



HOUSE BILL 245: Amend W-S Charter/Certain Candidates.

2017-2018 General Assembly

Committee:	House State and Local Government I	Date:	March 29, 2017
Introduced by:	Reps. Conrad, Terry, Lambeth, Hanes	Prepared by:	Giles Perry
Analysis of:	PCS to First Edition H245-CSST-5		Jessica Sammons Committee Co-Counsel

OVERVIEW: *The proposed committee substitute (PCS) for House Bill 245 would change the process for unaffiliated candidates to petition to be listed on the ballot for a municipal office in the City of Winston-Salem, including the deadline to submit a written petition and the number of signatures required on that petition.*

The PCS would allow the Forsyth County board of elections to set the date and time completed petitions must be submitted by unaffiliated candidates in advance of the Winston-Salem municipal election.

[As introduced, this bill was identical to S181, as introduced by Sen. Lowe, which is currently in Senate Rules and Operations of the Senate.]

CURRENT LAW: Officers for the City of Winston-Salem consist of a mayor and eight city council members, each elected on a partisan basis for a four-year term at the general election for county officers. City council members are elected from single-member wards by the voters in that ward. The next primaries and elections for mayor and city council members will occur in 2020, and every four years thereafter. The newly-elected mayor and city council members take office the first Monday in December following the election.

Paragraph 6 of Section 12A of the Charter of Winston-Salem provides the process for the Forsyth County Board of Elections to include an individual as an unaffiliated candidate on the ballot for a Winston-Salem municipal office. A qualified voter may be listed on the ballot as an unaffiliated candidate among the partisan candidates for Winston-Salem municipal office, provided he or she:

- Submits a written petition signed by at least 25% of all eligible voters for that office according to the vote cast in the last municipal election for that office (either county-wide for the mayor, or from the ward the individual seeks to represent for a city council member).
- Files the petition and accompanying affidavit with the secretary of the Forsyth County Board of Elections on or before noon on the third Friday preceding the general municipal election for that office. In 2016, this was Friday, October 21st. *For the 2016 general election, early one-stop voting began Thursday, October 20th, and absentee ballots had to be ready to mail out on Friday, September 9th.*

BILL ANALYSIS: The PCS for House Bill 245 would change the petition requirements in Winston-Salem for individuals who are not affiliated with a party or do not wish to be the party nominee of their political party and who seek to be included as a candidate for Winston-Salem municipal office to be in accordance with Article 11 of Chapter 163 of the General Statutes.

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Because Winston-Salem conducts partisan municipal elections, G.S. 163-296 would dictate the general requirements for an individual to be listed on the ballot for a municipal office as an unaffiliated candidate. The Forsyth County board of elections would be able to set the date and time completed petitions must be submitted for verification.

For an individual to be listed on the ballot as an unaffiliated candidate in Winston-Salem, a written petition indicating support the individual's candidacy for a specified municipal office must signed by at least 4% of all voters qualified to vote in the municipal election according to the voter registration records of the State Board of Elections as of January 1 of the year the general municipal election is held. The petition should follow the form provided in G.S. 163-122(b), and must include any voter information required by the Forsyth County board of elections.

EFFECTIVE DATE: This act would be effective when it becomes law.