



## FACT SHEET

### Write-in Candidates 2016 Election

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**1) When are write-in voting choices allowed on ballots?** ([NCGS §§ 163-123, 163-165.6\(f\), 163-165.5\(5\), 163-182.1\(a\)\(6\)](#))

Generally, write-in voting choices are allowed on ballots, with the exception of judgeship elections and primaries.

In partisan elections, candidates interested in qualifying as a write-in candidate must be certified after completing a petition process. If no person qualifies as a write-in candidate for partisan elections, then the ballot will not include a write-in option for that office. (Note: This only applies to even-numbered year elections. In odd-numbered year municipal elections, there is no qualification process to be a write-in candidate, and the write-in option will be available for all contests).

If there is a write-in space on the ballot, voters can write in whatever name they wish. Any and all names written in are counted. However, only a certified write-in candidate would qualify to win the election if his or her name received the most votes out of all the choices. Qualifying as a write-in candidate also means that the candidate's name will be listed in the official, final abstract of the election results that is kept by the state for official and historical purposes.

**2) For partisan elections, how does a person become certified as a write-in candidate?** ([NCGS § 163-123](#))

The prospective write-in candidate must collect signatures of registered voters within the jurisdiction that the elected office represents. The type of office determines where the petitions are submitted, how many signatures are required, and when the petitions and other documents are due. Along with the petitions, a declaration of intent form must be submitted to the final destination of the petitions.

- **Statewide race (such as Governor, U.S. Senate):** A person seeking to become a write-in candidate must submit a petition signed by 500 qualified North Carolina

voters. This is submitted to State Board of Elections office, but first the signatures must be submitted to the respective County Board of Elections offices to be verified. Petition forms must be received by the County Board of Elections office where they were collected by 5:00 p.m. on **Tuesday, July 26, 2016**, which is 15 days before the final documentation is due to the State Board of Elections. The County Board of Elections office(s) will return the petition forms within two weeks. The verified petition forms and a declaration of intent form are due at the State Board of Elections office by noon on the 90th day before the General Election, **Wednesday, August 10, 2016**.

- **U.S. House, judgeships, District Attorney, or North Carolina House or Senate for districts that cover more than one county:** A person seeking to become a write-in candidate must submit a petition signed by 250 qualified North Carolina voters. This is submitted to State Board of Elections office, but first the signatures must be submitted to the respective County Board of Elections offices to be verified. Petition forms must be received by the County Board of Elections office where they were collected by 5:00 p.m. on **Tuesday, July 26, 2016**, which is 15 days before the final documentation is due to the State Board of Elections. The County Board of Elections office(s) will return the petition forms within two weeks. The verified petition forms and a declaration of intent form are due at the State Board of Elections office by noon on the 90th day before the General Election, **Wednesday, August 10, 2016**.
- **County offices, and North Carolina House or Senate for districts that cover only one county:** A person seeking to become a write-in candidate must submit a petition signed by a number of qualified voters, depending on how many registered voters are eligible to vote for this office. If there are 5,000 or more such voters, the requirement is 100 signatures. If there are fewer than 5,000 such voters, the requirement is signatures totaling 1% of the number of registered voters eligible to vote for the office. The petitions are submitted to the County Board of Elections office. The County Board of Elections office(s) will verify the petitions. The verified petition forms and a declaration of intent form are due at the County Board of Elections office by noon on the 90th day before the General Election, **Wednesday, August 10, 2016**.

If the write-in candidate has complied and has timely submitted the required number of verified signatures, the candidate will be certified as a write-in candidate by elections office that is the final destination for the petition forms and other documents. Residency and registered voter status in the applicable jurisdiction or district is required, and certain offices also have other requirements involving age or duration of residency.

### 3) If a candidate loses in a primary, can the candidate run as a write-in candidate in the general election? ([NCGS § 163-123\(e\)](#))

No. The candidate is prohibited from doing this, according to the pledge that the candidate signs when he or she files for office before the primary.

**4) Is there a filing fee to run as a write-in candidate?**

No.

**5) When is the general election?** ([NCGS §§ 163-1\(c\)](#))

The Tuesday after the first Monday in November — **Tuesday, November 8, 2016.**

**6) What are the campaign reporting requirements?** ([NCGS §163-278.9](#))

The Campaign Reporting Act requires financial disclosure of all political activities. Reports are filed with the State Board of Elections campaign reporting office. The time of filing of these reports, and the types of reports will vary by the type of campaign. Every candidate will be responsible for their compliance with campaign reporting laws. A Candidate Campaign Finance Manual is available online on the [State Board of Elections' website](#).

The law requires that the treasurer of every campaign committee receives training in handling campaign finance reports and law. This can be accomplished online or in-person at numerous training sessions offered by the State Board of Elections.

**IMPORTANT: An organizational report must be filed with the appropriate elections office within ten days of becoming a candidate.** For these purposes, “becoming a candidate” includes taking positive action for the purpose of obtaining nomination or being elected, soliciting or receiving contributions, making expenditures to enhance a campaign, or filing a notice of candidacy, whichever comes first. The report can be found online on the [State Board of Elections' website](#). The office of the State Board of Elections and your local County Board of Elections are also available to help.