) **To seek office unaffiliated with a party or as a write-in candidate** [G.S. §§ 163-122, 163-123](#)
 - Please review our [fact sheet](#) about running as an unaffiliated candidate.
 - Please review our [fact sheet](#) about running as a write-in candidate.
 - 3) **Single Office Contest.** No one may file for more than one office in the same election.
 - 4) **Is a primary always necessary?** No, a filed primary candidate who remains unopposed after the close of the filing period will be certified as his or her party's nominee without the need for a primary.
 - 5) **The filing period in 2018:** [G.S. §163-106\(c\)](#)
 - Begins: Noon on **Monday, February 12, 2018**
 - Ends: Noon on **Wednesday, February 28, 2018**
 - 6) **Election Dates for 2018:** [G.S. § 163-1](#)
 - **Primary:** The Tuesday after the first Monday in May.
Tuesday, May 8, 2018
 - **Second primary** (will only be held in certain situations, and if requested by a candidate): [G.S. § 163-111](#)
 - If any federal office contest requires a second primary, all second primaries will be held **Tuesday, July 17, 2018**
 - If no federal office contest requires a second primary, any second primaries will be held **Tuesday, June 26, 2018**
 - **General election:** The Tuesday after the first Monday in November.
Tuesday, November 6, 2018
 - 7) **Campaign Finance filing requirements.** [G.S. § 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 vary by the type of campaign. Every candidate is legally responsible for his or her 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 contact Jason Schrader, at 919/814-0733 or Terry Harris at 919/814-0741.

IMPORTANT: You must file an organizational report with the Disclosure section of this agency within ten days of becoming a candidate. You “become a candidate” when you file the notice of candidacy form.³ **HOWEVER, you may also become a candidate and trigger the requirement to file the organizational report much earlier** by either 1) making a public announcement of a definite intent to run for public office in a particular election, or 2) spending money or receiving money (or goods or services) in support of your candidacy. If any of these actions has been taken, you have ten days from the public announcement or from first receipt of funds (or goods or services) or ten days from your first expenditure, including expenditure of personal funds to file the organizational report. **For further information about this report please call the main line for this agency, 919/814-0700, and ask to speak with someone from the Disclosure section of this agency.**

- 8) **Disclosure of economic interest is also required.** [G.S. § 138A-22](#)

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 within 10 days of the filing deadline for the office the candidate seeks. Please see the section of our webpage that discusses the requirements at this link: [Statement of Economic Interest \(SEI\)](#).

- 9) **Special instructions for persons seeking office within districts affected by the General Assembly’s Remedial Redistricting plans:** The United States District Court for the Middle District of North Carolina issued an order on July 31, 2017 in *Covington v. The State of North Carolina* that adjusts the residency requirement for person seeking office in affected districts, as follows:

Any citizen having established their residence in a House or Senate district modified by the General Assembly under the remedial redistricting plans as of the closing day of the filing period for the 2018 election in that district, shall be qualified to serve as Senator or Representative if elected to that office, notwithstanding the requirement of Sections 6 and 7 of Article II of the North Carolina Constitution, which provide that each Senator and Representative, at the time of their election, shall have resided “in the district for which he is chosen for one year immediately preceding his election.”

This order establishes that for the affected districts, ordinary requirement of a year’s residence is waived and that the date by which a person must have established residence in the affected district is the last day of the filing period (February 28, 2018).

³ A person also becomes a candidate upon becoming certified as the nominee of a political party to fill a vacancy.