



## SENATE BILL 3: Party Disclosure/2018 Judicial Races.

2017-2018 General Assembly

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<b>Committee:</b>		<b>Date:</b>	August 10, 2018
<b>Introduced by:</b>		<b>Prepared by:</b>	Jessica Sammons
<b>Analysis of:</b>	S.L. 2018-130		Staff Attorney

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**OVERVIEW:** *S.L. 2013-130 revises the ballot language included prior to the contests for Justices and judges of the State courts on the 2018 general election ballot, and allows persons who have filed a notice of candidacy for these offices to withdraw that notice of candidacy at any time prior to August 8, 2018.*

*This act became effective August 4, 2018, and applies to the 2018 elections only.*

**CURRENT LAW:** S.L. 2017-214 eliminated the primary election for all Justices and judges of the State courts for the 2018 election. Justices of the Supreme Court and judges of the Court of Appeals and superior and district courts will be elected in the November 6, 2018, general election under a plurality election system. Filing for these offices was held in June and July 2018. Persons who filed a notice of candidacy during the filing period had the right to withdraw that notice of candidacy at any time before the close of business on the third business day prior to the last day of the filing period for that office.

At the time of filing a notice of candidacy, candidates were required to indicate on that notice of candidacy the political party with which the candidate was affiliated or any unaffiliated status. This party designation or unaffiliated status is to be verified by the county board of elections, and indicated on the general election ballot.

In S.L. 2018-13, the General Assembly found that additional ballot language was needed for the 2018 general election to clarify that the self-identification with a political party by a candidate for judicial office was not an endorsement of that party. S.L. 2018-13 also required, for the 2018 election only, the contests for Justices and judges of the courts be grouped together at the end of the partisan contests with language set forth on the ballot explaining that no primary was held for those offices, and that the party affiliation or unaffiliated status next to each candidate's name only reflects the candidate's affiliation at the time of filing.

**BILL ANALYSIS:** This act amends S.L. 2017-214 and S.L. 2018-13 to do the following:

- Find that the listed party affiliation for candidates for Justices and judges of the courts should be the party affiliation or unaffiliated status of a candidate at least 90 days prior to the time of filing.
- Revise the language added to the ballot prior to the contests for Justices and judges of the courts to explain that the party information by each candidates' names is shown only if the candidates' party affiliation or unaffiliated status is the same as on their voter registration at the time of filing and 90 days prior to that filing.

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- Allow persons who have filed a notice of candidacy for Justices and judges of the courts to withdraw that notice of candidacy at any time prior to August 8, 2018.
- Require the State Board of Elections and Ethics Enforcement to notify all candidates for Justices and judges of the courts who have changed party affiliation or unaffiliated status during the period between 90 days prior to filing for office and the date of filing of the requirements of this act. This notice must be given as expeditiously as possible, and may be given in writing, by telephone, or by e-mail.

**EFFECTIVE DATE:** This act became effective August 4, 2018, and applies to the 2018 elections only.