



CHAPTER 163

ARTICLE 10 - PRIMARY ELECTIONS

N.C.G.S. § 163-106.

Notices of candidacy; pledge; with whom filed; date for filing.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2021-107, s. 2 — fifty-ninth act in the lineage	21 September 2026, 03:39 UTC	099f8cd974b948dd8d6eb571 - 5c48cab56ea14db8919b7216 - 5f8e55cc930d22e1

§ 163-106(a)

Notice and Pledge. - No one shall be voted for in a primary election without having filed a notice of candidacy with the appropriate board of elections, State or county, as required by this section and G.S. 163-106.1, 163-106.2, 163-106.3, 163-106.5, and 163-106.6. To this end every candidate for selection as the nominee of a political party shall file with and place in the possession of the board of elections specified in G.S. 163-106.2, a notice and pledge in the following form:

Date _____

I hereby file notice as a candidate for nomination as _____ in the _____ party primary election to be held on _____, _____. I affiliate with the _____ party, (and I certify that I am now registered on the registration records of the precinct in which I reside as an affiliate of the _____ party.)

I pledge that if I am defeated in the primary, I will not run for the same office as a write-in candidate in the next general election.

Signed _____

(Name of Candidate)

Witness:

(Title of witness)

Each candidate shall sign the notice of candidacy in the presence of the chairman or secretary of the board of elections, State or county, with which the candidate files. In the alternative, a candidate may have the candidate's signature on the notice of candidacy acknowledged and certified to by an officer authorized to take acknowledgments and administer oaths, in which case the candidate may mail or deliver by commercial courier service the candidate's notice of candidacy to the appropriate board of elections.

§ 163-106(b)

[Name of Candidate. -] In signing the notice of candidacy the candidate shall use only that candidate's legal name and may use any nickname by which he is commonly known. A candidate may also, in lieu of that candidate's legal first name and legal middle initial or middle name (if any) sign a nickname, provided that the candidate appends to the notice of candidacy an affidavit that the candidate has been commonly known by that nickname for at least five years prior to the date of making the affidavit. The candidate shall also include with the affidavit the way that candidate's name (as permitted by law) should be listed on the ballot if another candidate with the same last name files a notice of candidacy for that office.

§ 163-106(c)

[Agent's Signature Invalid. -] A notice of candidacy signed by an agent or any person other than the candidate shall be invalid.

§ 163-106(d)

[Forms Provided by State Board. -] Prior to the date on which candidates may commence filing, the State Board of Elections shall print and furnish, at State expense, to each county board of elections a sufficient number of the notice of candidacy forms prescribed by this subsection for use by candidates required to file with county boards of elections.

§ 163-106(e)

CLASS I FELONY

Except for candidates to the office of sheriff as provided in subsection (f) of this section, at the same time the candidate files notice of candidacy under this section and G.S. 163-106.1, 163-106.2, 163-106.3, 163-106.5, and 163-106.6, the candidate shall file with the same office a statement answering the following question: "Have you ever been convicted of a felony?" The State Board of Elections shall adapt the notice of candidacy form to include the statement required by this subsection. The form shall make clear that a felony conviction need not be disclosed if the conviction was dismissed as a result of reversal on appeal or resulted in a pardon of innocence or expungement. The form shall require a candidate who answers "yes" to the question

to provide the name of the offense, the date of conviction, the date of the restoration of citizenship rights, and the county and state of conviction. The form shall require the candidate to swear or affirm that the statements on the form are true, correct, and complete to the best of the candidate's knowledge or belief. The form shall be available as a public record in the office of the board of elections where the candidate files notice of candidacy and shall contain an explanation that a prior felony conviction does not preclude holding elective office if the candidate's rights of citizenship have been restored. This subsection shall also apply to individuals who become candidates for election by the people under G.S. 163-114, 163-122, 163-123, 163-98, 115C-37, 130A-50, Article 24 of this Chapter, or any other statute or local act. Those individuals shall complete the question at the time the documents are filed initiating their candidacy. The State Board of Elections shall adapt those documents to include the statement required by this subsection. If an individual does not complete the statement required by this subsection, the board of elections accepting the filing shall notify the individual of the omission, and the individual shall have 48 hours after notice to complete the statement. If the individual does not complete the statement at the time of filing or within 48 hours after the notice, the individual's filing is not complete, the individual's name shall not appear on the ballot as a candidate, and votes for that individual shall not be counted. It is a Class I felony to complete the form knowing that information as to felony conviction or restoration of citizenship is untrue. This subsection shall not apply to candidates required by G.S. 138A-22(f) to file Statements of Economic Interest.

§ 163-106(f)

Every candidate to the office of sheriff, at the time of filing the notice of candidacy, shall file a valid disclosure statement prepared in accordance with G.S. 17E-25 verifying that the candidate has no prior felony convictions or expungements of felony convictions. If a candidate does not file such valid disclosure statement required by this subsection, that candidate's filing is not complete, the candidate's name shall not appear on the ballot as a candidate, and votes for that candidate shall not be counted in accordance with Section 2 of Article VII of the North Carolina Constitution.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
59 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1915	c. 101, ss. 6, 15	ENACTED
02	1917	c. 218	AMENDED
03	C.S.	ss. 6022, 6035	RECODIFIED
04	1921	c. 217	AMENDED
05	1923	c. 111, s. 13	AMENDED
06	C.S.	s. 6055(a)	RECODIFIED
07	1927	c. 260, s. 19	AMENDED
08	1929	c. 26, s. 1	AMENDED
09	1933	c. 165, s. 12	AMENDED
10	1937	c. 364	AMENDED
11	1947	c. 505, s. 7	AMENDED
12	1949	c. 672, s. 4	AMENDED
13	1949	c. 932	AMENDED
14	1951	c. 1009, s. 3	AMENDED
15	1955	c. 755	AMENDED
16	1955	c. 871, s. 1	AMENDED
17	1959	c. 1203, s. 4	AMENDED
18	1965	c. 262	AMENDED
19	1967	c. 775, s. 1	AMENDED
20	1967	c. 1063, s. 2	AMENDED
21	1969	c. 44, s. 83	AMENDED
22	1969	c. 1190, s. 56	AMENDED
23	1971	cc. 189, 675, 798	AMENDED
24	1973	c. 47, s. 2	AMENDED
25	1973	c. 793, s. 36	AMENDED
26	1973	c. 862	AMENDED

27	1975	c. 844, s. 2	AMENDED
28	1977	c. 265, ss. 4, 5	AMENDED
29	1977	c. 408, s. 2	AMENDED
30	1977	c. 661, ss. 2, 3	AMENDED
31	1979	c. 24	AMENDED
32	1979	c. 411, s. 5	AMENDED
33	1981	c. 32, ss. 1, 2	AMENDED
34	1983	c. 330, s. 1	AMENDED
35	1985	c. 472, s. 2	AMENDED
36	1985	c. 558, s. 1	AMENDED
37	1985	c. 759, s. 6	AMENDED
38	1985	1985 (Reg. Sess., 1986), c. 957, s. 1	AMENDED
39	1987	c. 509, s. 13	AMENDED
40	1987	c. 738, s. 124	AMENDED
41	1987	1987 (Reg. Sess., 1988), c. 1028, s. 1	AMENDED
42	1987	1993 (Reg. Sess., 1994), c. 762, s. 31	AMENDED
43	1995	c. 243, s. 1	AMENDED
44	1996	2nd Ex. Sess., c. 9, s. 8	AMENDED
45	1999	S.L. 1999-456, s. 59	AMENDED
46	2001	S.L. 2001-403, s. 3	AMENDED
47	2001	S.L. 2001-466, s. 5.1(a)	AMENDED
48	2002	S.L. 2002-158, ss. 8, 9	AMENDED
49	2002	S.L. 2002-159, s. 55(a)	AMENDED
50	2006	S.L. 2006-155, s. 2	AMENDED
51	2007	S.L. 2007-369, s. 1	AMENDED
52	2009	S.L. 2009-47, s. 1	AMENDED
53	2013	S.L. 2013-381, s. 21.1	AMENDED
54	2014	S.L. 2014-111, s. 1(a)	AMENDED
55	2016	S.L. 2016-125, 4th Ex. Sess., s. 21(a)	AMENDED
56	2017	S.L. 2017-3, s. 5	AMENDED

57	2017	S.L. 2017-6, s. 3	AMENDED
58	2018	S.L. 2018-146, s. 3.1(a), (b)	AMENDED
59	2021	S.L. 2021-107, s. 2	AMENDED

APPARATUS II
5 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 163-106.1	(a)	<i>"as required by this section and"</i>
G.S. 163-106.2	(a)	<i>"the board of elections specified in"</i>
G.S. 163-114	(e)	<i>"for election by the people under"</i>
G.S. 138A-22(f)	(e)	<i>"not apply to candidates required by"</i>
G.S. 17E-25	(f)	<i>"disclosure statement prepared in accordance with"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 163-106 (2021).

PINPOINT

N.C. Gen. Stat. § 163-106(a) (2021).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1915, c. 101, ss. 6, 15; 1917, c. 218; C.S., ss. 6022, 6035; 1921, c. 217; 1923, c. 111, s. 13; C.S., s. 6055(a); 1927, c. 260, s. 19; 1929, c. 26, s. 1; 1933, c. 165, s. 12; 1937, c. 364; 1947, c. 505, s. 7; 1949, c. 672, s. 4; c. 932; 1951, c. 1009, s. 3; 1955, c. 755; c. 871, s. 1; 1959, c. 1203, s. 4; 1965, c. 262; 1967, c. 775, s. 1; c. 1063, s. 2; 1969, c. 44, s. 83; c. 1190, s. 56; 1971, cc. 189, 675, 798; 1973, c. 47, s. 2; c. 793, s. 36; c. 862; 1975, c. 844, s. 2; 1977, c. 265, ss. 4, 5; c. 408, s. 2; c. 661, ss. 2, 3; 1979, c. 24; c. 411, s. 5; 1981, c. 32, ss. 1, 2; 1983, c. 330, s. 1; 1985, c. 472, s. 2; c. 558, s. 1; c. 759, s. 6; 1985 (Reg. Sess., 1986), c. 957, s. 1; 1987, c. 509, s. 13; c. 738, s. 124; 1987 (Reg. Sess., 1988), c. 1028, s. 1; 1993 (Reg. Sess., 1994), c. 762, s. 31; 1995, c. 243, s. 1; 1996, 2nd Ex. Sess., c. 9, s. 8; 1999-456, s. 59; 2001-403, s. 3; 2001-466, s. 5.1(a); 2002-158, ss. 8, 9; 2002-159, s. 55(a); 2006-155, s. 2; 2007-369, s. 1; 2009-47, s. 1; 2013-381, s. 21.1; 2014-111, s. 1(a); 2016-125, 4th Ex. Sess., s. 21(a); 2017-3, s. 5; 2017-6, s. 3; 2018-146, s. 3.1(a), (b); 2021-107, s. 2.)

SET IN SPECTRAL AND ARCHIVO
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

