



# HOUSE BILL 496: Fair and Nonpartisan Ballot Placement.

2017-2018 General Assembly

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<b>Committee:</b>		<b>Date:</b>	August 7, 2018
<b>Introduced by:</b>		<b>Prepared by:</b>	Jessica Sammons
<b>Analysis of:</b>	S.L. 2018-99		Staff Attorney

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**OVERVIEW:** *S.L. 2018-99 applies the same random selection process to determine candidate order on official ballots to the primary and the general election in the same year. This act became effective June 26, 2018, and applies to elections held on or after that date.*

**CURRENT LAW:** G.S. 163A-1114 provides the requirements for official arrangements of candidates on ballots for primaries and general elections.

**For primaries and Nonpartisan general election ballots.** – The statute requires that the order of candidates on the primary ballot be determined by the county board of elections using a process designed by the State Board of Elections (State Board) and Ethics Enforcement for random selection on primary ballots, both partisan and nonpartisan, and nonpartisan general election judicial races. The same random selection process is to be used for all partisan primaries and nonpartisan primaries and general elections in a calendar year.

**For Party Nominees, General Election ballots.** The statute requires that candidates in any ballot item on a general election official ballot appear in the following order:

1. Nominees of political parties that reflect at least 5% of statewide voter registration, according to the most recent statistical report published by the State Board, in alphabetical order by party beginning with the party whose nominee for Governor received the most votes in the most recent gubernatorial election, and in alphabetical order within the party.
2. Nominees of other political parties, in alphabetical order by party and in alphabetical order within the party.
3. Unaffiliated candidates, in alphabetical order.

**For Candidates for Judge of the Court of Appeals, General Election ballots.** – The statute requires that candidates for judge of the Court of Appeals on a general election official ballot appear in the following order:

1. Candidates registered with political parties that reflect at least 5% of statewide voter registration, according to the most recent statistical report published by the State Board, in alphabetical order by party beginning with the party whose nominee for Governor received the most votes in the most recent gubernatorial election and in alphabetical order within the party.
2. Candidates registered with other political parties, in alphabetical order by party and in alphabetical order within the party.
3. Unaffiliated candidates, in alphabetical order.

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**BILL ANALYSIS:** This act amends the statute governing arrangement of official ballots to provide that candidates in any election ballot item will appear in either alphabetical order or reverse alphabetical order by the last name of the candidate. The order will be determined each election by a drawing at the State Board and Ethics Enforcement after the closing of the filing period for all offices on the ballot.

For the 2018 November general election, official ballots will use the random selection previously determined by the State Board for order of candidates, with no further drawing for any ballot item.

**EFFECTIVE DATE:** This act became effective June 26, 2018, and applies to elections held on or after that date.