

285.45 INTENT TO UNLAWFULLY INFLUENCE A(N) [PRIMARY] [ELECTION].  
FELONY.

The defendant has been charged with intent to unlawfully influence a(n) [primary] [election].

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

First, that the defendant [committed] [attempted to commit] [conspired to commit] (*describe offense(s)* from applicable statutes, *e.g.*, to fraudulently cause a person's name to be placed upon the registration books of more than one election precinct in violation of G.S. 163-275(1)).<sup>1 2</sup>

And Second, that the defendant did so with the intent to [[unlawfully influence] [unlawfully interfere with] a(n) [primary] [election]] [unlawfully gain].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [committed] [attempted to commit] [conspired to commit] (*describe offense(s)* from applicable statutes) with the intent to [[unlawfully influence] [unlawfully interfere with] a(n) [primary] [election]] [unlawfully gain] , 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 both of these things, then you would return a verdict of not guilty.

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1 “[A] crime identified in G.S. 163-82.6(b), 163-226.3(a), 163-274, 163-275, or this section [GS 163-237].” The description in this element would be adapted to include the relevant offense(s) from these statutes.

2 There is some question about whether N.C. Gen. Stat. § 163-274(a)(9) is unconstitutional in that it violates the First Amendment. *See Grimmatt v. Freeman*, 59 F.4th 689 (4th Cir. 2023).

