

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE DRH60273-RR-40 (04/09)

Short Title: Disclosure of Contributor. (Public)

Sponsors: Representative Luebke.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO RESTORE THE LAW ON DISCLOSING THE IDENTITY OF  
POLITICAL CONTRIBUTORS; AND TO MAKE CHANGES TO THE PILOT  
PROGRAM CONCERNING INSTANT RUNOFF VOTING.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 163-278.11(a1) reads as rewritten:

"(a1) Threshold for Reporting Identity of Contributor. – A treasurer shall not be required to report the name, address, or principal occupation of any individual resident of the State who contributes fifty-one hundred dollars (~~\$50.00~~) (\$100.00) or less to the treasurer's committee during ~~an election as defined in G.S. 163-278.13.~~ an election cycle. The State Board of Elections shall provide on its reporting forms for the reporting of contributions below that threshold. On those reporting forms, the State Board may require date and amount of contributions below the threshold, but may treat differently for reporting purposes contributions below the threshold that are made in different modes and in different settings."

**SECTION 2.** Section 1 of Session Law 2006-192 reads as rewritten:

"**SECTION 1.(a)** The State Board of Elections shall select local jurisdictions in which to conduct a pilot program during the 2007 and 2008 elections for local offices using instant runoff voting. The State Board shall select:

(1) Up to 10 cities or boards of education for the 2007 elections.

(2) Up to 10 counties or boards of education for the 2008 elections.

In selecting those local jurisdictions, the State Board shall seek diversity of population size, regional location, and demographic composition. The pilot shall be conducted only with the concurrence of the county board of elections that conducts elections for the local jurisdiction. If a city is selected that has voters in more than one county, the concurrence of all the county boards of elections that conduct that city's elections is required. The pilot program shall consist of using instant runoff voting as

1 the method for determining the winner or winners of a partisan primary or a nonpartisan  
2 election that normally uses nonpartisan election and runoff or nonpartisan primary and  
3 election. Instant runoff voting may also be used to determine results in an election  
4 where nonpartisan plurality elections are normally used, but only if the governing board  
5 of the local jurisdiction concurs. In the case of a board of education, the term  
6 "governing board" as used in the previous sentence means the board of education.

7 As used in this section, "instant runoff voting" means a system in which voters rank  
8 up to three of the candidates by order of preference, first, second, or third. If the  
9 candidate with the most first-choice votes receives the threshold of victory of the  
10 first-choice votes, that candidate wins. If no candidate receives the threshold of victory  
11 of first-choice votes, the two candidates with the greatest number of first-choice votes  
12 advance to a second round of counting. In this round, each ballot counts as a vote for  
13 whichever of the two final candidates is ranked highest by the voter. The candidate with  
14 the most votes in the second round wins the election.

15 The threshold of victory of first-choice votes for a partisan primary shall be forty  
16 percent (40%) plus one vote. The threshold of victory for a nonpartisan election and  
17 runoff or nonpartisan primary and election shall be a majority of the vote. The threshold  
18 of victory in a contest that normally uses nonpartisan plurality shall be determined by  
19 the State Board with the concurrence of the county board of elections and the local  
20 governing board.

21 If more than one seat is to be filled in the same race, the voter votes the same way as  
22 if one seat were to be filled. The counting is the same as when one seat is to be filled,  
23 with one or two rounds as needed, except that counting is done separately for each seat  
24 to be filled. The first counting results in the first winner. Then the second count  
25 proceeds without the name of the first winner. This process results in the second winner.  
26 For each additional seat to be filled, an additional count is done without the names of  
27 the candidates who have already won.

28 Other details of instant runoff voting are as described in House Bill 1024 (First  
29 Edition) of the 2005 Regular Session of the General Assembly, with modifications the  
30 State Board deems necessary, in primaries and/or elections for city offices, for county  
31 offices, or for both. Those modifications may include giving the voter more than three  
32 choices in case of multi-seat contests. The State Board shall not use instant runoff  
33 voting in a primary or election for an office unless the entire electorate for the office  
34 uses the same method.

35 **SECTION 1.(b)** The State Board of Elections shall closely monitor the pilot  
36 program established in this section and report its findings and recommendations to the  
37 ~~2007 General Assembly~~. Assembly and to the 2009 General Assembly."

38 **SECTION 3.** Section 1 of this act becomes effective January 1, 2008, and  
39 applies to contributions made or accepted on or after that date. The remainder of this act  
40 is effective when it becomes law.