

285.15 CANDIDATE WITNESSING ABSENTEE BALLOTS OF NON-RELATIVE.  
MISDEMEANOR.

The defendant has been charged with witnessing the absentee ballots of a non-relative as a candidate in a(n) [primary] [election].

For you to find the defendant guilty of this offense, the State must prove three things beyond a reasonable doubt.

First, that the defendant was a candidate for [nomination] [election] in a(n) [primary] [election].

Second, that the defendant acted as a witness to the procedure for voting an absentee ballot, as required by North Carolina law<sup>1</sup>.

And Third, that the voter was not the near relative<sup>2</sup> of the defendant.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant was a candidate for [nomination] [election] in a(n) [primary] [election], and acted as a witness to the procedure for voting an absentee ballot for a voter who was not the near relative of the defendant as required by North Carolina law, it would be your duty to return a verdict of guilty. If you do not so find or if you have a reasonable doubt as to one or more of these things, then you would return a verdict of not guilty.

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1. The statute refers to procedures to be followed in the voting of absentee ballots as required by G.S. § 163-231(a). If appropriate, the court may decide to elaborate on the requirements outlined in G.S. § 163-231(a).

2. Under G.S. § 163-226(f), "near relative" means "spouse, brother, sister, parent, grandparent, child, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, stepparent, or stepchild."

