## 08 NCAC 22 .0302 PROSPECTIVE PARTY NAME

- (a) Within one business day of the filing of a petition request form for a new party petition, State Board staff shall compare the name of the prospective party against the names of the existing political parties recognized in the State and proceed as follows:
  - (1) If staff determines that the name of the prospective party contains any word that appears in the name of an existing political party, staff shall inform the petitioner in writing that the prospective party must choose a different name in accordance with G.S. 163-96(b).
  - (2) If staff determines that the name of the prospective party does not contain any word that appears in the name of an existing political party, staff shall refer the matter to the Executive Director. The Executive Director shall determine whether the prospective party's name is so similar to that of an existing political party recognized in the State that voters will be confused or misled in an election.
- (b) When the Executive Director makes the determination required under Subparagraph (a)(2) of this Rule, the determination shall be transmitted in writing to the State Board. The State Board will then act on the determination as follows:
  - (1) If, after two calendar days following the transmission of the determination, no State Board member has raised an oral or written objection to the Executive Director's determination, the determination shall become effective.
  - (2) If a State Board member raises an oral or written objection to the Executive Director's determination within two calendar days following the transmission of the determination, the State Board shall decide the matter at a public meeting.
- (c) If the name of a prospective party is approved because it has been determined that the name is not too similar to that of an existing political party recognized in the State, State Board staff shall inform the petitioner of that determination in writing and proceed under Rule .0104 of this Chapter.
- (d) If the name of a prospective party is rejected because it has been determined that the name is too similar to that of an existing political party recognized in the State, State Board staff shall inform the petitioner of that determination in writing and that the prospective party must choose a different name in accordance with G.S. 163-96(b).
- (e) A petitioner required to choose a different name for a prospective party shall notify the State Board of the different name by submitting a new petition request form.

History Note: Authority G.S. 163-22; 163-96; Eff. September 1, 2025.