

# **NORTH CAROLINA DELEGATE SELECTION PLAN**

FOR THE 2024 DEMOCRATIC NATIONAL CONVENTION

ISSUED BY THE  
NORTH CAROLINA  
DEMOCRATIC PARTY

(AS OF SEPTEMBER 27, 2023)

**The North Carolina Delegate Selection Plan  
For the 2024 Democratic National Convention**

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# North Carolina Delegate Selection Plan For the 2024 Democratic National Convention

## Section I Introduction & Description of Delegate Selection Process

### A. Introduction

1. North Carolina has a total of 134 delegates and 10 alternates. *(Call I & Appendix B)*
2. The delegate selection process is governed by the *Charter and Bylaws of the Democratic Party of the United States*, the *Delegate Selection Rules for the 2024 Democratic National Convention* (“Rules”), the *Call for the 2024 Democratic National Convention* (“Call”), the *Regulations of the Rules and Bylaws Committee for the 2024 Democratic National Convention* (“Regs.”), the rules of the North Carolina Democratic Party (“Plan of Organization” or “POO”), North Carolina General Statutes (“NCGS”), and this Delegate Selection Plan. *(Call II.A)*
3. Following the State Executive Committee’s adoption of this Delegate Selection Plan, the state Party shall submit the Plan for review and approval by the DNC Rules and Bylaws Committee (“RBC”). The state Party Chair shall be empowered to make any technical revisions to this document as required by the RBC to correct any omissions and/or deficiencies as found by the RBC to ensure its full compliance with Party Rules. Such corrections shall be made by the state Party Chair and the Plan resubmitted to the RBC within 30 days of receipt of notice of the RBC’s findings. *(POO 7.01, Reg. 2.5, Reg. 2.6 & Reg. 2.7)*
4. Once this Plan has been found in Compliance by the RBC, any amendment to the Plan by the state Party must be submitted to and approved by the RBC before it becomes effective. *(Reg. 2.9)*
5. Per NCGS, “Each political party shall allocate delegate positions in a manner which reflects the division of votes of the party primary consistent with the national party rules of that political party.”. *(NCGS 163-213.8)*

### B. Description of Delegate Selection Process

1. North Carolina will use a proportional representation system based on the results of the Presidential Preference Primary for apportioning delegates to the 2024 Democratic National Convention.

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2. The “first determining step” of North Carolina’s delegate selection process will occur on March 5, 2024, with a Presidential Preference Primary. Other elections on the primary ballot will include U.S. Congress, statewide executive offices (“Council of State”), including those for Governor, Lieutenant Governor, Attorney General, and Secretary of State; North Carolina General Assembly, local officials, including county commissioners and school boards; and statewide and local judicial races. (*NCGS 163-1, NCGS 163-213.2*).

### C. Voter Participation

1. Participation in North Carolina’s delegate selection process is open to all voters who wish to participate as Democrats. All registered Democrats in North Carolina shall be eligible to participate and shall be encouraged to do so through a program of publicity and outreach by both county and state parties. (*NCGA 163-59, Rule 2.A and Rule 2.C*)
  - a. North Carolina’s voter registration deadline for the Presidential Preference Primary is 25 days prior to the election; February 9, 2024. Voters register by sending in their forms to either their local county board of elections or the State Board of Elections, or through the Division of Motor Vehicle. Alternatively, voters may register and vote during the one-stop voting period (“early voting”); however, “an individual’s party affiliation may not be changed during the one-stop voting period before any first or second partisan primary in which the individual is eligible to vote.” (*NCGS 163-82.6, NCGS 163-82.6A*)
  - b. North Carolina has partisan voter registration. Current qualified parties in North Carolina are the Democratic Party, the Green Party, the Libertarian Party, the Constitutional Party, and the Republican Party. Voters may also register as unaffiliated. (*NCGA 163-96*)
    - i. All active Democrats, as defined by the Plan of Organization, may participate in any part of the delegate selection process. An active Democrat is a person who is registered to vote in North Carolina as a Democrat and who gives their time and/or means to further the interests of the Democratic Party. (*POO 11.09*)
    - ii. Voters who are registered as unaffiliated may participate in the Presidential Preference Primary (*NCGS 163-119*) but may not participate in any other part of the delegate selection process. Unaffiliated voters must select the Democratic primary ballot to vote in the Presidential Preference Primary but are not required to identify as Democrats or change their voter affiliation. Voters who register as a member of any other party other than the Democratic Party may not participate in any part of the delegate selection Process. (*Rule 2.A, Reg. 4.3.A, Reg. 4.3.B, POO 11.09, NCGS 163-59, NCGS 163-283*)

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- c. To encourage participation by youth in the delegate selection process, any individual who will have turned 18 by the date of the general election will be allowed to participate in the delegate selection process; however they may only register “not earlier than 60 days nor later than the last day for making [an] application to register.” (*NCGS 163-59, NCGS 163-213.2; Reg. 4.3.C*)
  - d. At no stage of State’s delegate selection process shall any person be required, directly or indirectly, to pay a cost or fee as a condition for participating. Voluntary contributions to the Party may be made, but under no circumstances shall a contribution be mandatory for participation. (*Rule 2.D & Reg. 4.4*)
  - e. No person shall participate or vote in the nominating process for the Democratic presidential candidate who also participates in the nominating process of any other party for the corresponding election. (*Rule 2.E*)
  - f. Votes shall not be taken by secret ballot at any stage of the delegate selection process, including processes leading up to the selection of DNC Members or State Chairs or Vice Chairs, who serve as DNC members by virtue of their office, except that use of such voting by secret ballot may be used in a process that is the first determining stage of the delegate selection process and in which all individual voters who wish to participate as Democrats are eligible to do so. (*Rule 2.F*)
  - g. No person shall vote in more than one (1) meeting which is the first meeting in the delegate selection process. (*Rule 3.E & Reg. 4.7*)
2. North Carolina is participating in the state government-run presidential preference primary that will utilize government-run voting systems. North Carolina law (*NCGS 163-165.7*) already provides both optical scan and direct recording electronic systems with recognized security measures including a paper trail. Other security measures include automatic routine manual audits comparing paper records to electronic records following every election and prior to certification or results where possible, parallel testing on election day; physical and electronic security for equipment, banning use of wireless components and connections, public disclosure of software design, use of transparent and random selection for all auditing procedures, and effective procedures for addressing evidence of fraud or error. Audits conducted by local boards of elections with the State Board of Elections selecting a random race and precinct/early voting site to compare the electronic recording of votes with paper ballots to verify the accuracy of the vote.

NCDP has taken provable positive steps, including through legislation like the Fix Our Democracy Act ([HB362/SB306](#)) and the Freedom to Vote Act ([HB293/SB226](#)) to advocate for the state to do the following:

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- a. Maintain secure and accurate state voter registration rolls, so that every eligible American who registers to vote has their personal information protected and secure (*Rule 2.H.1*);
  - b. Implement transparent and accurate voter registration list maintenance procedures that comply with federal requirements and ensure that every eligible voter stays on the rolls (*Rule 2.H.2*);
  - c. Promote the acquisition, maintenance, and regular replacement of precinct based optical scan voting systems (*Rule 2.H.3*);
  - d. Ensure that any direct recording electronic systems in place have a voter verified paper record (*Rule 2.H.4*);
  - e. Implement risk limiting post-election audits such as manual audits comparing paper records to electronic records (*Rule 2.H.5*);
  - f. Ensure that all voting systems have recognized security measures (*Rule 2.H.6*);
  - g. Use accessible and secure voting machines that make it possible for individuals with disabilities to vote securely and privately, with votes verifiable by voters (*Rule 2.H.7*);
  - h. Provide educational materials to enhance public knowledge and confidence in election administration and counter disinformation (*Rule 2.H.8*);
  - i. Actively engaging with state and local officials to implement fair and honest election policies and practices (*Rule 2.H.9*); and
  - j. Support adequate funding for state and local election administration. (*Rule 2.H.10*)
3. In accordance with the Democratic Party's requirement to assess and improve participation with respect to presidential preference and the delegate selection process, these provable positive steps have included: the drafting of legislation; public endorsement by the state party of such legislation; efforts to educate the public on the need for such legislation; active support for the legislation by the state party lobbying state legislators, other public officials, Party officials and Party members; and encouraging consideration of the legislation by the appropriate legislative committees and bodies. (Rule 2.I and 2.I.1) North Carolina Democrats have passed legislation and defended Republican attempts to repeal the following:
- a. Expand access to voting, including by early voting (17 day period prior to the primary, beginning **February 15, 2024**), no excuse absentee voting (available 50 days before the primary on **January 15, 2024**, must be postmarked by primary day and received by the Friday following the primary), same-day voter

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- registration during early voting, and voting by mail (available 50 days before the primary or **January 15, 2024**; must postmarked by primary day and received by the Friday following the primary), drop boxes and voting by mail; (*Rule 2.1.1.a*)
- b. Ensure that voting locations are accessible, fairly placed, and adequate in number, and have a sufficient number of voting machines; (*Rule 2.1.1.b*)
  - c. Speed up the voting process and minimize long lines; (*Rule 2.1.1.c*)
  - d. Eliminate onerous and discriminatory voter identification requirements; (*Rule 2.1.1.d*)
  - e. Count and include in the final total ballots from voters who are eligible to vote but cast their ballots in the wrong precinct, for offices for which they are eligible to vote; and (*Rule 2.1.1.e*)
  - f. Facilitate military and overseas voting. (*Rule 2.1.1.f*)
4. As part of encouraging participation in the delegate selection process by registered voters, the North Carolina Democratic Party will work from the state level down to the precinct level to fully publicize the Presidential Preference Primary in ways including, but not limited to: issuing press releases and notices encouraging participation in local, regional, and constituency media; providing surrogates to news and informational programs on television and radio; publicizing the election on social media networks such as Facebook and Twitter; and encouraging NCDP email list members to register and commit to vote. (*Rule 2.1.2*) North Carolina legislators have already passed legislation decades ago that includes the following, and the North Carolina Democratic Party has fought back against attempts by Republican legislators to repeal the following (*Rule 2.1.2*):
- a. Voter registration modernization, including online voter registration via the Division of Motor Vehicles as well as same-day registration during the one-stop early voting period (*Rule 2.1.2.a*);
  - b. Pre-registration of high school students so that they are already registered once they reach voting age (*Rule 2.1.2.b*);
  - c. Restoration of voting rights to all people who have served the time for their criminal conviction, without requiring the payment of court fees or fines (*Rule 2.1.2.c*); and
  - d. Same-day registration of voters for the Democratic presidential nominating process during early voting. (*Rule 2.1.2.d*)



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5. The North Carolina Democratic Party has taken proactive steps to ensure that an open and inclusive process is possible and resisted efforts to implement voter suppression and disenfranchisement. Since 2017, the North Carolina Democratic Party and progressive organizations have repeatedly engaged in litigation to thwart voter suppression. Litigation in North Carolina has successfully thwarted implementation of Voter ID, reductions in early voting, and racial gerrymandering. Additionally, the North Carolina Democratic Party came out against constitutional amendments on Voter ID and changing the administrative structure of the State Board of Elections and local county boards. And finally, legislators in the General Assembly regularly introduce legislation to make it easier to vote in North Carolina. However, with a majority of both chambers being controlled by the GOP that legislation has not passed. Nonetheless, North Carolina Democrats have been able to implement robust early voting plans at the county level to ensure adequate locations, days, and hours for voters to exercise their right to vote and through public engagement communicated with voters on all available ways a ballot may be cast within the current regulatory environment. *(Rule 2.J and Rule 2.J.1)*

### **D. Scheduling of Delegate Selection Meetings**

The dates, times and places for all official Party meetings and events related to the state's delegate selection process must be scheduled to encourage the participation of all Democrats. Such meetings must begin and end at reasonable hours. The dates, times and places for all official Party meetings and events related to the state's delegate selection process have been scheduled to encourage the participation of all Democrats. The state chair will schedule the dates of precinct meetings per the plan of organization. The North Carolina Democratic Party has sought to avoid conflict with major religious observances in an effort to promote delegate selection. The North Carolina Democratic Party has sought to avoid major religious observances in an effort to promote delegate selection. *(Rule 3.A & Reg. 4.)*

The State Party will work with county parties and congressional district parties to confirm that all meetings have secured all appropriate meeting locations that are publicly accessible. The State Party will work with county parties and congressional district parties to confirm that all convenings will take place at facilities that have been properly reserved and secured and are publicly accessible. All precinct meetings, county conventions, and district conventions shall occur in-person, unless a simple majority weighted vote of the appropriate county or district executive committee is taken to authorize a virtual convening. A certification shall be filed by a county chair regarding annual precinct meetings and/or a county convention and by a district chair regarding a district convention. This certification shall be filed with the co-chairs of the Delegate Selection and Affirmative Action Committee no less than 60 days prior to the respective convening(s). Additionally, a county or district executive committee chair shall file with the co-chairs of the Delegate Selection and Affirmative Action Committee their plan for

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ensuring accessibility and equity for attendees of a virtual convening at the time such a certification is submitted.

## Section II

### Presidential Candidates

#### A. Ballot Access

A presidential candidate gains access to the State presidential preference primary ballot, or is eligible to participate in the State's first-tier caucuses, by the following means:

(1) Nomination by State Board of Elections (*NCGS 163-213.4*). "No later than 90 days preceding the North Carolina presidential preference primary, the chair of each political party shall submit to the State Board of Elections a list of its presidential candidates to be placed on the presidential preference primary ballot. The list must be comprised of candidates whose candidacy is generally advocated and recognized in the news media throughout the United States or in North Carolina, unless any such candidate executes and files with the chair of the political party an affidavit stating without qualification that the candidate is not and does not intend to become a candidate for nomination in the North Carolina Presidential Preference Primary Election. The State Board of Elections shall prepare and publish a list of the names of the presidential candidates submitted. The State Board of Elections shall convene in Raleigh on the first Tuesday in January preceding the presidential preference primary election, unless the first Tuesday in January is the first day of that month, in which case the State Board shall meet on January 2. At the meeting required by this section, the State Board of Elections shall nominate as presidential primary candidates all candidates affiliated with a political party, recognized pursuant to the provisions of Article 9 of this Chapter, who have been submitted to the State Board of Elections. Additionally, the State Board of Elections, by vote of at least three of its members in the affirmative, may nominate as a presidential primary candidate any other person affiliated with a political party that it finds is generally advocated and recognized in the news media throughout the United States or in North Carolina as candidates for the nomination by that party. Immediately upon completion of these requirements, the State Board shall release to the news media all such nominees selected. Provided, however, nothing shall prohibit the partial selection of nominees prior to the meeting required by this section, if all provisions herein have been complied with."

(2) Nomination by petition. (*NCGS 163-213.5*) "Any person seeking the endorsement by the national political party for the office of President of the United States, or any group organized in this State on behalf of, and with the consent of, such person, may file with the State Board of elections petitions signed by 10,000 persons who, at the time they signed are registered and qualified voters in this State and are affiliated, by such registration, with the same political party as the candidate for whom the petitions are filed. Such petitions shall be presented to the county board of elections 10 days before the filing deadline and shall be certified promptly by the chairman of the board of elections of the county in which the signatures were obtained and shall be filed by the petitioners with the State Board of Elections no later than 5:00 P.M. on the Monday prior to the date the State Board of elections is required to meet as

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directed by G.S. 163-213.4. The petitions must state the name of the candidate for nomination, along with a letter of approval signed by such candidate. Said petitions must also state the name and address of the chairman of any such group organized to circulate petitions authorized under this section. The requirement for signers of such petitions shall be the same as now required under provisions of G.S. 163-96(b)(1) and (2). The requirement of the respective chairmen of county boards of elections shall be the same as now required under the provisions of G.S. 163-96 as they relate to the chairman of the county board of elections. The State Board of elections shall forthwith determine the sufficiency of petitions filed with it and shall immediately communicate its determination to the chairman of such group organized to circulate petitions. The form and style of petition shall be as prescribed by the State Board of elections.”

*(Rule 11.C, Rule 14.A, Rule 14.C, Rule 14.D, Rule 14.E, & Rule 15.H)*

### **B. Other Requirements**

1. Each presidential candidate shall certify in writing to the State Democratic Chair the name(s) of their authorized representative(s) by **January 1, 2024**. *(Rule 13.D.1)*
2. Each presidential candidate (including uncommitted status) shall use their best efforts to ensure that their respective delegation within the state delegation achieves the affirmative action, outreach, and inclusion goals established by this Plan and is equally divided between men and women. *(Rule 6.I)*

### **C. Uncommitted on the Ballot**

1. The names of all candidates in the presidential preference primary shall appear at an appropriate place on the ballot or voting machine. In addition, the State Board of Elections shall provide a category on the ballot or voting machine allowing voters in each political party to vote an "uncommitted" or "no preference" status. The voter shall be able to cast his ballot for one of the presidential candidates of a political party or for an "uncommitted" or "no preference" status but shall not be permitted to vote for candidates or "uncommitted" status of a political party different from his registration.” Write in candidates are not allowed. *(NCGS 163-213.7)*

## Section III

### Selection of Delegates and Alternates

#### A. District-Level Delegates and Alternates

1. North Carolina is allocated 76 district-level delegates and 0 district-level alternates. *(Rule 8.C, Call I.B, I.I, & Appendix B)*
2. District-level delegates and alternates shall be elected by a Presidential Preference Primary followed by a post-primary convention system involving precinct meetings, county conventions, district conventions, and a state convention.
  - a. The purpose of precinct meetings is to elect delegates to the county conventions and to discuss other business related to the affairs of the precinct. The purpose of the county convention is to elect delegates to the congressional district and state conventions as well as to conduct other business related to the affairs of the county organizations. Delegates who are elected at one level who are unable to attend the next level caucus are still able to run as delegates.
  - b. Statewide precinct meetings shall be held on **Saturday, February 17, 2024** and begin no earlier than 10:00 AM and no later than 7:00 PM, at the polling place for that precinct or at another location approved in advance by the county chair with notice posted at the polling place. Every effort must be made to hold the precinct meeting at an accessible location. The make-up date, in the event of severely inclement weather or failure to assemble a quorum of five (5), will be on **Saturday, March 2, 2024** between the hours of 10:00 AM and 7:00 PM. Should a precinct fail to meet on the make-up date, the county chair has the authority to set a date for a new precinct meeting. This date shall be fully publicized and must occur two full weeks before the county convention. In the event that a precinct polling place should prove unsuitable, for whatever reason, an alternate meeting location may be used. Any alternate meeting facility must be approved in advance by the county chair and publicly announced seven (7) calendar days in advance of the meeting. In the event the precinct will be meeting at a location other than the precinct's polling location, the precinct chair or acting precinct chair shall post notice of the alternate meeting location at the regular polling place. If the precinct's polling location will not allow the posting of a meeting notice, the precinct chair or acting chair will notify the County Party Chair so a remedy can be found in a timely manner. In any case, the precinct meeting must be held in a public facility accessible to all registered Democrats residing in the precinct, except that when the precinct chair or acting precinct chair, wishes to meet in their precinct, and the county chair certifies that no public facility is available in the precinct, the precinct meeting may be held in a non-public facility accessible to all registered Democrats residing in the precinct.

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- i. Multiple Precincts Meeting at One Location. Multiple precinct meetings at the same location and time are permissible under this Plan so long as such an arrangement is agreed to in advance by the county party Chair and by the precinct chair or acting precinct chair of the affected precincts. Such meetings must be in a location within the boundaries of the precinct's county and at a location that can be reasonably accessed by all registered Democrats residing in the affected precincts. For all precincts which do not meet at their polling place, the precinct chair or acting precinct chair, shall post notice of the alternate meeting location at the regular polling place, and if postings are not allowed, they need to notify the County Party Chair. The group meeting may be structured so participating precincts share agenda items common to all precincts but must allow the precincts to meet individually to elect officers and/or delegates to the county convention or conduct other business specific to an individual precinct.
- ii. At the beginning of every precinct meeting, the precinct chair or the acting chair shall read the following statement: "All public meetings at all levels of the North Carolina Democratic Party shall be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, economic status, or disability. In order that the Democratic Party at all levels be an open Party, which includes rather than excludes people from participation, a program of effective affirmative action has been adopted by the North Carolina Democratic Party. Discrimination on the basis of 'status' in the conduct of North Carolina Democratic Party affairs is prohibited."
- c. All registered Democrats in the precinct shall be eligible to attend and vote at the precinct meeting and shall be encouraged to do so through a program of publicity and outreach by both the county and state Democratic Parties.
- d. As provided in the Plan of Organization, the first order of business at precinct meetings shall be the election of delegates to the county convention. Each precinct shall be entitled to cast one vote at the county convention for every 100 Democratic votes, or major fraction thereof, cast by the precinct for Governor in the last (2020) gubernatorial election. (*POO 1.04*)
- e. County conventions shall be held on **Saturday, March 16, 2024**, with starting times between the hours of 10:00 a.m. and 2:00 p.m. The county chair shall determine the starting time as provided above and the location – both of which shall be as fully publicized by the county chair, 3rd vice chair, or their designee responsible for media, as possible. The county conventions

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shall be composed of delegates elected at the annual precinct meetings in the county.

iii. At the beginning of every county convention, the county chair or the acting chair shall read the following statement: "All public meetings at all levels of the North Carolina Democratic Party shall be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, economic status, or disability. In order that the Democratic Party at all levels be an open Party, which includes rather than excludes people from participation, a program of effective affirmative action has been adopted by the North Carolina Democratic Party. Discrimination on the basis of 'status' in the conduct of North Carolina Democratic Party affairs is prohibited."

- f. As provided in the Plan of Organization, the county convention shall elect, from among the Democrats of the county, delegates to the congressional district and state conventions. Each county (or portion thereof within a congressional district) shall be entitled to cast one vote at the congressional district and state conventions for every 300 Democratic votes, or major fraction thereof, cast by that county (or portion thereof within a congressional district) for Governor in the last (2020) gubernatorial election. *(POO 5.01)*
- g. Delegates to county conventions shall not be required to declare their presidential candidate (or uncommitted) preference, and the entire body of delegates shall vote for all delegates to their congressional district and state conventions; except in counties which are divided among more than one congressional district, only those delegates residing in a particular congressional district shall vote for delegates to that respective congressional district's convention.
- h. District-Level Delegate Election Procedure. The congressional district conventions shall be held on **Saturday, April 20, 2024**, with starting times between the hours of 10:00 a.m. and 2:00 p.m. The congressional district chair shall determine the starting time as provided above and the location, both of which shall be as fully publicized by the congressional district chair as possible. The congressional district conventions shall be composed of delegates elected by the county conventions in the congressional district.
- i. At the beginning of every district convention, the district chair or the acting chair shall read the following statement: "All public meetings at all levels of the North Carolina Democratic Party shall be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, economic status, or disability. In order that the Democratic Party at all levels

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be an open Party, which includes rather than excludes people from participation, a program of effective affirmative action has been adopted by the North Carolina Democratic Party. Discrimination on the basis of 'status' in the conduct of North Carolina Democratic Party affairs is prohibited.”

ii. Each member of the presidential preference group elected as a delegate to their congressional district convention shall be allowed to vote for delegates to the national convention. Each member of the presidential preference group shall have votes equal to the number of national convention delegates to be elected but may vote for fewer candidates and shall not be allowed to vote more than once for a candidate. Unlike previous years, voting for District-level delegates shall not be conducted separately for male and female positions. Candidates for delegate must receive a majority of those votes cast in order to be elected. The State Party will designate uniform procedures whereby the field of candidates may be narrowed and runoff votes taken in the event enough candidates do not receive a majority of the first ballot.

iii. Delegates to the congressional district convention shall also select, from among the active Democrats of the congressional district, one nominee for presidential elector as required by law and the Plan of Organization. (*NCGS 163-1 and POO 6.01*)

iv. The State Party shall be responsible for preparing ballots for the election of national convention delegates. The congressional district chair shall be responsible for (1) preparing blank ballots for the election of District-level delegates and such other votes as the convention determines to take by written ballot, and (2) reporting in writing to the State Party Chair within two days of the congressional district convention the list of national convention delegates chosen and the selections made under provision (H.) above.

v. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee (DNC) the election of the state's district-level delegates to the Democratic National Convention within 10 days after their election. (*Rule 8.C & Call IV.A*)

vi. Except for the first determining step, there will be no secret ballots cast at any stage of the delegate selection process. (*DNC Charter Nine.12*)

### 3. Apportionment of District-Level Delegates and Alternates

- a. North Carolina's district-level delegates and alternates are apportioned among the districts based on a formula giving equal weight to the voter for the Democratic candidates in the 2020 presidential and most recent gubernatorial elections, as this system has served North Carolina well in the past. This method is the most inclusive method because it balances North Carolina's historically strong performance in state elections and our historically weaker



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performance in presidential elections. (*Rule 8.A, Reg. 4.12, Reg. 4.11 & Appendix A*)

i. The “allocation factor” for each congressional district gives equal weigh to the 2020 votes for Roy Cooper (Governor) and Joseph R. Biden (President). It is computed as follows:

$$A = \frac{.5((\text{District Presidential Vote}) + (\text{District Gubernatorial Vote}))}{(\text{Statewide Pres. Vote}) + (\text{Statewide Gov. Vote})}$$

- b. The number of men and the number of women in the state’s total number of district-level delegates and alternates will not vary by more than one. (*Rule 6.C.1 & Reg. 4.9*)
- c. The district-level delegates and alternates are apportioned to districts as indicated in the following table, assuming no gender non-binary delegates:

District	Females	Males	Total
#1	3	3	6
#2	4	3	7
#3	2	2	4
#4	3	4	7
#5	3	2	5
#6	3	3	6
#7	2	3	5
#8	2	2	4
#9	3	2	5
#10	1	2	3
#11	3	2	5
#12	3	4	7
#13	3	3	6
#14	3	3	6
Total	38	38	76

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4. District-Level Delegate and Alternate Filing Requirements
  - a. A district-level delegate and alternate candidate may run for election only within the district in which they are registered to vote and must be registered as a Democrat as verified by the North Carolina State Board of Elections. *(Rule 13.H)*
  - b. An individual can qualify as a candidate for district-level delegate to the 2024 Democratic National Convention by filing a statement of candidacy designating their singular presidential (or uncommitted) preference and a signed pledge of support for the presidential candidate (including uncommitted status) with the State Party by **noon on March 21, 2024**. A delegate candidate may modify their singular presidential preference by submitting an updated pledge of support no later than the filing deadline. Candidates for Delegate can obtain the paperwork at NCDP.org and file the notice of candidacy at Goodwin House, 220 Hillsborough Street, Raleigh, NC 27603. Candidates for district-level delegates are not required to be delegates to the Congressional District convention elected by their County Party. (Rule 13.B, Rule 15.F & Reg. 4.23)
  
5. Presidential Candidate Right of Review for District-Level Delegates and Alternates
  - a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than **noon on Friday, April 5, 2024**, a list of all persons who have filed for delegate pledged to that presidential candidate. *(Rule 13.D & Rule 13.F)*
  - b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Democratic Chair by **noon on Friday, April 12, 2024**, a list of all such candidates they have approved, provided that approval be given to at least three (3) separate individuals for each position for delegate to be selected. *(Rule 13.E.1, Reg. 4.23 & Reg. 4.24)*
  - c. Failure to respond will be deemed approval of all delegate and alternate candidates submitted to the presidential candidate unless the presidential candidate, or the authorized representative(s), signifies otherwise in writing to the State Democratic Chair not later than **noon on Friday, April 12, 2024**.
  - d. National convention delegates and alternate candidates removed from the list of bona fide supporters by a presidential candidate, or that candidate's authorized representative(s), may not be elected as a delegate or alternate at that level pledged to that presidential candidate. *(Rule 13.E & Reg. 4.23)*
  - e. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate has used

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their best efforts to ensure that their respective district-level delegate candidates and district-level alternate candidates meet the affirmative action and outreach and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved district-level delegate candidates and district-level alternate candidates as indicated in Section III.A.5.b of this Plan. (*Rule 6.I & Reg.4.10.C*)

### 6. Fair Reflection of Presidential Preference

- a. The State presidential primary election is a “binding” primary. Accordingly, delegate and alternate positions shall be allocated so as to fairly reflect the expressed presidential (or uncommitted) preference of the primary voters in each district. The National Convention delegates and alternates selected at the district level shall be allocated in proportion to the percentage of the primary vote won in that district by each preference, except that preferences falling below a 15% threshold shall not be awarded any delegates or alternates.
- b. Within a district, if no presidential preference reaches a 15% threshold, the threshold shall be half the percentage of the vote received in that district by the front-runner. (*Rule 14.F*)
- c. Every person who files to be a delegate for a specific candidate shall sign a statement of support for the candidate or uncommitted preference they wish to support at the Democratic National Convention. Candidates for delegate will be reminded that their duty is to reflect the will of the voters they represent. (*Rule 13.G*)
- d. Should any presidential candidate not have enough delegate candidates for their allotted delegate slots, the Delegate Selection and Affirmative Action Committee will choose candidates for those slots. This rule will be included on the delegate application. (*Rule 14.C*)

### 7. Equal Division of District-Level Delegates and Alternates

- a. To ensure the district-level binary-gendered delegates are equally divided between men and women (determined by gender self-identification) the gender of the first binary delegate elected in each district will be designated. At the time of election of delegates in the district, the binary gender advantage will alternate as delegate positions are filled and the alternation shall continue across presidential preferences in order of vote-getting preference. In the case of non-binary gender delegates, they shall not be counted in either the male or female category, but do count towards the total delegate allotment. (*Rule 6.C., Rule 6.C.1 & Reg. 4.10*)
- b. Voting for district-level delegates in all caucuses shall be conducted with non-binary, male, and female positions together. Candidates for delegate must

## North Carolina 2024 Delegate Selection Plan

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receive a majority of votes cast in their caucus in order to be elected, except that no male or female candidate will be elected if the number of male or female delegate slots remaining is zero. The State Party will designate uniform procedures (below) whereby the field of candidates may be narrowed and runoff votes taken in the event enough candidates do not receive a majority of votes on the first ballot.

**The First Ballot:** Any non-binary, male, or female candidate for delegate who receives more than 50% of the vote from the congressional district presidential caucus shall be declared elected as a national convention delegate, provided that the number of candidates receiving a majority vote does not exceed the number of delegates of that gender allocated to the congressional district as reflected in the allocation chart in Section I of this Delegate Selection Plan. If the number of candidates who receive 50% or more of the votes is greater than the number of delegates allocated for their gender, the candidates receiving the highest number of votes and those receiving the next highest totals (in descending order) shall be elected until all allocated positions of that gender have been filled.

**Example:** A Congressional District Convention will award 4 delegates to a Presidential Candidate; two male delegates and two female delegates. The caucus for said candidate meets and votes for all delegate candidates as a group. After the first ballot, Female Person A gets 60% of the vote; Female Person B gets 55% of the vote; Non-binary Person A gets 54% of the vote; Male Person A gets 52% of the vote; and Male Person B gets 51% of the vote. No other candidates got more than 50% of the vote. In this scenario, both female candidates would be awarded the female delegate slots; Non-binary Person A would be awarded a delegate slot; and Male Person A would be awarded the final delegate slot. Male Person B would not qualify, nor would any candidate who did not reach the 50% threshold.

**The Run-off Procedure:** If a sufficient number do not receive a majority on the first ballot, a second vote will be taken, dropping the winner(s) and those receiving less than 20% off the list. On this and subsequent ballots, convention delegates shall have only as many votes as the number of delegate positions left to be filled. This procedure shall be repeated until a sufficient number of candidates who identify as non-binary, or of the appropriate gender, have been elected by a majority vote to fill the allocated positions for that gender.

8. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee (DNC) the election of the state's district-level delegates and alternates to the Democratic National Convention within ten (10) days after their election. (*Rule 8.C & Call IV.A*)

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### B. Automatic Delegates

#### 1. Automatic Party Leaders and Elected Officials

- a. The following categories (if applicable) shall constitute the Automatic Party Leaders and Elected Official delegate positions:
    - (1) Members of the Democratic National Committee who legally reside in the state; *(Rule 9.A.1, Call I.F, Call I.J, & Reg. 4.15)*
    - (2) Democratic President and Democratic Vice President (if applicable); *(Rule 9.A.2 & Call I.G)*
    - (3) All of State's Democratic Members of the U.S. House of Representatives and the U.S. Senate; *(Rule 9.A.3, Call I.H & Call I.J)*
    - (4) The Democratic Governor (if applicable); *(Rule 9.A.4, Call I.H & Call I.J)*
    - (5) "Distinguished Party Leader" delegates who legally reside in the state (if applicable); *(Rule 9.A.5, Call I.G & Reg. 4.14)*
  - b. An Automatic delegate may run and be elected as a Pledged delegate. If an Automatic delegate is elected and certified as a Pledged delegate, that individual shall not serve as an Automatic delegate at the 2024 National Convention. *(Call I.J)*
  - c. The certification process for the Automatic Party Leader and Elected Official delegates is as follows:
    - (1) Not later than **March 6, 2024**, the Secretary of the Democratic National Committee shall officially confirm to the State Democratic Chair the names of the Automatic delegates who legally reside in State. *(Rule 9.A)*
    - (2) Official confirmation by the Secretary shall constitute verification of the Automatic delegates from the categories indicated above. *(Call IV.B.1)*
    - (3) The State Democratic Chair shall certify in writing to the Secretary of the DNC the presidential preference of state's Automatic delegates 10 days after the completion of the State's Delegate Selection Process. *(Call IV.C)*
2. For purposes of achieving equal division between delegate men and delegate women and alternate men and alternate women within the state's entire convention delegation (determined by gender self-identification), the entire delegation includes all pledged and Automatic delegates, including those who identify as male or female. *(Rule 6.C and Reg. 4.9)*

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### C. Pledged Party Leader and Elected Official Delegates (PLEOs)

1. North Carolina is allotted 15 pledged Party Leader and Elected Official (PLEO) delegates. *(Call I.D, Call I.E & Appendix B)*
2. Pledged PLEO Delegate Filing Requirements
  - a. Individuals shall be eligible for the pledged Party Leader and Elected Official delegate positions according to the following priority: big city mayors and state-wide elected officials (to be given equal consideration); state legislative leaders, state legislators, and other state, county and local elected officials and party leaders. Automatic delegates who choose to run for PLEO delegate will be given equal consideration with big city mayors and state-wide elected officials. *(Rule 10.A.1 & Reg. 4.16)*
  - b. The statement of candidacy for PLEO delegates will become available beginning **noon on Friday, December 1, 2023**. Persons desiring to seek a PLEO delegate position may file a statement of candidacy designating their singular presidential or uncommitted preference and a signed pledge of support for the presidential candidates (including uncommitted status) with the State Party by **noon on Tuesday, May 7, 2024**. A PLEO candidate may modify their singular presidential preference by submitting an updated pledge of support no later than the filing deadline. Candidates for Delegate can obtain the paperwork at NCDP.org and file the notice of candidacy at Goodwin House, 220 Hillsborough Street, Raleigh, NC 27603. *(Rule 15.G, Reg.4.18 & Reg. 4.17)*
3. Presidential Candidate Right of Review
  - a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), no later than **noon on Tuesday, May 14, 2024**, a list of all persons who have filed for a party and elected official delegate pledged to that presidential candidate. *(Rule 13.D)*
  - b. Each presidential candidate, or that candidate's authorized representative(s), must file with the State Democratic Chair, **after the selection of PLEO delegates on June 1, 2024**, a list of all such candidates they have approved, as long as approval is given to at least **two (2) names** for every position to which the presidential candidate is entitled. *(Rule 13.E.2 & Reg. 4.24)*
  - c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative(s) signifies otherwise in writing to the State Democratic Chair not later than **noon on Tuesday, May 28, 2024**. *(Rule 13.D)*

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- d. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate has used their best efforts to ensure that their respective pledged PLEO delegate candidates meet the affirmative action and outreach and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved pledged PLEO candidates as indicated in Section III.C.3.b of this Plan. *(Rule 6.I & Reg. 4.10.C)*
4. Selection of Pledged Party Leader and Elected Official Delegates
    - a. The pledged PLEO slots shall be allocated among presidential preferences on the same basis as the at-large delegates. *(Rule 10.A.2, Rule 11.C, Rule 14.E & Rule 14.F)*
    - b. Selection of the pledged PLEO delegates will occur after the call to order by the North Carolina Democratic Party State Convention on **Saturday, June 1, 2024** at a location TBD in Raleigh, NC, which is after the election of district-level delegates and prior to the selection of at-large delegates and alternates. *(Rule 10.A)*
    - c. These delegates will be selected by the state convention *(Rule 10.B)* per the rules of the North Carolina Democratic Party's Plan of Organization. *(POO 6.02)*
      - (1) As provided in the Plan of Organization (Section 5.01), the county convention shall elect, from among the Democrats of the county, delegates to the state convention. Each county shall be entitled to cast one vote at the state convention for every 300 Democratic votes, or major fraction thereof, cast by that county for Governor in the last (2016) gubernatorial election. County delegations will have their delegates weighted in accordance with the number of delegates elected divided by the number of delegates present with equal weight given to each county delegate.
      - (2) Voting for PLEO delegates shall be conducted separately for each slot.
      - (3) Candidates for delegate must receive a majority of those votes cast in in order to be elected. Since a maximum of two candidates will be slotted for any PLEO slot, any candidate for delegate in these categories who receives more than 50% of the vote shall be declared elected as a national convention delegate.
5. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's pledged Party Leader and Elected Official delegates to the Democratic National Convention within ten (10) days after their election. *(Call IV.A & Reg. 5.4.A)*

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### D. At-Large Delegates and Alternates

1. The state of North Carolina is allotted 25 at-large delegates and 10 at-large alternates. *(Rule 8.C, Call I.B, II, Appendix B & Reg. 4.32)*
2. At-Large Delegate and Alternate Filing Requirements
  - a. Statements of candidacy shall become available beginning **noon on December 1, 2023**. Persons desiring to seek at-large delegate or alternate positions may file a statement of candidacy designating their singular presidential or uncommitted preference and a signed pledge of support for the presidential candidates (including uncommitted status) with the State Party by **noon on Tuesday, May 7, 2024**. A delegate or alternate candidate may modify their singular presidential preference by submitting an updated pledge of support no later than the filing deadline. At-Large Delegate candidates may simultaneously file to run as a Pledged PLEO delegate. *(Rule 13.A., Rule 13.B, Rule 15.G, Reg. 4.21, Reg. 4.22, & Reg. 4.29)*
  - b. The statement of candidacy for at-large delegates and for at-large alternates will be the same. After the at-large delegates are elected by the State Convention, those persons not chosen will then be considered candidates for at-large alternate positions unless they specify otherwise when filing. *(Rule 19.A)*
  - c. Upon a delegate's or alternate's selection at one level, any statement of candidacy by that individual for another level is nullified and that individual is ineligible to be considered for election at another level. *(Reg. 4.29)*
3. Presidential Candidate Right of Review
  - a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than **noon on Tuesday, May 14, 2024**, a list of all persons who have filed for delegate or alternate pledged to that presidential candidate. *(Rule 13.D)*
  - b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Democratic Chair, by **noon on Tuesday, May 28, 2024**, a list of all such candidates they have approved, provided that, at a minimum, two (2) names remain for every national convention delegate or alternate position to which the presidential candidate is entitled. *(Rule 13.D.4, Rule 13.E.2 & Reg. 4.24)*
  - c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative(s) signifies otherwise in writing to the State Democratic Chair no later than **noon on Tuesday, May 28, 2024**.



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- d. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate has used their best efforts to ensure that their respective at-large delegate candidates and at-large alternate candidates meet the affirmative action and outreach and inclusion considerations and goals detailed in the Affirmative Action and Outreach and Inclusion section of this Plan within three (3) business days of returning the list of approved at-large delegate candidates and at-large alternate candidates as indicated in this Section.
4. Fair Reflection of Presidential Preference
    - a. At-large delegate and alternate positions shall be allocated among presidential preferences according to the statewide primary vote. *(Rule 11.C)*
    - b. Preferences which have not attained a 15% threshold on a state-wide basis shall not be entitled to any at-large delegates. *(Rule 14.E)*
    - c. If no presidential preference reaches a 15% threshold, the threshold shall be half the percentage of the statewide vote received by the front-runner. *(Rule 14.F)*
    - d. If a presidential candidate otherwise entitled to an allocation is no longer a candidate at the time of selection of the at-large delegates, their allocation will be proportionally divided among the other preferences entitled to an allocation. *(Rule 11.C)*
    - e. If a given presidential preference is entitled to one (1) or more delegate positions but would not otherwise be entitled to an alternate position, that preference shall be allotted one (1) at-large alternate position. *(Rule 19.B, Call I.I & Reg. 4.31)*
  5. Selection of At-Large Delegates and Alternates
    - a. The selection of the at-large delegates and alternates will occur at the State Convention of the North Carolina Democratic Party, to be held starting at **1:00 PM on Saturday, June 1, 2024** in Raleigh, North Carolina at a location to be determined, which is after all pledged Party Leader and Elected Official delegates have been selected *(Call III)*.
    - b. These delegates and alternates will be selected by the State Convention after the election of PLEO delegates. *(Rule 11.B; POO 6.02)*
      - (1) As provided in the Plan of Organization *(POO 5.01)*, the county convention shall elect, from among the Democrats of the county, delegates to the state convention. Each county shall be entitled to cast

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one vote at the state convention for every 300 Democratic votes, or major fraction thereof, cast by that county for Governor in the last (2020) gubernatorial election. County delegations will have their delegates weighted in accordance with the number of delegates elected divided by the number of delegates present with equal weight given to each county delegate.

- (2) Voting for at-large delegates and alternates shall be conducted separately for each slot.
- (3) Candidates for delegate must receive a majority of those votes cast in order to be elected. Since a maximum of two candidates will be slotted for any at-large or alternate slot, any candidate for delegate in these categories who receives more than 50% of the vote shall be declared elected as a national convention delegate.

### d. Priority of Consideration

- (1) In the selection of the at-large delegation priority of consideration shall be given to African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women, if such priority of consideration is needed to fulfill the affirmative action goals outlined in the state's Delegate Selection Plan. *(Rule 6.A.3)*
- (2) To continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs and to assist in the achievement of full participation by these groups, priority of consideration shall be given other groups by virtue of race, sex, age, color, creed, national origin, religion, ethnic identify, sexual orientation, gender identity and expression, veteran status, economic status or disability. *(Rule 5.C, Rule 6.A.3, Rule 7 & Reg. 4.8)*
- (3) The election of at-large delegates shall be used, if necessary, to achieve the equal division of positions between men and women as far as mathematically practicable, and may be used to achieve the representation goals established in the Affirmative Action Plan and Outreach and Inclusion Program section of this Plan. The election of at-large alternates shall be used, if necessary, to achieve the equal division of positions between men and women as far as mathematically practicable, and may be used to achieve the representation goals established in the Affirmative Action Plan and Outreach and Inclusion Program section of this Plan. *(Rule 6.A, Rule 6.C and Reg. 4.9)*
- (4) Delegates and alternates are to be considered separate groups for this purpose. *(Rule 6.C.1, Rule 11.A, Reg. 4.9 & Reg. 4.19)*

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- (5) On **Saturday, June 1, 2024**, Delegate Selection and Affirmative Action Committee meets to review Notice of Candidacy for PLEO delegates, At-large delegates, and alternates and certify to the State Party Chair a minimum of (2) candidates for each male and female position allocated for each At-large delegate, provided that a sufficient number have filed a Notice of Candidacy form to allow for a minimum of two (2) candidates for each male and female position allocated to their preference. If there are non-binary candidates for at-large delegates or alternates, then the Delegate Selection and Delegate Selection and Affirmative Action Committee shall assign those candidates in alternating fashion between males and females, wherever applicable. In addition, the Delegate Selection and Delegate Selection and Affirmative Action Committee must assign candidates to a particular Delegate slot to be filled in order to promote the Affirmative Action goals of this plan.
6. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's at-large delegates and alternates to the Democratic National Convention within 10 days after their election. (*Rule 8.C & Call IV.A*)

### **E. Replacement of Delegates and Alternates**

1. A pledged delegate or alternate may be replaced according to the following guidelines:
  - a. Permanent Replacement of a Delegate (*Rule 19.D.3*):
    - (1) A permanent replacement occurs when a delegate resigns or dies prior to or during the national convention and the alternate replaces the delegate for the remainder of the National Convention.
    - (2) Any alternate permanently replacing a delegate shall be of the same presidential preference (including uncommitted status) and gender of the delegate they replace, and to the extent possible shall be from the same political subdivision within the state as the delegate.
      - (a) In the case where the presidential candidate has only one (1) alternate, that alternate shall become the certified delegate.
      - (b) If a presidential candidate has only one (1) alternate, and that alternate permanently replaces a delegate of a different gender, thereby causing the delegation to no longer be equally divided, the delegation shall not be considered in violation of Rule 6.C. In such a case, notwithstanding Rule 19.D.2, the State Party Committee shall, at the time of a subsequent permanent replacement, replace a

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delegate with a person of a different gender, in order to return the delegation to equal division of men and women. (*Reg. 4.34*)

- (3) If a delegate or alternate candidate who has been elected but not certified to the DNC Secretary resigns, dies, or is no longer eligible to serve, they shall be replaced, after consultation with the State Party, by the authorized representative of the presidential candidate to whom they are pledged. (*Rule 19.D.2*)
- b. Temporary Replacement of a Delegate (*Rule 19.D.4*):
    - (1) A temporary replacement occurs when a delegate is to be absent for a limited period of time during the convention and an alternate temporarily acts in the delegate's place.
    - (2) Any alternate who temporarily replaces a delegate must be of the same presidential preference (including uncommitted status) as the delegate they replace, and to the extent possible shall be of the same gender and from the same political subdivision within the state as the delegate.
  - c. The following system will be used to select permanent and temporary replacements of delegates. For a temporary replacement, the delegate chooses the alternate. For a permanent replacement of a delegate, the chair chooses the alternate subject to the approval of the delegation. The replacement shall be of the same presidential preference. (*Rule 19.D.1*)
  - d. Certification of Replacements
    - (1) Any alternate who permanently replaces a delegate shall be certified in writing to the Secretary of the DNC by the State Democratic Chair. (*Rule 19.D.3*)
    - (2) Permanent replacement of a delegate (as specified above) by an alternate and replacement of a vacant alternate position shall be certified in writing by the State's Democratic Chair to the Secretary of the Democratic National Committee within three (3) days after the replacement is selected. (*Call IV.D.1*)
    - (3) Certification of permanent replacements will be accepted by the Secretary up to 72 hours before the first official session of the Convention is scheduled to convene. (*Call IV.D.1 & Reg. 4.33*)
    - (4) In the case where a pledged delegate is permanently replaced after 72 hours before the time the first session is scheduled to convene or, in the case where a pledged delegate is not on the floor of the Convention Hall at the time a roll call vote is taken, an alternate may be designated (as

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specified above) to cast the delegate's vote. In such case, the Delegation Chair shall indicate the name of the alternate casting the respective delegate's vote on the delegation tally sheet. (*Call IX.F.3.e, Call IX.F.3.c & Reg. 5.6*)

- e. A vacant alternate position shall be filled by the delegation. The replacement shall be of the same presidential preference (or uncommitted status), of the same gender and, to the extent possible, from the same political subdivision as the alternate being replaced. (*Rule 19.E*)
2. Automatic delegates shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except under the following circumstances: (*Call IV.D.2 & Reg. 4.35*)
    - a. **[As applicable]** Members of Congress and the Democratic Governor shall not be entitled to name a replacement. In the event of changes or vacancies in the state's Congressional Delegation, following the official confirmation and prior to the commencement of the National Convention, the DNC Secretary shall recognize only such changes as have been officially recognized by the Democratic Caucus of the U.S. House of Representatives or the Democratic Conference of the U.S. Senate. In the event of a change or vacancy in the state's office of Governor, the DNC shall recognize only such changes as have been officially recognized by the Democratic Governors' Association. (*Call IV.D.2.a*)
    - b. Members of the Democratic National Committee shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except in the case of death of such delegates. In the case where the state's DNC membership changes following the DNC Secretary's official confirmation, but prior to the commencement of the 2024 Democratic National Convention, acknowledgment by the Secretary of the new DNC member certification shall constitute verification of the corresponding change of Automatic delegates. (*Call, IV.D.2.b*)
    - c. **[If applicable]** Automatic distinguished Party Leader delegates allocated to the state pursuant to Rule 9.A.(5), shall not be entitled to name a replacement, nor shall the state be entitled to name a replacement. (*Call IV.D.2.c*)
    - d. In no case may an alternate cast a vote for an Automatic delegate. (*Call IX.F.3.e*)

## Section IV

### Selection of Convention Standing Committee Members

#### A. Introduction

1. North Carolina has been allocated five (5) member(s) on each of the three (3) standing committees for the 2024 Democratic National Convention (Credentials, Platform and Rules), for a total of 15 members. *(Call VII.A & Appendix D)*
2. Members of the Convention Standing Committees need not be delegates or alternates to the 2024 Democratic National Convention. *(Call VII.A.3)*
3. These members will be selected in accordance with the procedures indicated below. *(Rule 1.G)*

#### B. Temporary Standing Committee Members

1. Temporary members for the Convention Standing Committees will be selected by State Executive Committee at a meeting on **Saturday, February 24, 2024**. The meeting shall be open to the public and well publicized in accordance with this Plan. Members of the State Executive Committee shall receive timely notice of the meeting, in accordance with State Party rules. *(Call VII.G.2)*
2. Any Democrat may apply for a position as a temporary member of the standing committees. Persons wishing to be considered must submit an application to the State Chair with contact information and certifying their Democratic affiliation, availability to serve (including travel costs), and including the committee(s) for which they wish to be considered, no later than **January 1, 2024**.
3. A separate election shall be conducted for membership on each of the standing committees. The male and female membership of each standing committee shall be as equally divided among men and women (determined by self-identification) as possible under the state allocation; i.e. the variance between men and women on any committee or, among the three committees in aggregate shall not exceed one. *(Call VII.E.2)* In the case of gender non-binary committee members, they shall not be counted as either a male or female, and the remainder of the standing committee members shall be equally divided between male gender (men) and female gender (women). *(Call VII.E.1)*
4. Temporary members serve only in the event that the respective standing committee is called to meet prior to completion of the state's delegate selection process and subsequent selection of permanent standing committee members. No temporary member may continue to serve after the selection of the permanent standing

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committee members unless they are elected as a permanent member. *(Call VII.G.3)*

5. Temporary members selected after the first determining step has occurred in a state shall reflect the Presidential preferences so established. *(Call VII.G.3)*
6. The State Chair shall certify the temporary standing committee members in writing to the Secretary of the Democratic National Committee within three (3) days after their selection. Substitutions in a state's list of temporary members may only be made up to ten (10) days prior to the time the standing committee meets. Substitute temporary standing committee members will be selected at a meeting of the State Executive Committee in accordance with the provisions outlined above. *(Call VII.B.3 and Call VII.G.4)*

### C. Standing Committee Members

1. Selection Meeting
  - a. The members of the standing committees shall be elected by a quorum of North Carolina's National Convention delegates, at a meeting to be held on **Sunday, June 2, 2024**. *(Call VII.B.1)*
  - b. All members of the delegation shall receive adequate notice of the time, date and place of the meeting to select the standing committee members. *(Call VII.B.1)*
2. Allocation of Members
  - a. The members of the standing committees allocated to North Carolina shall proportionately represent the presidential preference of all candidates (including uncommitted status) receiving the threshold percentage used in the state's delegation to calculate the at-large apportionment pursuant to Rule 14.E. of the Delegate Selection Rules. *(Call VII.C.1 & Reg. 5.9)*
  - b. The presidential preference of each candidate receiving the applicable percentage or more within the delegation shall be multiplied by the total number of standing committee positions allocated to North Carolina. If the result of such multiplication does not equal 0.455 or above, the presidential preference in question is not entitled to representation on the standing committee. If the result of such multiplication is 0.455 but less than 1.455, the presidential preference is entitled to one (1) position. Those preferences securing more than 1.455 but less than 2.455 are entitled to two (2) positions, etc. *(Call VII.C.2)*
  - c. Where the application of this formula results in the total allocation exceeding the total number of committee positions, the presidential candidate whose original figure of representation is farthest from its eventual rounded-off total

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shall be denied that one (1) additional position. Where the application of this formula results in the total allocation falling short of the total number of committee positions, the presidential candidate whose original figure of representation is closest to the next rounding level shall be allotted an additional committee position. *(Call VII.C.3)*

- d. Standing committee positions allocated to a presidential candidate shall be proportionately allocated, to the extent practicable, to each of the three (3) standing committees. When such allocation results in an unequal distribution of standing committee positions by candidate preference, a drawing shall be conducted to distribute the additional positions. *(Call VII.C.4)*

### 3. Presidential Candidate Right of Review

- a. Each presidential candidate, or that candidate's authorized representative(s), shall be given adequate notice of the date, time and location of the meeting of the state's delegation authorized to elect standing committee members. *(Call VII.D.1)*
- b. Each presidential candidate, or that candidate's authorized representative(s), must submit to the State Democratic Chair, by **the close of the state convention June 1, 2024**, a minimum of one (1) name for each slot awarded to that candidate for members of each committee. The delegation shall select the standing committee members from among names submitted by the presidential candidates (including uncommitted status). Presidential candidates shall not be required to submit the name of more than one (1) person for each slot awarded to such candidate for members of standing committees. *(Call VII.D.2)*

### 4. Selection Procedure to Achieve Equal Division

- a. Presidential candidates (including uncommitted status) shall use their best efforts to ensure that their respective delegation of standing committee members shall achieve North Carolina's affirmative action, outreach and inclusion goals and that their respective male and female members are equally divided between the men and women determined by gender self-identification. *(Rule 6.1 & Reg. 4.10)*
- b. The first binary gender position on each standing committee shall be assigned by binary gender as self-identified. For example, the first binary position on the Credentials Committee of the presidential candidate with the most standing committee positions shall be designated for a male, and the next binary position, if one occurs, will be designated for a female, and the remaining binary positions, to the extent they occur, shall be designated in like fashion, alternating between males and females, where applicable. For avoidance of doubt: there is no requirement that positions be assigned to gender non-



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binaries but the described alternation of binary genders may not be used to exclude a gender non-binary from consideration for a committee position. Positions for presidential candidates on each committee shall be ranked according to the total number of standing positions allocated to each such candidate. After positions on the Credentials Committee are designated by gender, the designation shall continue with the Platform Committee, then the Rules Committee.

- (1) A separate election shall be conducted for membership on each standing committee.
- (2) The male and female membership of the standing committees shall be as equally divided among the men and women as possible under the state allocation; the variance between men and women in any committee and among the three committees in aggregate shall not exceed one. *(Call VII.E.2)*
- (3) Gender non-binary committee members shall not be counted as either a male or female, and the remainder of the delegation shall be equally divided between male gender (men) and female gender (women). *(Call VII.E.1)*
- (4) The positions allocated to each presidential candidate on each committee shall be voted on separately, and the winners shall be the highest vote-getter(s) of the appropriate gender.

### 5. Certification and Substitution

- a. The State Democratic Chair shall certify the standing committee members in writing to the Secretary of the Democratic National Committee within three (3) days after their selection. *(Call VII.B.3)*
- b. No substitutions will be permitted in the case of standing committee members, except in the case of resignation or death. Substitutions must be made in accordance with the rules and the election procedures specified in this section, and must be certified in writing to the Secretary of the Democratic National Committee within three (3) days after the substitute member is selected but not later than 48 hours before the respective standing committee meets, except in the case of death. *(Call VII.B.4)*

## Section V

### Delegation Chair and Convention Pages

#### A. Introduction

North Carolina will select one (1) person to serve as Delegation Chair and five (5) to serve as Convention Pages. *(Call IV.E, Call IV.F.1 & Appendix C)*

#### B. Delegation Chair

1. Selection Meeting
  - a. The Delegation Chair shall be selected by a quorum of the state's National Convention Delegates, at a meeting to be held on **Sunday, June 2, 2024**. *(Call IV.E & Call VII.B.1)*
  - b. All members of the delegation shall receive timely notice of the time, date and place of the meeting to select the Delegation Chair. *(Rule 3.C)*
2. The State Democratic Chair shall certify the Delegation Chair in writing to the Secretary of the Democratic National Committee within three (3) days after their selection. *(Call IV.E)*

#### C. Convention Pages

1. 5 individuals will be selected to serve as State's Convention Pages by the State Democratic Chair in consultation with the members of the Democratic National Committee from the state. This selection will take place on **Sunday, June 2, 2024**. *(Call IV.F.3, Appendix C & Reg. 5.7)*
2. The Convention Pages shall be as evenly divided between men and women (determined by self-identification) as possible under the state allocation and shall reflect as much as possible, the Affirmative Action and Outreach and Inclusion guidelines in the state plan. In the case of gender non-binary pages, they shall not be counted as either a male or female, and the remainder of the pages shall be equally divided. *(Reg. 5.7.A)*
3. The State Democratic Chair shall certify the individuals to serve as State's Convention Pages in writing to the Secretary of the Democratic National Committee within three (3) days after the selection. *(Call IV.F.3 & Reg. 5.7.B)*

## Section VI Presidential Electors

### A. Introduction

North Carolina will select sixteen (16) persons to serve as Presidential Electors for the 2024 Presidential election.

### B. Selection of Presidential Electors

1. Fourteen (14) Presidential Electors shall be selected at the congressional district level on **Saturday, April 20, 2024** with two at-large electors and two alternates elected by the State Convention on **Saturday, June 1, 2024**. This process is required by state law. (*NCGS 163-1, POO 6.01, 5.02*)
2. Candidates for Presidential Elector shall submit a statement of candidacy to the State Democratic Party by **noon on Thursday, March 14, 2024** stating their intention to run as a candidate at the district level.
3. Candidates seeking to run for the two at-large electors as well as those who failed to be elected at the congressional district level shall declare by **noon on Tuesday, May 7, 2024** their intention to run as a candidate at the state level. Alternates for presidential electors shall be the two runners-up at the state convention. A list of presidential electors shall be certified and furnished to the North Carolina Secretary of State. (*NCGS 163-209*)
4. The state chair will submit an approved list of candidates for presidential elector to the Delegate Selection and Delegate Selection and Affirmative Action Committee by **noon on Friday, April 12, 2024**. The committee will nominate no more than four candidates for each presidential elector slot at both the congressional district and the state conventions.
5. Electors will be elected by a weighted majority vote of each convention.

### C. Affirmation

1. Each candidate for Presidential Elector shall certify in writing that they will vote for the election of the Democratic Presidential and Vice Presidential nominees. (*Call VIII*)
2. In the selection of the Presidential Electors, the State Party will take the following steps to ensure the persons selected are bona fide Democrats who are faithful to the interests, welfare, and success of the Democratic Party of the United States, who

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subscribe to the substance, intent and principles of the Charter and the Bylaws of the Democratic Party of the United States: *(Call VIII)*

- a. Have the candidates certify in writing that they will vote for the aforementioned nominees.
  
- b. Inform potential electors of the penalty for failure of the presidential elector to attend and vote in a manner that reflects the votes of those who appointed them. State law states “Any presidential elector having previously signified his consent to serve as such, who fails to attend and vote for the candidate of the political party which nominated such elector, for President and Vice-President of the United States at the time and place directed in G.S. 163-210 (except in case of sickness or other unavoidable accident) shall forfeit and pay to the State five hundred dollars (\$500.00), to be recovered by the Attorney General in the Superior Court of Wake County. In addition to such forfeiture, refusal or failure to vote for the candidates of the political party which nominated such [an] elector shall constitute a resignation from the office of elector, his vote shall not be recorded, and the remaining electors shall forthwith fill such vacancy as hereinbefore provided.” *(NCGS 163-212)*

## Section VII

### General Provisions and Procedural Guarantees

- A. The State Democratic Party reaffirms its commitment to an open party by incorporating the “six basic elements” as listed below. As our Party strives to progress in the fight against discrimination of all kinds, these six basic elements have evolved and grown along with the constant push for more inclusion and empowerment. These provisions demonstrate the intention of the Democratic Party to ensure a full opportunity for all minority group members to participate in the delegate selection process. (*Rule 4.A, Rule 4.B & Rule 4.C*)
1. All public meetings at all levels of the Democratic Party in North Carolina should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, economic status or disability (hereinafter collectively referred to as “status”). (*Rule 4.B.1*)
  2. No test for membership in, nor any oaths of loyalty to, the Democratic Party in North Carolina should be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination based on “status.” (*Rule 4.B.2*)
  3. The time and place for all public meetings of the Democratic Party in North Carolina on all levels should be publicized fully and, in such a manner, as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons. (*Rule 4.B.3*)
  4. The Democratic Party in North Carolina, on all levels, should support the broadest possible registration without discrimination based on “status.” (*Rule 4.B.4*)
  5. The Democratic Party in North Carolina should publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels. Publication of these procedures should be done in such fashion that all prospective and current members of the State Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party organization. As part of this, the State Democratic Party should develop a strategy to provide education programs directly to voters who continue to experience confusing timelines for registration, changing party affiliation deadlines, or lack of awareness of the process for running for delegate, to ensure all Democratic voters understand the rules and timelines and their impact on voter participation. (*Rule 4.B.5*)

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6. The Democratic Party in North Carolina should publicize fully and in such a manner as to assure notice to all interested parties, a complete description of the legal and practical qualifications of all positions as officers and representatives of the State Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within each State Democratic Party will have full and adequate opportunity to compete for office. *(Rule 4.B.6)*
  
- B. Discrimination on the basis of “status” in the conduct of Democratic Party affairs is prohibited. *(Rule 5.B)*
  
- C. North Carolina’s delegation shall be equally divided between delegate men and delegate women, and alternate men and alternate women, i.e. the number of men and women shall not vary by more than one. Such a goal applies to the entire delegation, which includes all pledged delegates and alternates and all automatic delegates. Delegates and alternates shall be considered separate groups for purposes of achieving equal division as determined by gender self-identification. In the case of gender non-binary delegates or alternates, they shall not be counted as either a male or female, and the remainder of the delegation shall be equally divided by gender. *(Rule 6.C)*
  
- D. All delegate and alternate candidates must be identified as to presidential preference or uncommitted status at all levels which determine presidential preference. *(Rule 13.A)*
  
- E. No delegate at any level of the delegate selection process shall be mandated by law or Party rules to vote contrary to that person’s presidential choice as expressed at the time the delegate is elected. *(Rule 13.I)*
  
- F. Delegates elected to the national convention pledged to a presidential candidate shall in all good conscience reflect the sentiments of those who elected them. *(Rule 13.J)*
  
- G. Each delegate, alternate and standing committee member must be a bona fide Democrat, including voter registration indicating membership in the Democratic Party, who is faithful to the interests, welfare and success of the Democratic Party of the United States, who subscribes to the substance, intent and principles of the Charter and Bylaws of the Democratic Party of the United States, and who will participate in the Convention in good faith. *(Rule 13.H, Call VII.A.4 & Reg. 4.25)*
  
- H. 50% +1 of the members of any Party body above the first level of the delegate selection process shall constitute a quorum for any business pertaining to the selection of National Convention delegates, alternates, standing committee members, and other official Convention participants. *(Rule 16)*
  
- I. Proxy voting is prohibited at every stage of the delegate selection process. *(POO 11.05)*

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- J. The unit rule, or any rule or practice whereby all members of a Party unit or delegation may be required to cast their votes in accordance with the will of a majority of the body, shall not be used at any stage of the delegate selection process. *(Rule 18.A)*
- K. Any individual or group of Democrats may sponsor or endorse a slate of candidates for convention delegates. But no slate may, by virtue of such endorsement, receive a preferential place on a delegate selection ballot or be publicly identified on the ballot as the official Democratic Party organization slate, and all slates must meet identical qualifying requirements for appearing on a ballot at all levels of the delegate selection process. *(Rule 18.B)*
- L. All steps in the delegate selection process, except the filing of presidential candidates as allowed by rule 15.D, must take place within the calendar year of the Democratic National Convention, except with respect to the implementation of the Affirmative Action Plan and Outreach and Inclusion Programs or as otherwise allowed. *(Rule 1.F & Rule 12.B)*
- M. In electing and certifying delegates and alternates to the 2024 Democratic National Convention, the State Democratic Party hereby undertakes to assure all Democratic voters in North Carolina, a full, timely and equal opportunity to participate in the delegate selection process and in all Party affairs and to implement affirmative action and outreach and inclusion plans toward that end; that the delegates and alternates to the Convention shall be selected in accordance with the Delegate Selection Rules for the 2024 Democratic National Convention; and that the delegates certified will not publicly support or campaign for any candidate for President or Vice President other than the nominees of the Democratic National Convention. *(Call II.B)*

## Section VIII

### Affirmative Action Plan and Outreach and Inclusion Program

#### A. Statement of Purpose and Organization

##### 1. Purpose and Objectives

- a. To make sure that the Democratic Party at all levels be an open Party which includes rather than excludes people from participation, a program of effective affirmative action is hereby adopted by North Carolina. *(Rule 5.A)*
- b. Discrimination on the basis of “status” in the conduct of Democratic Party affairs is prohibited. *(Rule 5.B)*
- c. All public meetings at all levels of the Democratic Party in North Carolina should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, economic status or disability (hereinafter collectively referred to as “status”). *(Rule 4.B.1)*
- d. Consistent with the Democratic Party’s commitment to including groups historically under-represented in the Democratic Party’s affairs, by virtue of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, or disability, North Carolina has established goals for these groups. *(Rule 5.C & Reg. 4.8)*
- e. To encourage full participation by all Democrats in the delegate selection process and in all Party affairs, the State Democratic Party has adopted and will implement programs with specific goals and timetables for African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women. To further encourage full participation in the process, the State Party has established goals and timetables for other underrepresented groups, including the LGBTQ+ community, people with disabilities, and youth. *(Rule 6.A & Rule 7)*
  - (1) The goal of the programs shall be to encourage participation in the delegate selection process and in Party organizations at all levels by the aforementioned groups as indicated by their presence in the Democratic electorate. *(Rule 6.A.1)*
  - (2) For the delegate selection process, “Youth” is defined as any participant younger than 36 years old at the time of election. *(Reg. 5.3.A)*



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- (3) For the delegate selection process, individuals identifying as Native Americans should provide their tribal affiliation and indicate if they are enrolled in a tribe. *(Reg. 5.3.B)*
- (4) These goals shall not be accomplished either directly or indirectly by the Party's imposition of mandatory quotas at any level of the delegate selection process or in any other Party affairs. *(Rule 6.A.2)*

### 2. Organizational Structure

- a. A Delegate Selection and Affirmative Action Committee shall be appointed by the State Democratic Chair later than March 1, 2023. The Chair may appoint a new committee or use a previously organized body appointed by the State Democratic Chair. *(Rule 6.F)*
- b. The State Democratic Chair shall certify in writing to the Rules and Bylaws Committee of the Democratic National Committee the compliance of the State's Delegate Selection and Affirmative Action Committee with Rules 5.C, 6.A and 7, and submit the names, demographic data and contact information of the members no later than 15 days after their appointment. *(Reg. 2.2.J)*
- c. The Committee shall consist of members who are regionally diverse and represent the Democratic constituency groups set forth in the Introduction to the Affirmative Action Plan and Outreach and Inclusion Program.
- d. The Delegate Selection and Affirmative Action Committee shall be responsible for:
  - (1) Helping develop and design the proposed Affirmative Action Plan and Outreach and Inclusion Program and making recommendations to the State Democratic Chair. *(Rule 6.F)*
  - (2) Directing the implementation of all requirements of the Affirmative Action Plan and Outreach and Inclusion Program section of this Plan.
  - (3) Implementing a specific outreach and financial assistance program for persons of low and moderate income to encourage their participation and representation in the national convention delegation. *(Rule 6.G)*
  - (4) Ensuring, on behalf of the State Party Committee, that district lines used in the delegate selection process are not gerrymandered to discriminate against African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women. *(Rule 6.E)*
- e. Financial and staff support for the Delegate Selection and Affirmative Action Committee shall be provided by the State Party Committee to the greatest

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extent feasible, including, but not limited to, making the State Party staff and volunteers available on a priority basis and covering all reasonable costs incurred in carrying out this Plan.

3. Implementation of the Affirmative Action Plan and Outreach and Inclusion Program shall begin after this plan is approved by the DNC Rules and Bylaws Committee, but ***not later than November 15, 2023***, with the distribution of the press kits, and will continue through the end of the delegate selection process. *(Rule 1.F)*

### **B. Representation Goals**

1. In cooperation with the National Committee, the State Party has determined the demographic composition of Hispanics, Native Americans, and Asian Americans and Pacific Islanders in the state's Democratic electorate. These constituency percentages shall be established as goals for representation in the state's convention delegation. *(Rule 6.A)*
2. In cooperation with the National Committee, the State Party has determined the demographic composition of people with disabilities and youth in the state's Democratic electorate. The State Party has chosen to establish these percentages as goals for representation in the state's convention delegation.
3. The Delegate Selection and Affirmative Action Committee used data provided by the North Carolina Board of Elections to determine the demographic composition of African American and Multi-Racial voters in the state's Democratic electorate. The State Party has chosen to establish these percentages as goals for representation in the state's convention delegation.
4. The Delegate Selection and Affirmative Action Committee used exit polling data by conducted by media organizations [The New York Times](#) and [CNN](#) to establish the composition of veterans in the state's Democratic electorate.
5. The Delegate Selection and Affirmative Action Committee used [data produced by the Human Rights Campaign](#) to determine the demographic composition of LGBTQ+ Americans in the state's Democratic electorate. The State Party has chosen to establish these percentages as goals for representation in the state's convention delegation.
6. The Delegate Selection and Delegate Selection and Affirmative Action Committee used the goals suggested by the National Committee, except in the cases where the suggested goal was lower than the approved 2020 North Carolina delegate selection goal or when alternative data suggested as higher percentage of the State's Democratic electorate than that data provided by the National Committee.

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### Affirmative Action Goals

	African American	Hispanic	Native American	AAPI	LGBTQ+	People with Disabilities	Youth (<36)	Seniors (65+)	Multi-Racial/Other	Veterans and Military Families
Percentage in the Democratic Electorate	45.5%	10.0%	1.6%	3.0%	9.4%	16.0%	32.0%	9.6%	4.3%	9.8%
Numeric Goals for Delegates	64	14	2	5	13	22	45	13	6	14

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4. When selecting the at-large portion of the delegation, the demographic composition of the other delegates (district-level, pledged PLEO, and Automatic) shall be compared with the State Party's representation goals to achieve an at-large selection process that helps to bring about a representative balance. *(Rule 11.A)*
5. Although the selection of the at-large delegation may be used to fulfill the affirmative action goals established by this Plan, the State Party will conduct outreach and inclusion activities such as recruitment, education and training at all levels of the delegate selection process. *(Rule 6.A.3)*

### C. Efforts to Educate on the Delegate Selection Process

1. Well-publicized educational workshops will be conducted in each of the delegate districts beginning in September 2023. These workshops will be designed to encourage participation in the delegate selection process, including apprising potential delegate and alternate candidates of the availability of financial assistance. These workshops will be held in places that are easily accessible to persons with disabilities. The times, dates, places and rules for the conduct of all education workshops, meetings and other events involved in the delegate selection process shall be effectively publicized by the party organization and include mailings to various organizations representative of the Democratic voting electorate. *(Rule 3.A, Rule 3.C & Rule 3.D)*
2. A speaker's bureau of volunteers from the State Party, including the Delegate Selection and Affirmative Action Committee, shall be composed of individuals who are fully familiar with the process and will be available to appear before groups, as needed, to provide information concerning the process.
3. The State Party's education efforts will include outreach to community leaders within the Democratic Party's constituencies and ensuring that information about the delegate selection process is available to Democratic clubs and Party caucuses representing specific constituencies.
4. The State Party will publish, and make available at no cost, a clear and concise explanation of how Democratic voters can participate in the delegate selection process. As well, the State Party shall also make available copies of the State Party Rules, the Delegate Selection Plan (and its attachments), the Affirmative Action Plan and Outreach and Inclusion Program, and relevant state statutes at no cost. Copies of documents related to the state's delegate selection process will be prepared and the State Party and Delegate Selection and Affirmative Action Committee will distribute them in the various delegate districts **not later than November 15, 2023**. *(Rule 1.H)*

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5. Participation in the delegate selection process shall be open to all voters who wish to participate as Democrats. Democratic voters shall be those persons who publicly declare their Party preference and have that preference publicly recorded. *(Rule 2.A)*
6. The State Party shall take all feasible steps to encourage non-affiliated voters and new voters to register or enroll, to provide simple procedures through which they may do so and to eliminate excessively long waiting periods for voters who wish to register or to change their party enrollment status. *(Rule 2.C)*
7. The Delegate Selection and Affirmative Action Committee will develop a State Party strategy to be implemented beginning **November 15, 2023** that will provide education programs directly to voters who continue to experience confusing timelines for voter registration and deadlines for changing party affiliation, or who are unaware of the process for running for delegate, so that all Democratic voters understand the rules and timelines and their impact on voter participation. *(Rule 4.B.5)*

### **D. Efforts to Publicize the Delegate Selection Process**

1. The State Party shall direct special attention to publicizing the delegate selection process in the state. Such publicity shall include information on eligibility to vote and how to become a candidate for delegate, the time and location of each stage of the delegate selection process, and where to get additional information. The foregoing information will also be published in the State Party communications and on the State Party's website. The Party organization, official, candidate, or member calling a meeting or scheduling an event, shall effectively publicize the role that such meeting or event plays in the selection of delegates and alternates to the Democratic National Convention. *(Rule 3.C & Rule 3.D)*
2. The State Party shall have a Delegate Selection Media Plan (**see Attachment 2.i**) for using all available and appropriate resources, such as social media, websites, newspapers, radio and television, to inform the general public how, when and where to participate in the delegate selection process. Specifically, the Delegate Selection Media Plan will provide details as to how to qualify to run as a delegate candidate. Regular updates should be posted/released throughout the state's delegate selection process to ensure broad and timely coverage and awareness about the process to all interested persons. *(Rule 4.B.3 & Rule 6.D)*
3. A priority effort, as described in the Delegate Selection Media Plan, shall be directed at publicity among the Democratic Party's constituencies.
  - a. Information about the delegate selection process will be posted on and made available to social and specialty media directed toward the Democratic constituency groups set forth in the introduction of this Affirmative Action Plan and Outreach and Inclusion Program.

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- b. The State Party shall be responsible for the implementation of this publicity effort. For purposes of providing adequate notice of the delegate selection process, the times, dates, places and rules for the conduct of precinct meetings, county conventions, congressional district conventions, and state convention shall be effectively publicized to encourage the participation of minority groups. Parties will make a good faith effort to publicize this information in an accessible manner and multilingually where necessary. *(Rule 6.D)*
4. Not later than **November 15, 2023**, the State Party will make information about the delegate selection process available on its website and publicize the resource through press releases and communications to Party leaders, activists and targeted constituencies. Information to be posted on the website will include:
  - a. Materials designed to encourage participation and inform prospective delegate candidates;
  - b. A summary explaining the role of the 2024 Convention in nominating the Party's Presidential and Vice Presidential candidates and adopting the National Platform;
  - c. A summary of the State Party's delegate selection process including all pertinent rules, dates, and filing requirements related to the process;
  - d. A map of delegate districts and how many delegates will be elected within each district, along with filing forms or information on how to obtain the filing forms.

### **E. Obligations of Presidential Candidates to Maximize Participation**

1. Presidential candidates shall assist the North Carolina Democratic Party in meeting the demographic representation goals reflected in the Affirmative Action Plan and Outreach and Inclusion Program. Presidential candidates shall make a clear and convincing effort to reach the goals, to abide by the committee's request that automatic delegates are given lowest priority for pledged delegate slots, and to abide by the goal that at least 15% of the delegates outside of the "Youth" category be delegates who have never attended a Democratic National Convention as a delegate, alternate, or standing committee member. *(Rule 6.H)*
2. Each presidential candidate must submit a written statement to the State Democratic Chair by **January 1, 2024** which indicates the specific steps they will take to encourage full participation by their supporters in North Carolina's delegate selection process, including, but not limited to, procedures by which persons may file as candidates for delegate or alternate pledged to the presidential candidate. *(Rule 6.H.1)*

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3. Each presidential candidate must submit demographic information with respect to all candidates for delegate and alternate pledged to them. Such information shall be submitted in conjunction with the list of names approved for consideration as delegate and alternate candidates pledged to the presidential candidate. *(Rule 6.H.2)*
4. Presidential candidates shall use their best effort to ensure that their respective delegates, alternates and standing committee members shall achieve the affirmative action goals reflected in the Affirmative Action Plan and Outreach and Inclusion Program and that the number of men and the number of women in their respective delegations shall not differ by more than one (as determined by gender self-identification). Furthermore, presidential candidates shall use their best efforts at the district level to approve delegate, alternate, and standing committee candidates who meet applicable equal division and affirmative action considerations to promote and achieve the state's affirmative action, outreach and inclusion goals and equal division for their respective delegations. *(Rule 6.C., Rule 6.I & Reg. 4.10)*

### **F. Outreach and Inclusion Program**

1. The State Democratic Party is committed to help achieve full participation of those groups of Americans who have historically been explicitly denied the right to vote or who have been subjected to discriminatory and exclusionary practices that have denied them voting rights and full participation in the delegate selection process and other Party meetings, events and elections, along with other groups of Americans who are also underrepresented in Party affairs.
2. As such, the State Democratic Party has developed outreach and inclusion programs and is committed to fully implementing the programs so that all persons who wish to participate as Democrats understand they are welcome and encouraged to be a part of the delegate selection process and in the Party at the local, state and national levels.
3. The State Party will make accommodations to facilitate greater participation by people with disabilities, including, if necessary, designating one of the pages to be an assistant to delegation members with disabilities.
4. In addition to the education, publicity and other steps described above, the State Party will work to help first time delegates attend the convention and has set a goal that at least 15% of the delegates outside of the "Youth" category be delegates who have never attended a Democratic National Convention prior to 2020 as a delegate, alternate, or standing committee member.
5. At the beginning of each stage of the delegate selection process, the chair or the acting chair of the meeting shall read the following statement: "All public meetings at all levels of the North Carolina Democratic Party shall be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin,

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religion, ethnic identity, sexual orientation, gender identity and expression, economic status, or disability. In order that the Democratic Party at all levels be an open Party, which includes rather than excludes people from participation, a program of effective affirmative action has been adopted by the North Carolina Democratic Party. Discrimination on the basis of 'status' in the conduct of North Carolina Democratic Party affairs is prohibited."



## Section IX Challenges

### A. Jurisdiction & Standing

1. Challenges related to the delegate selection process are governed by the *Regulations of the DNC Rules and Bylaws Committee for the 2024 Democratic National Convention (Reg. Sec. 3)*, and the “Rules of Procedure of the Credentials Committee of the 2024 Democratic National Convention.” (*Call Appendix A*)
2. Under Rule 21.B. of the *2024 Delegate Selection Rules*, the DNC Rules and Bylaws Committee has jurisdiction over challenges pertaining to the submission, non-implementation and violation of State Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program. (*Rule 21.B & Call Appendix A*)
3. The Rules and Bylaws Committee has jurisdiction to hear and decide any challenge provided it is initiated before the 56th day preceding the date of the commencement of the 2024 Democratic National Convention. (*Call Appendix A & Reg. 3.1*)
4. Challenges to the credentials of delegates and alternates to the 2024 Democratic National Convention initiated on or after the 56th day preceding the date of commencement of the Democratic National Convention shall be processed in accordance with the “Rules of Procedure of the Credentials Committee of the 2024 Democratic National Convention.” (*Call Appendix A*)
5. Any challenge to the credentials of a standing committee member shall be considered and resolved by the affected standing committee in accordance with Appendix A of the *Call for the 2024 Democratic National Convention*. The Rules and Bylaws Committee shall have jurisdiction over challenges brought before the 56th day preceding the date of the commencement of the Democratic National Convention. (*Call VII.B.5*)
6. Copies of the Regulations of the Rules and Bylaws Committee and/or the Call for the 2024 Democratic National Convention, including the Rules of Procedure of the Credentials Committee (*Appendix A*), shall be made available by the State Party upon reasonable request.
7. Any group of 15 Democrats with standing to challenge as defined in Reg. 3.2 or the Call (*Appendix A, Sec. 2.A*), may bring a challenge to this Plan or to the implementation of this Plan, including its Affirmative Action provisions.

### B. Challenges to the Status of the State Party and Challenges to the Plan

1. A challenge to the status of the State Party Committee as the body entitled to sponsor a delegation from that State shall be filed with the Rules and Bylaws

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Committee not later than 30 calendar days prior to the initiation of the state's delegate selection process. (*Rule 21.A & Reg. 3.4.A*)

2. A challenge to the state's Delegate Selection Plan shall be filed with the Chair of the State Democratic Party and the Co-Chairs of the Rules and Bylaws Committee within 15 calendar days after the adoption of the Plan by the State Party. (*Reg. 3.4.B*)
3. A challenge to a Plan must be brought in conformity with the Rules and the RBC Regulations, which should be consulted for a detailed explanation of challenge procedures.

### **C. Challenges to Implementation**

1. A challenge may be brought alleging that a specific requirement of an approved Plan has not been properly implemented. Jurisdiction over all challenges initiated in a timely fashion shall reside with either the Rules and Bylaws Committee or the Credentials Committee of the National Convention (See Section VII.A. above). However, the Rules and Bylaws Committee may provide advice, assistance or interpretations of the Delegate Selection Rules at any stage of the delegate selection process. (*Reg. 3.1.C*)
2. An implementation challenge brought before the Rules and Bylaws Committee is initiated by filing a written challenge with the State Party Committee and with the Rules and Bylaws Committee not later than 15 days after the alleged violation occurred. The State Party has 21 days to render a decision. Within ten (10) days of the decision, any party to the challenge may appeal it to the Rules and Bylaws Committee. If in fact, the State Party renders no decision, any party to the challenge may request the Rules and Bylaws Committee to process it. The request must be made within ten (10) days after expiration of the above 21-day period. (*Reg. 3.4.C, Reg. 3.4.E & Reg. 3.4.H*)
3. Performance under an approved Affirmative Action Plan and Outreach and Inclusion Program and composition of the convention delegation shall be considered relevant evidence in the challenge to any state delegation. If a State Party has adopted and implemented an approved affirmative action program, the State Party shall not be subject to challenge based solely on delegation composition or primary results. (*Rule 6.B*) The procedures are the same for challenges alleging failure to properly implement the Affirmative Action Plan and Outreach and Inclusion Programs of a Plan, except that such challenges must be filed not later than 30 days prior to the initiation of the state's delegate selection process. (*Reg. 3.4.C*)
4. Depending on the appropriate jurisdiction (see Section VIII.A. above), implementation challenges must be brought in conformity with the Regulations of the Rules and Bylaws Committee or the Rules of Procedure of the Credentials Committee, which should be consulted for a detailed explanation of challenge procedures.

**North Carolina 2024 Delegate Selection Plan**

**Section X  
Summary of Plan**

**A. Selection of Delegates and Alternates**

North Carolina will use a proportional representation system based on the results of the primary apportioning its delegates to the 2024 Democratic National Convention.

The “first determining step” of North Carolina’s delegate selection process will occur on **March 5, 2024** with a state-run primary.

Delegates and alternates will be selected as summarized on the following chart:

Type	Delegates	Alternates	Date of Selection	Selecting Body
				Filing Requirements and Deadlines
District-Level Delegates District-Level Alternates	76	n/a	04/20/2024	Selecting Body: <b>Congressional District Convention</b> <b>Candidates must file by March 14, 2024</b>
Automatic Party Leader and Elected Official Delegates*	17	n/a	n/a	Automatic by virtue of respective public or Party office as provided in Rule 9.A. of the 2024 Delegate Selection Rules.
Pledged Party Leaders and Elected Officials (PLEOs)	15	**	06/01/2024	Selecting Body: <b>State Convention</b> <b>Candidates must file by May 7, 2024</b>
At-Large Delegates At-Large Alternates	25	10	06/01/2024	Selecting Body: <b>State Convention</b> <b>Candidates must file by May 7, 2024</b>
TOTAL Delegates and Alternates	134	10		

\* Automatic Party Leader and Elected Official (PLEO) delegates includes the following categories, if applicable, who legally reside in the state: the Democratic National Committee Members, the Democratic President, the Democratic Vice President, all Democratic members of the U.S. House of Representatives and the U.S. Senate, the Democratic Governor, and any other Distinguished Party Leader as specified in Rule 9.A. of the *2024 Delegate Selection Rules*. The exact number of Automatic PLEO Delegates is subject to change due to possible deaths, resignations, elections or special elections.

**B. Selection of Standing Committee Members (For the Credentials, Platform and Rules Committees)**

Members Per Committee	Total Members	Selection Date	Filing Requirements and Deadlines
5	15	06/02/2024	<b>Candidates must file by January 1, 2024</b>

**C. Selection of Delegation Chair and Convention Pages**

## North Carolina 2024 Delegate Selection Plan

The Delegation Chair will be selected by the National Convention Delegates on **Sunday, June 2, 2024**.

5 Convention Pages will be selected by the State Democratic Chair on **Sunday, June 2, 2024**.

### D. Selection of Presidential Electors

Fourteen (14) Presidential Electors will be selected by **Congressional District Convention** on **Saturday, April 20, 2024**. Two (2) at-large Presidential Electors and two (2) alternates will be selected by the **State Convention** on **Saturday, June 1, 2024**. Electors will be selected by the delegates of the respective conventions.

### E. Presidential Candidate Filing Deadline

Presidential candidate names are submitted to the State Board of Elections for inclusion on the primary ballot by the State Party Chair by **Wednesday, December 06, 2023**.

Presidential candidates must certify the name of their authorized representative(s) to the State Democratic Chair by **January 1, 2024**.

Presidential candidates must submit a written statement to the State Democratic Chair by **January 1, 2024** indicating specific steps they will take to encourage full participation.

### F. Timetable

Date	Activity
<b>2023</b>	
March 1	Delegate Selection and Affirmative Action Committee members are appointed by the State Chair.
March 1	List of Delegate Selection and Affirmative Action Committee members submitted to DNC Rules and Bylaws Committee.
March 25	Affirmative Action Committee meets to draft proposed Delegate Selection and Affirmative Action Plans.
March 25	Proposed Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program is tentatively approved for public comment by Delegate Selection and Affirmative Action Committee.
March 27	Public comments are solicited on the proposed Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program. Press releases are mailed announcing the public comment period.
April 27	Period for public comment on State Plan is concluded. Responses are compiled for review by the Delegate Selection and Affirmative Action Committee.
April 30	Delegate Selection and Affirmative Action Committee reviews public comments and adopts revised Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program for submission to DNC Rules and Bylaws Committee. Press releases are mailed announcing the approval of the Plan.
May 3	Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program is forwarded to the DNC Rules and Bylaws Committee.
June 24	Delegate Selection and Affirmative Action Committee presents Delegate Selection and Affirmative Action Plan to the State Executive Committee for approval.
November 15	State Party begins implementation of the Delegate Selection and Affirmative Action Plan. Press kits, as described in the Delegate Selection and Affirmative Action Plan, are sent to all state media.

## North Carolina 2024 Delegate Selection Plan

Date	Activity
December 1	Delegate and alternate candidates may obtain the Statement of Candidacy and Pledge of Support forms and filing instructions from State Party Headquarters, in person, by mail, or from the State Party's website at <a href="http://ncdp.org">ncdp.org</a> .
December 6	NCDP Chair submits names of presidential candidates to the State Board of Elections

Date	Activity
<b>2024</b>	
January 1	Deadline for each announced presidential candidate to submit a statement specifying steps the candidate will take to encourage full participation in the delegate selection process. (Individuals who announce their candidacy after this date must provide this full participation statement to the State Party not later than 30 days after their announcement).
January 1	Presidential candidate deadline for certifying the name(s) of their authorized representative(s) to the State Party.
January 1	Deadline for applications for temporary standing committee nominations.
January 15	Absentee ballots become available.
February 15	One-Stop Early Voting begins.
February 17	Statewide precinct meetings.
February 24	State Executive Committee selects temporary members of convention standing committees.
February 27	State Party certifies Temporary Convention Standing Committee members to Secretary of the DNC.
March 2	One-Stop Early Voting concludes.
March 2	Make-up date for statewide precinct meetings.
March 5	Presidential preference primary.
March 6	DNC certifies names of automatic delegates.
March 14	District-level delegate deadline for filing the statement of candidacy and pledge of support forms with State Party. District-level Presidential Elector deadline for filing notice of candidacy.
March 16	County conventions elect delegates to congressional district conventions.
March 26	State Board of Elections certifies results of primary; district-level delegates are allocated according to presidential preference.
April 5	State Party provides list of district-level delegate and alternate candidates to the respective Presidential candidates.
April 12	Presidential candidates provide list of approved district-level delegate and alternate candidates to State Party.
April 20	Congressional district conventions elect district-level delegates and presidential electors.
May 7	Pledged PLEO and at-large delegate or alternate candidate deadline for filing the statement of candidacy and pledge of support forms with State Party. At-large Presidential Elector deadline for filing notice of candidacy.
May 7	State Party certifies elected district-level delegates to the Secretary of the Democratic National Committee.
May 14	State Party provides list of PLEO and at-large delegate and alternate candidates to the respective Presidential candidates.
May 28	Presidential candidates provide approved list of pledged PLEO and At-large delegate candidates to State Party. Presidential candidates are strongly encouraged to provide approved list of pledged At-large candidates to State Party.

## North Carolina 2024 Delegate Selection Plan

Date	Activity
May 30	Delegate Selection and Affirmative Action Committee meets to review Notice of Candidacy for PLEO delegates, At-large delegates, and alternates and certify to the State Party Chair a minimum of (2) candidates for each male and female position allocated for each At-large delegate.
May 31	State Party certifies to DNC Rules and Bylaws Committee presidential candidates used best efforts to meet goals of Affirmative Action Committee.
June 1	State Convention convenes. Pledged PLEO delegates selected. Following selection of PLEO delegates, presidential candidates provide approved list of at-large delegate and alternate candidates to State Party. State Convention selects at-large delegates and alternates. Presidential candidates submit lists of candidates for standing committee members to State Party. At-large presidential electors and alternates chosen.
June 2	National Convention delegation meeting. Delegates select National Convention Standing Committee Members and Delegation Chair. State Chair names convention pages.
June 4	State Party certifies remainder of elected delegates and alternates (PLEOs and at-large), along with standing committee members, delegation chair, and convention pages.
June 4	State Chair certifies in writing to the Secretary of the DNC the State's Delegation Chair, Convention Pages and Standing Committee Members.
June 4	State Party certifies in writing to the Secretary of the DNC the presidential preference of Pledged PLEOs and At-Large Delegates and Alternates.
June 4	State Party certifies in writing to the Secretary of the DNC the presidential preference (including uncommitted) of the state's Unpledged Delegates.

## Attachments

### A. Delegate Selection and Affirmative Action Committee

#### Members

Hon. Matt Hughes, Co-Chair (he/him/his)  
DNC Member, Town of Hillsborough Commissioner  
Orange County, Congressional District 4  
African-American, Biracial, LGBTQ, Youth, Disabled, Male

Hon. Natalie Murdoch (she/her/hers)  
SEC Member, State Senator (District 20)  
Durham County, Congressional District 4  
African-American, Female

John Verdejo, Co-Chair (he/him/his)  
DNC Member, SEC Member  
Wake County, Congressional District 2  
Hispanic, African-American, Male

Hon. Denise (DD) Adams (she/her/hers)  
DNC Member, SEC Member, Winston-Salem City Council Member  
Forsyth County, Congressional District 5  
African-American, Senior, Female

Collette Alston (she/her/hers)  
SEC Member, President of the NCDP African American Caucus  
Mecklenburg County, Congressional District 12  
African-American, Female

Ed Binnay (he/him/his)  
SEC Member, President of the NCDP Asian-American Pacific Islander Caucus  
Onslow County, Congressional District 3  
Asian American, Senior, Male

Hon. Preston Blakley (he/him/his)  
Mayor of Fletcher, North Carolina  
Henderson County, District 11  
African-American, Youth, Male

Sharon Castleberry (she/her/hers)  
SEC Member, Chair of the Johnston County Democratic Party  
Johnston County, Congressional District 13  
White, Disabled, Female

## North Carolina 2024 Delegate Selection Plan

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Crystal Cavalier (she/her/hers)  
SEC Member, President of the NCDP Native American Caucus  
Alamance County, Congressional District 4  
Native American, Union Member, Female

Lainey Edmisten (she/her/hers)  
SEC Member  
Watauga County, Congressional District 5  
White, Female

Al Heggins  
Former Mayor of Salisbury, North Carolina  
Rowan County, Congressional District 8  
African-American, Veteran, Female

Nathaniel Jacobs (he/him/his)  
SEC Member, President of the Young Democrats of North Carolina  
Robeson County, Congressional District 7  
Native American, Youth, Male

Katherine Jeanes (they/them/theirs)  
At-Large DNC Youth Council Member  
Cabarrus County, Congressional District 12  
White, Multi-Racial, LGBTQ, Youth, Disabled, Non-binary

Jennifer Marshall (she/her/hers)  
DNC Member, SEC Member  
Forsyth County, Congressional District 5  
White, Union Member, Disabled, Female

Eliazar Posada (he/him/his)  
SEC Member, Carrboro Council Member  
Orange County, Congressional District 4  
Hispanic, LGBTQ, Youth, Male

Cameron Pruette (he/him/his)  
SEC Member, President of the Mecklenburg County LGBTQ Democrats  
Mecklenburg County, Congressional District 14  
White, LGBTQ, Youth, Male

Albaro Raul Reyes-Martinez (he/him/his)  
SEC Member, President of the College Democrats of North Carolina  
Guilford County, Congressional District 6  
Hispanic, Youth, Male



## **North Carolina 2024 Delegate Selection Plan**

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Jeff Rose (he/him/his)

SEC Member, Chair of the Buncombe County Democratic Party

Buncombe County, Congressional District 11

White, Male

Kelvin Stallings (he/him/his)

SEC Member, NCDP Director of Minority Affairs

Wake County, Congressional District 13

African-American, Youth, Male

Wesley Stokes (he/him/his)

SEC Member, Chair of the Washington County Democratic Party

Washington County, Congressional District 1

African-American, Male

**2. Statement from the State Chair confirming that the composition of the State Affirmative Action Committee complies with Rules 5.C, 6.A., and 7**

Lorraine Miller, Co-Chair, DNC Rules and Bylaws Committee  
James Roosevelt, Jr., Co-Chair, DNC Rules and Bylaws Committee  
Democratic National Committee  
430 South Capitol Street Southeast  
Washington, DC 20003

May 1, 2023

Dear Co-Chairs Moore and Roosevelt,

This statement serves as confirmation that the composition of the North Carolina Democratic Party's Delegate Selection and Affirmative Action Committee complies with Rules 5.C, 6.A, and 7.

The members of this Committee represent a wide cross section of the people that are fortunate to call North Carolina home. Among the members of the Committee are those who represent our African-American, Hispanic, Asian-American, multi-racial, LGBTQ+, disabled, youth, and senior communities.

I know the members of this Committee represent their communities well and will implement a Delegate Selection Plan that will ensure that North Carolina's delegation remains one of the most diverse and vibrant at our party's National Committee next summer.

Sincerely,



Anderson Clayton  
Chair, North Carolina Democratic Party

## North Carolina 2024 Delegate Selection Plan

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### B. Documentation

1. **A summary** of the process for selecting delegates, alternates, standing committee members, the delegation chair and convention pages, and Presidential Electors, along with related deadlines is contained in Section X of this Delegate Selection Plan. (*Reg. 2.2.A*)
2. **A timetable** reflecting all significant dates in the state's delegate selection process is contained in Section I of this Delegate Selection Plan. (*Reg. 2.2.B*)
3. **A copy of the press release** distributed by the State Party Committee announcing its adoption of the Plan and summarizing the major components of the Plan. (*Reg. 2.2.D*) (See press release attached as Exhibit A)
4. **A statement from the State Democratic Chair certifying the Plan** as submitted to the RBC was available for public comment for 30 days, a press release was sent at the time of announcing the 30 day public comment period, and a request for waiver *Reg. 2.2.C*. (See statement attached as Exhibit B)
5. A statement from the Co-Chairs of the Delegate Selection and Affirmative Action Committee certifying **compliance with Rule 6.F.**, which requires that the Delegate Selection and Affirmative Action Committee has reviewed the proposed Affirmative Action outreach plan, including any numerical goals established. (*Rule 6.F & Reg. 2.2.I*) (See statement attached as Exhibit C)
6. **Copies of all written public and online comments** submitted through the process provided above about the Plan. (*Rule 1.C & Reg. 2.2.G*) (See comments attached as Exhibit D)
7. **A blank copy of forms** to be filed with the state and the State Party by delegate and alternate candidates. (*Rule 1.A.7, Rule 1.A.8 & Reg. 2.2.H*) (See forms attached as Exhibit E)
8. **Copies of all state statutes** reasonably related to the selection of delegates or for presidential electors. (See statutes attached as Exhibit F)
9. A copy of all **presidential candidate qualifying forms** to be filed with the state and the State Party. (*Reg. 2.2.M*) (See forms attached as Exhibit G)
10. A copy of the **State Delegate Selection Media Plan**. (See media plan as Exhibit H)

## North Carolina 2024 Delegate Selection Plan

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### EXHIBIT A Press Release

FOR IMMEDIATE RELEASE

March 27, 2023

Contact: Kate Frauenfelder, [kate@ncdp.org](mailto:kate@ncdp.org)

NC Democrats Announce Opening of DNC Delegate Selection Process

The North Carolina Democratic Party has opened the 2024 DNC Delegate Selection Process, a process for selecting North Carolina delegates to attend the 2024 Democratic National Convention. The full North Carolina Delegate Selection Plan, including public comment form, is available online here.

North Carolina has the 9th largest delegation in the nation, with 130 voting members. All but 14 of the delegates will be pledged to a candidate and the number allocated to each candidate is based upon the results of the “Super Tuesday” March 5, 2024, Presidential Primary Election.

Seventy-six (76) delegates representing each congressional district will be elected at District Conventions on April 27, 2024. Twenty-five (25) At-Large Delegates, 15 Pledged Party Leader and Elected Official (PLEO) Delegates, and 10 alternates will be elected at the State Convention on June 1, 2024. The remaining 14 delegates are Automatic Delegates, such as DNC members, Democratic members of Congress, and the Governor.

To become a delegate, voters must be a registered Democrat, submit a notice of candidacy, and engage with the party to actively seek support for their candidacy. Any registered Democrat is eligible to apply. The Delegate Selection Plan outlines a process for electing an equal number of men and women, with language to include North Carolina's gender non-binary community, and includes representation goals for African-American, Hispanic, Native American, AAPI, LGBTQ+, young (under 35), senior (over 65) and veteran delegates, as well as delegates with disabilities.

The complete North Carolina Delegate Selection Plan is available here, along with information about upcoming online information sessions on the selection process.

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**North Carolina 2024 Delegate Selection Plan**

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**EXHIBIT B**

**Statement from State Party Chair**

Lorraine Miller, Co-Chair, DNC Rules and Bylaws Committee  
James Roosevelt, Jr., Co-Chair, DNC Rules and Bylaws Committee  
Democratic National Committee  
430 South Capitol Street Southeast  
Washington, DC 20003

May 1, 2023

Dear Co-Chairs Miller and Roosevelt,

As Chair of the North Carolina Democratic Party, I certify that the proposed Delegate Selection Plan, including attachments and appendices, was placed on the North Carolina Democratic Party's website for a period of 30 days. This letter further certifies that the North Carolina Democratic Party was in compliance with Rule 1.C and Reg 2.2F by providing a 30 day public comment period. The public comments received by the State Party are included in Exhibit D of the Delegate Selection Plan.

Additionally, I am requesting a waiver of Reg. 2.2.C. The North Carolina Democratic Party is unable to come into compliance with Reg. 2.2.C until the meeting of the State Executive Committee on Saturday, June 24, 2023. Due to the overlapping work of the Delegate Selection and Affirmative Action Committee and new members of the State Executive Committee being elected at county conventions in mid-April, there would not be enough time to reasonably call a meeting with notice requirements in compliance with the North Carolina Democratic Party's Plan of Organization.

Sincerely,



Anderson Clayton  
Chair, North Carolina Democratic Party

North Carolina 2024 Delegate Selection Plan

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EXHIBIT C

Statement from Committee Co-Chairs

Lorraine Miller, Co-Chair, DNC Rules and Bylaws Committee  
James Roosevelt, Jr., Co-Chair, DNC Rules and Bylaws Committee  
Democratic National Committee  
430 South Capitol Street Southeast  
Washington, DC 20003

May 1, 2023

Dear Co-Chairs Miller and Roosevelt,

As co-chairs of the NCDP's Delegate Selection and Affirmative Action Committee, we certify that our Committee is in compliance with Rule 6.F.

Sincerely,



Hon. Matt Hughes, Co-Chair

*Senator Natalie Murdock*  
Hon. Natalie Murdock, Co-Chair

*John Verdejo*  
John Verdejo, Co-Chair

**North Carolina 2024 Delegate Selection Plan**

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**EXHIBIT D  
Public Comment**

Commenter: Surluta Anthony  
Party Registration: Democrat  
County: Union  
Congressional District: CD-08

I suggest that the duly elected delegates from the 2020 DNC be a consideration as we were not afforded the opportunity to attend in person and attended via zoom. Therefore not having the full experience.

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Commenter: Sam Spencer  
Party Registration: Democrat  
County: Mecklenburg  
Congressional District: CD-12

In previous cycles, the plan has not been well-publicized, which has been one of the biggest weaknesses of the process (mea culpa). More effort should be put into creating a clear explanatory document of the process, and using the delegate selection process for the explicit purpose of party building, from the precinct level to the state convention. After being heavily involved in this process for the last three conventions, and writing the current plan framework, I continue to believe this is an untapped opportunity to bring a wider universe of Democratic supporters into the fold, starting with the precinct meetings. For example, the plan should encourage county-level parties to make information about the process (and precinct meetings!) available at early voting and Election Day polling places for the March 2024 primary.

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Commenter: Tona Roza  
Party Registration: Unaffiliated  
County: N/A  
Congressional District: N/A

The plan shows conflicting April 20, 2024 (table on page 46) and April 27, 2024 (paragraph h on page 11) dates for the District Conventions.

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## North Carolina 2024 Delegate Selection Plan

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Commenter: Michael E Ramos

Party Registration: Democrat

County: Cabarrus

Congressional District: CD-12

For the section on Representational Goals, thank you for including "veterans" as among those delegate candidates with diversity traits. However, in addition to veterans, please also include "military family members" as included with the veterans, so the category reads "veterans and military family members."



**North Carolina 2024 Delegate Selection Plan**

**EXHIBIT E**

**Forms to be Filed by Candidates for Delegate**

**2024 Democratic National Convention**

**Notice of Candidacy**

I intend to seek election as a delegate or alternate to the 2024 Democratic National Convention. I am a Democrat registered in the precinct, county, and congressional district indicated below.

**Demographic Information** (please print)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/Zip: \_\_\_\_\_

Precinct: \_\_\_\_\_

County: \_\_\_\_\_

Congressional District: \_\_\_\_\_

Phones:

Home: \_\_\_\_\_

Office: \_\_\_\_\_

Cell: \_\_\_\_\_

Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Male       Female       Gender Non-Binary

**Please check any that apply for affirmative action purposes**

*(In order that the Democratic Party at all levels be an open Party, which includes rather than excludes people from participation, a program of effective affirmative action has been adopted by the North Carolina Democratic Party. Discrimination on the basis of 'status' in the conduct of North Carolina Democratic Party affairs is prohibited)*

African-American     Native American     Hispanic/Latino     Asian-American/Pacific Islander

Multi-Racial/Other     Member of the LGBTQ community     35 years or younger

**North Carolina 2024 Delegate Selection Plan**

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65 years or older  Persons with disabilities  Veteran

**Presidential Preference**

I am pledged to support the following presidential candidate:

\_\_\_\_\_

Uncommitted

In the event my candidacy is not approved by the presidential candidate of my choice, I wish to run in the uncommitted category

**Please check all options which apply to you:**

I wish to run for delegate at the district level (deadline: March 14, 2024)

I wish to run for an at-large delegate/alternate at the state convention (deadline: May 7, 2024)

I wish to run for delegate at a Party Leader/Elected Official (deadline: May 7, 2024).

The party/elected office(s) I currently hold is/are:

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I pledge, if elected as a delegate or alternate to attend the mandatory meeting of the North Carolina Delegation, to be held on Sunday, June 2, 2024.

I further pledge that if I currently hold a status as an automatic, unpledged delegate (also known as superdelegate), that I will not run for as a pledged delegate at the congressional district or state level.

Furthermore, I understand that I am responsible for the full cost of traveling to and attending the Democratic National Convention and that the presidential candidate I am pledged to may deny my application as a pledged delegate.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## North Carolina 2024 Delegate Selection Plan

### Exhibit F Copies of State Statutes

§ 163-1. Time of regular elections and primaries.

(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." Unless otherwise provided by law, officers shall serve for the terms specified in the column headed "Term of Office."

(b) On Tuesday next after the first Monday in March preceding each general election to be held in November for the officers referred to in subsection (a) of this section, there shall be held in all election precincts within the territory for which the officers are to be elected a primary election for the purpose of nominating candidates for each political party in the State for those offices.

(c) On Tuesday next after the first Monday in November in the year 1968, and every four years thereafter, or on such days as the Congress of the United States shall direct, an election shall be held in all of the election precincts of the State for the election of electors of President and Vice-President of the United States. The number of electors to be chosen shall be equal to the number of Senators and Representatives in Congress to which this State may be entitled. Presidential electors shall not be nominated by primary election; instead, they shall be nominated in a State convention of each political party as defined in G.S. 163-96 unless otherwise provided by the plan of organization of the political party; provided, that in the case of a candidate for President of the United States who has qualified to have his name printed on the general election ballot as an unaffiliated candidate under G.S. 163-122, that candidate shall nominate presidential electors. One presidential elector shall be nominated from each congressional district and two from the state-at-large, and in addition, the State convention of each party and the unaffiliated candidate shall each nominate first and second alternate electors who shall serve if their slate is elected as provided by G.S. 163-209 and if there is a vacancy as provided by G.S. 163-210.

(d) If primaries for the State Senate or State House of Representatives are temporarily moved from the date provided in subsection (b) of this section for any election year, all primaries shall be held on the same day.

OFFICE	JURISDICTION	DATE OF ELECTION	TERM OF OFFICE
Governor	State	Tuesday next after the first Monday in November 1968 and every four years thereafter	Four years, from first day of January next after election
Lieutenant Governor	State	Tuesday next after the first Monday in November 1968 and every four years thereafter	Four years, from first day of January next after election
Secretary of State	State	Tuesday next after the first Monday in November	Four years, from first day of January

**North Carolina 2024 Delegate Selection Plan**

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		1968 and every four years thereafter	next after election
Auditor	State	Tuesday next after the first Monday in November next after election	Four years, from first day of January
		1968 and every four years thereafter	
Treasurer	State	Tuesday next after the first Monday in November 1968 and every four years thereafter	Four years, from first day of January next after election
Superintendent of Public Instruction	State	Tuesday next after the first Monday in November 1968 and every four years thereafter	Four years, from first day of January next after election
Attorney General	State	Tuesday next after the first Monday in November 1968 and every four years thereafter	Four years, from first day of January next after election
Commissioner of Agriculture	State	Tuesday next after the first Monday in November 1968 and every four years thereafter	Four years, from first day of January next after election
Commissioner of Labor	State	Tuesday next after the first Monday in November 1968 and every four years thereafter	Four years, from first day of January next after election
Commissioner of Insurance	State	Tuesday next after the first Monday in November 1968 and every four years thereafter	Four years, from first day of January next after election
All other State officers whose terms last for four years	State	Tuesday next after the first Monday in November 1968 and every four years thereafter	Four years, from first day of January next after election
All other State officers whose terms are not	State	Tuesday next after the first Monday in November 1968 and every two years	Two years, from first day of January next after election

## North Carolina 2024 Delegate Selection Plan

specified by law		thereafter	
State Senator	Senatorial district	Tuesday next after the first Monday in November 1968 and every two years thereafter	Two years
Member of State House of Representatives	Representative district	Tuesday next after the first Monday in November 1968 and every two years thereafter	Two years
Justices and Judges of the Appellate Division	State	Except as provided in Article 1A of Chapter 7A of the General Statutes, at the regular election for members of the General Assembly immediately preceding the termination of each regular term	Eight years, from first day of January next after election
Judges of the superior courts	Superior Court District	At the regular election for members of the General Assembly immediately preceding the termination of each regular term	Eight years, from first day of January after next election
Judges of the district courts	District court district	At the regular election for members of the General Assembly immediately preceding the termination of each regular term	Four years, from the first day in January next after election
District Attorney	District Attorney district	At the regular election for members of the General Assembly immediately preceding the termination of each regular term	Four years, from first day of January next after election
Members of House of Representatives of the Congress of the United States	Congressional district, except as modified by G.S. 163-104	Tuesday next after the first Monday in November 1968 and every two years thereafter	Two years

### North Carolina 2024 Delegate Selection Plan

United States Senators	State	At the regular election immediately preceding the termination of each regular term	Six years
County Commissioners	County	At the regular election for members of the General Assembly immediately preceding the termination of each regular term	Two years, from the first Monday in December next after election
Clerk of superior court	County	At the regular election for members of the General Assembly immediately preceding the termination of each regular term	Four years, from the first Monday in December next after election
Register of Deeds	County	At the regular election for members of the General Assembly immediately preceding the termination of each regular term	Four years, from the first Monday in December next after election
Sheriff	County	At the regular election for members of the General Assembly immediately preceding the termination of each regular term	Four years, from the first Monday in December next after election
Coroner	County	At the regular election for members of the General Assembly immediately preceding the termination of a regular term	Four years, from the first Monday in December next after election
County treasurer (in counties in which elected)	County	Tuesday next after the first Monday in November 1968 and every two years thereafter	Two years, from the first Monday in December next after election
All other county officers to be elected by the people (Const., art. 4, s. 24; 1901, c. 89, ss. 1-4, 73, 74, 77; Rev., ss. 4293, 4294, 4296-4299; 1915, c. 101, s. 1; 1917, c. 218; C.S., ss. 5914, 5915, 5917-5920, 6018; 1935, c. 362; 1939, c. 196; 1943, c.	County	Tuesday next after the first Monday in November 1968 and every two years thereafter	Two years, from the first Monday in December next after election

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134, s. 4; 1947, c. 505, s. 1; 1951, c. 1009, s. 2; 1953, c. 1191, s. 1; 1967, c. 775, s. 1; cc. 1264, 1271; 1969, c. 44, s. 80; 1971, c. 170; 1973, c. 793, s. 93; 1977, c. 265, s. 1; c. 661, s. 1; 1991 (Reg. Sess., 1992), c. 782, s. 1; 1993 (Reg. Sess., 1994), c. 738, s. 2; 1996, 2nd Ex. Sess., c. 9, s. 2; 2003-434, 1st Ex. Sess., s. 6; 2004-127, s. 12; 2005-425, s. 3.2; 2015-66, s. 3; 2017-3, s. 2; 2017-6, s. 3; 2018-21, s. 1; 2018-146, s. 3.1(a), (b).)

§ 163-59. Right to participate or vote in party primary.

No person shall be entitled to vote or otherwise participate in the primary election of any political party unless that person complies with all of the following:

- (1) Is a registered voter.
- (2) Has declared and has had recorded on the registration book or record the fact that the voter affiliates with the political party in whose primary the voter proposes to vote or participate.
- (3) Is in good faith a member of that party.

Notwithstanding the previous paragraph, any unaffiliated voter who is authorized under G.S. 163-119 may also vote in the primary if the voter is otherwise eligible to vote in that primary except for subdivisions (2) and (3) of the previous paragraph.

Any person who will become qualified by age to register and vote in the general election for which the primary is held, even though not so qualified by the date of the primary, shall be entitled to register for the primary and general election prior to the primary and then to vote in the primary after being registered. Such person may register not earlier than 60 days nor later than the last day for making application to register under G.S. 163-82.6(d) prior to the primary.

In addition, persons who will become qualified by age to register and vote in the general election for which the primary is held, who do not register during the special period may register to vote after such period as if they were qualified on the basis of age, but until they are qualified by age to vote, they may vote only in primary elections. (1915, c. 101, s. 5; 1917, c. 218; C.S., s. 6027; 1959, c. 1203, s. 6; 1967, c. 775, s. 1; 1971, c. 1166, s. 4; 1973, c. 793, s. 20; 1981, c. 33, s. 1; 1983, c. 324, s. 3; 1987, c. 408, s. 4; c. 457, s. 1; 1991 (Reg. Sess., 1992), c. 1032, s. 5; 1993 (Reg. Sess., 1994), c. 762, s. 23; 2007-391, s. 28; 2008-187, s. 33(a); 2009-541, s. 6; 2013-381, s. 16.2; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

§ 163-82.6. Acceptance of application forms.

(a) How the Form May Be Submitted. - The county board of elections shall accept any form described in G.S. 163-82.3 if the applicant submits the form by mail, facsimile transmission, transmission of a scanned document, or in person. The applicant may delegate the submission of the form to another person. Any person who communicates to an applicant acceptance of that delegation shall deliver that form so that it is received by the appropriate county board of elections in time to satisfy the registration deadline in subdivision (1) or (2) of subsection (d) of this section for the next election. It shall be a Class 2 misdemeanor for any person to communicate to the applicant acceptance of that delegation and then fail to make a good faith effort to deliver the form so that it is received by the county board of elections in time to satisfy the registration deadline in subdivision (1) or (2) of subsection (d) of this section for the next election. It shall be an affirmative defense to a charge of failing to make a good faith effort to deliver a delegated form by the registration deadline that the delegatee informed the applicant that the form would not likely be delivered in time for the applicant to vote in the next election. It shall be a Class 2 misdemeanor for any person to sell or attempt to sell a completed voter registration form or to condition its delivery upon payment.

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- (b) Misdemeanors. - It shall be a Class 2 misdemeanor for any person to do any of the following:
- (1) To communicate to the applicant acceptance of the delegation described in subsection (a) of this section and then fail to make a good faith effort to deliver the form so that it is received by the county board of elections in time to satisfy the registration deadline in subdivision (1) or (2) of subsection (d) of this section for the next election. It shall be an affirmative defense to a charge of failing to make a good faith effort to deliver a delegated form by the registration deadline that the delegatee informed the applicant that the form would not likely be delivered in time for the applicant to vote in the next election.
  - (2) To sell or attempt to sell a completed voter registration form or to condition its delivery upon payment.
  - (3) To change a person's information on a voter registration form prior to its delivery to a county board of elections.
  - (4) To coerce a person into marking a party affiliation other than the party affiliation the person desires.
  - (5) To offer a person a voter registration form that has a party affiliation premarked unless the person receiving the form has requested the premarking.
- (c) Signature. - The form shall be valid only if signed by the applicant. An electronically captured signature, including signatures on applications generated by computer programs of third-party groups, shall not be valid on a voter registration form, except as provided in Article 21A of this Chapter. Notwithstanding the provisions of this subsection, an electronically captured image of the signature of a voter on an electronic voter registration form offered by a State agency shall be considered a valid signature for all purposes for which a signature on a paper voter registration form is used.
- (d) Registration Deadlines for a Primary or Election. - In order to be valid for a primary or election, the form:
- (1) If submitted by mail, must be postmarked at least 25 days before the primary or election, except that any mailed application on which the postmark is missing or unclear is validly submitted if received in the mail not later than 20 days before the primary or election,
  - (2) If submitted in person, by facsimile transmission, or by transmission of a scanned document, must be received by the county board of elections by a time established by that board, but no earlier than 5:00 P.M., on the twenty-fifth day before the primary or election,
  - (3) If submitted through a delegatee who violates the duty set forth in subsection (a) of this section, must be signed by the applicant and given to the delegatee not later than 25 days before the primary or election, except as provided in subsection (f) of this section.
- (e) If the application is submitted by facsimile transmission or transmission of a scanned document, a permanent copy of the completed, signed form shall be delivered to the county board no later than 20 days before the election.
- (f) Instances When Person May Register and Vote on Primary or Election Day. - If a person has become qualified to register and vote between the twenty-fifth day before a primary or election and primary or election day, then that person may apply to register on primary or election day by submitting an application form described in G.S. 163-82.3(a) or (b) to:
- (1) A member of the county board of elections;
  - (2) The county director of elections; or
  - (3) The chief judge or a judge of the precinct in which the person is eligible to vote,



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and, if the application is approved, that person may vote the same day. The official in subdivisions (1) through (3) of this subsection to whom the application is submitted shall decide whether the applicant is eligible to vote. The applicant shall present to the official written or documentary evidence that the applicant is the person he represents himself to be. The official, if in doubt as to the right of the applicant to register, may require other evidence satisfactory to that official as to the applicant's qualifications. If the official determines that the person is eligible, the person shall be permitted to vote in the primary or election and the county board shall add the person's name to the list of registered voters. If the official denies the application, the person shall be permitted to vote a challenged ballot under the provisions of G.S. 163-88.1, and may appeal the denial to the full county board of elections. The State Board of Elections shall promulgate rules for the county boards of elections to follow in hearing appeals for denial of primary or election day applications to register. No person shall be permitted to register on the day of a second primary unless he shall have become qualified to register and vote between the date of the first primary and the date of the succeeding second primary.

(g) For purposes of subsection (f) of this section, persons who "become qualified to register and vote" during a time period:

(1) Include those who during that time period are naturalized as citizens of the United States or who are restored to citizenship after a conviction of a felony; but

(2) Do not include persons who reach the age of 18 during that time period, if those persons were eligible to register while 17 years old during an earlier period.

(h) The county board of elections shall forward by electronic means any application submitted for the purpose of preregistration to the State Board of Elections. No later than 60 days prior to the first election in which the applicant will be legally entitled to vote, the State Board of Elections shall notify the appropriate county board of elections to verify the qualifications and address of the applicant in accordance with G.S. 163-82.7. (1901, c. 89, ss. 18, 21; Rev., ss. 4322, 4323; C.S., ss. 5946, 5947; 1923, c. 111, s. 3; 1933, c. 165, s. 5; 1947, c. 475; 1953, c. 843; 1955, c. 800; 1957, c. 784, ss., 3, 4; 1961, c. 382; 1963, c. 303, ss. 1, 2; 1967, c. 761, s. 3; c. 775, s. 1; 1969, c. 750, ss. 1, 2; 1977, c. 626, s. 1; 1979, c. 539, s. 5; c. 766, s., 2; 1981, c. 33, s. 2; 1981 (Reg. Sess., 1982), c. 1265, s. 6; 1983, c. 553; 1985, c. 260, s. 1; 1991, c. 363, s. 1; 1991 (Reg. Sess., 1992), c. 1032, s. 1; 1991 (Reg. Sess., 1992), c. 1044, s. 18(a); 1993, c. 74, s. 1; 1993 (Reg. Sess., 1994), c. 762, s. 2; 1995, c. 243, s. 1; 1997-456, s. 27; 1999-426, s. 1(a), (b); 2001-315, s. 1; 2001-319, s. 6(a); 2003-226, s. 4; 2004-127, s. 9(a); 2007-253, s. 2; 2007-391, s. 16(a); 2008-150, s. 5(d), (e); 2009-541, s. 10(a); 2013-381, ss. 13.1, 16.3; 2017-6, s. 3; 2018-146, s. 3.1(a), (b); 2021-56, s. 1.5(b); 2022-6, s. 20.6A(b), (d).)

§ 163-82.6A. Address and name changes at one-stop sites.

Change of Registration at One-Stop Voting Site. - A person who is already registered to vote in the county may update the information in the registration record in accordance with procedures prescribed by the State Board of Elections, but an individual's party affiliation may not be changed during the one-stop voting period before any first or second partisan primary in which the individual is eligible to vote. (2007-253, s. 1; 2009-541, s. 11; 2013-381, ss. 16.1, 16.1A; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

§ 163-96. "Political party" defined; creation of new party.

(a) Definition. - A political party within the meaning of the election laws of this State shall be one of the following:

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(1) Any group of voters which, at the last preceding general State election, polled for its candidate for Governor, or for presidential electors, at least two percent (2%) of the entire vote cast in the State for Governor or for presidential electors.

(2) Any group of voters which shall have filed with the State Board of Elections petitions for the formulation of a new political party which are signed by registered and qualified voters in this State equal in number to one-quarter of one percent (0.25%) of the total number of voters who voted in the most recent general election for Governor. Also the petition must be signed by at least 200 registered voters from each of three congressional districts in North Carolina. To be effective, the petitioners must file their petitions 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 determine the sufficiency of petitions filed with it and shall immediately communicate its determination to the State chair of the proposed new political party.

(3) 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.

(b) Petitions for New Political Party. - Petitions for the creation of a new political party shall contain on the heading of each page of the petition in bold print or all in capital letters the words: "THE UNDERSIGNED REGISTERED VOTERS IN \_\_\_\_ COUNTY HEREBY PETITION FOR THE FORMATION OF A NEW POLITICAL PARTY TO BE NAMED \_\_\_\_ AND WHOSE STATE CHAIRMAN IS \_\_\_\_\_, RESIDING AT \_\_\_\_\_ AND WHO CAN BE REACHED BY TELEPHONE AT \_\_\_\_."

All printing required to appear on the heading of the petition shall be in type no smaller than 10 point or in all capital letters, double spaced typewriter size. In addition to the form of the petition, the organizers and petition circulators shall inform the signers of the general purpose and intent of the new party.

The petitions must specify the name selected for the proposed political party. The 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.

The petitions must state the name and address of the State chairman of the proposed new political party.

(c) Each petition shall be presented to the chairman of the board of elections of the county in which the signatures were obtained, and it shall be the chairman's duty:

(1) To examine the signatures on the petition and place a check mark on the petition by the name of each signer who is qualified and registered to vote in his county.

(2) To attach to the petition his signed certificate

a. Stating that the signatures on the petition have been checked against the registration records and

b. Indicating the number found qualified and registered to vote in his county.

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(3) To return each petition, together with the certificate required by the preceding subdivision, to the person who presented it to him for checking.

The group of petitioners shall submit the petitions to the chairman of the county board of elections in the county in which the signatures were obtained no later than 5:00 P.M. on the fifteenth day preceding the date the petitions are due to be filed with the State Board of Elections as provided in subsection [subdivision] (a)(2) of this section. Provided the petitions are timely submitted, the chairman of the county board of elections shall proceed to examine and verify the signatures under the provisions of this subsection. Verification shall be completed within two weeks from the date such petitions are presented. (1901, c. 89, s. 85; Rev., s. 4292; 1915, c. 101, s. 31; 1917, c. 218; C.S., ss. 5913, 6052; 1933, c. 165, ss. 1, 17; 1949, c. 671, ss. 1, 2; 1967, c. 775, s. 1; 1975, c. 179; 1979, c. 411, s. 3; 1981, c. 219, ss. 1-3; 1983, c. 576, ss. 1-3; 1997-456, s. 27; 1999-424, s. 5(a); 2004-127, s. 14; 2006-234, s. 1; 2017-6, s. 3; 2017-214, s. 1; 2018-146, s. 3.1(a), (b).)

§ 163-119. Voting by unaffiliated voter in party primary.

If a political party has, by action of its State Executive Committee reported to the State Board of Elections by resolution delivered no later than the first day of December preceding a primary, provided that unaffiliated voters may vote in the primary of that party, an unaffiliated voter may vote in the primary of that party by announcing that intention under G.S. 163-166.7(a). For a party to withdraw its permission, it must do so by action of its State Executive Committee, similarly reported to the State Board of Elections no later than the first day of December preceding the primary where the withdrawal is to become effective. (1993 (Reg. Sess., 1994), c. 762, s. 7; 2002-159, s. 21(a); 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

§ 163-165.7. Voting systems: powers and duties of State Board.

(a) (Effective until December 1, 2019, for certain counties - see note) Only voting systems that have been certified by the State Board of Elections in accordance with the procedures set forth by the State Board of Elections and subject to the standards set forth in this section and that have not been subsequently decertified shall be permitted for use in elections in this State. Those certified voting systems shall be valid in any election held in the State or in any county, municipality, or other electoral district in the State. Subject to all other applicable rules adopted by the State Board of Elections and, with respect to federal elections, subject to all applicable federal regulations governing voting systems, paper ballots marked by the voter and counted by hand shall be deemed a certified voting system. The State Board of Elections shall certify optical scan voting systems, optical scan with ballot markers voting systems, and direct record electronic voting systems if any of those systems meet all applicable requirements of federal and State law. The State Board may certify voting systems only if they meet the requirements set forth in this section and only if they generate either a paper ballot or a paper record by which voters may verify their votes before casting them and which provides a backup means of counting the vote that the voter casts. Those voting systems may include optical scan and direct record electronic (DRE) voting systems. Among other requirements as set by the State Board of Elections, the certification requirements shall require at least all of the following elements:

(1) That the vendor post a performance bond or letter of credit to cover damages resulting from defects in the voting system, expenses associated with State or federal decertification of the voting system, and to protect against the vendor's insolvency or financial inability to make State or federally mandated modifications or updates to the voting system. Damages may

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include, among other items, any costs of conducting a new county or statewide election attributable to those defects. The bond or letter of credit shall be maintained in the amount determined by the State Board as sufficient for the cost of a new statewide election or in the amount of ten million dollars (\$10,000,000), whichever is greater.

(2) That the voting system comply with all federal requirements for voting systems.

(3) That the voting system must have the capacity to include in voting district returns the votes cast by voters outside of the precinct associated with that voter's voter registration.

(4) With respect to electronic voting systems, that the voting system generate a paper record of each individual vote cast, which paper record shall be maintained in a secure fashion and shall serve as a backup record for purposes of any hand-to-eye count, hand-to-eye recount, or other audit. Electronic systems that employ optical scan technology to count paper ballots shall be deemed to satisfy this requirement.

(5) With respect to DRE voting systems, that the paper record generated by the system be viewable by the voter before the vote is cast electronically, and that the system permit the voter to correct any discrepancy between the electronic vote and the paper record before the vote is cast.

(6) With respect to all voting systems using electronic means, that the vendor provide access to all of any information required to be placed in escrow by a vendor pursuant to G.S. 163-165.9A for review and examination by the State Board of Elections; the Department of Information Technology; the State chairs of each political party recognized under G.S. 163-96; the purchasing county; and designees as provided in subdivision (9) of subsection (f) of this section.

(7) That the vendor must quote a statewide uniform price for each unit of the equipment.

(8) That the vendor must separately agree with the purchasing county that if it is granted a contract to provide software for an electronic voting system but fails to debug, modify, repair, or update the software as agreed or in the event of the vendor having bankruptcy filed for or against it, the source code described in G.S. 163-165.9A(a) shall be turned over to the purchasing county by the escrow agent chosen under G.S. 163-165.9A(a)(1) for the purposes of continuing use of the software for the period of the contract and for permitting access to the persons described in subdivision (6) of this subsection for the purpose of reviewing the source code.

As part of the certification requirements, the State Board of Elections shall address the mandatory terms of the contract for the purchase of the voting system and the maintenance and training related to that voting system.

(a) (Effective June 20, 2018, as to certain counties, and December 1, 2019, as to all other counties - see note) Only voting systems that have been certified by the State Board of Elections in accordance with the procedures set forth by the State Board of Elections and subject to the standards set forth in this section and that have not been subsequently decertified shall be permitted for use in elections in this State. Those certified voting systems shall be valid in any election held in the State or in any county, municipality, or other electoral district in the State. Subject to all other applicable rules adopted by the State Board of Elections and, with respect to federal elections, subject to all applicable federal regulations governing voting systems, paper ballots marked by the voter and counted by hand shall be deemed a certified voting system. The State Board of Elections shall certify optical scan voting systems, optical scan with ballot markers voting systems, and direct record electronic voting systems if any of those systems meet all applicable requirements of federal and State law. The State

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Board may certify voting systems only if they meet the requirements set forth in this section and only if they generate a paper ballot which provides a backup means of counting the vote that the voter casts. Those voting systems may include optical scan and direct record electronic (DRE) voting systems that produce a paper ballot. Among other requirements as set by the State Board of Elections, the certification requirements shall require at least all of the following elements:

- (1) That the vendor post a performance bond or letter of credit to cover damages resulting from defects in the voting system, expenses associated with State or federal decertification of the voting system, and to protect against the vendor's insolvency or financial inability to make State or federally mandated modifications or updates to the voting system. Damages may include, among other items, any costs of conducting a new county or statewide election attributable to those defects. The bond or letter of credit shall be maintained in the amount determined by the State Board as sufficient for the cost of a new statewide election or in the amount of ten million dollars (\$10,000,000), whichever is greater.
- (2) That the voting system comply with all federal requirements for voting systems.
- (3) That the voting system must have the capacity to include in voting district returns the votes cast by voters outside of the precinct associated with that voter's voter registration.
- (4) With respect to electronic voting systems, that the voting system generate a paper ballot of each individual vote cast, which paper ballot shall be maintained in a secure fashion and shall serve as a backup record for purposes of any hand-to-eye count, hand-to-eye recount, or other audit. Electronic systems that employ optical scan technology to count paper ballots shall be deemed to satisfy this requirement.
- (5) With respect to DRE voting systems, that the paper ballot generated by the system be viewable by the voter before the vote is cast electronically, and that the system permit the voter to correct any discrepancy between the electronic vote and the paper ballot before the vote is cast.
- (6) With respect to all voting systems using electronic means, that the vendor provide access to all of any information required to be placed in escrow by a vendor pursuant to G.S. 163-165.9A for review and examination by the State Board of Elections; the Department of Information Technology; the State chairs of each political party recognized under G.S. 163-96; the purchasing county; and designees as provided in subdivision (9) of subsection (f) of this section.
- (7) That the vendor must quote a statewide uniform price for each unit of the equipment.
- (8) That the vendor must separately agree with the purchasing county that if it is granted a contract to provide software for an electronic voting system but fails to debug, modify, repair, or update the software as agreed or in the event of the vendor having bankruptcy filed for or against it, the source code described in G.S. 163-165.9A(a) shall be turned over to the purchasing county by the escrow agent chosen under G.S. 163-165.9A(a)(1) for the purposes of continuing use of the software for the period of the contract and for permitting access to the persons described in subdivision (6) of this subsection for the purpose of reviewing the source code.

As part of the certification requirements, the State Board of Elections shall address the mandatory terms of the contract for the purchase of the voting system and the maintenance and training related to that voting system.

- (b) Federal Assistance. - The State Board may use guidelines, information, testing reports, certification, decertification, recertification, and any relevant data produced by the Election

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Assistance Commission, its Standards Board, its Board of Advisors, or the Technical Guidelines Development Committee as established in Title II of the Help America Vote Act of 2002 with regard to any action or investigation the State Board may take concerning a voting system. The State Board may use, for the purposes of voting system certification, laboratories accredited by the Election Assistance Commission under the provisions of section 231(2) of the Help America Vote Act of 2002.

(c) Only electronic poll books or ballot duplication systems that have been certified by the State Board in accordance with procedures and subject to standards adopted by the State Board, or which have been developed or maintained by the State Board, shall be permitted for use in elections in this State. Among other requirements as set by the State Board, the certification requirements shall require that a vendor meet at least all of the following elements:

(1) That the vendor post a bond or letter of credit to cover damages resulting from defects in the electronic poll book or ballot duplication system. Damages may include, among other items, any costs of conducting a new election attributable to those defects.

(2) That the vendor provide access to all of any information required to be placed in escrow by a vendor pursuant to G.S. 163-165.9A for review and examination by the State Board, the Department of Information Technology, the State chairs of each political party recognized under G.S. 163-90, the purchasing county, and designees as provided in subdivision (9) of subsection (f) of this section.

(3) That the vendor must quote a statewide uniform price for each unit of the equipment.

(4) That the vendor must separately agree with the purchasing county that if it is granted a contract to provide software for an electronic poll books or ballot duplication system but fails to debug, modify, repair, or update the software as agreed or, in the event of the vendor having bankruptcy filed for or against it, the source code described in G.S. 163-165.9A(a) shall be turned over to the purchasing county by the escrow agent chosen under G.S. 163-165.9A(a)(1) for the purposes of continuing use of the software for the period of the contract and for permitting access to the persons described in subdivision (2) of this subsection for the purpose of reviewing the source code.

(d) The State Board may also, upon notice and hearing, decertify types, makes, and models of voting systems. Upon decertifying a type, make, or model of voting system, the State Board shall determine the process by which the decertified system is discontinued in any county. A county may appeal a decision by the State Board concerning the process by which the decertified system is discontinued in that county to the Superior Court of Wake County. The county has 30 days from the time it receives notice of the State Board's decision on the process by which the decertified system is discontinued in that county to make that appeal.

(e) Prior to certifying a voting system, the State Board of Elections shall review, or designate an independent expert to review, all source code made available by the vendor pursuant to this section and certify only those voting systems compliant with State and federal law. At a minimum, the State Board's review shall include a review of security, application vulnerability, application code, wireless security, security policy and processes, security/privacy program management, technology infrastructure and security controls, security organization and governance, and operational effectiveness, as applicable to that voting system. Any portion of the report containing specific information related to any trade secret as designated pursuant to G.S. 132-1.2 shall be confidential and shall be accessed only under the rules adopted pursuant

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to subdivision (9) of subsection (f) of this section. The State Board may hear and discuss the report of any such review under G.S. 143-318.11(a)(1).

(f) (Effective until December 1, 2019 - see note) Subject to the provisions of this Chapter, the State Board of Elections shall prescribe rules for the adoption, handling, operation, and honest use of certified voting systems, including all of the following:

- (1) Procedures for county boards of elections to utilize when recommending the purchase of a certified voting system for use in that county.
- (2) Form of official ballot labels to be used on voting systems.
- (3) Operation and manner of voting on voting systems.
- (4) Instruction of precinct officials in the use of voting systems.
- (5) Instruction of voters in the use of voting systems.
- (6) Assistance to voters using voting systems.
- (7) Duties of custodians of voting systems.
- (8) Examination and testing of voting systems in a public forum in the county before and after use in an election.
- (9) Notwithstanding G.S. 132-1.2, procedures for the review and examination of any information placed in escrow by a vendor pursuant to G.S. 163-165.9A by only the following persons:
  - a. State Board of Elections.
  - b. Department of Information Technology.
  - c. The State chairs of each political party recognized under G.S. 163-96.
  - d. The purchasing county.

Each person listed in sub-subdivisions a. through d. of this subdivision may designate up to three persons as that person's agents to review and examine the information. No person shall designate under this subdivision a business competitor of the vendor whose proprietary information is being reviewed and examined. For purposes of this review and examination, any designees under this subdivision and the State party chairs shall be treated as public officials under G.S. 132-2.

(10) With respect to electronic voting systems, procedures to maintain the integrity of both the electronic vote count and the paper record. Those procedures shall at a minimum include procedures to protect against the alteration of the paper record after a machine vote has been recorded and procedures to prevent removal by the voter from the voting enclosure of any paper record or copy of an individually voted ballot or of any other device or item whose removal from the voting enclosure could permit compromise of the integrity of either the machine count or the paper record.

(11) Compliance with section 301 of the Help America Vote Act of 2002.

(f) (Effective December 1, 2019 - see note) Subject to the provisions of this Chapter, the State Board of Elections shall prescribe rules for the adoption, handling, operation, and honest use of certified voting systems, including all of the following:

- (1) Procedures for county boards of elections to utilize when recommending the purchase of a certified voting system for use in that county.
- (2) Form of official ballot labels to be used on voting systems.
- (3) Operation and manner of voting on voting systems.
- (4) Instruction of precinct officials in the use of voting systems.
- (5) Instruction of voters in the use of voting systems.
- (6) Assistance to voters using voting systems.

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- (7) Duties of custodians of voting systems.
- (8) Examination and testing of voting systems in a public forum in the county before and after use in an election.
- (9) Notwithstanding G.S. 132-1.2, procedures for the review and examination of any information placed in escrow by a vendor pursuant to G.S. 163-165.9A by only the following persons:
  - a. State Board of Elections.
  - b. Department of Information Technology.
  - c. The State chairs of each political party recognized under G.S. 163-96.
  - d. The purchasing county

Each person listed in sub-subdivisions a. through d. of this subdivision may designate up to three persons as that person's agents to review and examine the information. No person shall designate under this subdivision a business competitor of the vendor whose proprietary information is being reviewed and examined. For purposes of this review and examination, any designees under this subdivision and the State party chairs shall be treated as public officials under G.S. 132-2.

(10) With respect to electronic voting systems, procedures to maintain the integrity of both the electronic vote count and the paper ballot. Those procedures shall at a minimum include procedures to protect against the alteration of the paper ballot after a machine vote has been recorded and procedures to prevent removal by the voter from the voting enclosure of any individually voted paper ballot or of any other device or item whose removal from the voting enclosure could permit compromise of the integrity of either the machine count or the paper ballot.

(11) Compliance with section 301 of the Help America Vote Act of 2002.

(g) The State Board of Elections shall facilitate training and support of the voting systems utilized by the counties. The training may be conducted through the use of videoconferencing or other technology.

(h) Neither certification of electronic poll books, ballot duplication systems, or voting systems under this section shall constitute a license under Chapter 150B of the General Statutes.

(i) The State Board in writing may decertify or otherwise halt the use of electronic poll books in North Carolina. Any such action is appealable only to the Superior Court of Wake County.

(j) No voting system used in any election in this State shall be connected to a network, and any feature allowing connection to a network shall be disabled. Prohibited network connections include the Internet, intranet, fax, telephone line, networks established via modem, or any other wired or wireless connection. (2001-460, s. 3; 2003-226, s. 11; 2005-323, s. 1(a)-(d); 2006-264, s. 76(a); 2007-391, s. 6(d); 2008-187, s. 33(b); 2009-541, s. 19; 2013-381, s. 30.3; 2015-103, ss. 6(b), 10, 11(a); 2015-241, s. 7A.4(gg); 2016-109, s. 9(b); 2017-6, s. 3; 2018-13, ss. 3.6A, 3.7(a), 3.8(a), 3.11(b); 2018-146, ss. 3.1(a), (b), 4.5(f).)

§ 163-208. Conduct of presidential election.

Unless otherwise provided, the election of presidential electors shall be conducted and the returns made in the manner prescribed by this Chapter for the election of State officers. (1901, c. 89, s. 79; Rev., s. 4371; C.S., s. 6009; 1933, c. 165, s. 11; 1967, c. 775, s. 1; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)



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§ 163-209. Names of presidential electors not printed on ballots; notification.

(a) The names of candidates for electors of President and Vice-President nominated by any political party recognized in this State under G.S. 163-96, or nominated under G.S. 163-1(c) by a candidate for President of the United States who has qualified to have his or her name printed on the general election ballot as an unaffiliated candidate under G.S. 163-122, shall be filed with the Secretary of State but shall not be printed on the ballot. In the case of the unaffiliated candidate, the names of candidates for electors must be filed with the Secretary of State no later than 12:00 noon on the first Friday in August. In place of their names, there shall be printed on the ballot the names of the candidates for President and Vice-President of each political party recognized in this State, and the name of any candidate for President who has qualified to have his or her name printed on the general election ballot under G.S. 163-122. A candidate for President who has qualified for the general election ballot as an unaffiliated candidate under G.S. 163-122 shall, no later than 12:00 noon on the first Friday in August, file with the State Board of Elections the name of a candidate for Vice-President, whose name shall also be printed on the ballot. A vote for the candidates named on the ballot shall be a vote for the electors of the party or unaffiliated candidate by which those candidates were nominated and whose names have been filed with the Secretary of State.

(b) Upon receiving the filing of a name as a candidate for elector under this section, the Secretary of State shall notify that candidate of the dual-office holding requirements of the North Carolina Constitution and the General Statutes, including specifically that if a person elected as elector holds another elective office at the time of taking the oath of office as elector, that other office is vacated upon taking the oath of office. (1901, c. 89, s. 78; Rev., s. 4372; C.S., s. 6010; 1933, c. 165, s. 11; 1949, c. 672, s. 2; 1967, c. 775, s. 1; 1991 (Reg. Sess., 1992), c. 782, s. 2; 2001-460, s. 5; 2009-96, s. 2; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

§ 163-209.1. Notification of political parties of dual-office holding rules.

During January of each year in which electors are elected, the Secretary of State shall notify each political party authorized to nominate electors of (i) the requirement under G.S. 163-1(c) to nominate first and second alternate electors, and (ii) the dual-office holding requirements of the North Carolina Constitution and the General Statutes, including specifically that if a person elected as elector holds another elective office at the time of taking the oath of office as elector, that other office is vacated upon taking the oath of office. (2009-96, s. 3; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

§ 163-209.2. Elector may be held in addition to other appointive offices.

The office of elector may be held in addition to the maximum number of appointive offices allowed by G.S. 128-1.1. (2009-96, s. 1; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

§ 163-210. Governor to proclaim results; casting State's vote for President and Vice-President.

Upon receipt of the certifications prepared by the State Board of Elections and delivered in accordance with G.S. 163-182.15, the Secretary of State, under seal of the office, shall notify the Governor of the names of the persons elected to the office of elector for President and Vice-President of the United States as stated in the abstracts of the State Board of Elections. Thereupon, the Governor shall immediately issue a proclamation setting forth the names of the electors and instructing them to be present in the old Hall of the House of Representatives in

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the State Capitol in the City of Raleigh at noon on the first Monday after the second Wednesday in December next after their election, at which time the electors shall meet and vote on behalf of the State for President and Vice-President of the United States. The Governor shall cause this proclamation to be published in the daily newspapers published in the City of Raleigh. Notice may additionally be made on a radio or television station or both, but such notice shall be in addition to the newspaper and other required notice. The Secretary of State is responsible for making the actual arrangements for the meeting, preparing the agenda, and inviting guests. Before the date fixed for the meeting of the electors, the Governor shall send by registered mail to the Archivist of the United States, either three duplicate original certificates, or one original certificate and two authenticated copies of the Certificates of Ascertainment, under the great seal of the State setting forth the names of the persons chosen as presidential electors for this State and the number of votes cast for each. These Certificates of Ascertainment should be sent as soon as possible after the election, but must be received before the Electoral College meeting. At the same time the Governor shall deliver to the electors six duplicate originals of the same certificate, each bearing the great seal of the State. At any time prior to receipt of the certificate of the Governor or within 48 hours thereafter, any person elected to the office of elector may resign by submitting his resignation, written and duly verified, to the Governor. Failure to so resign shall signify consent to serve and to cast his vote for the candidate of the political party which nominated such elector.

In case of the absence, ineligibility or resignation of any elector chosen, or if the proper number of electors shall for any cause be deficient, the first and second alternates, respectively, who were nominated under G.S. 163-1(c), shall fill the first two vacancies. If the alternates are absent, ineligible, resign, or were not chosen, or if there are more than two vacancies, then the electors present at the required meeting shall forthwith elect from the citizens of the State a sufficient number of persons to fill the deficiency, and the persons chosen shall be deemed qualified electors to vote for President and Vice-President of the United States. (1901, c. 89, s. 81; Rev., s. 4374; 1917, c. 176, s. 2; C.S., ss. 5916, 6012; 1923, c. 111, s. 12; 1927, c. 260, s. 17; 1933, c. 165, s. 11; 1935, c. 143, s. 2; 1967, c. 775, s. 1; 1969, c. 949, ss. 1, 2; 1981, c. 35, s. 1; 1989, c. 93, s. 5; 1993 (Reg. Sess., 1994), c. 738, s. 1; 2001-398, s. 8; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

§ 163-211. Compensation of presidential electors.

Presidential electors shall be paid, for attending the meeting held in the City of Raleigh on the first Monday after the second Wednesday in December next after their election, the sum of forty-four dollars (\$44.00) per day and traveling expenses at the rate of seventeen cents (17¢) per mile in going to and returning home from the required meeting. (1901, c. 89, s. 84; Rev., s. 2761; C.S., s. 3878; 1933, c. 5; 1967, c. 775, s. 1; 1979, c. 1008; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

§ 163-212. Penalty for failure of presidential elector to attend and vote.

Any presidential elector having previously signified his consent to serve as such, who fails to attend and vote for the candidate of the political party which nominated such elector, for President and Vice-President of the United States at the time and place directed in G.S. 163-210 (except in case of sickness or other unavoidable accident) shall forfeit and pay to the State five hundred dollars (\$500.00), to be recovered by the Attorney General in the Superior Court of Wake County. In addition to such forfeiture, refusal or failure to vote for the candidates of the

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political party which nominated such elector shall constitute a resignation from the office of elector, his vote shall not be recorded, and the remaining electors shall forthwith fill such vacancy as hereinbefore provided.

The clear proceeds of forfeitures provided for in this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2. (1901, c. 89, s. 83; Rev., s. 4375; C.S., s. 6013; 1933, c. 165, s. 11; 1967, c. 775, s. 1; 1969, c. 949, s. 3; 1998-215, s. 131; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

§ 163-213. Appointment of Presidential Electors by General Assembly in certain circumstances, by the Governor in certain other circumstances.

(a) Appointment by General Assembly if No Proclamation by Six Days Before Electors' Meeting Day. - As permitted by 3 U.S.C. § 2, whenever the appointment of any Presidential Elector has not been proclaimed under G.S. 163-210 before noon on the date for settling controversies specified by 3 U.S.C. § 5, and upon the call of an extra session pursuant to the North Carolina Constitution for the purposes of this section, the General Assembly may fill the position of any Presidential Electors whose election is not yet proclaimed.

(b) Appointment by Governor if No Appointment by the Day Before Electors' Meeting Day. - If the appointment of any Presidential Elector has not been proclaimed under G.S. 163-210 before noon on the date for settling controversies specified by 3 U.S.C. § 5, nor appointed by the General Assembly by noon on the day before the day set for the meeting of Presidential Electors by 3 U.S.C. § 7, then the Governor shall appoint that Elector.

(c) Standard for Decision by General Assembly and Governor. - In exercising their authority under subsections (a) and (b) of this section, the General Assembly and the Governor shall designate Electors in accord with their best judgment of the will of the electorate. The decisions of the General Assembly or Governor under subsections (a) and (b) of this section are not subject to judicial review, except to ensure that applicable statutory and constitutional procedures were followed. The judgment itself of what was the will of the electorate is not subject to judicial review.

(d) Proclamation Before Electors' Meeting Day Controls. - If the proclamation of any Presidential Elector under G.S. 163-210 is made any time before noon on the day set for the meeting of Presidential Electors by 3 U.S.C. § 7, then that proclamation shall control over an appointment made by the General Assembly or the Governor. This section does not preclude litigation otherwise provided by law to challenge the validity of the proclamation or the procedures that resulted in that proclamation. (2001-289, s. 2; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

§ 163-213.2. Primary to be held; date; qualifications and registration of voters.

On the Tuesday after the first Monday in March, 2020, and every four years thereafter, the voters of this State shall be given an opportunity to express their preference for the person to be the presidential candidate of their political party.

Any person otherwise qualified who will become qualified by age to vote in the general election held in the same year of the presidential preference primary shall be entitled to register and vote in the presidential preference primary. Such persons may register not earlier than 60 days nor later than the last day for making application to register under G.S. 163-82.6 prior to the said primary. In addition, persons who will become qualified by age to register and vote in the general election for which the primary is held, who do not register during the special period

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may register to vote after such period as if they were qualified on the basis of age, but until they are qualified by age to vote, they may vote only in primary elections. (1971, c. 225; 1975, c. 744; c. 844, s. 18; 1977, c. 19; c. 661, s. 7; 1983, c. 331, s. 5; 1985 (Reg. Sess., 1986), c. 927, s. 1; 1987, c. 457, s. 3; 1991, c. 689, s. 15(a); 1991 (Reg. Sess., 1992), c. 1032, s. 6; 1999-424, s. 7(j); 2013-381, s. 35.1; 2017-6, s. 3; 2018-21, s. 3; 2018-146, s. 3.1(a), (b).)

### § 163-213.5. Nomination by petition.

Any person seeking the endorsement by the national political party for the office of President of the United States, or any group organized in this State on behalf of, and with the consent of, such person, may file with the State Board of Elections petitions signed by 10,000 persons who, at the time they signed are registered and qualified voters in this State and are affiliated, by such registration, with the same political party as the candidate for whom the petitions are filed. Such petitions shall be presented to the county board of elections 10 days before the filing deadline and shall be certified promptly by the chairman of the board of elections of the county in which the signatures were obtained and shall be filed by the petitioners with the State Board of Elections no later than 5:00 P.M. on the Monday prior to the date the State Board of Elections is required to meet as directed by G.S. 163-213.4.

The petitions must state the name of the candidate for nomination, along with a letter of approval signed by such candidate. Said petitions must also state the name and address of the chairman of any such group organized to circulate petitions authorized under this section. The requirement for signers of such petitions shall be the same as now required under provisions of G.S. 163-96(b)(1) and (2). The requirement of the respective chairmen of county boards of elections shall be the same as now required under the provisions of G.S. 163-96 as they relate to the chairman of the county board of elections.

The State Board of Elections shall forthwith determine the sufficiency of petitions filed with it and shall immediately communicate its determination to the chairman of such group organized to circulate petitions. The form and style of petition shall be as prescribed by the State Board of Elections. (1971, c. 225; 1975, c. 744; 2002-159, s. 55(e); 2003-278, s. 9(b); 2004-127, s. 6; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

### § 163-213.8. Allocation of delegate positions to reflect division of votes in the primary.

(a) Upon completion and certification of the primary results by the State Board of Elections, the Secretary of State shall certify the results to the State chairman of each political party. Each political party shall allocate delegate positions in a manner which reflects the division of votes of the party primary consistent with the national party rules of that political party.

(b) In case of conflict between subsection (a) of this section and the national rules of a political party, the State executive committee of that party has the authority to resolve the conflict by adopting for that party the national rules, which shall then supercede any provision in subsection (a) of this section with which it conflicts, provided that the executive committee shall take only such action under this subsection necessary to resolve the conflict. (1971, c. 225; 1975, c. 744; 1979, c. 800; 1983, c. 216, ss. 1, 2; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

### § 163-283. Right to participate or vote in party primary.

No person shall be entitled to vote or otherwise participate in the primary election of any political party unless that person complies with all of the following:

(1) Is a registered voter.

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(2) Has declared and has had recorded on the registration book or record the fact that the voter affiliates with the political party in whose primary the voter proposes to vote or participate.

(3) Is in good faith a member of that party.

Notwithstanding the previous paragraph, any unaffiliated voter who is authorized under G.S. 163-119 may also vote in the primary if the voter is otherwise eligible to vote in that primary except for subdivisions (2) and (3) of the previous paragraph.

Any person who will become qualified by age to register and vote in the general election for which the primary is held, even though not so qualified by the date of the primary election, shall be entitled to register while the registration books are open during the regular registration period prior to the primary and then to vote in the primary after being registered, provided however, under full-time and permanent registration, such an individual may register not earlier than 60 days nor later than the last day for making application to register under G.S. 163-82.6(d) prior to the primary. In addition, persons who will become qualified by age to register and vote in the general election for which the primary is held, who do not register during the special period may register to vote after such period as if they were qualified on the basis of age, but until they are qualified by age to vote, they may vote only in primary elections. (1971, c. 835, s. 1; 1983, c. 331, s. 5; 1987, c. 408, s. 5; c. 457, s. 2; 1991 (Reg. Sess., 1992), c. 1032, s. 8; 1993 (Reg. Sess., 1994), c. 762, s. 62; 2008-150, s. 5(c); 2009-541, s. 24; 2013-381, s. 16.6; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

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**EXHIBIT G**

**Qualifying Form for Presidential Candidates**

Consent To Be a Presidential Candidate

North Carolina General Statute 163-213.4 enables the Chair of the North Carolina Democratic Party to submit a list of its presidential candidates to be placed on the presidential preference primary ballot no later than 90 days before the date of the primary.

By completing and submitting this form to the Chair of the North Carolina Democratic Party, the presidential candidate listed below consents to being nominated by the State Party for inclusion on the 2024 presidential preference primary ballot. This form must be received by the Chair of the North Carolina Democratic Party by Wednesday, December 6, 2023.

I, \_\_\_\_\_, consent to be a candidate in North Carolina for the office of President of the United States for the Primary Election to be held on Tuesday, March 5, 2024.

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Date

## North Carolina 2024 Delegate Selection Plan

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### EXHIBIT H

#### State Delegate Selection Media Plan

Following the adoption of the Delegate Selection and Affirmative Action Plan by the State Executive Committee on Saturday, June 24, 2023, we will publicly announce the adoption of the plan to print, television, and radio outlets in the state. Part of the dissemination to state media outlets will include a public education component on the delegate selection process in a clear and concise fashion.

Working with our Delegate Selection and Affirmative Action Committee, DNC members, and our state party's auxiliary groups and caucuses, we will send representatives and utilize social media to educate members of the Democratic Party on how the delegate selection process will work. Webinars and in-person meetings will be used to engage as many Democrats as possible and answer questions about the process. This engagement will also include our Congressional District Executive Committees.

Throughout 2023 and leading up to county and district conventions in 2024, the North Carolina Democratic Party will use traditional and social media regarding upcoming dates, deadlines, education opportunities, and updates to the delegate selection process. Additionally, there will be one-pagers and process maps for those interested in running for district level or state level delegate.

Not only will we produce a communications toolkit for the media, we will also create a toolkit to be shared with party leaders so that they may provide accurate and complete information for those interested in becoming a delegate to the 2024 Democratic National Convention. These toolkits will also include relevant talking points, graphics, and facts about the process.

Furthermore, our digital communications team will develop a digital calendar with key dates to be shared on social media.

#### **Media Outlets to Be Contacted Regarding the Delegate Selection Process**

##### 1. Major Daily Newspapers, Radio and Television Stations

- a. Major Daily Newspapers: Asheville Citizen-Times; Charlotte Observer; Fayetteville Observer; Greensboro News & Record; Raleigh News & Observer; Wilmington Star-News; Winston-Salem Journal
- b. Radio Stations: WSPC AM 1010; Andrews Community Radio; WCQS FM 88.1; WWNC AM 570; WYQS FM 90.5; WATA AM 1450; WXIT AM 1200; WBAG AM 1150; WYMY FM 101.1; WCHL AM 1360; WUNC FM 91.5; WBCN AM 1660; WBT AM 1110; WFAE FM 90.7; WDAV FM 89.9; WLOE AM 1490; WGAI AM 560; WMFR AM 1230; WSJS AM 600; WLTT FM 106.3; WFDD FM 88.5; WFNC AM 640; WFSS FM 91.9; WNCW FM 88.7; WGBR AM 1150; WBLO AM 790; WDLX AM 930; WTIB FM 103.7; WHKP AM 1450; WHKY AM 1290; WLNC AM 1300; WAAV AM 980; WTEB FM 89.3; WTKF FM 107.1; WCPE FM 89.7; WDNC AM 620; WFNL AM 570; WKIX FM 102.9; WPTF AM 680; WSHA FM 88.9; WSTP AM 1490; WEEB AM 990; WSIC AM 1400; WMXF AM 1400; WTXY AM 1540; WHQR FM 91.3

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- c. TV Stations: WLOS TV 13 (ABC); WYCW TV 62 (CW); WUNC TV 4 (PBS); Spectrum News; WBTV TV 3 (CBS); WCCB TV 18 (CW); WCNC TV 36 (NBC); WJZY TV 46 (Fox); WMYT TV 55 (MyTV); WSOC TV 9 (ABC); WTVI TV 42 (PBS); WMYV TV 48 (MyTV); WXII TV 12 (NBC); WXLV TV 45 (ABC); WSFX TV 26 (Fox) WWAY TV 3 (ABC) WCWG TV 20 (CW); WFMY TV 2 (CBS); WGHP TV 8 (Fox); WNCT TV 9 (CBS); WHKY TV 14; WCTI TV 12 (ABC); WFXI TV 8 (Fox); WLFL TV 22 (CW); WNCN TV 17 (NBC); WRAL TV 5 (CBS) WRAZ TV 50 (Fox) WRDC TV 28 (MyTV); WTVI TV 11 (ABC); WITN TV 7 (NBC); WECT TV 6 (NBC)
2. Other “Non-Minority Media Outlets
- a. Associated Press (AP)
  - b. Roanoke Chowan News Herald; Alamance News; Montgomery Herald; Stanly News & Press; Andrews Journal; Southwest Wake News; Archdale-Trinity News; Asheboro Courier-Tribune; Asheville Disclaimer; Mountain Xpress; Weaverville Tribune; WNC Magazine; County Compass; Belmont & Mount Holly Banner News; Benson News in Review; Black Mountain News; Boone Mountain Times; High Country Press; Watauga Democrat; Transylvania Times; Smoky Mountain Times; Burlington Times News; Mebane Enterprise; Yancey Common Times Journal; Island Gazette; Crossroads Chronicle; Chapel Hill News; Charlotte Magazine; Charlotte Business Journal; Creative Loafing Charlotte; Mecklenburg Times; Mint Hill Times; Mountain Island Monitor; South Charlotte Weekly; Union County Weekly; Cherryville Eagle; Clayton News-Star; Clemmons Courier; Villager Voice Magazine; Sampson Independent; Butner Creedmoor News; DavidsonNews.net; Denton Orator; Denver Weekly; Dunn Daily Record; Durham Carolina Times; Durham Herald Sun; Durham Independent Weekly; Durham News; Eden Daily News; Eden's Own Journal/Rockingham County Star; Chowan Herald; Elizabeth City Advance; Bladen Journal; Elkin Tribune; Farmville Enterprise; Up & Coming Weekly; Forest City Daily Courier; Franklin Press; Franklin Weekly; Macon County News; Wayne Wilson News Leader; Garner-Cleveland Record; Gaston Gazette; Goldsboro News Argus; Business Journal of the Greater Triad Area; Our State North Carolina Magazine; Greenville Daily Reflector; YES! Weekly; Grifton Times-Leader; Pender-Topsail Post & Voice; Havelock News; Clay County Progress; Henderson Daily Dispatch; Hendersonville Times News; Perquimans Weekly; Hickory Daily Record; High Point Enterprise; Highlands Highlander; News of Orange County; Huntersville Herald Weekly; Jacksonville Daily News; Jamestown News; Independent Tribune; Duplin Times; Kernersville News; Stokes News; Kings Mountain Herald; Kinston Free Press; La Grange Weekly Gazette; Laurinburg Exchange; Caldwell Review; Lenoir News-Topic; Lexington Dispatch; Harnett County News; Lincoln Times News; Lake Gaston Gazette-Observer; Locust Weekly Post; Franklin Times; Red Springs Citizen; Robesonian; Madison Messenger; Coastland Times; McDowell News; Marshall News-Record & Sentinel; Marshville Home News; Matthews-Mint Hill Weekly; Davie County Enterprise-Record; Monroe Enquirer Journal; Mooresville Tribune; Mooresville Weekly; Carteret County News-Times; Morganton News Herald; Mount Airy News; Surry Scene; Mount Olive Tribune; Cherokee Scout; Outer Banks Sentinel; New Bern Sun Journal; Avery Journal-Times; Newton Observer News Enterprise; North Wilkesboro Record; Wilkes County Gazette;



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Wilkes Journal-Patriot; Oak Ridge Northwest Observer; Pamlico News; Oxford Public Ledger; Pilot Mountain Pilot; Chatham Journal; Chatham Record; Plymouth Roanoke Beacon; Princeton News Leader; Raeford News Journal; Cary News; Triangle Business Journal; Reidsville Review; Roanoke Rapids Daily Herald; Graham Star; Pee Dee Post; Richmond County Daily Journal; Nashville Graphic; Rocky Mount Telegram; Roxboro Courier-Times; Salisbury Post; Sanford Herald; Brunswick Beacon; Shelby Star; Chatham News; Kenly News; Selma News; Smithfield Herald; Southern Pines Pilot; Alleghany News; Eastern Wake News; Spring Hope Enterprise; Mitchell News-Journal; Statesville Record & Landmark; Tideland News; Sylva Herald; Taylorsville Times; Thomasville Times; Polk County News Journal; Tryon Daily Bulletin; Anson Record; Wake Forest Weekly; Warren Record; Washington Daily News; Smoky Mountain News; Waynesville Mountaineer; Ashe Mountain Times; Jefferson Post; Whiteville News Reporter; Martin County Enterprise; Wrightsville Beach Magazine; Wilson Times; Bertie Ledger-Advance; Yadkin Ripple; Caswell Messenger

### 3. Constituency and Specialty Media Outlets and Targeted Groups

- a. La Voz Independiente (Spanish language); UNCA Blue Banner (university); Appalachian (university); Daily Tar Heel (university); Charlotte Jewish News (Jewish); Charlotte Post (African-American); La Noticia (Spanish language); Q Notes (LGBT); Que Pasa Mi Gente; Charlotte (Spanish language); Charlotte UNCC Niner Times (university); Cherokee One Feather (Native American); Western Carolinian (university); Davidsonian (university); Duke University Chronicle (university); Triangle Tribune (African-American); Elon University Pendulum (university); Acento Latino Magazine (Spanish language); Fort Bragg Paraglide (Military/Veteran); WFU Old Gold and Black (university); Winston Salem Chronicle (African-American); East Carolinian (university); Camp Lejeune Globe (Military/Veteran); La Conexion (Spanish language); NCSU Technician (university); UNC Wilmington Seahawk (university); Wilmington Greater Diversity News; Wilmington Journal (African-American).

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**EXHIBIT I**

**Certification by County or District Chair to Hold  
Precinct Meetings, County Conventions, or District Conventions in Virtual Format**

I, \_\_\_\_\_, certify as chair of the \_\_\_\_\_ Executive Committee

that a vote of said executive committee voted to move our (select all that apply) to a virtual format:

Annual Precinct Meetings

County Convention

District Convention

The recorded weighted vote is as follows:

\_\_\_\_\_ Aye

\_\_\_\_\_ Nay

\_\_\_\_\_ Abstain

I further certify that our Executive Committee will take all appropriate measures to ensure accessibility and equity of an all-virtual convening and will notify the Delegate Selection and Affirmative Action Committee of the steps the Executive Committee will take to ensure access for interested persons, including attendees, delegates, and/or candidates for National Convention delegate.

\_\_\_\_\_  
Name

Chair

\_\_\_\_\_ Democratic Executive Committee

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**EXHIBIT J**

**Statement from State Chair Regarding Adoption of Delegate Selection Plan**

Lorraine Miller, Co-Chair, DNC Rules and Bylaws Committee  
James Roosevelt, Jr., Co-Chair, DNC Rules and Bylaws Committee  
Democratic National Committee  
430 South Capitol Street Southeast  
Washington, DC 20003

September 1, 2023

Dear Co-Chairs Miller and Roosevelt,

As Chair of the North Carolina Democratic Party, I certify the following:

1. That the Delegate Selection Plan as submitted to the Rules and Bylaws Committee was approved by the State Party's Executive Committee (Rule 1.C. and Reg. 2.2.C.)
2. That the proposed Delegate Selection Plan, including all attachments and appendices, was placed on the State Party website during the 30-day public comment period. (Rule 1.C. and Reg. 2.2.E.)
3. Compliance with Rule 1.C., that the State Party provided a 30-day public comment period prior to the adoption of the Plan by the State Party. (Rule 1.C. and Reg. 2.2.F.)

Sincerely,



Anderson Clayton  
Chair, North Carolina Democratic Party