

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 819

Short Title: Elections Day After Tax Day.

(Public)

Sponsors: Senators Webster, East, Kerr, Hoyle, Kincaid, Carrington, Page, Foxx, Perdue, McKoy, Shaw, and Warren.

Referred to: Judiciary II/Election Laws

April 25, 1995

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT ALL GENERAL ELECTIONS SHALL BE HELD ON
THE DAY AFTER INDIVIDUAL INCOME TAX RETURNS ARE DUE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-1(a) reads as rewritten:

"(a) Unless otherwise provided by law, elections for the officers listed in the tabulation contained in this section shall be conducted in all election precincts of the territorial units specified in the column headed 'Jurisdiction' on ~~the dates indicated in the column headed 'Date of Election.'~~ the day after individual income tax returns are due under G.S. 105-155(a) from calendar year taxpayers without extensions. Unless otherwise provided by law, officers shall serve for the terms specified in the column headed 'Term of Office.'

Sec. 2. G.S. 163-279(a) reads as rewritten:

"(a) Primaries and elections for offices filled by election of the people in cities, towns, incorporated villages, and special districts shall be held in ~~1973-1997~~ and every two or four years thereafter as provided by municipal charter on the following days:

(1) If the election is nonpartisan and decided by simple plurality, the election shall be held on ~~Tuesday after the first Monday in November.~~ the

- 1 day after individual income tax returns are due under G.S. 105-155(a)
2 from calendar year taxpayers without extensions.
- 3 (2) If the election is partisan, the election shall be held on ~~Tuesday after the~~
4 ~~first Monday in November,~~ the day after individual income tax returns are
5 due under G.S. 105-155(a) from calendar year taxpayers without
6 extensions, the first primary shall be held on the sixth Tuesday before
7 the election, and the second primary, if required, shall be held on the
8 third Tuesday before the election.
- 9 (3) If the election is nonpartisan and the nonpartisan primary method of
10 election is used, the election shall be held on ~~Tuesday after the first~~
11 ~~Monday in November~~ the day after individual income tax returns are due
12 under G.S. 105-155(a) from calendar year taxpayers without extensions
13 and the nonpartisan primary shall be held on the fourth Tuesday before
14 the election.
- 15 (4) If the election is nonpartisan and the election and runoff election method
16 of election is used, the election shall be held on the fourth Tuesday
17 before ~~the Tuesday after the first Monday in November,~~ the day after
18 individual income tax returns are due under G.S. 105-155(a) from
19 calendar year taxpayers without extensions, and the runoff election, if
20 required, shall be held on Tuesday after the first Monday in November."
- 21 Sec. 3. This act becomes effective with respect to elections held on or after
22 January 1, 1996.