

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE DRH30007-LBf-18 (12/18)

Short Title: School Board Candidate Filing Fee.

(Public)

Sponsors: Representative Glazier.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO SET A UNIFORM FILING FEE FOR BOARD OF EDUCATION
CANDIDACY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163- 294.2(e) reads as rewritten:

"(e) ~~The~~ Except for boards of education elected on a nonpartisan basis, the filing fee for the primary or election shall be fixed by the governing board not later than the day before candidates are permitted to begin filing notices of candidacy. There shall be a minimum filing fee of five dollars (\$5.00). The governing board shall have the authority to set the filing fee at not less than five dollars (\$5.00) nor more than one percent (1%) of the annual salary of the office sought unless one percent (1%) of the annual salary of the office sought is less than five dollars (\$5.00), in which case the minimum filing fee of five dollars (\$5.00) will be charged. The filing fee for boards of education elected on a nonpartisan basis is one hundred dollars (\$100.00). The fee shall be paid to the board of elections at the time notice of candidacy is filed."

SECTION 2. G.S. 163-291(3) reads as rewritten:

"§ 163-291. Partisan primaries and elections.

The nomination of candidates for office in cities, towns, villages, and special districts whose elections are conducted on a partisan basis shall be governed by the provisions of this Chapter applicable to the nomination of county officers, and the terms "county board of elections," "chairman of the county board of elections," "county officers," and similar terms shall be construed with respect to municipal elections to mean the appropriate municipal officers and candidates, except that:

...

(3) ~~The~~ Except for boards of education elected on a partisan basis, the filing fee for municipal and district primaries shall be fixed by the governing board not later than the day before candidates are permitted to begin filing notices of candidacy. There shall be a minimum filing fee of five dollars (\$5.00). The governing board shall have the authority to set the filing fee at not less than five dollars (\$5.00) nor more than one percent (1%) of the annual salary of the office sought unless one percent (1%) of the annual salary of the office sought is less than five dollars (\$5.00), in which case the minimum filing fee of five dollars (\$5.00) will be charged. The filing fee for boards of education elected on a partisan basis is one hundred dollars (\$100.00). The fee shall be paid to the board of elections at the time notice of candidacy is filed."



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1 **SECTION 3.** G.S. 163-107(a) reads as rewritten:
 2 "(a) Fee Schedule. – At the time of filing a notice of candidacy, each candidate shall pay
 3 to the board of elections with which he files under the provisions of G.S. 163-106 a filing fee
 4 for the office he seeks in the amount specified in the following tabulation:
 5

Office Sought	Amount of Filing Fee
6 Governor	One percent (1%) of the annual salary of the 7 office sought
8 Lieutenant Governor	One percent (1%) of the annual salary of the 9 office sought
10 All State executive offices	One percent (1%) of the annual salary of the 11 office sought
12 All District Attorneys of the General 13 Court of Justice	One percent (1%) of the annual salary of 14 the office sought
15 United States Senator	One percent (1%) of the annual salary of the 16 office sought
17 Members of the United States House 18 of Representatives	One percent (1%) of the annual salary of 19 the office sought
20 State Senator	One percent (1%) of the annual salary of the 21 office sought
22 Member of the State House of 23 Representatives	One percent (1%) of the annual salary of 24 the office sought
25 All county offices not compensated by fees	One percent (1%) of the annual salary of the 26 office sought
27 All county offices compensated partly 28 by salary and partly by fees	One percent (1%) of the first annual 29 salary to be received (exclusive of fees)
30 <u>Members of boards of education elected</u> 31 <u>on a partisan basis</u>	<u>One hundred dollars (\$100.00)</u>

32 The salary of any office that is the basis for calculating the filing fee is the starting salary
 33 for the office, rather than the salary received by the incumbent, if different. If no starting salary
 34 can be determined for the office, then the salary used for calculation is the salary of the
 incumbent, as of January 1 of the election year."

SECTION 4. This act is effective with respect to elections conducted on or after
 September 1, 2009.