



# NORTH CAROLINA

## State Board of Elections

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## FACT SHEET: Running for District Attorney, 2016 Election

### 1) How does a person's name get on the ballot for the primary election?

[NCGS §§ 163-106, 163-107, 163-107.1, 163-108, S.L. 2015-258 § 2\(c\)](#)

- Candidates must file a notice of candidacy with the State Board of Elections office, and pay a filing fee of 1% of the annual salary of the office sought. (It is also possible to present petitions signed by registered voters in lieu of paying the filing fee. For more information, see [North Carolina General Statute § 163-107.1](#).) Notice of candidacy forms may be obtained prior to the date on which candidates may commence filing.
- A candidate must be a registered voter affiliated with the same political party in which he or she intends to file (a person changing party affiliation must do so 75 days prior to the date the candidate files).
- At the time of filing, all candidates must also file a certificate signed by the Director or Chairperson of the County Board of Elections where they are registered to vote at their current residential address in that county. The certification states the party with which the person is affiliated, and that the person has not changed party affiliation in the past 75 days.
- The notice of candidacy includes questions about any previous felony convictions of the candidate, and will require a further report on those convictions if there are any. Active felons who have not had their citizenship rights fully restored (full completion of any felony sentence, including probation, restitution, etc.) are not eligible to be registered to vote or to run for elected office.
- A candidate may not file for more than one office in the same election.
- A filed primary candidate who remains unopposed after the close of the filing period will be certified as his or her party's nominee without the need for a primary.
- The winners of the party primaries (or certified nominees, if unopposed) will be listed on the General Election ballot as the nominee of their party for the office they filed for.

### 2) When is the filing period? [S.L. 2015-258 § 2\(b\)](#), [G.S. §163-106\(c\)](#)

- Begins: Noon on **Tuesday, December 1, 2015**
- Ends: Noon on **Monday, December 21, 2015**

### 3) What if a candidate wants to run as unaffiliated with a political party?

[G.S. §§ 163-122, 163-123](#)

- If a candidate wishes to run unaffiliated, he or she should review [North Carolina General Statute § 163-122](#) and [fact sheet on running as an unaffiliated candidate](#).
- If a candidate wishes to run as a write-in, they need to review [North Carolina General Statute § 163-123](#) and the [fact sheet on running as a write-in candidate](#).

### 4) When are the elections? [S.L. 2015-258 §§ 1\(b\), 2\(d\)](#), [G.S. § 163-1](#)

- **Primary: Tuesday, March 15, 2016**
- **Second primary** (will only be held in certain situations, and if requested by a candidate):
  - If any federal office contest requires a second primary: **Tuesday, May 24, 2016**
  - Otherwise, if any other office requires a second primary: **Tuesday, May 3, 2016**For more information, see [North Carolina General Statute § 163-111](#)
- **General election:** The Tuesday after the first Monday in November, **Tuesday, November 8, 2016**

### 5) What are the qualifications to be elected? [N.C. Const. Art. VI § 6](#), [Art. IV § 18](#), [G.S. § 162-2](#)

- A registered voter of the county
- At least 21 years of age
- Licensed to practice law in North Carolina

### 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 State Board of Elections 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](#). Your local County Board of Elections is also available to help.

7) **Are there other filings required?** [S.L. 2015-258 § 2\(f\)](#), [G.S. § 138A-22](#)

The State Government Ethics Act requires that candidates for an office covered by the Act must file a Statement of Economic Interest by **Monday, February 1, 2016** to the State Ethics Commission. For more information:

<http://www.ethicscommission.nc.gov/sei/default.aspx>