



NORTH CAROLINA

STATE BOARD OF ELECTIONS

2023 MUNICIPAL ELECTIONS

A CANDIDATE'S GUIDE TO ELECTIONS IN NORTH CAROLINA



Table of Contents

Important Municipal Election Dates	4
General Requirements.....	4
Notice of Candidacy.....	5
Completing the Notice of Candidacy: Candidate’s Name.....	6
Completing the Notice of Candidacy: Disclosure of Felony Conviction.....	7
Voter Registration Drives.....	8
Absentee Voting Restrictions for Candidates.....	9
Electioneering at Voting Sites.....	9
Curbside Voting at Voting Sites.....	9
Issues or Complaints at Voting Sites.....	9
Reporting of Election Results.....	10
Candidacy Forms.....	11
Municipal Notice of Candidacy Form.....	12
Felony Disclosure Form.....	13
Petition Request Form.....	14
Withdrawal of Notice of Candidacy	15
Candidate Challenge.....	16
General Statute Links.....	16-17
Campaign Finance.....	18
Campaign Finance Information	19
Organizing the Committee.....	20
Forms Required to Set Up the Committee	21
Certification of Threshold	22
Treasurer Training.....	23
Submitting Disclosure Reports.....	24

What is Included in a Disclosure Report.....	25
Methods Available for Filing Disclosure Reports.....	26
Penalties for Filing Disclosure Reports Late	27
When Submitting Paperwork...Remember	28
What is the Law Regarding Contributions?	29
What is the Law Regarding Expenditures?	30
Basic Disclosure Requirements for Print, Radio and Television Advertisements.....	31-32
Mandatory Compliance Training.....	33
Instructions to Register to take the Campaign Finance Mandatory Compliance Training.	34
Frequently Asked Questions Mandatory Electronic Filing.	35-37

MUNICIPAL ELECTIONS AND IMPORTANT CANDIDATE FILING DATES

The information provided in this part of the guide is relevant to candidates running for office in municipal elections and includes information on election processes relevant to candidates.

The statutes relevant to municipal elections are primarily found in Articles 23 and 24 of Chapter 163 of the North Carolina General Statutes. These statutes may be accessed at the following link:

<https://www.ncleg.gov/Laws/GeneralStatutes>

If legislative action or legal developments affect the information within this document, such changes will be noted on the website of the State Board of Elections. Candidates can direct questions to their county board of elections.

Important Candidate Filing Dates:

Candidate filing for municipalities with odd-numbered year elections begins at 12 noon on Friday, July 7, 2023, until 12 noon on Friday, July 21, 2023. Candidates file at the appropriate county board of elections office. Any person seeking to become a candidate must file a notice of candidacy form and pay the specified filing fee.

The candidate has two options: 1) file the notice of candidacy and pay the filing fee in person at the appropriate board of elections; or 2) mail or deliver by commercial courier service the candidate's notice of candidacy to the appropriate board of elections, provided it is received by the end of the filing period.

The deadline for a candidate to withdraw the notice of candidacy is by 5pm on Tuesday, July 18, 2023. The Withdrawal of Notice of Candidacy Form is located on the State Board of Election's website or can be obtained at the county board of elections office.

GENERAL CANDIDACY REQUIREMENTS

The following are general candidacy requirements:

- Candidate must be 21 years old on Election Day.
- Candidate must be a registered voter of the municipality at the time they file for office. If they are not already registered to vote, they can register at the same time they file their notice of candidacy.
- Candidate must reside within the municipal corporate limits.
- For an office that is elected by district or ward, the candidate must reside within the district or ward.
- Candidate must file a notice of candidacy with the county board of elections office in the county of their residence and pay a filing fee set by the municipal governing board during the filing period. The minimum is \$5 with a maximum of 1% of the annual salary of the office sought.
- A person whose name appeared on the ballot in a partisan primary election is not eligible to have their name placed on the general municipal election ballot as an unaffiliated candidate for the same office in that year.
- The notice of candidacy includes a question about any previous felony convictions and will require disclosure of any convictions.

ONLY FILE FOR ONE OFFICE PER ELECTION: If a person has filed a notice of candidacy for one office with the county board of elections, then a notice of candidacy may not later be filled for any other municipal office for that election unless the notice of candidacy for the first office is withdrawn first.

NOTICE OF CANDIDACY FORM

The State Board of Elections provides a Notice of Candidacy form, which is available from any county board of elections or on the State Board's website at ncsbe.gov/candidates/filing-candidacy/notice-candidacy.

Where and How to File the Notice of Candidacy

Candidates must file for municipal office at their county board of elections office. Candidate filings via surrogate cannot be accepted. During any candidate filing period, the boards of elections will only accept notices of candidacy that are 1) signed and submitted in person by the candidate, or 2) certified and delivered via mail or commercial courier service, per N.C.G.S. § 163-106(a) and N.C.G.S. § 163-294.2(a).



When signing the notice of candidacy, the candidate must sign the notice with their legal name and, at their discretion, any nickname by which they are commonly known in the form that they wish it to appear upon the ballot. A candidate may also, in lieu of their legal first name and legal middle initial of middle name (if any), sign their nickname, provided that they append to the notice of candidacy an affidavit that they have been commonly known by the 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 (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.

If mailing the notice of candidacy, please note that the candidate is not considered to have filed their mailed notice of candidacy until the appropriate board of elections receives it, and it must be received before the end of the filing period.

Completing the Notice of Candidacy: Candidate’s Name

Official ballots must contain the names of the candidates as they appear on their notice of candidacy, per N.C.G.S. § 163-165.5(a)(3). Furthermore, under this law, the ballot cannot contain a title, appendage, or appellation indicating rank, status, or position in connection with a candidate’s name, though candidates may use the title Mr., Mrs., Miss, or Ms.

Legitimate nicknames may be permitted on official ballots, but only if listed on the notice of candidacy. The nickname, which appears in parentheses on the ballot, may not mislead voters or unduly advertise the candidacy. If a candidate is providing an affidavit to permit the use of a nickname with his or her legal last name, the affidavit must include the way the ballot should list the candidate’s name (as permitted by law) in the event that another candidate with the same last name files for the same office.

The table below provides examples of what is and what is not acceptable for the candidate’s name on ballot if the candidate’s name is George Eugene Smith.

Candidate Name on Ballot		Candidate Name on Ballot Examples:	
		Allowed	Not Allowed
①	A candidate may use either first or middle name before the last name (no nickname affidavit necessary)	George Smith Eugene Smith	
②	A candidate may abbreviate using the first letter of either his first or middle name (but not last name) (no nickname affidavit necessary).	G. Smith G.E. Smith George E. Smith G. Eugene Smith	George S. G.E.S.
③	A candidate may choose to include a suffix (no nickname affidavit necessary)	George Smith George Smith, Jr. George Smith III	George Smith, Esq. George Smith, MD
④	The ONLY title allowed along with a name is Mr./Mrs./Miss/Ms.	Mr. George Smith	General George Smith Judge George Smith Hon. George Smith
⑤	If a nickname affidavit is completed, the nickname must either be used in place of the first or middle name or following the first or middle name in parentheses. Nicknames that indicate rank, status, or position, are prohibited. Any shortening of a proper name as it appears in the voter record, other than abbreviation to the first letter, requires a nickname affidavit (such as “Dave” if the voter registration lists the first name as “David”)	George (Joey)Smith George E. (Joey) Smith George Eugene (Joey) Smith Eugene (Joey) Smith Joey Smith	George (Da Bomb) Smith George (Vote For Me) Smith George (The Judge) Smith George (Winner) Smith
⑥	Hyphenated Surname as listed on the candidate’s voter registration record-Unless the candidate’s voter registration has been updated, his or her surname to appear on the ballot must match the voter registration record.	George Eugene-Smith (how candidate’s name appears on the voter registration record)	George Eugene Smith (not allowed unless voter registration has been updated)

Completing the Notice of Candidacy: Disclosure of Felony Conviction

The Notice of Candidacy form provided by the State Board of Elections includes a statement that asks the following question: “Have you ever been convicted of a felony?” Candidates who answer “yes” to this question must provide the name of the offense, date of conviction, date of restoration of citizenship rights, and the county and state of conviction. It is a Class I felony for an individual to knowingly provide untrue information in response to this question. A candidate is not required to disclose a felony conviction if the conviction was dismissed because of a reversal on appeal or if it resulted in a pardon of innocence or expungement. A prior felony conviction does not preclude holding elective office if the candidate’s rights of citizenship have been restored (*i.e.*, they have completed their sentence).

If a candidate fails to provide the required information in response to the felony disclosure question, the board of elections that accepted the filing will notify the candidate of the omission, at which point the candidate has **48 hours** to provide the missing information. If a candidate does not provide this information at the time of filing or within **48 hours** after the notice, the individual’s filing is not considered complete, the individual’s name will not appear on the ballot as a candidate, and votes for the individual will not be counted.

The notice of candidacy is a public record in the office of the board of elections where the candidate files.

Withdrawal of Notice of Candidacy:

Any person who has filed a notice of candidacy for an office has the right to withdraw it at any time prior to the close of business on the third business day prior to the date on which the right to file for that office expires.

Disqualification:

When any candidate files a notice of candidacy with a board of elections, the board of elections is required to, immediately upon receipt of the notice of candidacy, inspect the registration records of the county, and cancel the notice of candidacy of any person who does not meet the constitutional or statutory qualifications for the office, including residency. The board must give notice of cancellation to any candidate whose notice of candidacy has been cancelled by mail or by having the notice served on him by the sheriff, and to any other candidate filing for the same office.

VOTER REGISTRATION

Candidates and their campaigns may distribute voter registration applications and conduct voter registration drives. Voter registration applications may be picked up at county boards of elections offices in quantities up to 100. Larger quantities may be requested from the State Board of Elections and can also be requested using an online request form on the State Board website.

Any person who conducts a voter registration drive is responsible for understanding the legal requirements and the legal penalties for a failure to comply with those requirements.

Organizers and participants should carefully follow the voter registration drive information chart of requirements and **DOs** and **DON'Ts** on the following page of the State Board of Elections website:

<https://www.ncsbe.gov/registering/hosting-voter-registration-drives>

RETURN VOTER REGISTRATION APPLICATIONS TO COUNTY BOARD OF ELECTIONS

Voter registration applications that are collected from applicants should be delivered to the county board of elections of the county in which the applicant resides and must be delivered by the voter registration deadline for an election, which is no later than the 25th day prior to the election. It is recommended that the applications be delivered to the board of elections within five (5) days of receipt, keeping in mind the registration deadline. This will ensure that the applicant is timely registered and promptly receives his or her voter registration card.

Applications received by the State Board of Elections will be routed to the proper county board of elections, but voter registration drive organizers are strongly encouraged to route completed applications directly to the applicants' proper county board of elections.

The logo for the Voter Registration Drive features the words "VOTER", "REGISTRATION", and "DRIVE" stacked vertically in a bold, blue, sans-serif font. The text is centered between two thick, horizontal red bars, one above and one below the text.

VOTER
REGISTRATION
DRIVE

ABSENTEE VOTING RESTRICTIONS FOR CANDIDATES

It is important the candidate understands that there are legal limits on their activity with respect to providing assistance to the voter in the absentee voting process.

Candidates may not act as witnesses for persons who are not near relatives. As noted in G.S. § 163-237(c), it is a criminal offense for a person to act as a witness in any primary or election in which the person is a candidate for nomination or election, unless the voter is the candidate's near relative. Candidates also may not take possession of a non-relative's ballot for purposes of returning the ballot to the board of elections. Doing so is a violation of G.S. § 163-226.3(a)(5) and is a felony. A "near relative" as defined in G.S. § 163-226(f) is a spouse, brother, sister, parent, grandparent, child, grandchild, mother-in-law, father-in-law, daughter in-law, son-in-law, stepparent, or stepchild.

There is an exception for voters who need assistance due to a disability. A voter who needs assistance due to their disability may receive assistance in the voting process from a person of their choice, including a candidate. This exception, however, does not apply to a candidate serving as a witness unless the voter is a patient or resident of covered facility (i.e., a hospital, clinic, nursing home, or rest home).

ELECTIONEERING AT VOTING SITES

No electioneering may occur within the area immediately outside of the front entrance of a voting place. This area will be marked by signage to designate the area of the "buffer zone," which is typically 50 feet from the front entrance but must be at least 25 feet from the front entrance. Information regarding the buffer zone at each voting place will be made available by the county board of elections no later than 10 days before the opening of early voting at the voting place and no later than 30 days before election day for each election day voting place.

In accordance with G.S. § 163-166.4, no person or group of persons shall hinder access, harass others, distribute campaign literature, place political advertising, solicit votes, or otherwise engage in election-related activity in the voting place or in the buffer zone. If a political sign is placed in this restricted area, it will be removed.

CURBSIDE VOTING AT VOTING SITES

Every voting site will offer curbside voting in a designated area to allow voters with disabilities to cast their vote in a vehicle. If curbside voting is located outside of the "buffer zone," then electioneering restrictions will be in place to ensure the privacy of curbside voters. For more information about the area in which electioneering is restricted for a specific voting site, contact your county board of elections office.

ISSUES OR COMPLAINTS AT VOTING SITES

Any issue or complaint relating to a voting site should first be brought to the attention of the polling place's chief judge (or, in the case of a One-Stop early voting site, manager of the voting site).

If the issue cannot be resolved by the election official at the voting site, contact your county board of elections office.



REPORTING OF ELECTION RESULTS

All election results on election night are unofficial. Election results are not made official until all relevant canvasses are completed (the county canvass for local contests and the state canvass for multicounty contests).

ABSENTEE BALLOTS

Absentee ballots (including One-Stop early voting ballots) are counted at 5:00 PM on Election Day; in some cases, they may be counted as early as 2:00 PM. County boards of elections may not release absentee results until after the close of the polls.

Absentee ballots that are timely received after election day will be counted at or prior to the county's canvass meeting.

ELECTION DAY BALLOTS

Ballots cast on election day are counted after the close of the polls. Polls close at 7:30 PM.

PROVISIONAL BALLOTS

If an individual seeking to vote claims to be a registered voter and though eligible to vote in the election does not appear on the official list of eligible registered voters in the voting place, that individual may cast a provisional ballot. Provisional ballots are researched after Election Day. If the provisional voter is determined to be eligible, their ballot will be approved at the county's canvass meeting.

Information on election night reporting and the State Board's Election Results Dashboard can be accessed here:

<https://www.ncsbe.gov/results-data/election-results>


CANDIDACY FORMS



**The displayed forms in this section are intended for reference purposes only. To access the appropriate form, please use the hyperlinks provided below each respective form or contact your county board of elections.*

MUNICIPAL NOTICE OF CANDIDACY FORM

Each person seeking municipal office must file a Municipal Notice of Candidacy form with the appropriate county board of elections.



North Carolina
Municipal Notice of Candidacy

Use this form to place your name on ballot as a candidate in a municipal election.

Election information

1 Title of the office sought _____
 District or ward (if applicable) _____
 Election _____ Election date (mm/dd/yyyy) _____

Candidate information
You must provide your full legal name in this section. The information will be public.

2 Last name _____ Suffix (Jr., Sr., II, III, IV) _____
 First name _____ Middle name _____
 Name to appear on ballot _____
 Campaign phone number _____ Campaign email _____

Residential address
This information will be public.

3 Address (not P.O. box) _____
 City _____ State _____ Zip _____
 County _____

Mailing address
This information will be public.

4 Same as above
 Address or P.O. box _____
 City _____ State _____ Zip _____

Candidate's pledge
Check 1 box and complete the pledge that applies to the office that you are seeking candidacy for.

I am filing for a partisan contest:
 I hereby file notice as a candidate for nomination as _____
 in the _____ party primary election to be held on (mm/dd/yyyy) _____
 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 I have been affiliated with that party for at least 90 days as of the date of the filing of the notice of candidacy. 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.

5 I am filing for a non-partisan contest:
 I hereby file notice that I am a candidate for election to the office of _____ (at large)
 for the _____ Ward in the regular municipal election to be held in _____
 (municipality) on (mm/dd/yyyy) _____

Felony disclosure

6 **Have you ever been convicted of a felony?** Yes No
If you have been convicted of a felony, you must complete a Candidate Felony Disclosure form within 48 hours of submitting this notice (G.S. 323-1106). The required form can be obtained from any election office or from the NC State Board of Elections website at www.ncsbe.gov. A prior felony conviction does not preclude holding elected office if rights of citizenship have been restored. 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.

Affidavit attesting to nickname
Complete only if you would like an acceptable nickname to appear on the ballot in lieu of your legal name.

I, _____, have been duly sworn, hereby state under oath that I have been commonly known by the nickname _____ for at least five years and request that my name be placed on the ballot as follows: _____ in the event that another candidate with the same last name as mine files notice of candidacy for the same office for which I am a candidate, my name should be listed as: _____

Even if your nickname is accepted, your legal last name will still appear on the ballot.

State of North Carolina _____ County.
 I hereby certify that _____ the candidate who signed this Affidavit attesting to nickname, personally appeared before me this day and signed this document in my presence.
 Sworn to and subscribed before me this _____ day of _____.

Name of notary _____
 My commission expires (mm/dd/yyyy) _____

Notary seal

Notary, sign here

Acknowledgment of notice of candidacy
This section must be completed by the chair, secretary, or director of the board of elections, or by a notary. See G.S. 323-294.2(a).

The notice of candidacy shall be either signed in the presence of the chairman or secretary of the board of elections or the director of elections of that county, or signed and acknowledged before an officer authorized to take acknowledgments who shall certify the notice under seal. An acknowledged and certified notice may be mailed to the board of elections.
 State of North Carolina _____ County.
 I hereby certify that _____ the candidate who signed this notice of candidacy, personally appeared before me this day and signed this document in my presence or acknowledged by her signature to be the same.
 Sworn to and subscribed before me this _____ day of _____.

8 Name of certifying officer or notary _____
 Title of certifying officer _____
 My commission expires (mm/dd/yyyy) _____

Notary seal

Certifying officer or notary, sign here

Candidate's certification
Freely and lawfully completing this form is a Class I Felony under Chapter 20A of the NC General Statutes.

9 I name or office that the statements on this form are true, correct and complete to the best of my knowledge or belief.
 Candidate, sign and date here (Required)
 _____ Date (mm/dd/yyyy) _____

Sign and date this section in the presence of the chair, secretary, or director of the board of elections, or the notary from section 8.
 Submit this form to the board of elections in the county in which you plan to be a candidate.


1

2022.09

The Municipal Notice of Candidacy form can be found on the State Board's website here: [Municipal Notice of Candidacy form](#). Additionally, you can get the form from your county board of elections office.

FELONY DISCLOSURE FORM

A candidate who answers “yes” to the felony question on the Municipal Notice of Candidacy form must use this form to disclose a felony conviction.



North Carolina Felony Disclosure

Use this form to
disclose a felony

Election information
Please print.

1 Title of the office sought _____
 Election _____ Election date (mm/dd/yyyy) _____
 If the office you are seeking has a district, enter the jurisdiction type (e.g. NC Senate) and district (Dist 10):
 Jurisdiction _____ District _____

Candidate information

2 Last name _____ Suffix (Jr, Sr., II, III, IV) _____
 First name _____ Middle name _____
 Phone _____ Email _____

Residential address

3 Address (not P.O. Box) _____ Unit # _____
 City _____ State _____ Zip _____
 County _____

Felony disclosure
Provide the details of your felony convictions.

4 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.
 A prior felony conviction does not preclude holding elective office if the candidate's rights of citizenship have been restored.

Offense	Date of conviction	County of conviction	State of conviction	Date citizenship rights restored

Candidate's affirmation for felony disclosure
Fraudulently or falsely completing this form is a Class I Felony under Chapter 163 of the NC General Statutes.

5 I affirm that the information disclosed here is true, correct, and complete to the best of my knowledge.
Candidate, sign and date here (Required)

X		<small>Date (mm/dd/yyyy)</small>
----------	--	----------------------------------

The information on this form is public record.
 Submit this form to the same board of elections where you file your Notice of Candidacy form.

The Felony Disclosure form can be found on the State Board’s website here: [Felony Disclosure Form](#)
 Additionally, you can get the form at your county board of elections office.

PETITION REQUEST FORM

The Petition Request form should be completed and submitted to the appropriate board of elections when a voter is interested in starting a petition for one of the following reasons: Petition to be listed as a candidate without paying the filing fee or Petition to run as an unaffiliated candidate for a partisan municipal office.



North Carolina Petition Request

Request a petition to place a
candidate or item on the ballot

Petitioner information

1 Name of candidate or petition _____
 Name of contact person _____
 Primary phone _____ Secondary phone _____
 Email _____

Residential address
This information will be public.

2 Address (not P.O. Box) _____ Unit # _____
 City _____ State _____ Zip _____
 County _____

Mailing address
This information will be public.

Same as above

3 Address or P.O. Box _____ Unit # _____
 City _____ State _____ Zip _____
 County _____

What is this petition for?
Use this form to request 1 petition type.

For multi-county or statewide petitions, and for district and superior court judges, send this form to the NC State Board of Elections.

For single county districts and local petitions, send this form to your county board of elections office.

4 **To run as a candidate for office**
 Office _____ District _____
 I am requesting a petition to run as (check 1) an unaffiliated candidate a write-in candidate
 Name of party _____
 Jurisdiction (check 1) Municipal Single county Multi-county Statewide Judicial

To form a new political party
 Name of party _____
 Name of party chairperson _____
 Intended participation year _____

Other petitions (check 1)
 ABC (alcoholic beverage sale) petition Municipal incorporation or annexation
 In lieu of paying filing fee Municipal charter amendment
 Bond referendum Repeal of levy
 School tax Presidential party nomination
 Other local petition (please specify type) _____

Petitioner affirmation
Don't forget to check the box.

5 I affirm that:
 -I will collect signatures on separate sheets for each county,
 -I will not combine voter signatures from multiple counties on one sheet,
 -I will submit signed sheets to the relevant county to be checked,
 -I will only collect original (not digital) signatures in ink, and
 -I will not allow anyone to sign on behalf of someone else.

I certify that my name did not appear on the ballot in a primary election.

By checking this box, I confirm that I have read and understand this information.

Submit this form to the board of elections in the jurisdiction in which you plan to be a candidate.

This section is for Board of Elections use only. Petitioner, do not complete this section.

Signature verification
The county or state will complete this section and return a copy to you.

Number of signatures required (when based on registered voters on a future date, this will be an estimate) _____
 Date signatures are due to county board of elections for verification _____
 Date signatures are due to State Board of Elections (if applicable) _____

2021.04

The Petition Request form can be found on the State Board’s website here: [Petition Request form](#). Additionally, you can get the form at your county board of elections office.

WITHDRAWAL OF NOTICE OF CANDIDACY

This form is utilized when a candidate would like to withdraw their Notice of Candidacy.



North Carolina Withdrawal of Notice of Candidacy

Use this form to withdraw
your Notice of Candidacy

Election information

Please print.

1

Title of the office sought _____
Election _____ Election date (mm/dd/yyyy) _____

Candidate information

Use the same information
that you used to complete
your notice of candidacy.

2

Last name _____ Suffix (Jr, Sr., II, III, IV) _____
First name _____ Middle name _____
Address _____
City _____ State _____ Zip _____
County _____
Phone number _____ Email _____

Candidate's affirmation for withdrawal of candidacy

Fraudulently or falsely
completing this form is a
Class I felony under
Chapter 163 of the NC
General Statutes.

3

Any person who has filed notice of candidacy for an office shall have the right to withdraw it at any time prior to the close of business on the third business day prior to the date on which the right to file for that office expires.
If you withdraw within the deadline, you are entitled to a refund of the candidate's filing fee.

I hereby affirm that I have filed as a candidate for office and I am withdrawing my notice of candidacy.

Candidate, sign and date here (Required)

X	Date (mm/dd/yyyy)
----------	-------------------

Submit this form to the office where you filed. Find the contact information for your local board of elections at the NCSBE website (vt.ncsbe.gov/BOEInfo).

Please note: Withdrawal of your notice of candidacy does not close your candidate committee. Your treasurer must continue to file disclosure reports until your committee is eligible to close under 08 NCAC 21 .0202 or to obtain inactive status under N.C.G.S. § 163-278.10.

The Withdrawal of Notice of Candidacy form can be found on the State Board's website here: [Withdrawal of Notice of Candidacy form](#). Additionally, you can get the form at your county board of elections office.

The deadline for a candidate to withdraw their notice of candidacy form is three days before the end of the filing period: for the 2023 municipal elections this is by 5pm on Tuesday, July 18, 2023. Withdrawal of your notice of candidacy does not close your candidate committee. Your treasurer must continue to file disclosure reports until your committee is eligible to close under 08 NCAC 21 .0202 or to obtain inactive status under N.C.G.S. §163-278.10.

CHALLENGES TO A CANDIDATE'S QUALIFICATIONS FOR OFFICE

A challenge to a candidate's qualifications for office must be filed with the board of elections that received the notice of candidacy or petition no later than ten business days after the close of the filing period. The Municipal Candidate Filing Period for the 2023 municipal elections ends at 12 noon on Friday, July 21, 2023. The deadline to challenge a candidate's notice of candidacy for municipal office is Friday, August 4, 2023. But if a challenger discovers one or more grounds for challenging a candidate after this deadline, the grounds may be the basis for an election protest under G.S. § 163-182.9.

The challenge must be made in a verified affidavit by a challenger, and it must be based on the challenger's reasonable suspicion or belief of the facts stated. **The grounds for filing a challenge are that the candidate does not meet the constitutional or statutory qualifications for the office, including residency.**

GENERAL STATUTE LINKS

Relevant statutes for municipal elections:

General Statute	Brief Description
G.S. 163-279	Time of municipal primaries and elections
G.S. 163-286	Conduct of municipal and special district elections
G.S. 163-289	Right to challenge; challenge procedure
G.S. 163-290	Alternative methods of determining the results of municipal elections
G.S. 163-291	Partisan primaries and elections
G.S. 163-292	Determination of election results in cities using the plurality method
G.S. 163-293	Determination of election results in cities using the election and runoff election method
G.S. 163-294	Determination of election results in cities using nonpartisan primaries
G.S. 163-294.1	Death of candidates or elected officers
G.S. 163-294.2	Notice of candidacy and filing fee in nonpartisan municipal elections
G.S. 163-294.3	Sole candidates to be voted upon in nonpartisan municipal elections
G.S. 163-294.4	Failure of candidates to file; death of a candidate before election
G.S. 163-296	Nomination by petition
G.S. 163-299	Ballots; municipal primaries and elections
G.S. 163-301	Chairman of election board to furnish certificate of elections
G.S. 163-278.10A	Threshold of \$1,000 for financial reports for certain candidates

General Statute	Brief Description
<u>08 NCAC 21.0106</u>	Electronic Filing Requirements
<u>G.S. 163-278.39</u>	Disclosure Legends
<u>G.S. 163-278.38Z(7)</u>	Print Media
<u>08 NCAC 21.0501</u>	Billboards
<u>G.S. 163-278.12(C)</u>	Special reporting of electioneering communications
<u>G.S. 163-166.4</u>	Limitation on activity in the voting place and in a buffer zone around it

CAMPAIGN FINANCE



CAMPAIGN FINANCE INFORMATION

The information provided in this part of the guide is relevant to candidates running in municipal elections. Candidates for municipal offices submit campaign disclosure reports with their county boards of elections.

The statutes relevant to candidate campaign finance are found in Article 22A and Article 22M of Chapter 163 of the North Carolina General Statutes. These statutes may be accessed at the following link:

<https://www.ncleg.gov/Laws/GeneralStatutes>

If legislative action or legal developments affect the information within this document, such changes will be noted and made available on the Campaign Finance section of the website of the State Board of Elections.



ORGANIZING THE COMMITTEE

FIRST ACTIVITY:

Within 10 days of the following activities, the treasurer of a candidate committee must submit an organizational report:

Receiving contributions or making expenditures

Filing a notice of candidacy

Being certified as the nominee of a political party for a vacancy

2023

January							February							March						
Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7	5	6	7	1	2	3	4	5	6	7	1	2	3	4
8	9	10	11	12	13	14	12	13	14	15	16	17	18	12	13	14	15	16	17	18
15	16	17	18	19	20	21	19	20	21	22	23	24	25	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28	26	27	28	29	30	31					
29	30	31																		

April							May							June						
Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa
						1	1	2	3	4	5	6	4	5	6	7	8	9	10	
2	3	4	5	6	7	8	7	8	9	10	11	12	13	11	12	13	14	15	16	17
9	10	11	12	13	14	15	14	15	16	17	18	19	20	18	19	20	21	22	23	24
16	17	18	19	20	21	22	21	22	23	24	25	26	27	25	26	27	28	29	30	
23	24	25	26	27	28	29	28	29	30	31										
30																				

July							August							September							
Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa	
						1			1	2	3	4	5							1	2
2	3	4	5	6	7	8	6	7	8	9	10	11	12	3	4	5	6	7	8	9	
9	10	11	12	13	14	15	13	14	15	16	17	18	19	10	11	12	13	14	15	16	
16	17	18	19	20	21	22	20	21	22	23	24	25	26	17	18	19	20	21	22	23	
23	24	25	26	27	28	29	27	28	29	30	31	24	25	26	27	28	29	30			
30	31																				

October							November							December							
Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa	
1	2	3	4	5	6	7					1	2	3	4						1	2
8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9	
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16	
22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23	
29	30	31	26	27	28	29	30	24	25	26	27	28	29	30							
													31								

FORMS REQUIRED TO SET UP THE COMMITTEE



New Committee Forms:

Committees staying Under Threshold:

- Mandatory: Statement of Organization – Candidate Committee (CRO-2100A)
- Mandatory: Certification of Financial Account Information (CRO-3500)
- Mandatory if running for an eligible office and seeking to operate “under threshold”: Certification of Threshold (CRO – 3600)
- Optional, but recommended: Candidate Designation of Committee Funds (CRO-3900)

Committees Over Threshold:

- Mandatory: Statement of Organization – Candidate Committee (CRO-2100A)
- Mandatory: Certification of Financial Account Information (CRO-3500)
- Optional, but recommended: Candidate Designation of Committee Funds (CRO-3900). Undesignated funds may escheat to the State upon the death of the candidate.

Mandatory as part of the committee’s organizational disclosure report:

- Disclosure Report Cover (CRO-1000). Failure to submit may result in civil penalty.
- Detailed Summary (CRO – 1100). Failure to submit may result in civil penalty.
- Any other Disclosure Report forms based on the Detailed Summary

*If you are a candidate eligible to submit a Certification of Threshold, the Organizational Disclosure Report is not required. See next section to determine Threshold eligibility.

CERTIFICATION OF THRESHOLD

If a municipal candidate does not intend to raise or spend more than \$1,000 in the election cycle, the treasurer may submit a Certification of Threshold (CRO – 3600). As long as the committee remains under the threshold, the treasurer is not required to submit regular disclosure reports. The organizational report for a committee under threshold consists only of CRO forms 2100A, 3500 and 3600, and the optional CRO-3900.

Note: All monies raised or spent count towards the \$1,000 threshold, including money that the candidate spends out of pocket, in-kind contributions, loans etc.

A committee that intends to remain under the threshold for the election cycle must submit form CRO-3600 with the committee’s organizational report, which is due within ten days of organizing or filing a notice of candidacy. To remain under threshold for subsequent election cycles, the committee must submit a CRO-3600 by the applicable due date in 08 NCAC 21 .0203. If a committee does not renew the certification by submitting a new CRO-3600 at the beginning of the next election cycle, the committee will be required to submit disclosure reports.

If the intent to stay within the threshold changes, or if the \$1,000 threshold is exceeded, the treasurer must immediately notify the county board and shall be responsible for submitting all future reports. Any contribution, loan or expenditure which would have been required to be reported on an earlier report must be disclosed on the next report required after the intent changes or the threshold is exceeded. G.S. § 163-278.10A.

Threshold committees that wish to close after the election and are eligible under 08 NCAC 21 .0202 must submit a Certification to Close Committee (CRO-3400). A committee is not eligible to close if the committee has failed to submit a report or the committee has a penalty assessed that remains unpaid within three years of the date the assessment was due.

Please note that the option to submit the Certification of Threshold is available ONLY to candidates seeking county or municipal offices.

Candidates for legislative, judicial, and statewide races are not eligible to submit a Certification of Threshold.

VOTE NORTH CAROLINA
STATE BOARD OF ELECTIONS

Certification of Threshold

This Certification is used to declare or withdraw a committee's intent to raise or spend \$1,000 or less in the current election cycle.

This Certification is only valid for political party committees and candidates for a county office, municipal office, local school board office, soil & water conservation district board of supervisors, or sanitary district board.

This Certification is filed at the Board of Elections office where the committee's campaign reports are filed.

FILED BY:

Committee Name: _____

Treasurer Name: _____

Treasurer Address: _____
(include city, state, & zip) _____

Treasurer Phone: _____

Check One:
I certify that this committee intends to neither receive nor expend more than \$1,000 during the current election cycle under the provisions set forth in G.S. 163-278.10A. This certification will remain in effect until the end of the election cycle for this committee. If this committee exceeds \$1,000 in contributions or expenditures during this election cycle, I understand that I must immediately notify the appropriate board of elections and file required campaign finance reports.
THIS DECLARATION CAN ONLY BE MADE AT THE BEGINNING OF AN ELECTION CYCLE.

I am withdrawing my Certification to remain at or under the \$1,000 threshold. I will now be required to file the next scheduled report for all contributions and expenditures that have not been previously reported from the beginning of the current election cycle. I further agree to file all future reports required.

Date Signed

Signature

CRO-3600 Certification of Threshold

TREASURER TRAINING



Treasurer training is a mandatory course that provides instruction on campaign finance disclosure filing and compliance. The training is conducted in group sessions at the State Board of Elections and at regional locations at various times during the year (in-person sessions are currently being conducted via webinar). Training is also available online. Visit our website at www.ncsbe.gov/Campaign-Finance/training for details. All treasurers **MUST** complete treasurer training within three months of appointment and once every four years, regardless of the amount of money that is raised or spent.

Treasurers for candidates that are eligible to submit the Certification of Threshold must also complete the required training.

A schedule of upcoming training sessions is available at the end of this document and on the NCSBE website www.ncsbe.gov/Campaign-Finance/training.

SUBMITTING DISCLOSURE REPORTS

ARE ALL CANDIDATES REQUIRED TO SUBMIT DISCLOSURE REPORTS?

Most candidates are required to submit disclosure reports. Only candidates for county or municipal offices that do not intend to raise or spend more than \$1,000 are eligible to file a Certification of Threshold and thus be exempt from submitting disclosure reports. While eligible candidates that submit a Certification of Threshold are not required to submit reports, all information pertaining to contributions and expenditures are required to be accurately maintained in the committee's records. This includes records of the candidate's personal spending on behalf of the campaign. That is because if the committee exceeds threshold, the committee must then submit a disclosure report covering from the time the committee went under threshold through the end of the next report end date.

WHEN ARE DISCLOSURE REPORTS FILED?

The reports that must be submitted in a municipal election vary depending on the jurisdiction. An overview of the schedules can be found in G.S. 163-278.40B, 40C, 40D and 40E. If you are unclear on how your city election is conducted, please contact your county board of elections. The county board of elections will provide notice before each report is due to the treasurer disclosed on the most recent Statement of Organization – Candidate Committee (CRO-2100A). The committee may also choose to have the candidate, any assistant treasurer, or custodian of books receive notices as well by checking the applicable box on the Statement of Organization. If a treasurer prefers to receive notices by email, he or she must check the applicable box on the Statement of Organization. A treasurer that does not make the selection on the Statement of Organization will only receive notices by U.S. Mail, not email.

The reporting schedule for the 2023 municipal disclosure reports can be found at the following link: www.ncsbe.gov/Campaign-Finance/reporting-schedules. If you are unsure which schedule applies to your election, please contact your county board of elections.



WHAT IS INCLUDED IN A DISCLOSURE REPORT?

All disclosure reports must include a "wet ink" signature on the Disclosure Report Cover form (CRO-1000), the Detailed Summary form (CRO 1100), and details for all contributions and expenditures occurring within the reporting period.

The Disclosure Report Cover is essential for showing the start and end dates of the reporting period, the type of report being submitted, and for providing a "wet ink" signature that attests to the truth of the report.

A candidate/treasurer who signs a report must have completed the required training (unless the report is submitted within the 90-day training grace period).

The Detailed Summary form is also required even if there has been no financial activity, in which case zeroes should be entered on the appropriate lines. However, if contributions have been received or expenditures made or debts incurred, then additional forms containing those transactions must be included with the report.

A helpful hint to remember when completing disclosure reports using the paper forms is that the Detailed Summary form (CRO-1100) serves as a form guide as well as a summary of activity. The treasurer should refer to the transactions described on this form to determine which other forms, if any, are required to accompany the report. The required form for each transaction is noted on the same line as the transaction description.

This process is simpler for persons who use State Board software because the software generates the appropriate form for each transaction.

Disclosure Report Cover				Amendment <input type="checkbox"/> Yes <input type="checkbox"/> No	
Use this form for general report and committee information, must be signed and submitted along with other detailed forms. Do not use this form to update information.					
1. Committee Information					
a. Full Name			c. ID Number		
b. Mailing Address (include City, State and Zip Code)			d. Date Filed		
			e. Phone Number		
2. Report Year		3. Period Start Date (mm/dd/yy)	4. Period End Date (mm/dd/yy)	5. Treasurer Full Name	
6. Type of Committee (Check One)					
<input type="checkbox"/> Candidate Campaign	<input type="checkbox"/> Party	9. Type of Report (check only one type of report from one category)			
<input type="checkbox"/> PAC	<input type="checkbox"/> Referendum	<input type="checkbox"/> Municipal	<input type="checkbox"/> State/County	<input type="checkbox"/> Referendum	
<input type="checkbox"/> Independent Expenditure	<input type="checkbox"/> Joint Fundraiser	<input type="checkbox"/> Thirty-five day	<input type="checkbox"/> Organizational	<input type="checkbox"/> Organizational	
<input type="checkbox"/> Legal Expense Fund		<input type="checkbox"/> Pre-primary	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Pre-referendum	
		<input type="checkbox"/> Pre-election	<input type="checkbox"/> First	<input type="checkbox"/> Final	
		<input type="checkbox"/> Pre-runoff	<input type="checkbox"/> Second	<input type="checkbox"/> Supplemental Final	
		<input type="checkbox"/> Semi-annual	<input type="checkbox"/> Third	<input type="checkbox"/> Annual	
7. Type of Fund (if applicable, check one)		<input type="checkbox"/> Mid Year	<input type="checkbox"/> Fourth	<input type="checkbox"/> Special	
<input type="checkbox"/> Booster Fund		<input type="checkbox"/> Year End	<input type="checkbox"/> Semi-annual		
<input type="checkbox"/> Building Fund		<input type="checkbox"/> Final	<input type="checkbox"/> Mid Year		
<input type="checkbox"/> Other:		<input type="checkbox"/> Year End	<input type="checkbox"/> Year End		
8. Number of Fundraisers this Report		<input type="checkbox"/> Final	<input type="checkbox"/> Special	10. Special Report Name:	
		<input type="checkbox"/> Special			
11. Account Information			11. Account Information		
a. Financial Institution Full Name			b. Financial Institution Full Name		
b. Purpose		c. Account Code	b. Purpose		c. Account Code
d. Period Begin Balance			d. Period Begin Balance		
\$			\$		
CERTIFICATION					
I certify that the Committee or Fund is in compliance with all applicable provisions of Article 22A, 22B & 22D-22M of Chapter 163 of the NC General Statutes and that no funds are commingled with prohibited or other non-disclosed funds. I further certify that this report is complete, true and correct and that I have been trained by the NC State Board of Elections:					
_____ Printed Name of Signer		_____ Signature of Appointed Treasurer		_____ Date	
FOR OFFICE USE ONLY					
Date Received:	Employee:	Employee:	Delivery Method		
Date Postmarked:	Employee:	Employee:	<input type="checkbox"/> Normal Mail		
Date Scanned:	Employee:	Employee:	<input type="checkbox"/> Registered Mail		
Date Data Entered:	Employee:	Employee:	<input type="checkbox"/> Hand Delivered		
			<input type="checkbox"/> Electronically Filed		
			<input type="checkbox"/> Signer has not received mandatory training.		
Please Note: This form cannot be used to amend committee information such as the committee address, treasurer, assistant treasurer, custodian of books information, or account information.					
You must amend the Statement of Organization (CRO-2100A-E) to make committee changes.					
CRO-1000		NC State Board of Elections		August 2008	

METHODS AVAILABLE FOR FILING DISCLOSURE REPORTS

Any committee may submit disclosure reports electronically. Municipal candidates who have a cumulative total of more than \$10,000 in contributions, in expenditures, or in loans in an election cycle must submit reports electronically. G.S. § 163-278.9(i).

If a committee is a mandatory electronic filer remember BOTH the signed Disclosure Cover AND the data file (.cfd) MUST be TIMELY to avoid a penalty.

A software manual, step-by-step instructions and new software instruction videos are available on our website: <https://www.ncsbe.gov/campaign-finance/campaign-finance-reporting-software>

Always check to see if the committee is using the current version of the Campaign Finance Remote Software at the start of each election cycle. <https://www.ncsbe.gov/campaign-finance/campaign-finance-reporting-software>

The Campaign Finance Reporting Forms can be found on the website at: <https://www.ncsbe.gov/campaign-finance/reporting-forms>

All other committees may submit reports on paper forms.

Download the Campaign Finance Manual at: https://s3.amazonaws.com/dl.ncsbe.gov/Campaign_Finance/Campaign-Finance-Manual.pdf

Review Reporting Schedules here: <https://www.ncsbe.gov/campaign-finance/reporting-schedules>

When mailing reports, the campaign finance office of the State Board of Elections strongly encourages treasurers to send all disclosure reports by certified mail or by other delivery services with proof of pickup and delivery dates. All Board of Election offices shall honor the date of postmark or equivalent marking by an authorized delivery service.

Link to search for County Addresses: <https://vt.ncsbe.gov/BOEInfo/>

SBOE Mailing Address here: <https://www.ncsbe.gov/campaign-finance/reporting-forms>

PENALTIES FOR FILING DISCLOSURE REPORTS LATE

Committees will be assessed civil penalties for reports that are not received or postmarked by the report due date. A candidate committee report that does not affect a statewide election is penalized at a rate of \$50 per day up to a maximum of \$500. G.S. § 163-278.34(a).

A candidate committee report that affects a statewide election is penalized at a rate of \$250 per day up to a maximum of \$10,000. A report affects a statewide election if the committee made any contributions to or in support of a statewide candidate.

Any willful attempt to conceal contributions or expenditures may result in civil penalties up to three times the amount attempted to be concealed. G.S. § 163-278.34(a).

If a committee fails to submit a report, in addition to civil penalties, the State Board may issue an order requiring the committee to submit the missing report, and if the report is not submitted, an order that the committee cease receiving contributions and making expenditures until the missing report is submitted and any civil penalty paid. G.S. § 163-278.34(c).



WHEN SUBMITTING PAPERWORK...REMEMBER

- i. Forms can be typewritten or completed in blue or black ink (handwritten reports must not be completed in pencil).
- ii. Multiple documents should not be stapled together.

Disclosure Reports may be stapled however, Certifications should not be staples to a report. Paperclips may be utilized.
- iii. Reports cannot be dated, signed, or submitted prior to the end of the reporting period.
- iv. Always enter the period start date and period end date on form Disclosure Report Cover (CRO-1000).
- v. A DATE and ORIGINAL "wet ink" signature are required on the CRO-1000.
- vi. Make sure reports are going to the correct Board of Elections. If unsure where to submit reports, call before you send.
- vii. Campaign Finance office strongly encourages treasurers to send all disclosure reports by certified mail or by other delivery services with proof of pickup and delivery dates.



E-Filers:

Per **Rule 08 NCAC 21 .0106 Electronic Filing** (<http://ncrules.state.nc.us/ncac/title%2008%20-%20elections/chapter%2021%20-%20departmental%20rules/08%20ncac%2021%20.0106.pdf>):

- (a) Reports shall be submitted on or before 11:59 pm of the business day in which it is to be submitted.
- (b) For each disclosure report submitted electronically, the treasurer shall sign the CRO-1000 Disclosure Report Cover and submit it with the board of elections office where the political committee submitted its Statement of Organization.
- (c) A Disclosure Report Cover is considered submitted either: (1) on the date it is received by hand-delivery during regular business hours at the county board of elections or State Board of Elections; or (2) on the date it is postmarked by the United States Postal Service or marked with an equivalent marking by a delivery service authorized by G.S. 1A-1, Rule 4.
- (d) A committee that is required to submit electronically pursuant to G.S. 163-278.9(i) and only submits a paper report may be subject to civil penalties and/or other civil remedies under G.S. 163-278.34.

WHAT IS THE LAW REGARDING CONTRIBUTIONS?



Effective Jan. 1, 2023, no individual or political committee shall contribute in excess of \$6,400 to a candidate committee in any election. [G.S. § 163-278.13](#). A candidate or candidate's spouse may contribute unlimited amounts.

A candidate committee may not accept any contribution made by a corporation, business entity, labor union, professional association, or insurance company. G.S. § 163-278.15.

Do not "pass the hat" or collect any anonymous contributions. No matter how small the contribution, the first and last name of the contributor, date and form of payment must always be obtained.

For contributions over \$50, the treasurer must use the best efforts described in 08 NCAC 21 .0101 to gather and disclose the contributor's first and last name, mailing address, job title or profession, and employer's name or employer's specific field of business activity.

A cash contribution greater than \$50 is prohibited. All contributions greater than \$50 must be made by a verifiable form of payment, such as a check, money order, or credit card.

A person who purchases something from a candidate has made a contribution to that candidate's committee.

Volunteers raising contributions on behalf of the committee must turn those over to the treasurer within seven days of receipt so that the records are current, as required by State law.

Volunteers must follow all campaign finance laws. Make sure everyone accepting contributions on behalf of the committee understands what is acceptable and what is not.

An in-kind contribution is a non-monetary contribution, such as a good or service, provided to a candidate or candidate committee. **In-Kind Contributions** must be reported as a *contribution* on a Contributions from Individuals (CRO-1210) or Aggregated Contributions from Individuals form (CRO-1205) **AND** on an *In-Kind contribution form* (CRO-1510). This shows the money going into the committee and going out and not affecting the total.

WHAT IS THE LAW REGARDING EXPENDITURES?

Candidate committees may only make expenditures as permitted by G.S. 163-278.16B. A candidate or candidate committee may use contributions only for the following purposes:

- i. Expenditures resulting from the candidate's campaign for public office.
- ii. Expenditures resulting from holding public office.
- iii. Donations to an organization described in Section 170(c) of the Internal Revenue Code of 1986 (26

U.S.C. § 170(c)), provided that the candidate or the candidate's spouse, children, parents, brothers, or sisters are not employed by the organization.

iv. Contributions to a national, State, district or county committee of a political party or a caucus of the political party or an affiliated party committee.

v. Contributions to another candidate or candidate's campaign committee.

vi. To return all or a portion of a contribution to the contributor.

vii. Payment of any penalties against the candidate or candidate's campaign committee for violation of North Carolina's Campaign Finance Laws.

viii. Payment to the Escheat Fund established by Chapter 116B of the General Statutes.

ix. Legal expense donation not in excess of four thousand dollars (\$4,000) per calendar year to a legal expense fund established pursuant to Article 22M of Chapter 163 of the General Statutes.

If the candidate committee is required to submit disclosure reports, all expenditures must be reported.

Any expenditure that is made for media purposes must be paid for by check or other verifiable form of payment.

All expenditures of more than \$50 must be made with a verifiable form of payment.

Expenditures for non-media purposes that are less than \$50 may be reported without disclosing the payee. The report must still disclose the form of payment, date, amount, purpose, and account code for the account from which the expenditure was made.



Basic Disclosure Requirements for Print, Radio, and Television Advertisements

Print media, radio, and television advertisements that are a reportable contribution, expenditure, independent expenditure, or electioneering communication must include a legend or statement disclosing certain information about the advertisement. G.S. § 163-278.39.

- Please note, there is a specific exception in G.S. § 163-278.39C for advertisements sponsored by individuals who make independent expenditures of less than \$1,000 in a political campaign.

The disclosure legend is only required for print media, radio, and television advertisements. North Carolina does not currently require disclosures on internet or social media advertisements. Defined in G.S. § 163-278.38Z(7), print media includes:

- Billboards (see definition in 08 NCAC 21 .0501)
- Cards
- Newspapers
- Newspaper Inserts
- Magazines
- Mass Mailings
- Pamphlets
- Fliers
- Periodicals
- Outdoor Advertising Facilities

Effective December 1, 2021, a billboard is any sign, flat surface, or other display greater than 50 square feet. 08 NCAC 21 .0501. Yard signs, posters, and magnetic signs with a print area of equal to or less than 50 square feet do not require a disclosure legend. 08 NCAC 21 .0501 also clarifies that flags and banners are not billboards.

Contents of the Disclosure Legend

- The sponsor of the advertisement must be disclosed. The sponsor is the candidate, political committee, referendum committee, individual, or other entity that purchased the advertisement. G.S. § 163-278.38Z(10). The disclosure legend shall include the statement “Paid for by____[Name of candidate, candidate committee, political party organization, political action committee referendum committee, or individual].” G.S. § 163-278.39(a)(1).
- If sponsored by a political committee or referendum committee, the name in the “Paid for by____” statement shall be the same name that appears on the committee’s Statement of Organization. G.S. § 163-278.39(a)(2).
- If an advertisement is jointly sponsored, the disclosure legend shall name all sponsors.

- If the print media advertisement supports or opposes one or more clearly identified candidates, the advertisement shall disclose whether the advertisement was authorized by any candidate. The disclosure legend shall state either "Authorized by [name of candidate], candidate for [name of office]" or "Not authorized by a candidate." An "Authorized by" statement is not required if the advertisement is sponsored by the candidate or candidate committee. G.S. § 163-278.39(a)(3).
- If the print media advertisement identifies a candidate the sponsor is opposing, the advertisement shall name the candidate who is intended to benefit from the advertisement. This subdivision applies only when the sponsor coordinates or consults about the advertisement or the expenditure for it with the candidate who is intended to benefit. G.S. § 163-278.39(a)(4).

Sample Disclosure Legend for a PAC:

Paid for by Citizens for John Smith. Authorized by John Smith, candidate for City Council.

Size Requirements for Print Media Advertisements. G.S. § 163-278.39(b).

- The height of the disclosure legend shall be at least five percent (5%) of the height of the printed space of the advertisement, however, the type shall be no less than 12-point font.
- In an advertisement in a newspaper or a newspaper insert, the disclosure legend may be less than five percent (5%) of the height of the advertisement so long as the type is no less than 28-point font.
- If a single advertisement consists of multiple pages, folds, or faces, the disclosure legend only needs to appear on one page, fold or face.

Size Requirements for Television Advertisements. G.S. § 163-278.39(b).

- The visual disclosure legend shall constitute four percent (4%) of the vertical picture height.
- Where the television advertisement is paid for by a candidate or candidate committee, the visual disclosure legend shall appear simultaneously with an easily identifiable photograph of the candidate for at least two seconds.

Radio Advertisements. G.S. § 163-278.39(b).

- In a radio advertisement, the disclosure statement shall last at least two seconds. The statement shall be spoken so that its contents may be easily understood.

MANDATORY COMPLIANCE TRAINING

For NC Candidate, Party and Referendum Committee Treasurers

Training is required once every four years for all NC Treasurers including those under the \$1,000 threshold.

A schedule of all regional training dates, times and locations is included with the candidate packet and is also available online at <https://www.ncsbe.gov/Campaign-Finance/training>

Complete instructions for registering and accessing the training website are included on the next page.

The following are helpful tips to remember when attempting to register or complete the training.

The system may not immediately provide you with a listing of session dates to select from. If this happens, log-out and wait 24-72 hours to log-in, the dates should appear. The online course currently does NOT contain audio.

Attendees arriving more than 15 minutes after the session begins may not receive credit & will need to re-schedule. The SBE reserves the right to cancel any session due to low registration, weather, or other unforeseen reasons. Only attendees that pre-register will be notified of any possible cancellation.

Software training is provided at the NCSBE office, via online webinar and on a one-to-one basis. There are short instructional videos, an Electronic Filing Software Manual and supplemental help topics that will get you started using the software on the NCSBE website.

[Campaign Finance Reporting Software | NCSBE](#) If you have campaign finance software questions please contact our office via the following email address. campaign.reporting@ncsbe.gov

To learn about the electronic campaign filing software, including installation and tips, use the above Campaign Finance Reporting Software link.

PAC's and IE Committees should visit www.ncsbe.gov/Campaign-Finance/training for their specialized schedule.

INSTRUCTIONS TO REGISTER TO TAKE CF MANDATORY COMPLIANCE TRAINING

To register for and complete NCSBE Campaign Finance Mandatory Compliance Training (online or in-person), follow these steps:

1. After reading through the instructions below, click on the link from the SBE Website to access the training registration page (North Carolina Learning Center website <https://ncgov.csod.com>). **New account users must wait 24–72 hours before all training opportunities will be available for registration.**
2. To create a new account, click on the link next to the word “Register” on the North Carolina Learning Center website.
3. Complete all *required fields: First/Last Name, Email Address, Phone, User ID (recommended User ID is email address), EE Code (CF-Elections), Category (Associated State Agency), Association (Elections) and Password (password requirements: upper & lowercase letters, alpha and numeric characters, must be 8-20 characters, cannot have leading or trailing spaces and cannot be the same as Username, User ID or email address). Click “login”.
4. From the Welcome page, search for training in the upper right corner. Enter the word “Campaign” and click the magnifying glass symbol.
5. You should see multiple training options in your list. Click on the training title of your preference (NCSBE Campaign Finance Mandatory Compliance Training), either the classroom or online session. The classroom session has a calendar symbol in red. The online session has a computer screen icon.
6. If a classroom session is selected, you will be taken to the next screen to REQUEST the session you would like to attend. The system may not immediately provide you with a list of session dates to select from. If this happens, you will need to log out and wait 24-72 hours to log in, the dates will then be available.
7. You will be prompted to complete a short form for reporting purposes. Full Name, Phone Number, Address and Email Address are required fields. You will also be asked for Committee or Candidate Name and County. These should be completed if applicable. Click “SUBMIT.”
8. If online training is selected, you will be taken to the next screen. Select “REQUEST.” Then select “REGISTER.” The system will process your registration.) Then select “LAUNCH.” The course will proceed to load in a new window. There is currently no audio for the online training. (If you are unable to open the training website, it may be because you have a pop-up blocker for security reasons on your computer. You may need to configure your pop-up blocker to allow access to the training website.)
9. If you need to return to the course or after you have completed it (either online or in-person) you will use the User ID and password that you created to log back in to view and print your certificate from the transcript page.

MANDATORY ELECTRONIC FILING FREQUENTLY ASKED QUESTIONS

1. I am expecting to have very little activity for my election. Do I still need to submit my reports electronically?

Any committee that raises or spends in excess of \$10,000.00 in an election cycle must submit reports electronically. Any committee that does not exceed the \$10,000.00 threshold will not be required to submit reports electronically but may choose to do so. All committees that submit electronic reports must comply with Rule 08 NCAC 21 .0106 in filing their reports.

2. What are the benefits of filing electronically?

The software performs calculations thereby making your committees reports more accurate and less time consuming for the user. In addition, the software maintains a database of all contributors and payees which saves time by eliminating the need to enter repetitive information.

3. How do I obtain the reporting software?

The Campaign Finance Remote Software is available on the State Board of Elections website at www.ncsbe.gov/Campaign-Finance/reporting-software. The software is available for download onto a computer only. This is not a web-based system. There are short instructional videos, a manual and help topics to get your committee started. The software will be updated each year and/or if there are legislative changes to when the elections will be held. As reporting dates will need to be updated within the system to ensure proper reporting dates. Each year check the SBOE website to ensure your committee is using the latest version of the software.

A treasurer may use third-party software only if that software can generate reports that are capable of import into the State Board's central database. The import file formal and a validation tool to assist in verifying the format of import files are available on the NCSBE website.

4. I have a really old pc (dial-up, tablet, Mac), will this software work on my device?

The Reporting software is a stand-alone application built for the Windows operating system; there is no support for setting up the application to run over a network. It will not run Apple products.

5. When is the best time to start using the software?

You can start at any time but it's easier to start at the beginning of a committee or the beginning of an election cycle so that your election totals are correct.

6. Can I create a pdf file and email that in as my electronic report?

No. A pdf is not the correct format for electronic filing. Reports generated by the State Board software or third-party software must be submitted by e-mailing the generated data file (.cfd file) to campaign.reporting@ncsbe.gov.

7. Why am I emailing my electronic reports to the State? I am a municipal/county candidate.

Currently we do not have internal software that county boards of elections can use to receive electronic reports. All electronic reports are received by the State Board of Elections and made available on the NCSBE website. For where to submit your data file (.cfd) reference #6.

8. How can I determine that my electronic report was received?

When a committee sends the data file (.cfd) to campaign.reporting@ncsbe.gov, the committee will get an email from our email system within 48 hours. For those data files that are invalid/ blank files, a return email will be sent alerting them that a new file is needed in the correct data file (.cfd) format. All electronic reports will be available on the NCSBE website. Reports received and processed are typically posted online the following business day. Please note, daily volume may extend this timeline.

9. I heard that the state was working on web-based software. Is that available?

Modernization efforts are on-going; however, new software will not be available for this municipal election cycle.

10. Do I still need to submit a signed cover page manually if I have submitted an electronic report?

Yes. [08 NCAC 21 .0106](#) requires that municipal candidate committee treasurers sign and submit a Disclosure Report Cover (CRO-1000) with the county board of elections for each report submitted.

11. We are planning to have three very large fundraisers. Will I be able to assist my treasurer with data entry duties using this software?

Unfortunately, the software is a stand-alone application which cannot easily be shared between users. Downloading the software to a laptop which can be shared between users is what we would recommend.

12. What happens if a committee exceeds \$10,000.00 and doesn't submit their reports electronically?

The committee may be subject to civil penalties and/or other civil remedies under [G.S. 163-278.34](#).

13. If I want to receive training for the software, how do I register my interest?

Software training is provided at the NCSBE office, via online webinar and on a one-to-one basis. There are short instructional videos, an Electronic Filing Software Manual and supplemental help topics that will get you started using the software on the NCSBE website. [Campaign Finance Reporting Software | NCSBE](#)
If you have campaign finance software questions, please contact our office via the following email address. campaign.reporting@ncsbe.gov

To learn about the electronic campaign filing software, including installation and tips, use the above Campaign Finance Reporting Software link.

14. If I have questions about how to use the software, who should I ask?

You can email your questions at to NCSBE at campaign.reporting@ncsbe.gov, or, you can call 919-814-0700 and choose option 3.