Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025

From: Steele, Adam <adam.steele@ncsbe.gov>
Sent: Friday, August 29, 2025 2:59 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Wakely, Lindsey <Lindsey.Wakely@ncsbe.gov>; Cox, Paul <paul.cox@ncsbe.gov>
Cc: LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: RE: Board of Elections RFC- August 2025

Thanks, Seth. The agency will not request that any other of the approved petition rules' effective date be paused. I hope you have a good weekend.

Thanks,

Adam Steele | Associate General Counsel
North Carolina State Board of Elections
430 N Salisbury street
Raleigh, NC 27611
Main Line: 919.814.0700
Direct: 919.814.0654

Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Friday, August 29, 2025 1:41 PM
To: Steele, Adam <adam.steele@ncsbe.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Wakely, Lindsey <Lindsey.Wakely@ncsbe.gov>; Cox, Paul <paul.cox@ncsbe.gov>
Cc: LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: Re: Board of Elections RFC- August 2025

Adam,

This email serves as official notice that three rules from your agency have received sufficient letters to be subject to legislative review pursuant to G.S. 150B-21.3. Those rules are:

08 NCAC 22 .0104
08 NCAC 22 .0105
08 NCAC 22 .0305

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Friday, August 29, 2025 12:41 PM
To: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Steele, Adam <adam.steele@ncsbe.gov>; Wakely, Lindsey <Lindsey.Wakely@ncsbe.gov>; Cox, Paul <paul.cox@ncsbe.gov>
Cc: LiVecchi, Brian P <brian.livecchi@ncsbe.gov>; Liebman, Brian R <brian.liebman@oah.nc.gov>; Julie B. Eddins <julie.eddins@oah.nc.gov>
Subject: Re: Board of Elections RFC- August 2025

Adam,

The modifier (Brian) just informed me that the rules will go into effect on September first, and if you want that delayed you need to inform us by 5 pm today.

Seth Ascher

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Friday, August 29, 2025 12:35:56 PM
To: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Steele, Adam <adam.steele@ncsbe.gov>; Wakely, Lindsey <Lindsey.Wakely@ncsbe.gov>; Cox, Paul <paul.cox@ncsbe.gov>
Cc: LiVecchi, Brian P <brian.livecchi@ncsbe.gov>; Liebman, Brian R <brian.liebman@oah.nc.gov>; Julie B. Eddins <julie.eddins@oah.nc.gov>
Subject: Re: Board of Elections RFC- August 2025

Adam,

Ideally you would decide by 5 today and inform publications staff (Brian and Julie, cc'ed here) so the effective date could be corrected. If that is not possible because of the holiday, you'll need to reach out to them and see what can be worked out.

Seth Ascher

Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025

From: Burgos, Alexander N
Sent: Friday, August 29, 2025 10:47 AM
To: Steele, Adam <adam.steele@ncsbe.gov>; Ascher, Seth M <seth.ascher@oah.nc.gov>; Wakely, Lindsey <Lindsey.Wakely@ncsbe.gov>; Cox, Paul <paul.cox@ncsbe.gov>
Cc: LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: RE: Board of Elections RFC- August 2025

Adam, I am uploading the letters to the link on the August agenda as they come in. We already have more than 10 letters. We are accepting letters until 5pm today.

https://www.oah.nc.gov/elections-letters-requesting-legislative-review/open

Alexander Burgos
Paralegal
Office of Administrative Hearings
1711 New Hope Church Road
Raleigh NC, 27609
(984) 236-1940
Alexander.burgos@oah.nc.gov

Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025

From: Steele, Adam <adam.steele@ncsbe.gov>
Sent: Friday, August 29, 2025 10:32 AM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>; Wakely, Lindsey <Lindsey.Wakely@ncsbe.gov>; Cox, Paul <paul.cox@ncsbe.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: RE: Board of Elections RFC- August 2025

Seth,

Quick question on the objections to some of the petition rules. I'm a little concerned about the timeline for making a decision whether to have other rules paused as well. Like we discussed yesterday I don't expect that's something we'll do, but to be honest it may depend on which rules are delayed. Technically the objections can be filed through 5pm today, so if we don't get notified of the objections until the next business day (Tuesday) then that notification occurs after the other rules have already become effective. That seems to put us in a place where we couldn't timely request other rules be delayed under NCGS 150B-21.3(b2). I think the timing here is just not something that is contemplated under the statute, but if I'm reading that incorrectly or there is an OAH rule that covers this situation then please let me know.

Also, will we get copies of those objections if/when you notify us that at least 10 objections clearly request review by the legislature about a particular rule?

Thanks,

Adam Steele | Associate General Counsel
North Carolina State Board of Elections
430 N Salisbury street
Raleigh, NC 27611
Main Line: 919.814.0700
Direct: 919.814.0654

Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Wednesday, August 27, 2025 5:22 PM
To: Wakely, Lindsey <Lindsey.Wakely@ncsbe.gov>; Steele, Adam <adam.steele@ncsbe.gov>; Cox, Paul <paul.cox@ncsbe.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: Re: Board of Elections RFC- August 2025

Thank you for your prompt attention. This will be uploaded for the RRC to approve. This will save some headache for the publications staff.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025
Attachments: 08 NCAC 21 .0106 Amendment.docx

From: Wakely, Lindsey <Lindsey.Wakely@ncsbe.gov>
Sent: Wednesday, August 27, 2025 4:47 PM
To: Steele, Adam <adam.steele@ncsbe.gov>; Ascher, Seth M <seth.ascher@oah.nc.gov>; Cox, Paul <paul.cox@ncsbe.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: RE: Board of Elections RFC- August 2025

The hyperlink has been removed from 08 NCAC 21 .0106.

Please see attached.

Thank you,

08 NCAC 21 .0106 is amended as published in 39:18 NCR 1204 as follows:

08 NCAC 21 .0106 ELECTRONIC FILING

(a) All political committees required to file electronically pursuant to G.S. 163-278.9(i) shall prepare disclosure reports using either of the following:

(1) the current version of the campaign finance software made available by the North Carolina State Board of Elections and available for download on the State Board website; or

(2) 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 formats and validation tool to assist in verifying the format of import files shall be available on the State Board's website.

(b) Reports generated by the State Board software or third-party software shall be filed by e-mailing the generated .cfd file to campaign.reporting@ncsbe.gov. State Board staff shall process the .cfd file and send an e-mail to the political committee's treasurer confirming receipt.

(c) Reports shall be filed on or before 11:59 p.m. of the business day in which it is to be filed.

(d) For each disclosure report filed electronically, the treasurer shall sign and file a ~~the~~ CRO-1000 Disclosure Report Cover. ~~Cover. and file it with the board of elections office where the political committee filed its Statement of Organization.~~ The Disclosure Report Cover shall report:

(1) the full name, mailing address, phone number, and NC ID Number assigned to the political committee;

(2) the report year, period start date, and period end date for the report;

(3) the full name of the treasurer during the period;

(4) type of committee;

(5) type of report;

(6) account information;

(7) date filed; and

(8) an original signature and certification in accordance with G.S. 163-278.32.

(e) A Disclosure Report Cover is considered ~~filed either:~~ filed:

(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~~ board of elections office;

(2) on the date it is postmarked to the board of elections by the United States Postal Service or marked with an equivalent marking by a delivery service authorized by G.S. 1A-1, ~~Rule 4.~~ Rule 4; or

(3) on the date the CRO-1000 Disclosure Report Cover with a valid electronic signature is emailed to campaign.reporting@ncsbe.gov.

(f) A committee that exceeds the reporting threshold in G.S. 163-278.9(i) during an election cycle, and is required to start filing electronically shall ensure that each contributor's reported sum-to-date for the election cycle includes the sum of contribution received before the political committee began filing electronically.

(g) A committee that is required to file electronically pursuant to G.S. 163-278.9(i) and only files a paper report shall be deemed to have failed to file and ~~shall receive a Notice of Noncompliance pursuant to 08 NCAC 21 .0201.~~ shall be subject to the procedures for committees with missing reports in 08 NCAC 21 .0207.

History Note: *Authority G.S. 163-278.9; 163-278.21; 163-278.22;*
Eff. May 1, ~~2020.~~ 2020;
Amended Eff, September 1, 2025.

Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025

From: Steele, Adam <adam.steele@ncsbe.gov>
Sent: Wednesday, August 27, 2025 3:21 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>; Cox, Paul <paul.cox@ncsbe.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>; Wakely, Lindsey <Lindsey.Wakely@ncsbe.gov>
Subject: RE: Board of Elections RFC- August 2025

Thanks, Seth. I have also added Lindsey Wakely as I believe one of your comments were about the campaign finance rules.

Thanks,

Adam Steele | Associate General Counsel
North Carolina State Board of Elections
430 N Salisbury street
Raleigh, NC 27611
Main Line: 919.814.0700
Direct: 919.814.0654

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Wednesday, August 27, 2025 3:08 PM
To: Steele, Adam <adam.steele@ncsbe.gov>; Cox, Paul <paul.cox@ncsbe.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: Re: Board of Elections RFC- August 2025

When an existing rule is being amended. When you change an adoption, the change is just underlined.

Seth

Sent via the Samsung Galaxy A52 5G, an AT&T 5G smartphone
Get Outlook for Android

From: Steele, Adam <adam.steele@ncsbe.gov>
Sent: Wednesday, August 27, 2025 3:03:34 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>; Cox, Paul <paul.cox@ncsbe.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: RE: Board of Elections RFC- August 2025

Seth,

I am working on these technical corrections. In number 2, you mention that highlighting should only be used for amendments. Do you mean when an existing rule is being amended, or when an adopted rule has changes that turn into amendments?

Thanks,

Adam Steele | Associate General Counsel
North Carolina State Board of Elections
430 N Salisbury street
Raleigh, NC 27611
Main Line: 919.814.0700
Direct: 919.814.0654

Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025
Attachments: 08 NCAC 22 .0101.docx; 08 NCAC 22 .0107 post RRC comments.docx; 08 NCAC 22 .0107.docx; 08 NCAC 22 .0201.docx; 08 NCAC 22 .0301.docx; 08 NCAC 22 .0302.docx; 08 NCAC 22 .0304 post RRC comments.docx; 08 NCAC 22 .0305.docx; 08 NCAC 22 .0306 post RRC comments.docx; 08 NCAC 22 .0401.docx; 08 NCAC 22 .0402.docx; 08 NCAC 22 .0501.docx; 08 NCAC 22 .0502.docx; 08 NCAC 22 .0601.docx

From: Steele, Adam <adam.steele@ncsbe.gov>
Sent: Wednesday, August 27, 2025 3:30 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>; Cox, Paul <paul.cox@ncsbe.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: RE: Board of Elections RFC- August 2025

Seth,

I have finished going through the petition rules that appear to need updates. There are the three rules that had changes, and I've removed the highlighting in those. In the eleven rules that were adopted without changes, I have underlined the text and effective date so they follow the same formatting as the example on the RRC's website. If this does not remedy the technical issues or if anything else is needed for the petition rules, please let me know.

Thanks,

Adam Steele | Associate General Counsel
North Carolina State Board of Elections
430 N Salisbury street
Raleigh, NC 27611
Main Line: 919.814.0700
Direct: 919.814.0654

08 NCAC 22 .0101 is adopted as published in 39:18 NCR 1206 as follows:

CHAPTER 22 – PETITIONS

SECTION .0100 - GENERAL RULES FOR PETITIONS

08 NCAC 22 .0101 PETITIONS

(a) The following types of petitions shall be governed by Sections .0100 and .0200 of this Chapter:

(1) Petitions to be recognized as a political party pursuant to G.S. 163-96.

(2) Petitions to place a voter's name on a general election ballot as an unaffiliated candidate pursuant to G.S. 163-122 or G.S. 163-296.

(3) Petitions to have write-in votes for a voter counted in a general election pursuant to G.S. 163-123.

(4) Petitions requesting that a voter be a candidate in a political party's primary without the payment of a filing fee pursuant to G.S. 163-107.1.

(5) Petitions seeking to place a candidate's name on the ballot in a political party's primary for the office of President of the United States pursuant to G.S. 163-213.5.

(6) Petitions calling for any election or referendum that are filed with a board of elections.

(b) When a county board of elections is required by law to verify a petition on behalf of a local jurisdiction, but the petition is not filed with the county board, the county board shall follow the procedures in Section .0200 of this Chapter for verifying the petition to the extent they do not conflict with the local jurisdiction's applicable statute, local act, charter, or ordinance.

History Note: *Authority G.S. 163-22; 163-96; 163-107.1; 163-122; 163-123; 163-213.5; 163-218; 163-219; 163-221; 163-296;*
Eff. September 1, 2025.

08 NCAC 22 .0107 is adopted with changes as published in 39:18 NCR 1209 as follows:

08 NCAC 22 .0107 COPIES OF SIGNATURE SHEETS AND RETURN OF ORIGINAL SIGNATURE SHEETS

(a) After a board of elections has completed signature verification of the signatures on the signature sheets, the petitioner may obtain a copy of the signature sheets and a signature certificate by one of the methods described in Paragraph (b) of this Rule. If the board of elections is required by law to return the original signature sheets to the petitioner, board staff shall inform the petitioner that they may obtain the original sheets and a signature certificate by one of the methods described in Paragraph (c) of this Rule.

(b) The board of elections shall provide the petitioner with a copy of verified signature sheets and associated signature certificates upon oral or written request by the petitioner. The petitioner shall state by which of the following methods they elect to receive a copy:

(1) In-person retrieval of a physical copy during regular business hours. If a person other than the petitioner's representative identified on the petition request form will retrieve the copy instead of the petitioner, then the petitioner shall inform the board of elections, in writing, of that person's first and last name and phone number.

(2) ~~Maling~~ Mailing a physical copy to the mailing address that is listed on the petition request form.

(3) Emailing a digital copy to the email address that is listed on the petition request form.

Before providing a copy of a signature sheet, board staff shall first redact any confidential information not subject to public disclosure under Chapters 132 and 163 of the North Carolina General Statutes. A board of elections may charge for any physical copies, in accordance with G.S. 132-6.2.

(c) When the board of elections is required by law to return the original signature sheets and associated signature certificates to the petitioner, the petitioner shall inform board staff orally or in writing by which of the following methods they elect to receive the originals:

(1) In-person retrieval of the originals by the petitioner during regular business hours. If a person other than the petitioner's representative identified on the petition request form will retrieve the originals instead of the petitioner, then the petitioner shall inform the board of elections, in writing, of that person's first and last name and phone number. Board staff shall confirm the name and phone number of the person retrieving the originals before providing them.

(2) Mailing the originals to the mailing address that is listed on the petition request form. The county board shall use a method of return that documents the petitioner's receipt of the originals.

No redactions shall be made by board staff to an original signature sheet prior to its return to the petitioner or the petitioner's designated representative.

(d) In addition to providing a copy or the original signature sheet to the petitioner in accordance with this Rule, the board of elections shall provide the petitioner with a digital or physical petition status report generated by the

petition module upon oral or written request by the petitioner. The petition status report shall include the status assigned to each petition signer in accordance with Rule .0202 of this Chapter.

History Note: *Authority G.S. 163-22; 163-96; 163-107.1; 163-122; 163-123; 163-213.5; 163-221; 163-296; Eff. September 1, 2025.*

08 NCAC 22 .0107 is adopted as published in 39:18 NCR 1209 as follows:

08 NCAC 22 .0107 COPIES OF SIGNATURE SHEETS AND RETURN OF ORIGINAL SIGNATURE SHEETS

(a) After a board of elections has completed signature verification of the signatures on the signature sheets, the petitioner may obtain a copy of the signature sheets and a signature certificate by one of the methods described in Paragraph (b) of this Rule. If the board of elections is required by law to return the original signature sheets to the petitioner, board staff shall inform the petitioner that they may obtain the original sheets and a signature certificate by one of the methods described in Paragraph (c) of this Rule.

(b) The board of elections shall provide the petitioner with a copy of verified signature sheets and associated signature certificates upon oral or written request by the petitioner. The petitioner shall state by which of the following methods they elect to receive a copy:

(1) In-person retrieval of a physical copy during regular business hours. If a person other than the petitioner's representative identified on the petition request form will retrieve the copy instead of the petitioner, then the petitioner shall inform the board of elections, in writing, of that person's first and last name and phone number.

(2) Maling a physical copy to the mailing address that is listed on the petition request form.

(3) Emailing a digital copy to the email address that is listed on the petition request form.

Before providing a copy of a signature sheet, board staff shall first redact any confidential information not subject to public disclosure under Chapters 132 and 163 of the North Carolina General Statutes. A board of elections may charge for any physical copies, in accordance with G.S. 132-6.2.

(c) When the board of elections is required by law to return the original signature sheets and associated signature certificates to the petitioner, the petitioner shall inform board staff orally or in writing by which of the following methods they elect to receive the originals:

(1) In-person retrieval of the originals by the petitioner during regular business hours. If a person other than the petitioner's representative identified on the petition request form will retrieve the originals instead of the petitioner, then the petitioner shall inform the board of elections, in writing, of that person's first and last name and phone number. Board staff shall confirm the name and phone number of the person retrieving the originals before providing them.

(2) Mailing the originals to the mailing address that is listed on the petition request form. The county board shall use a method of return that documents the petitioner's receipt of the originals.

No redactions shall be made by board staff to an original signature sheet prior to its return to the petitioner or the petitioner's designated representative.

(d) In addition to providing a copy or the original signature sheet to the petitioner in accordance with this Rule, the board of elections shall provide the petitioner with a digital or physical petition status report generated by the

petition module upon oral or written request by the petitioner. The petition status report shall include the status assigned to each petition signer in accordance with Rule .0202 of this Chapter.

History Note: *Authority G.S. 163-22; 163-96; 163-107.1; 163-122; 163-123; 163-213.5; 163-221; 163-296;*
Eff. September 1, 2025.

08 NCAC 22 .0201 is adopted as published in 39:18 NCR 1209-1210 as follows:

SECTION .0200 – VERIFICATION OF PETITIONS

08 NCAC 22 .0201 PETITION SIGNATURE VERIFICATION BY COUNTY BOARDS OF ELECTIONS

(a) A county board of elections official shall conduct signature verification of completed original signature sheets in accordance with this Rule. For the purposes of this Section, an official includes the county board chair, or the county director of elections or other county board staff member delegated the duty to conduct signature verification.

(b) A petition signer's signature on a signature sheet shall count towards the petition's signature requirement if the official conducting signature verification determines that the petition signer's signature bears a reasonable resemblance to a signature in the official registration record of an identifiable registered voter in the county whose corresponding information in the registration record (including signatures) matches that provided on the signature sheet, and the voter is qualified by law to sign the petition. If a signer's date of birth listed on a signature sheet does not align with that of a corresponding registered voter, that signature shall not constitute a match. An official shall not omit a petition signer from signature verification solely due to the petition signer's use of initials, printed text, or a mark for their signature.

(c) A reasonable resemblance in signatures is a similarity in appearance such that an ordinary person would conclude that the signature on the signature sheet is more likely than not the signature of a registered voter. The official shall make this determination based on a review of the following characteristics of the signatures:

(1) the style of the signatures, including the use of cursive or print;

(2) spacing and proportions of letters in the signatures;

(3) spelling and punctuation used in the signatures, including the use of initials;

(4) size, curves, and loops of individual letters in the signatures; and

(5) beginning and ending strokes in the signatures.

The official shall bear in mind that a person's signature can change over time, that a person does not sign their name the same exact way each time, and that signatures in voter registration records can be created through digital methods which may appear different than physical signatures created with a pen. If the signature on the signature sheet does not bear a reasonable resemblance to the most recent signature in the voter's registration record, the official shall review at least one other signature in the voter's registration record, if available, before making a final reasonable resemblance determination for that petition signer. If the petition signer has signed the signature sheet with their initials, printed name, or a mark, the official shall determine whether the petition signer's initials, printed name, or mark on the signature sheet bears a reasonable resemblance to a signature, initials, or mark in the matched voter's registration record.

(d) The official shall determine whether the petition signer is qualified by law to sign the petition as of the date the signature sheet is reviewed by the official. If the type of petition requires residency within a specific county or

district, the official shall not determine that the petition signer is qualified to sign the petition unless the address on the signature sheet and the address in the voter's registration record are both within the required county or district.

History Note: *Authority G.S. 163-22; 163-96; 163-107.1; 163-122; 163-123; 163-213.5; 163-221; 163-296;*
Eff. September 1, 2025.

08 NCAC 22 .0301 is adopted as published in 39:18 NCR 1211 as follows:

SECTION .0300 – PETITIONS TO BE RECOGNIZED AS A POLITICAL PARTY

08 NCAC 22 .0301 NEW PARTY PETITIONS

(a) This Section shall only apply to new party petitions.

(b) For the purposes of this Section:

(1) "New party petition" means a petition to be recognized as a political party pursuant to G.S. 163-96.

(2) "Prospective party" means a political party, including its officers and organizers, seeking recognition as a political party in the State through a new party petition.

(3) "Signature threshold requirement" means the number of verified signatures necessary to meet the signature threshold in G.S. 163-96(a)(2), measured by the combined number of votes cast for all candidates in the most recent general election for Governor.

(4) "Target election" means the first statewide general election in which the proposed political party desires to participate.

(c) For the purposes of this Chapter, the final action on a new party petition shall be the State Board's decision whether to recognize the petitioning party as a political party in North Carolina pursuant to Rule .0306 of this Section.

History Note: *Authority G.S. 163-22; 163-96;*
Eff. September 1, 2025.

08 NCAC 22 .0302 is adopted as published in 39:18 NCR 1211-1212 as follows:

08 NCAC 22 .0302 PROSPECTIVE PARTY NAME

(a) Within one business day of the filing of a petition request form for a new party petition, State Board staff shall compare the name of the prospective party against the names of the existing political parties recognized in the State and proceed as follows:

(1) If staff determines that the name of the prospective party contains any word that appears in the name of an existing political party, staff shall inform the petitioner in writing that the prospective party must choose a different name in accordance with G.S. 163-96(b).

(2) If staff determines that the name of the prospective party does not contain any word that appears in the name of an existing political party, staff shall refer the matter to the Executive Director. The Executive Director shall determine whether the prospective party's name is so similar to that of an existing political party recognized in the State that voters will be confused or misled in an election.

(b) When the Executive Director makes the determination required under Subparagraph (a)(2) of this Rule, the determination shall be transmitted in writing to the State Board. The State Board will then act on the determination as follows:

(1) If, after two calendar days following the transmission of the determination, no State Board member has raised an oral or written objection to the Executive Director's determination, the determination shall become effective.

(2) If a State Board member raises an oral or written objection to the Executive Director's determination within two calendar days following the transmission of the determination, the State Board shall decide the matter at a public meeting.

(c) If the name of a prospective party is approved because it has been determined that the name is not too similar to that of an existing political party recognized in the State, State Board staff shall inform the petitioner of that determination in writing and proceed under Rule .0104 of this Chapter.

(d) If the name of a prospective party is rejected because it has been determined that the name is too similar to that of an existing political party recognized in the State, State Board staff shall inform the petitioner of that determination in writing and that the prospective party must choose a different name in accordance with G.S. 163-96(b).

(e) A petitioner required to choose a different name for a prospective party shall notify the State Board of the different name by submitting a new petition request form.

History Note: *Authority G.S. 163-22; 163-96;*
Eff. September 1, 2025.

08 NCAC 22 .0304 is adopted with changes as published in 39:18 NCR 1212 as follows:

08 NCAC 22 .0304 CONTINUING A NEW PARTY PETITION

(a) A prospective party that has not submitted the number of verified signatures required to participate as a recognized political party in the target election identified on the petition request form by the deadline for doing so pursuant to G.S. 163-96 may submit a written notice to the State Board that the prospective party wants to change its target election. The petitioner shall provide this notice by submitting a new petition request form that identifies the next subsequent statewide general election as the new target election. The notice shall be submitted no later than five business days after the original deadline in G.S. 163-96 to file their petition based on the prospective party's original target election. Only those verified signatures that were gathered during the election cycle ~~pertaining to~~ for the petition may ~~continue to~~ be counted for the petition under its new target election.

(b) State Board staff shall notify the county boards of elections of the continuance of the petition by email within five business days of the receipt of the new petition request form with the new target election.

History Note: *Authority G.S. 163-22; 163-96;*
Eff. September 1, 2025.

08 NCAC 22 .0305 is adopted as published in 39:18 NCR 1212-1213 as follows:

08 NCAC 22 .0305 GENERAL PURPOSE AND INTENT OF THE NEW PARTY

(a) Within 10 business days of being issued the signature sheet template under Rule .0104 of this Chapter, the petitioner shall submit written documentation to the State Board demonstrating how the petition circulators will inform a petition signer of the prospective party's general purpose and intent when collecting signatures. The petitioner may submit additional documentation to the State Board regarding how the prospective party informed petition signers of the prospective party's general purpose and intent at any time before the State Board determines the sufficiency of the new party petition.

(b) The documentation demonstrating how the petition circulators will inform a petition signer of the general purpose and intent may include, but is not limited to, any of the following:

(1) training and instructional materials that will be provided to petition circulators before they begin collecting signatures;

(2) scripts that petition circulators will use when collecting signatures; or

(3) a written statement that materials, such as handouts, posters, and other promotional materials, will be used by petition circulators when collecting signatures.

(c) A county board shall not conduct signature verification of the prospective party's signature sheets until the documentation required under this Rule has been submitted to the State Board.

History Note: *Authority G.S. 163-22; 163-96;*
Eff. September 1, 2025.

08 NCAC 22 .0306 is adopted with changes as published in 39:18 NCR 1213 as follows:

08 NCAC 22 .0306 SUFFICIENCY OF NEW PARTY PETITIONS

~~(a) The petitioner shall submit the prospective party's original verified signature sheets and signature certificates to the State Board no later than one month~~ 30 days ~~after receiving the verified signature sheets and certificates from a county board of elections. This requirement shall not act to extend the applicable statutory deadline for filing new party petitions with the State Board.~~

~~(b)~~ (a) After submitting verified signature sheets and signature certificates to the State Board, the petitioner shall notify the State Board of the prospective party's desire for the State Board to proceed with determining the sufficiency of its new party petition by submitting a written notice by mail or email to the State Board. ~~The notice shall include the number of verified signatures that the prospective party's records show it has submitted to the State Board and shall be accompanied by affidavits signed by each of the prospective party's petition circulators affirming that they informed the petition signers of the general intent and purpose of the prospective party before the petition signers signed the signature sheets.~~ The petitioner may submit any additional documentation that the prospective party believes will aid the State Board in its determination of the sufficiency of the new party petition.

~~(c)~~ (b) Within five business days of receiving the notice made pursuant to Paragraph ~~(b)~~ (a) of this Rule, State Board staff shall begin reviewing the signature sheets, signature certificates, and documentation that has been submitted by the prospective party for completeness and compliance with this Chapter and Chapter 163 of the General Statutes. As part of this review, State Board staff shall review a random sample of signature sheets using the same standards required of county boards in Rule .0201 of this Chapter. The random sample shall be of 1,000 verified signatures selected from all signature sheets that were reviewed by county boards. State Board staff shall thereafter prepare a report summarizing staff's findings regarding the new party petition and provide the completed report to the State Board. The report shall include an analysis of whether the results of the review of the random sample of signatures, when extrapolated to all verified signatures for the petition, would impact whether the petitioner has met the signature threshold requirement. This Paragraph shall not prevent State Board staff from initiating this review prior to receiving the notice from the petitioner.

~~(d)~~ (c) The State Board shall take the following into account when determining the sufficiency of a new party petition:

(1) Whether the number of timely submitted, verified signatures is sufficient to meet the signature threshold requirement and congressional district signature requirement in G.S. 163-96(a)(2).

(2) Whether the new party petition complied with the general requirements for the conduct of petitions in Section .0100 of this Chapter.

(3) Whether the new party petition complied with the specific requirements for the conduct of new party petitions in this Section.

(4) State Board staff's report prepared pursuant to Paragraph ~~(c)~~ (b) of this Rule.

(d) The State Board, ~~in making its determination,~~ when determining the sufficiency of a new party petition, shall require that the petitioner provide additional documentation regarding the conduct of the petition when the chair or two members of the State Board conclude that the documentation is likely to provide information that is both relevant and material to the new party petition's compliance with the requirements of G.S. 163-96 and this Chapter, the information sought is not unnecessarily duplicative of documentation already submitted by the petitioner, and the request is not likely to subject the petitioner to undue burden, expense, or delay in the consideration of their petition. The State Board shall inform the petitioner of the requirement to provide additional documentation in writing and shall serve the petitioner in the same manner as allowed for service of subpoenas in the North Carolina Rules of Civil Procedure.

~~(e)~~ ~~(d)~~ (e) The State Board's decision whether to recognize the prospective party as a political party in North Carolina shall be made in an open meeting by a majority vote of the State Board members. The State Board shall recognize the prospective party as a political party in North Carolina only if the State Board has determined the petition is sufficient in accordance with G.S. 163-96 and this Rule.

History Note: *Authority G.S. 163-22; 163-23; 163-96;*
Eff. September 1, 2025.

08 NCAC 22 .0401 is adopted as published in 39:18 NCR 1213-1214 as follows:

SECTION .0400 – PETITIONS TO BE ON THE BALLOT AS AN UNAFFILIATED CANDIDATE

08 NCAC 22 .0401 UNAFFILIATED CANDIDATE PETITIONS

(a) This Section shall apply to unaffiliated candidate petitions only.

(b) For the purposes of this Section:

(1) "Prospective unaffiliated candidate" means the petitioner seeking to have their name printed on the general election ballot as an unaffiliated candidate.

(2) "Unaffiliated candidate petition" means a petition to place a voter's name on a general election ballot as an unaffiliated candidate pursuant to G.S. 163-122 or G.S. 163-296.

(c) When an unaffiliated candidate petition is filed with the State Board and a county board of elections is conducting signature verification, a digital version of the signature sheet provided by the State Board to the county board shall be considered an original signature sheet for the purposes of signature verification under Section .0200 of this Chapter.

(d) For the purposes of this Chapter, the final action on an unaffiliated candidate petition shall be the board of elections' notice to the prospective candidate pursuant to Rule .0402 of this Section stating whether they have met the signature requirement for their petition.

History Note: *Authority G.S. 163-22; 163-122; 163-296;*
Eff. September 1, 2025.

08 NCAC 22 .0402 is adopted as published in 39:18 NCR 1214 as follows:

08 NCAC 22 .0402 PROCESSING UNAFFILIATED CANDIDATE PETITIONS

(a) Within one business day of the receipt of a completed petition request form for an unaffiliated candidate petition, the board of elections shall inform the prospective unaffiliated candidate of the constitutional and statutory qualifications for the office sought and that the petition will be cancelled if the candidate does not meet those qualifications when submitting the signature sheets for their unaffiliated candidate petition.

(b) At the time of receipt of the first completed signature sheet submitted in support of an unaffiliated candidate petition, the board of elections shall inspect the registration records of the prospective unaffiliated candidate's county and proceed under G.S. 163-122(d). Before proceeding to cancel an unaffiliated candidate petition, the board of elections shall provide the prospective unaffiliated candidate with an opportunity to submit a voter registration form so that their voter registration record reflects their current qualifications for the office sought.

(c) Within five business days of the completion of signature verification for an unaffiliated candidate petition, the board of elections with which the petition was filed shall issue a written notice to the prospective unaffiliated candidate stating whether the candidate has met the applicable signature requirement in G.S. 163-122.

History Note: *Authority G.S. 163-22; 163-122; 163-296;*
Eff. September 1, 2025.

08 NCAC 22 .0501 is adopted as published in 39:18 NCR 1214 as follows:

SECTION .0500 – PETITIONS TO QUALIFY AS A WRITE-IN CANDIDATE

08 NCAC 22 .0501 WRITE-IN CANDIDATE PETITIONS

(a) This Section shall apply to write-in candidate petitions only.

(b) For the purposes of this Section:

(1) "Declaration of intent form" means the declaration of intent document required to be submitted when filing a write-in candidate petition pursuant to G.S. 163-123.

(2) "Prospective write-in candidate" means the petitioner seeking to have write-in votes for them counted in a general election.

(3) "Write-in candidate petition" means a petition to have write-in votes for a voter counted in a general election pursuant to G.S. 163-123.

(c) For the purposes of this Chapter, the final action on a write-in candidate petition shall be the board of elections' notice to the prospective candidate pursuant to Rule .0502 of this Section stating whether the prospective candidate has met the requirements for their petition.

History Note: *Authority G.S. 163-22; 163-123;*
Eff. September 1, 2025.

08 NCAC 22 .0502 is adopted as published in 39:18 NCR 1214 as follows:

08 NCAC 22 .0502 PROCESSING WRITE-IN CANDIDATE PETITIONS

(a) Within one business day of the receipt of a completed petition request form for a write-in candidate petition, the board of elections shall inform the prospective write-in candidate of the constitutional and statutory qualifications for the office sought and that the petition will be cancelled if the candidate does not meet those qualifications when submitting the signature sheets for their write-in candidate petition.

(b) The prospective write-in candidate shall submit a declaration of intent form at the time of submitting the first completed signature sheet in support of their write-in candidate petition. A copy of the declaration of intent form may be obtained from the State Board of Elections website (https://www.ncsbe.gov/candidates/petitions).

(c) A board of elections in receipt of a write-in candidate petition shall proceed as follows:

(1) If the write-in candidate petition is required to be filed with a county board of elections under G.S. 163-123, then at the time of the receipt of the first completed signature sheet submitted in support of the petition, the county board of elections shall inspect the registration records of the prospective write-in candidate's county and proceed under G.S. 163-123(g).

(2) If the write-in candidate petition is required to be filed with the State Board under G.S. 163-123, then at the time of the receipt of the first verified signature sheet submitted in support of the petition, the State Board shall inspect the registration records of the prospective write-in candidate's county and proceed under G.S. 163-123(g).

Before proceeding to cancel a write-in candidate petition, the board of elections with which the petition was filed shall provide the prospective write-in candidate with an opportunity to submit a voter registration form so that their voter registration record reflects their current qualifications for the office sought.

(d) Within five business days of the board of elections determining whether a write-in candidate petition complies with G.S. 163-123 and this Rule, the board of elections with which the petition was filed shall issue a written notice to the prospective write-in candidate stating whether the candidate has met the requirements to have write-in votes for them counted in the general election.

History Note: *Authority G.S. 163-22; 163-123;*
Eff. September 1, 2025.

08 NCAC 22 .0601 is adopted as published in 39:18 NCR 1214-1215 as follows:

SECTION .0600 – PETITIONS TO BE A CANDIDATE WITHOUT THE PAYMENT OF A FILING FEE

08 NCAC 22 .0601 IN LIEU OF FILING FEE PETITION

(a) This Section shall apply to in lieu of filing fee petitions only.

(b) For the purposes of this Section:

(1) "Prospective candidate" means the petitioner seeking to be a candidate in a political party's primary without paying a filing fee.

(2) "In lieu of filing fee petition" means a petition requesting that a prospective candidate participate in a political party's primary without paying a filing fee pursuant to G.S. 163-107.1.

(c) For the purposes of this Chapter, the final action on an in lieu of filing fee petition shall be the board of elections' notice to the prospective candidate stating whether they have met the requirements for their petition.

History Note: *Authority G.S. 163-22; 163-107.1;*
Eff. September 1, 2025.

Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Wednesday, August 27, 2025 11:10 AM
To: Cox, Paul <paul.cox@ncsbe.gov>; Steele, Adam <adam.steele@ncsbe.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: Re: Board of Elections RFC- August 2025

Paul, et al.

The codifier and publication staff have identified several technical issues with your rules that will need to be resolved. Ideally this would be done before the RRC approves the rules.

Those issues are:

1. Any rule that has had changes from publication (including based on my requests) should say so in the intro statement. For example the intro statement to 08 NCAC 22 .0304 should be "08 NCAC 22 .0304 is adopted with changes as published in 39:18 NCR 1212 as follows:"
2. Permanent adoptions with changes should not have highlighting. The format requirements are spelled out here: https://www.oah.nc.gov/rule-format-examples#RuleFormatExamplesforPublicationintheNCAdministrativeCode-6063 under the requirements for publication in code. But most relevant, a permanent adoption with no changes from publication should have the entirety of the text underlined. A permanent adoption with changes should have the text that is unchanged from publication without underlining, and any post-publication changes underlined. Highlighting only comes into play for amendments. I may have steered you wrong on this earlier.
3. The hyperlink in 21 .0106 on line 33 should be removed. Meaning the text of the email as formatted should be there, but it should not be a link.
4. As mentioned in 2) any adoptions with no changes from publication should have the entirety of the text underlined.

Please go through your rules and update to resolve these issues and send any updated rules to me as soon as possible.

5.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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Burgos, Alexander N

Subject: FW: Oral presentation on State Board petition rules

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Tuesday, August 26, 2025 11:55 AM
To: Steele, Adam <adam.steele@ncsbe.gov>; Rules, Oah <oah.rules@oah.nc.gov>
Cc: SBOE_Grp - Legal <Legal@ncsbe.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: Oral presentation on State Board petition rules

Adam,

Given that we have received requests to speak in opposition, I will include you in the list of likely speakers introduced by the chair.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

From: Steele, Adam <adam.steele@ncsbe.gov>
Sent: Tuesday, August 19, 2025 4:21 PM
To: Rules, Oah <oah.rules@oah.nc.gov>; Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: SBOE_Grp - Legal <Legal@ncsbe.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: Oral presentation on State Board petition rules

Good afternoon,

On behalf of the State Board of Elections, I am submitting this notice pursuant to 26 NCAC 05 .0105 that I wish to make an oral statement in regard to the following rules regarding petitions at the RRC's meeting on August 28, 2025.

08 NCAC 22 .0101
08 NCAC 22 .0102
08 NCAC 22 .0103
08 NCAC 22 .0104
08 NCAC 22 .0105
08 NCAC 22 .0106
08 NCAC 22 .0107
08 NCAC 22 .0201
08 NCAC 22 .0202
08 NCAC 22 .0203
08 NCAC 22 .0301
08 NCAC 22 .0302
08 NCAC 22 .0303
08 NCAC 22 .0304
08 NCAC 22 .0305
08 NCAC 22 .0306
08 NCAC 22 .0401
08 NCAC 22 .0402
08 NCAC 22 .0501
08 NCAC 22 .0502
08 NCAC 22 .0601

I will note that I do not plan to speak unless someone speaks in opposition to one of the rules or if any commissioners have questions, or if Mr. LiVecchi requests at the hearing for me to speak on behalf of the agency. My name, address, and telephone number are below. My fax number is (919) 715-0135 and my email address is adam.steele@ncsbe.gov.

Thanks,

Adam Steele | Associate General Counsel
North Carolina State Board of Elections
430 N Salisbury street
Raleigh, NC 27611
Main Line: 919.814.0700
Direct: 919.814.0654

Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025
Attachments: Staff Opinion Elections- August 2025.doc

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Tuesday, August 19, 2025 2:20 PM
To: Cox, Paul <paul.cox@ncsbe.gov>; Steele, Adam <adam.steele@ncsbe.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: Re: Board of Elections RFC- August 2025

Good afternoon,

I have reviewed your updated submissions, and at this point anticipate recommending approval of the final revised version of these rules.

I did draft a brief staff opinion on the local funds issue, attached. Let me know if you have any questions. Note, I agree that .0306 solely involves state board procedures, and that I was mistaken to raise the local funds issue on that rule.

Let me know if you have any questions.

Seth Ascher
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

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RRC STAFF OPINION

PLEASE NOTE: THIS COMMUNICATION IS EITHER 1) ONLY THE RECOMMENDATION OF AN RRC STAFF ATTORNEY AS TO ACTION THAT THE ATTORNEY BELIEVES THE COMMISSION SHOULD TAKE ON THE CITED RULE AT ITS NEXT MEETING, OR 2) AN OPINION OF THAT ATTORNEY AS TO SOME MATTER CONCERNING THAT RULE. THE AGENCY AND MEMBERS OF THE PUBLIC ARE INVITED TO SUBMIT THEIR OWN COMMENTS AND RECOMMENDATIONS (ACCORDING TO RRC RULES) TO THE COMMISSION.

AGENCY: State Board of Elections

RULE CITATION: 08 NCAC 22 .0103, .0201, .0202

RECOMMENDATION DATE: July 25, 2025

RECOMMENDED ACTION:

X Approve, but note staff's comment

Object, based on:

Lack of statutory authority

Unclear or ambiguous

Unnecessary

Failure to comply with the APA

Extend the period of review

COMMENT:

These three rules lay out the procedures for local officials to handle and examine various election petitions. In each case, these were adoptions for procedures that did not have clear analogs in existing rules. Because these processes have the potential to require staff time to complete, I asked the agency for information as to how they determined local funds would not be impacted, pursuant to G.S. 150B-21.4(b).

The agency provided individualized responses for each rule, included in their response to my questions. However, three points were consistent across their responses:

1. *These rules are about how county boards meet existing statutory obligations, not new obligations.*
2. *The procedures that are described by the rules are equivalent to procedures that are currently being implemented through training, guidance, and software.*
3. *These procedures will not require additional staff time compared to prior election cycles.*

Absent conflicting information, I am persuaded that these rules do not impact local funds such that a fiscal note was required.

Seth Ascher
Commission Counsel

Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Tuesday, August 19, 2025 11:11 AM
To: Cox, Paul <paul.cox@ncsbe.gov>; Steele, Adam <adam.steele@ncsbe.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: Re: Board of Elections RFC- August 2025

Yes, I have received it.

Seth Ascher
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

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From: Cox, Paul <paul.cox@ncsbe.gov>
Sent: Tuesday, August 19, 2025 11:10 AM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>; Steele, Adam <adam.steele@ncsbe.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: RE: Board of Elections RFC- August 2025

Hi Seth, I just resent the updated forms for those rules. I'm wondering if the number of attachments is causing an email issue. Can you confirm whether you received the email I just sent with all those rule form attachments?

Thanks,
Paul

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Tuesday, August 19, 2025 11:02 AM
To: Steele, Adam <adam.steele@ncsbe.gov>; Cox, Paul <paul.cox@ncsbe.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: Re: Board of Elections RFC- August 2025

Adam,

Thanks for your timely response. I did not receive the updated form for the 08 NCAC 22 rules, so please send those over.

I am working through the rules and I will let you know if I have any questions.

Seth Ascher
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0101 PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule identifies the types of petitions that are subject to these rules.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0102 DEFINITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes definitions for the entire chapter to make the individual rules easier to read.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0103 INITIATION OF PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes how to start a petition and how a county processes the form that is used.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0104 PETITION SIGNATURE SHEETS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes the makeup of the signature sheets used to collect signatures for a petition.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0105 PETITION CIRCULATORS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule provides the manner in which petitioners will identify their circulators and when to do so.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0106 SUBMISSION OF SIGNATURE SHEETS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule provides when and how signature sheets are submitted to a board of elections to be verified, as well as how a county documents receipt.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0107 COPIES OF SIGNATURE SHEETS AND RETURN OF ORIGINAL SIGNATURE SHEETS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule provides how a county board returns a copy or original signature sheet to a petitioner, along with the certificate that identifies how many signatures have been verified.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0201 PETITION SIGNATURE VERIFICATION BY COUNTY BOARDS OF ELECTIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes the requirements and procedures for conducting signature verification to determine whether the petition signer is a registered voter who is qualified to sign the petition.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0202 PETITION SIGNATURE VERIFICATION DETERMINATIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule governs how a county board official will notate their determination as to whether the signature will count, both on the physical signature sheet and within the petition module in SEIMS.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0203 COUNTING OF SIGNATURES TOWARDS A PETITION'S SIGNATURE REQUIREMENT

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule sets rules for when certain signatures will count, or will not otherwise be permitted to count.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0301 NEW PARTY PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes definitions for the section and defines what counts as final action on a new party petition.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0302 PROSPECTIVE PARTY NAME

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes a process to review the name of a prospective party at the outset of their petition.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0303 CHANGES IN PROSPECTIVE PARTY STATE CHAIR'S INFORMATION

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule informs the prospective party on what they need to do when their state chair's information changes, and when to do it.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0304 CONTINUING A NEW PARTY PETITION

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes a process for a prospective party to notify the State Board when it will not meet the signature threshold before a midterm election and desires to continue its petition so it can gain recognition before the presidential election.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0305 GENERAL PURPOSE AND INTENT OF THE NEW PARTY

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes how the prospective party can demonstrate to the State Board the manner in which it will convey its general purpose and intent to petition signers.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0306 SUFFICIENCY OF NEW PARTY PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule sets out the criteria and process for the State Board to determine the sufficiency of a new party petition, including State Board staff review of the signature sheets and the manner in which the Board can request more information from the party.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0401 UNAFFILIATED CANDIDATE PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes definitions for the section, defines what counts as final action on the petition, and accounts for the manner in which counties review signature sheets when the petition is filed with the State Board.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0402 PROCESSING UNAFFILIATED CANDIDATE PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule governs how a board of elections processes an unaffiliated candidate petition, including when the board inspects the registration records to determine if the petitioner is qualified for the office sought.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0501 WRITE-IN CANDIDATE PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes definitions for the section and defines what counts as final action on the petition.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0502 PROCESSING WRITE-IN CANDIDATE PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule governs how a board of elections processes a write-in candidate petition, including when the board inspects the registration records to determine if the petitioner is qualified for the office sought.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0601 IN LIEU OF FILING FEE PETITION

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

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☐ **Court order / cite:**
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☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes definitions for the rule and defines what counts as final action on the petition.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025
Attachments: Form 0400 Submission Rule 08 NCAC 21 .0204.docx; 08 NCAC 21 .0102 Amendment - post RRC comments.docx; 08 NCAC 21 .0106 Amendment - post RRC comments.docx; 08 NCAC 21 .0108 Proposed - post RRC comments.docx; 08 NCAC 21 .0204 Proposed - post RRC comments.docx; Form 0400 Submission Rule 08 NCAC 21 .0102.docx; Form 0400 Submission Rule 08 NCAC 21 .0106.docx; Form 0400 Submission Rule 08 NCAC 21 .0108.docx; 08 NCAC 22 .0107 post RRC comments.docx; 08 NCAC 22 .0304 post RRC comments.docx; 08 NCAC 22 .0306 post RRC comments.docx; Board of Election RFC- August 2025 Agency Responses.docx

From: Steele, Adam <adam.steele@ncsbe.gov>
Sent: Monday, August 18, 2025 4:08 PM
To: Cox, Paul <paul.cox@ncsbe.gov>; Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Subject: RE: Board of Elections RFC- August 2025

Seth,

On behalf of the rulemaking coordinator, please find:

- The agency's responses to your comments;
- The updated Form 0400s for the four campaign finance rules;
- Revised versions of the four campaign finance rules in response to your comments; and,
- Revised versions of three of the petition rules in response to your comments.

Please let us know if you have any questions or need anything else for RRC's consideration of these rules.

Thanks,

Adam Steele | Associate General Counsel
North Carolina State Board of Elections
430 N Salisbury street
Raleigh, NC 27611
Main Line: 919.814.0700
Direct: 919.814.0654

08 NCAC 21 .0102 is amended as published in 39:18 NCR 1202-1203 as follows:

08 NCAC 21 .0102 REPORTING OF INDEPENDENT EXPENDITURES

(a) Once an individual as defined in G.S. 163-278.6(55), person as defined in G.S. 163-278.6(72), or other entity required to report independent expenditures under G.S. 163-278.12(a) has made independent expenditures with a present actual or market value in excess of one hundred dollars ($100.00) during an election as defined in G.S. 163-278.6(30), the individual, person, or entity shall report all independent expenditures, and any donations made to further independent expenditures, with the following board of elections:

(1) if the district of the candidate or ballot issue supported or opposed is within one county, and the candidate is not running for a legislative, judicial, or district attorney office, the report shall be filed with the county board of elections; or

(2) if the district of the candidate or ballot issue supported or opposed extends to more than one county, or the candidate is running for a legislative, judicial, or district attorney office, the report shall be filed with the State Board.

(b) An independent expenditure filer is the individual, person, or other entity making a reportable independent expenditure under G.S. 163-278.12(a). If the independent expenditure filer is an individual, the individual shall sign all reports. If the independent expenditure filer is a person or other entity, an authorized officer or an authorized representative of the person or entity shall sign all reports.

(c) The independent expenditure filer shall file CRO-2210A Independent Expenditure Report Cover, CRO-2210B Donations to Further Independent Expenditures, and CRO-2210C Incurred Costs of Independent Expenditures available on the State Board's website, http://www.ncsbe.gov, unless the independent expenditure filer files reports electronically consistent with 08 NCAC 21 .0106. Independent expenditure reports filed with the county board of elections or the State Board shall include all of the following:

(1) the independent expenditure filer's name and mailing address;

(2) a phone number for the independent expenditure filer;

(3) if the independent expenditure filer is an individual, the filer's principal occupation as defined in G.S. 163-278.11(a)(1);

(4) if the independent expenditure filer is a person or entity, the principal place of business of the person or entity;

(5) for each independent expenditure made:

(A) The name and mailing address of the payee;

(B) The amount paid;

(C) The date the expenditure was incurred;

(D) A description of the expenditure; and

(E) The name of the candidate, candidates of an identified political party, or referendum supported or opposed by the independent expenditure;

(6) for each donation of more than one hundred dollars ($100.00) that must be reported under G.S. 163-278.12(f):

(A) the donor's name and mailing address;

(B) if the donor is an individual, the donor's principal occupation as defined in G.S. 163-278.11(a)(1);

(C) if the donor is a person or entity, the principal place of business of that person or entity;

(D) the amount of the donation; and

(E) the date of the donation; and

(7) a certification as to whether any expenditures reported were made in concert or cooperation with, or at the request or suggestion of, a candidate, a candidate campaign committee as defined in G.S. 163-278.38Z(3), a referendum committee, the agent of a candidate, the agent of a candidate campaign committee, or an agent of a referendum committee.

(d) An independent expenditure filer that makes expenditures with a present, actual, or market value in excess of five thousand dollars ($5,000.00) during an election as defined in G.S. 163-278.6(30) shall file independent expenditure reports electronically consistent with 08 NCAC 21 .0106.

(e) For each independent expenditure report filed electronically, the individual or an authorized officer or an authorized representative of the independent expenditure filer shall sign and file the Independent Expenditure Report Cover ~~and the independent expenditure filer shall file the signed original~~ in accordance with Paragraph (g) of this ~~Rule with the board of elections identified in Paragraph (a) of this~~ Rule.

(f) The independent expenditure filer shall complete and file forms within the time period set forth in G.S. 163-278.12(d). An independent expenditure filer that makes a reportable independent expenditure within 10 days of an election, and has not previously reported independent expenditures during the election the independent expenditure affects, shall file reports no later than the 10th day after the independent expenditures exceed one hundred dollars ($100.00). After the initial report, the independent expenditure filer shall continue to file independent expenditure reports according to the reporting schedule in G.S. 163-278.9 until the end of the election. The final report for a given election shall cover the period through the day of the election. If the independent expenditure filer makes independent expenditures in support of or in opposition to municipal candidates or municipal ballot issues, the independent expenditure filer shall report all independent expenditures according to the reporting schedule in Part 2 of Article 22A of Chapter 163 of the General Statutes.

(g) A report is considered filed 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;~~ board of elections office;

(2) on the date it is postmarked to the board of elections by the United States Postal Services or marked with an equivalent marking by a delivery service authorized by G.S. 1A-1, Rule 4; or

(3) for an independent expenditure report filed electronically pursuant to Paragraph (d) of this Rule, on the date the completed and signed report is emailed to the State Board of Elections at campaign.reporting@ncsbe.gov.

(h) A report that is missing any of the information in Paragraph (c) of this Rule shall not be considered filed in accordance with G.S. 163-278.12(d).

(i) An independent expenditure filer that makes an expenditure of five thousand dollars ($5,000) or more or receives a donation of one thousand dollars ($1,000) or more before an election but after the period covered by the last report due before that election, shall file a 48-hour report with the State Board or county board of elections using forms available on the State Board's website. An independent expenditure filer that makes a reportable independent expenditure within 10 days of an election, and has not previously reported independent expenditures during the election the independent expenditure affects, shall file 48-hour reports in accordance with this Paragraph. A 48-hour report shall be made using CRO-2210A Independent Expenditure Report Cover, CRO-2210B Donations to Further Independent Expenditures, and CRO-2210C Incurred Costs of Independent Expenditures. 48-hour reports may be filed by fax or email.

History Note: *Authority G.S. 163-278.12; 163-278.21; 163-278.22;*
Eff. May 1, 2020;
Amended Eff. September 1, ~~2021.~~ 2021;
Amended Eff. September 1, 2025.

08 NCAC 21 .0106 is amended as published in 39:18 NCR 1204 as follows:

08 NCAC 21 .0106 ELECTRONIC FILING

(a) All political committees required to file electronically pursuant to G.S. 163-278.9(i) shall prepare disclosure reports using either of the following:

(1) the current version of the campaign finance software made available by the North Carolina State Board of Elections and available for download on the State Board website; or

(2) 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 formats and validation tool to assist in verifying the format of import files shall be available on the State Board's website.

(b) Reports generated by the State Board software or third-party software shall be filed by e-mailing the generated .cfd file to campaign.reporting@ncsbe.gov. State Board staff shall process the .cfd file and send an e-mail to the political committee's treasurer confirming receipt.

(c) Reports shall be filed on or before 11:59 p.m. of the business day in which it is to be filed.

(d) For each disclosure report filed electronically, the treasurer shall sign and file a ~~the~~ CRO-1000 Disclosure Report Cover. ~~Cover. and file it with the board of elections office where the political committee filed its Statement of Organization.~~ The Disclosure Report Cover shall report:

(1) the full name, mailing address, phone number, and NC ID Number assigned to the political committee;

(2) the report year, period start date, and period end date for the report;

(3) the full name of the treasurer during the period;

(4) type of committee;

(5) type of report;

(6) account information;

(7) date filed; and

(8) an original signature and certification in accordance with G.S. 163-278.32.

(e) A Disclosure Report Cover is considered ~~filed either:~~ filed:

(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~~ board of elections office;

(2) on the date it is postmarked to the board of elections by the United States Postal Service or marked with an equivalent marking by a delivery service authorized by G.S. 1A-1, ~~Rule 4.~~ Rule 4; or

(3) on the date the CRO-1000 Disclosure Report Cover with a valid electronic signature is emailed to campaign.reporting@ncsbe.gov.

(f) A committee that exceeds the reporting threshold in G.S. 163-278.9(i) during an election cycle, and is required to start filing electronically shall ensure that each contributor's reported sum-to-date for the election cycle includes the sum of contribution received before the political committee began filing electronically.

(g) A committee that is required to file electronically pursuant to G.S. 163-278.9(i) and only files a paper report shall be deemed to have failed to file and ~~shall receive a Notice of Noncompliance pursuant to 08 NCAC 21 .0201.~~ shall be subject to the procedures for committees with missing reports in 08 NCAC 21 .0207.

History Note: *Authority G.S. 163-278.9; 163-278.21; 163-278.22;*
Eff. May 1, ~~2020.~~ 2020;
Amended Eff, September 1, 2025.

08 NCAC 21 .0108 is adopted as published in 39:18 NCR 1204 as follows:

08 NCAC 21 .0108 REPORTING PERIODS

(a) The State Board shall post on the State Board's website the period start date and period end date for each quarterly and semiannual report that must be filed under G.S. 163-278.9 and for each pre-referendum, final and annual report that must be filed under G.S. 163-278.9A.

(b) The treasurer shall not sign or file the report until 12:00 a.m. the day after the period end date for each report.

History Note: Authority G.S. 163-278.9; G.S. 163-278.21;
Eff. September 1, 2025.

08 NCAC 21 .0204 is adopted as published in 39:18 NCR 1204 as follows:

08 NCAC 21 .0204 INACTIVE STATUS FOR A CANDIDATE OR COMMITTEE

(a) If no contribution is received or expenditure made by or on behalf of a candidate, political committee or referendum committee during a period described in G.S. 163-278.9, G.S. 163-278.9A or Part 2 of Article 22A, the treasurer shall file the following with the board of elections:

(1) A report that shows no contribution received or expenditure made during the period described in G.S. 163-278.9, G.S. 163-278.9A or Part 2 of Article 22A; and

(2) A signed certification that the candidate, political committee or referendum committee will receive no contributions and make no expenditures while inactive and will resume reporting when activity resumes.

(b) The signed certification in subparagraph (a)(2) of this Rule shall be filed within 15 calendar days of filing a qualifying report under subparagraph (a)(1) of this Rule.

(c) Immediately after receiving a contribution or making an expenditure, the treasurer shall be responsible for filing the next report required by G.S. 163-278.9, G.S. 163-278.9A or Part 2 of Article 22A by the statutory due date. Any committee receipt, debt or expenditure which would have been required to be reported on an earlier report but for the committee's inactive status shall be included in the next report required after activity resumes. Within 10 calendar days of receiving a contribution or making an expenditure, the treasurer shall file a certification with the board of elections notifying the board of the change in status.

(d) The disclosure of de minimis bank fees and postage for mailing reports to the board of elections shall not prohibit a committee from qualifying for inactive status under paragraph (a) of this Rule.

History Note: *Authority G.S. 163-278.21 and G.S. 163-278.10;*
Eff. September 1, 2025.

08 NCAC 22 .0107 is adopted as published in 39:18 NCR 1209 as follows:

08 NCAC 22 .0107 COPIES OF SIGNATURE SHEETS AND RETURN OF ORIGINAL SIGNATURE SHEETS

(a) After a board of elections has completed signature verification of the signatures on the signature sheets, the petitioner may obtain a copy of the signature sheets and a signature certificate by one of the methods described in Paragraph (b) of this Rule. If the board of elections is required by law to return the original signature sheets to the petitioner, board staff shall inform the petitioner that they may obtain the original sheets and a signature certificate by one of the methods described in Paragraph (c) of this Rule.

(b) The board of elections shall provide the petitioner with a copy of verified signature sheets and associated signature certificates upon oral or written request by the petitioner. The petitioner shall state by which of the following methods they elect to receive a copy:

(1) In-person retrieval of a physical copy during regular business hours. If a person other than the petitioner's representative identified on the petition request form will retrieve the copy instead of the petitioner, then the petitioner shall inform the board of elections, in writing, of that person's first and last name and phone number.

(2) ~~Maling~~ Mailing a physical copy to the mailing address that is listed on the petition request form.

(3) Emailing a digital copy to the email address that is listed on the petition request form.

Before providing a copy of a signature sheet, board staff shall first redact any confidential information not subject to public disclosure under Chapters 132 and 163 of the North Carolina General Statutes. A board of elections may charge for any physical copies, in accordance with G.S. 132-6.2.

(c) When the board of elections is required by law to return the original signature sheets and associated signature certificates to the petitioner, the petitioner shall inform board staff orally or in writing by which of the following methods they elect to receive the originals:

(1) In-person retrieval of the originals by the petitioner during regular business hours. If a person other than the petitioner's representative identified on the petition request form will retrieve the originals instead of the petitioner, then the petitioner shall inform the board of elections, in writing, of that person's first and last name and phone number. Board staff shall confirm the name and phone number of the person retrieving the originals before providing them.

(2) Mailing the originals to the mailing address that is listed on the petition request form. The county board shall use a method of return that documents the petitioner's receipt of the originals.

No redactions shall be made by board staff to an original signature sheet prior to its return to the petitioner or the petitioner's designated representative.

(d) In addition to providing a copy or the original signature sheet to the petitioner in accordance with this Rule, the board of elections shall provide the petitioner with a digital or physical petition status report generated by the

petition module upon oral or written request by the petitioner. The petition status report shall include the status assigned to each petition signer in accordance with Rule .0202 of this Chapter.

History Note: *Authority G.S. 163-22; 163-96; 163-107.1; 163-122; 163-123; 163-213.5; 163-221; 163-296; Eff. September 1, 2025.*

08 NCAC 22 .0304 is adopted as published in 39:18 NCR 1212 as follows:

08 NCAC 22 .0304 CONTINUING A NEW PARTY PETITION

(a) A prospective party that has not submitted the number of verified signatures required to participate as a recognized political party in the target election identified on the petition request form by the deadline for doing so pursuant to G.S. 163-96 may submit a written notice to the State Board that the prospective party wants to change its target election. The petitioner shall provide this notice by submitting a new petition request form that identifies the next subsequent statewide general election as the new target election. The notice shall be submitted no later than five business days after the original deadline in G.S. 163-96 to file their petition based on the prospective party's original target election. Only those verified signatures that were gathered during the election cycle ~~pertaining to~~ for the petition may ~~continue to~~ be counted for the petition under its new target election.

(b) State Board staff shall notify the county boards of elections of the continuance of the petition by email within five business days of the receipt of the new petition request form with the new target election.

History Note: *Authority G.S. 163-22; 163-96;*
Eff. September 1, 2025.

08 NCAC 22 .0306 is adopted with changes as published in 39:18 NCR 1213 as follows:

08 NCAC 22 .0306 SUFFICIENCY OF NEW PARTY PETITIONS

~~(a) The petitioner shall submit the prospective party's original verified signature sheets and signature certificates to the State Board no later than one month~~ 30 days ~~after receiving the verified signature sheets and certificates from a county board of elections. This requirement shall not act to extend the applicable statutory deadline for filing new party petitions with the State Board.~~

~~(b)~~ (a) After submitting verified signature sheets and signature certificates to the State Board, the petitioner shall notify the State Board of the prospective party's desire for the State Board to proceed with determining the sufficiency of its new party petition by submitting a written notice by mail or email to the State Board. ~~The notice shall include the number of verified signatures that the prospective party's records show it has submitted to the State Board and shall be accompanied by affidavits signed by each of the prospective party's petition circulators affirming that they informed the petition signers of the general intent and purpose of the prospective party before the petition signers signed the signature sheets.~~ The petitioner may submit any additional documentation that the prospective party believes will aid the State Board in its determination of the sufficiency of the new party petition.

~~(c)~~ (b) Within five business days of receiving the notice made pursuant to Paragraph ~~(b)~~ (a) of this Rule, State Board staff shall begin reviewing the signature sheets, signature certificates, and documentation that has been submitted by the prospective party for completeness and compliance with this Chapter and Chapter 163 of the General Statutes. As part of this review, State Board staff shall review a random sample of signature sheets using the same standards required of county boards in Rule .0201 of this Chapter. The random sample shall be of 1,000 verified signatures selected from all signature sheets that were reviewed by county boards. State Board staff shall thereafter prepare a report summarizing staff's findings regarding the new party petition and provide the completed report to the State Board. The report shall include an analysis of whether the results of the review of the random sample of signatures, when extrapolated to all verified signatures for the petition, would impact whether the petitioner has met the signature threshold requirement. This Paragraph shall not prevent State Board staff from initiating this review prior to receiving the notice from the petitioner.

~~(d)~~ (c) The State Board shall take the following into account when determining the sufficiency of a new party petition:

(1) Whether the number of timely submitted, verified signatures is sufficient to meet the signature threshold requirement and congressional district signature requirement in G.S. 163-96(a)(2).

(2) Whether the new party petition complied with the general requirements for the conduct of petitions in Section .0100 of this Chapter.

(3) Whether the new party petition complied with the specific requirements for the conduct of new party petitions in this Section.

(4) State Board staff's report prepared pursuant to Paragraph ~~(c)~~ (b) of this Rule.

(d) The State Board, ~~in making its determination,~~ when determining the sufficiency of a new party petition, shall require that the petitioner provide additional documentation regarding the conduct of the petition when the chair or two members of the State Board conclude that the documentation is likely to provide information that is both relevant and material to the new party petition's compliance with the requirements of G.S. 163-96 and this Chapter, the information sought is not unnecessarily duplicative of documentation already submitted by the petitioner, and the request is not likely to subject the petitioner to undue burden, expense, or delay in the consideration of their petition. The State Board shall inform the petitioner of the requirement to provide additional documentation in writing and shall serve the petitioner in the same manner as allowed for service of subpoenas in the North Carolina Rules of Civil Procedure.

~~(e)~~ ~~(d)~~ (e) The State Board's decision whether to recognize the prospective party as a political party in North Carolina shall be made in an open meeting by a majority vote of the State Board members. The State Board shall recognize the prospective party as a political party in North Carolina only if the State Board has determined the petition is sufficient in accordance with G.S. 163-96 and this Rule.

History Note: *Authority G.S. 163-22; 163-23; 163-96;*
Eff. September 1, 2025.

Request for Changes Pursuant to N.C. Gen. Stat. § 150B-21.10

Staff reviewed these Rules to ensure that each Rule is within the agency's statutory authority, reasonably necessary, clear and unambiguous, and adopted in accordance with Part 2 of the North Carolina Administrative Procedure Act. Following review, staff has issued this document that may request changes pursuant to G.S. 150B-21.10 from your agency or ask clarifying questions.

If the request includes questions, please contact the reviewing attorney to discuss.

In order to properly submit rewritten rules, please refer to the following Rules in the NC Administrative Code:

- Rule 26 NCAC 02C .0108 – The Rule addresses general formatting.
- Rule 26 NCAC 02C .0404 – The Rule addresses changing the introductory statement.
- Rule 26 NCAC 02C .0405 – The Rule addresses properly formatting changes made after publication in the NC Register.

Note the following general instructions:

1. You must submit the revised rule via email to oah.rules@oah.nc.gov. The electronic copy must be saved as the official rule name (XX NCAC XXXX).
2. For rules longer than one page, insert a page number.
3. Use line numbers; if the rule spans more than one page, have the line numbers reset at one for each page.
4. Do not use track changes. Make all changes using manual strikethroughs, underlines and highlighting.
5. You cannot change just one part of a word. For example:
    - Wrong: "~~a~~Association"
    - Right: "~~association~~ Association"
6. Treat punctuation as part of a word. For example:
    - Wrong: "day~~,~~; and"
    - Right: "~~day,~~ day; and"
7. Formatting instructions and examples may be found at: https://www.oah.nc.gov/rule-format-examples

If you have any questions regarding proper formatting of edits after reviewing the rules and examples, please contact the reviewing attorney.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 21 .0102

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

Intro statement (line 1, pg. 1) is missing information about publication in the register.

Updates have been made to both Form 0400 and the intro statement to the rule.

On page 2, line 23, the sentence is grammatically awkward. Consider adding "shall file reports no later than the 10th day after the independent expenditures"

This addition has been made and is being resubmitted.

Are the forms for the 48-hour report under (i) the same as the forms described in (c)? If not, what is the difference?

Yes, the same forms are used for the disclosures described in (c) and the 48-hour disclosures described (i). Please note that Forms CRO-2210A, 2210B and 2210C are referenced in both paragraphs.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 21 .0106

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

Intro statement (line 1, pg. 1) is missing information about publication in the register.

Updates have been made to both Form 0400 and the intro statement to the rule.

On p. 1, line 18, what is an NC ID Number? How does someone get one?

The NC ID number is a unique identifier assigned to each committee registered with the State Board of Elections. When a committee files a Statement of Organization pursuant to G.S. 163-278.7, an NC ID number is automatically assigned and provided to the committee treasurer via email.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 21 .0108

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

Intro statement (line 1, pg. 1) is missing information about publication in the register.

Updates have been made to both Form 0400 and the intro statement to the rule.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 21 .0204

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

Intro statement (line 1, pg. 1) is missing information about publication in the register.

Updates have been made to both Form 0400 and the intro statement to the rule.

On lines 15 through 17, what determines if receipts, debts, or expenditures are not required to be reported while inactive?

Rule 08 NCAC 21 .0204(d) states that bank fees and postage shall not prohibit a committee from qualifying for inactive status under paragraph (a). Since the committee is qualified for inactive status even when these expenditures occur, there is no obligation to resume filing reports and to disclose these expenditures while inactive. However, the Rule will require that these expenditures be disclosed on the report described in paragraph (c) when the committee exits inactive status based on receiving contributions or making *other* expenditures. If these expenditures are not disclosed upon exiting inactive status, reports and report balances will not accurately reflect committee the committee's financial status.

Other receipts, such as interest income, do not meet the definition of a contribution under G.S. 163-278.6(13). Since the committee is qualified for inactive status even when these receipts occur, there is no obligation to resume filing reports and to disclose these receipts while inactive. However, receipts would have been disclosed on an earlier report but for the committee's inactive status. If these receipts are not disclosed upon existing inactive status, reports and report balances will not accurately reflect the committee's financial status.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0101

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0102

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0103

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

This rule, particularly paragraph (c) and (d), require particular actions on the part of the local board of elections in response to petitions. How are local boards handling this currently?

These paragraphs of this rule codify what is already the county board of elections standard processes when receiving a petition request form, and is what State Board staff have trained those officials to do when receiving a petition request form.

The current petition request form can be found on the State Board of Elections website at https://s3.amazonaws.com/dl.ncsbe.gov/Candidate%20Filing/Petitions/NC_Petition_Request_Fillable.pdf. Note the gray section at the bottom for board of elections use only, which explains that the official receiving the form will notate the pertinent information on the form and then provide the petitioner with a copy of the form. It is also a standard operating procedure for those officials to provide information about the requirements to a petitioner by referring them to the pertinent statute or resources on the State Board's website.

To the extent this rule places new or different requirements on local boards of elections, how did you determine that local funds would not be affected for your fiscal impact statement on the form?

The requirements in this rule are the same as what county boards of elections are already instructed to do.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0104

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0105

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0106

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0107

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

On p. 1, line 18, you have a typo: "~~Maling~~ Mailing"

This typo has been corrected and the revised rule will be resubmitted. Thank you for catching this typo.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0201

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

This rule requires particular actions on the part of the local board of elections in response to petitions. How are local boards handling this currently?

This rule codifies what is already the county board of elections processes for conducting signature verification on a petition and is what State Board staff have trained those officials to do when conducting signature verification. The statutes that govern the types of petitions subject to these petition rules all require the county board of elections to verify the petition. *See* G.S. §§ 163-96, -107.1, -122, -123, -213.5, and -296. This means, as is typically described in the statutes, that the county board of elections must "examine the signatures on the petition" and compare them to the registration records of that county to determine if the signer of the petition is a registered voter in the county who is qualified to sign the petition. This process entails comparing the information and signature listed on the petition signature sheet with the information and signature in a record of a matched registered voter. The requirements and standards in this rule codify past guidance on how to go about comparing the information and signatures on petition signature sheets with the information and signatures on file in the county boards of elections registration records.

To the extent this rule places new or different requirements on local boards of elections, how did you determine that local funds would not be affected for your fiscal impact statement on the form?

The requirements in this rule are the same as what county boards of elections are already instructed to do.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0202

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

This rule requires particular actions on the part of the local board of elections in response to petitions. How are local boards handling this currently?

This rule codifies what is already the county board of elections processes for recording signature verification decisions on the physical signature sheet and in the petition module, maintaining copies for county board records, and issuing certificates required by statute identifying the number of verified signatures. This is also what State Board staff have trained those officials to do when carrying out those tasks. The petition statutes usually specify that the county board of elections is to mark on the signature sheet whether each signature has been verified (i.e., the signer is a qualified and registered voter), and then to issue a certificate stating that verification has resulted in a certain number of signatures being counted for the petition. *See e.g.*, G.S. §§ 163-96(c)(1) and (2), -122(a)(2), and -123(c)(1). This rule ensures uniformity in the manner of indicating a signature verification decision on the physical signature sheets (i.e., a checkmark or X). The county boards of elections have also been given regular guidance to make copies of the signature sheets for their own records in case there are any later disputes about the petition. That is particularly so when the originals must be returned to the petitioner to then file with the State Board of Elections. The rule codifies that best practice.

Finally, the petition module is the software currently used by county boards of elections officials to input the petition signers' information and then check that information against the registration records for the county to locate a possibly-matched voter. The module ties directly into the State Elections Information System (SEIMS) so that the reviewing official can compare the information on file and view an image of the matched voter's signature to complete the signature verification. This

rule codifies the various codes already used to note the official's decision in the module, which occurs automatically in some instances as noted in the rule.

To the extent this rule places new or different requirements on local boards of elections, how did you determine that local funds would not be affected for your fiscal impact statement on the form?

The requirements in this rule are the same as what county boards of elections are already instructed to do.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0203

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0301

DEADLINE FOR RECEIPT: Monday, August 18, 2025

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0302

DEADLINE FOR RECEIPT: Monday, August 18, 2025

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Is the effect of item (e) that a new political party rejected for having a similar name will have to recollect signatures for a new party name?

Under G.S. § 163-96(b), "[t]he State Board of Elections shall reject petitions for the formation of a new party if the name chosen contains any word that appears in the name of any existing political party recognized in this State or if, in the State Board's opinion, the name is so similar to that of an existing political party recognized in this State as to confuse or mislead the voters at an election." This statute does not specify when the rejection of the petition by the State Board occurs, meaning it could occur when the petition form is submitted, when the first signature sheet is submitted (i.e., the physical petition), or when the State Board eventually exercises its authority in G.S. § 163-96(a)(2) to "determine the sufficiency of [the] petitions filed with it." This rule is establishing an official process for the name review to occur at the outset of the petition process to avoid the possibility that a party could start collecting signatures only to have the name rejected at some point during or at the end of the process.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0303

DEADLINE FOR RECEIPT: Monday, August 18, 2025

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0304

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

I find the sentence on lines 11 and 12 somewhat confusing. What signatures wouldn't count?

Using this current election cycle of 2025-2028 as an example, if a prospective party starts petitioning in 2025 with an aim to be recognized before the 2026 general election, as noted on its petition request form, it may not collect enough signatures to meet the June 1, 2026, deadline under G.S. § 163-96(a)(2). In that scenario, the rule would permit them to continue to collect signatures towards recognition before the 2028 general election despite having originally aimed for recognition in a midterm election, because the 2028 general election is the next election in which the governor is elected.

For an example of when signatures would not count, if a prospective party begins petitioning in 2027 with an aim to be recognized before the 2028 general election, yet does not collect enough signatures before the statutory deadline of June 1, 2028, then the rule would not permit those already-collected signatures to be counted if the prospective party attempts again to be recognized in a new election cycle (i.e., after the 2028 election for governor).

The election for governor as the defining marker of the start and end of an election cycle for new party petitions is based on G.S. § 163-96(a)(2) requiring the petitioner to file petitions with a certain number of signatures based on "the most recent general election for Governor," and for the petition to be filed before "the first general State election in which the new political party desires to participate." As such, the prospective party is required by the statute to identify the statewide general election in which it desires to participate, which is defined as the "target election" in the adopted rule 08 NCAC 22 .0301. When completing the petition request form at the

outset of the petition process, the petitioner must identify that target election, which is then used to identify the submission deadline on the State Board's petition tracker (listed as the expiration date). *See e.g.*, the North Carolina Forward Party's petition tracker page. That information identifies for the public when the petition is expected to conclude, before the first election in which the petitioner is seeking to have candidates for the party listed on that election's ballot.

It may help to specify some of the nouns, i.e. on line 11 "pertaining to the original petition".

The agency would propose the following edits to the sentence in question on lines 11-12 to clarify which signatures are being referenced:

Only those verified signatures that were gathered during the election cycle ~~pertaining to~~ for the petition may ~~continue to~~ be counted for the petition under its new target election.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0305

DEADLINE FOR RECEIPT: Monday, August 18, 2025

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0306

DEADLINE FOR RECEIPT: Monday, August 18, 2025

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

On p. 2, line 1, did you intend this to be the beginning of a new paragraph? If not, you may want to consider it for readability. You would then also need to reletter current paragraph (d), starting on line 9.

The intent was for this to be in paragraph (c) with the list of information and materials to be taken into consideration by the State Board in its decision; however, the agency agrees with this suggestion and has made the following change for readability on lines 1 and 10 of page 2:

1 (d) The State Board, ~~in making its determination,~~ when determining the sufficiency of a new party petition, shall

. . .

10 ~~(c)~~ ~~(d)~~ (e) The State Board's decision whether to recognize the prospective party as a political party in North

This rule requires particular actions on the part of the state board of elections in response to petitions. How are local boards handling this currently?

Although this question asks how the county boards of elections are handling this currently, the agency believes the question is about State Board processes only since the rule does not speak to county board actions.

This rule largely codifies what is already the State Board processes for reviewing new party petitions that are filed with the agency. State Board staff have a standard practice of reviewing every single signature sheet that is submitted to the State Board to do quality control checks, including confirming that signature sheets have the

required information and signatures necessary for the county board to have completed its signature verification, confirming that the sheets have been notated with the county boards' signature verification results and that those notations appear accurate, and examining the sheets for signs of fraudulent activity. Staff also run reports to confirm that the number of verified signatures matches what is in the petition tracker on the State Board's website, which reflects the numbers of signatures that the county boards have noted as verified in the petition module, as well as another report to ensure the requirement in G.S. § 163-96(a)(2) has been met to have at least 200 verified signatures in three different congressional districts. Staff also review each certificate included with the petitions to confirm the amount stated on the certificate matches what has been submitted. And in the event any potential issues are identified throughout this review, State Board staff contact the county boards or the petitioner, depending on the issue. This review typically begins fairly soon after the petition tracker shows a prospective party has reached the signature threshold for the petition and the prospective party has delivered the original sheets to the State Board offices for staff's review. The review may also begin earlier depending on the workload at that point in the election calendar.

Once that review is complete, the standard procedure is for State Board staff to prepare a report for the State Board summarizing the results of staff's review of the petition, along with any other pertinent information provided by the county boards, the prospective party, or any third-parties who provided information about the petition. Staff then present the report and information to the State Board in an open meeting, and answer any questions the State Board may have as it considers the petition. These are all current procedures of State Board staff that would be codified by the rule.

Paragraph (b) of the rule includes a requirement for staff to review a random sample of the signatures, in essentially what amounts to an audit of the county boards' review of the signature sheets, using the same standards that those county boards used for signature verification. Conducting signature verification in this way at the State Board would only be a slight variation on the processes already taken to review every single signature on new party petitions, as discussed above. And conducting a more thorough review of signatures has been done in the past when the need has arisen to assist the State Board in determining the sufficiency of a new party petition.

To the extent this rule places new or different requirements on the state board of elections, how did you determine that state funds would not be affected for your fiscal impact statement on the form?

The staff member who would conduct the random sample review discussed above, which is the only new or different requirement established by this rule, is the State Board's petition specialist. This is a current, permanent position where the staff member is already tasked with handling all petition-related matters, including review of the new party petitions that are filed at the State Board. In other words, it would be another part of their regular job duties, as opposed to requiring the hiring of a new staff member, temporary employee, or contractor.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0401

DEADLINE FOR RECEIPT: Monday, August 18, 2025

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0402

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0501

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0502

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

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In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Elections

RULE CITATION: 08 NCAC 22 .0601

DEADLINE FOR RECEIPT: Monday, August 18, 2025

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Form is missing adoption date.

The corrected form has been submitted.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Seth Ascher
Commission Counsel
Date submitted to agency: August 4, 2025

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 21 .0102. Reporting of Independent Expenditures

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☐ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain:

Rule 08 NCAC 21 .0107 permits the use of an electronic signature on campaign finance disclosure reports. An amendment to rule 08 NCAC 21 .0102 was needed to clarify (1) the email address the electronically signed disclosure report cover should be sent to, and (2) that there is no requirement to file a copy of the disclosure report cover with the county board of elections.

10. Rulemaking Coordinator: Lindsey Wakely

Phone: 919-814-0729
E-Mail: lindsey.wakely@ncsbe.gov

Additional agency contact, if any: Paul Cox

Phone: 919-814-0729
E-Mail: paul.cox@ncsbe.gov

11. Signature of Agency Head* or Rule-making Coordinator:

Lindsey E. Wakely

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Lindsey Wakely
Title: Deputy General Counsel

RRC AND OAH USE ONLY

SUBMISSION FOR PERMANENT RULE

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 21 .0106. Electronic Filing.

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☐ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain:

Rule 08 NCAC 21 .0107 permits the use of an electronic signature on campaign finance disclosure reports. An amendment to rule 08 NCAC 21 .0106 was needed to clarify (1) the email address the electronically signed disclosure report cover should be sent to, and (2) that there is no requirement to file a copy of the disclosure report cover with the county board of elections.

10. Rulemaking Coordinator: Lindsey Wakely

Phone: 919-814-0729
E-Mail: lindsey.wakely@ncsbe.gov

Additional agency contact, if any: Paul Cox

Phone: 919-814-0729
E-Mail: paul.cox@ncsbe.gov

11. Signature of Agency Head* or Rule-making Coordinator:

Lindsey E. Wakely

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Lindsey Wakely
Title: Deputy General Counsel

RRC AND OAH USE ONLY

SUBMISSION FOR PERMANENT RULE

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 21 .0108. Reporting Periods.

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☐ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain:

Each campaign finance disclosure report required by Article 22A of Chapter 163 must cover a statutorily prescribed date range. Proposed rule 08 NCAC 21 .0108 mandates that the State Board of Elections publish the period start date and period end date for all quarterly and semiannual reports on the State Board's website. The rule also requires that the treasurer not sign or file a disclosure report cover until the calendar day after the statutorily prescribed period end date.

10. Rulemaking Coordinator: Lindsey Wakely

Phone: 919-814-0729
E-Mail: lindsey.wakely@ncsbe.gov

Additional agency contact, if any: Paul Cox

Phone: 919-814-0729
E-Mail: paul.cox@ncsbe.gov

11. Signature of Agency Head* or Rule-making Coordinator:

Lindsey E. Wakely

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Lindsey Wakely
Title: Deputy General Counsel

RRC AND OAH USE ONLY

SUBMISSION FOR PERMANENT RULE

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 21 .0204. Inactive Status for a Candidate or Committee.

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☐ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain:

Proposed rule 08 NCAC 21 .0204 implements G.S. 163-278.10 and establishes what must be filed with the State or county board for a committee to obtain inactive status. The rule also clarifies what must be filed after activity resumes. Finally, the rule identifies the de minimis expenditures will not impact a committee's inactive status.

10. Rulemaking Coordinator: Lindsey Wakely

Phone: 919-814-0729
E-Mail: lindsey.wakely@ncsbe.gov

Additional agency contact, if any: Paul Cox

Phone: 919-814-0729
E-Mail: paul.cox@ncsbe.gov

11. Signature of Agency Head* or Rule-making Coordinator:

Lindsey E. Wakely

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Lindsey Wakely
Title: Deputy General Counsel

RRC AND OAH USE ONLY

SUBMISSION FOR PERMANENT RULE

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Tuesday, August 5, 2025 3:43 PM
To: LiVecchi, Brian P <brian.livecchi@ncsbe.gov>; Cox, Paul <paul.cox@ncsbe.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Steele, Adam <adam.steele@ncsbe.gov>
Subject: Re: Board of Elections RFC- August 2025

Brian,

I'll let the Commission know you were present and wanted to speak in answer to their question but were unable due to technical issues. I don't foresee any need to revisit the issue at the next meeting and that should address any lingering concerns.

For future reference, if a similar situation arises due to technical issues, you can email one of the staff counsel during the meeting. We purposely monitor our emails during the meeting just in case there is such an issue (which there usually isn't).

Seth Ascher
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

Burgos, Alexander N

Subject: FW: Board of Elections RFC- August 2025

From: LiVecchi, Brian P <brian.livecchi@ncsbe.gov>
Sent: Tuesday, August 5, 2025 12:07 PM
To: Cox, Paul <paul.cox@ncsbe.gov>; Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Steele, Adam <adam.steele@ncsbe.gov>
Subject: Re: Board of Elections RFC- August 2025

Thanks, Paul.

Seth, please include me in the webex invite. As Paul noted, I attempted to appear by Webex at the last meeting, and there was apparently some issue with my comments not appearing in the chat when I offered to answer questions for the agency. We will attempt to always attend meetings in person, but would also like to be included in the webex forum in case something comes up and we are forced to appear before RRC in that manner.

Thanks again,

BPL

Brian P. LiVecchi
Chief of Staff
NC State Board of Elections
Phone: 919.814.0700
brian.livecchi@ncsbe.gov

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

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Burgos, Alexander N

From: Cox, Paul
Sent: Tuesday, August 5, 2025 11:38 AM
To: Ascher, Seth M
Cc: Burgos, Alexander N; LiVecchi, Brian P; Steele, Adam
Subject: RE: Board of Elections RFC- August 2025
Attachments: Form 0400 Submission - Petition Rule .0601.docx; Form 0400 Submission - Petition Rule .0101.docx; Form 0400 Submission - Petition Rule .0102.docx; Form 0400 Submission - Petition Rule .0103.docx; Form 0400 Submission - Petition Rule .0104.docx; Form 0400 Submission - Petition Rule .0105.docx; Form 0400 Submission - Petition Rule .0106.docx; Form 0400 Submission - Petition Rule .0107.docx; Form 0400 Submission - Petition Rule .0201.docx; Form 0400 Submission - Petition Rule .0202.docx; Form 0400 Submission - Petition Rule .0203.docx; Form 0400 Submission - Petition Rule .0301.docx; Form 0400 Submission - Petition Rule .0302.docx; Form 0400 Submission - Petition Rule .0303.docx; Form 0400 Submission - Petition Rule .0304.docx; Form 0400 Submission - Petition Rule .0305.docx; Form 0400 Submission - Petition Rule .0306.docx; Form 0400 Submission - Petition Rule .0401.docx; Form 0400 Submission - Petition Rule .0402.docx; Form 0400 Submission - Petition Rule .0501.docx; Form 0400 Submission - Petition Rule .0502.docx

And here are all the updated Form 400s.

Best,

Paul

From: Cox, Paul
Sent: Tuesday, August 5, 2025 11:17 AM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; LiVecchi, Brian P <brian.livecchi@ncsbe.gov>; Steele, Adam <adam.steele@ncsbe.gov>
Subject: RE: Board of Elections RFC- August 2025

Thanks for your work on these, Seth. We'll work through these comments and get back soon. The adoption date was definitely an oversight on the forms. These were all adopted by the State Board on June 24, 2025. We'll submit updated forms.

Our chief of staff Brian LiVecchi attended the last RRC meeting on Webex and was attempting to chat and speak on behalf of the State Board but was unable to via the Webex. I'll let him chime in to provide any further info on that.

Paul

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Monday, August 4, 2025 6:02 PM
To: Cox, Paul <paul.cox@ncsbe.gov>

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0101 PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule identifies the types of petitions that are subject to these rules.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0102 DEFINITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes definitions for the entire chapter to make the individual rules easier to read.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0103 INITIATION OF PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes how to start a petition and how a county processes the form that is used.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0104 PETITION SIGNATURE SHEETS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes the makeup of the signature sheets used to collect signatures for a petition.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0105 PETITION CIRCULATORS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule provides the manner in which petitioners will identify their circulators and when to do so.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0106 SUBMISSION OF SIGNATURE SHEETS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule provides when and how signature sheets are submitted to a board of elections to be verified, as well as how a county documents receipt.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0107 COPIES OF SIGNATURE SHEETS AND RETURN OF ORIGINAL SIGNATURE SHEETS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule provides how a county board returns a copy or original signature sheet to a petitioner, along with the certificate that identifies how many signatures have been verified.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0201 PETITION SIGNATURE VERIFICATION BY COUNTY BOARDS OF ELECTIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes the requirements and procedures for conducting signature verification to determine whether the petition signer is a registered voter who is qualified to sign the petition.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0202 PETITION SIGNATURE VERIFICATION DETERMINATIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule governs how a county board official will notate their determination as to whether the signature will count, both on the physical signature sheet and within the petition module in SEIMS.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0203 COUNTING OF SIGNATURES TOWARDS A PETITION'S SIGNATURE REQUIREMENT

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule sets rules for when certain signatures will count, or will not otherwise be permitted to count.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0301 NEW PARTY PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes definitions for the section and defines what counts as final action on a new party petition.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0302 PROSPECTIVE PARTY NAME

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes a process to review the name of a prospective party at the outset of their petition.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0303 CHANGES IN PROSPECTIVE PARTY STATE CHAIR'S INFORMATION

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule informs the prospective party on what they need to do when their state chair's information changes, and when to do it.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0304 CONTINUING A NEW PARTY PETITION

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes a process for a prospective party to notify the State Board when it will not meet the signature threshold before a midterm election and desires to continue its petition so it can gain recognition before the presidential election.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0305 GENERAL PURPOSE AND INTENT OF THE NEW PARTY

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes how the prospective party can demonstrate to the State Board the manner in which it will convey its general purpose and intent to petition signers.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0306 SUFFICIENCY OF NEW PARTY PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule sets out the criteria and process for the State Board to determine the sufficiency of a new party petition, including State Board staff review of the signature sheets and the manner in which the Board can request more information from the party.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0401 UNAFFILIATED CANDIDATE PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes definitions for the section, defines what counts as final action on the petition, and accounts for the manner in which counties review signature sheets when the petition is filed with the State Board.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0402 PROCESSING UNAFFILIATED CANDIDATE PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule governs how a board of elections processes an unaffiliated candidate petition, including when the board inspects the registration records to determine if the petitioner is qualified for the office sought.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0501 WRITE-IN CANDIDATE PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule establishes definitions for the section and defines what counts as final action on the petition.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 22 .0502 PROCESSING WRITE-IN CANDIDATE PETITIONS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: March 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/03/17/public-comment-period-opens-proposed-rules-about-petitions-campaign-finance-disclosure
Hearing on: April 14, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 24, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: There are various statutes that authorize petitions for various election-related procedures. *See* G.S. 163-96, 163-107.1, 163-122, 163-123, 163-213.5, and 163-296. This rule is one of a series of rules adopted by the agency to govern the conduct of petitions to ensure consistency in how petition drives are carried out by petitioners and transparency in the process for the review and certification of petitions by the county boards of elections and the State Board of Elections.

This particular rule governs how a board of elections processes a write-in candidate petition, including when the board inspects the registration records to determine if the petitioner is qualified for the office sought.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

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☐ Other:

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Board of Elections RFC- August 2025

Good afternoon,

I'm the attorney who reviewed the Rules submitted by the Board of Elections for the August 2025 RRC meeting. The RRC will formally review these Rules at its meeting on Thursday, August 28, 2025, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, let me know prior to the meeting, and we will get evites out to them as well.

Attached is the Request for Changes Pursuant to G.S. 150B-21.10. Please submit your responses, the revised Rules, and forms to me via email, no later than 5 p.m. on August 18, 2025.

Two notes:

1. You've consistently left the "adoption by agency" date blank on the forms. This will need to be updated and you will need to send in new versions of all the forms.
2. Across multiple rules, I have asked a similar question about the current way of handling petitions and why specifying procedures won't impact local or state funds (due to staffing etc.) It may be that the answer to all these questions is the same or similar, and if so feel free to just answer once.

Please let me know if you have any questions of concerns.

Seth Ascher
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.