



NORTH CAROLINA

State Board of Elections & Ethics Enforcement

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December 6, 2017

VIA ELECTRONIC MAIL

Tony Ndege
cochair@ncgreenparty.org

RE: Party qualification under G.S. § 163-96(a)(3) added by S.L. 2017-214.

Dear Tony:

As you have previously discussed with counsel at the State Board of Elections & Ethics Enforcement ("State Board"), the General Assembly in October enacted a new process by which a group may qualify for recognition as a political party in North Carolina. Section 96(a)(3) of Chapter 163 of the General Statutes now provides as follows:

Any group of voters which shall have filed with the State Board of Elections documentation that the group of voters had a candidate nominated by that group on the general election ballot of at least seventy percent (70%) of the states in the prior Presidential election. To be effective, the group must file their documentation with the State Board of Elections before 12:00 noon on the first day of June preceding the day on which is to be held the first general State election in which the new political party desires to participate. The State Board of Elections shall forthwith verify the documentation filed with it and shall immediately communicate its determination to the State chair of the proposed new political party.

(emphasis added). Considering that the statute does not prescribe particular documents that should be provided. I have determined as the Executive Director of the State Board, that a group seeking qualification may proceed to secure written statements signed by the chief state elections official or his/her designee in states that listed a candidate nominated by the group on the general election ballot in the 2016 General Election. For your convenience, I have enclosed a form that may be completed by the appropriate officials. Your group will need to compile completed forms and timely provide originals to the State Board Office once you have collected responses from at least thirty-five states.

Sincerely,

Kimberly Westbrook Strach
State Board of Elections & Ethics Enforcement

Encl.: Political Party Certification Form

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POLITICAL PARTY CERTIFICATION FORM

This form is to be used by groups seeking to qualify as a recognized political party in North Carolina under G.S. § 163-96(a)(3), which requires that the applying group provide documentation indicating that a candidate nominated by that group appeared on the general election ballot of at least thirty-five (35) states during the most recent Presidential election. **This completed Form should be returned directly to the requestor.**

I, _____ (*name*), am the Chief State Elections Official or his/her designee for _____ (*State/Commonwealth*), and do hereby certify that one or more candidates nominated by the _____ Party appeared on the general election ballot in the 2016 General Election.

Signature

Date

NOTARIAL CERTIFICATE

I, _____ (*name*), a Notary Public, do hereby certify that the above-named individual personally appeared before me on _____ (*date*) and executed the foregoing certification.

Witness my hand and official seal on _____ (*date*).

(*Affix Official Seal*)

Official Signature of Notary

My commission expires on : _____