

08 NCAC 22 .0306 SUFFICIENCY OF NEW PARTY PETITIONS

(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 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.

(b) Within five business days of receiving the notice made pursuant to Paragraph (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.

(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 (b) of this Rule.

(d) The State Board, 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) 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.