

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 949
HOUSE BILL 436

1 AN ACT TO AMEND CHAPTER 163 OF THE GENERAL STATUTES SO AS TO SET
2 FORTH THE DUTIES OF PRESIDENTIAL ELECTORS AND TO PROVIDE
3 METHODS FOR THEIR RESIGNATION.
4

5 The General Assembly of North Carolina do enact:
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7 **Section 1.** North Carolina General Statute 163-210 is hereby amended by adding at
8 the end of the second paragraph the following sentence:

9 At any time prior to receipt of the certificate of the Governor or within forty-eight
10 (48) hours thereafter, any person elected to the office of elector may resign by
11 submitting his resignation, written and duly verified, to the Governor. Failure to so
12 resign shall signify consent to serve and to cast his vote for the candidate of the
13 political party which nominated such elector.

14 **Sec. 2.** North Carolina General Statute 163-210 is hereby amended by striking the
15 first sentence of the third paragraph following the word "absence" the word "or" and
16 substituting therefor a comma; and by adding in the first line of the third paragraph following
17 the word "ineligibility" the words "or resignation".

18 **Sec. 3.** North Carolina General Statute 163-212 is hereby re-written to read as
19 follows:

20 **"G.S. 163-212. Penalty for failure of presidential elector to attend and vote.** Any
21 presidential elector having previously signified his consent to serve as such, who fails to attend
22 and vote for the candidate of the political party which nominated such elector, for President and
23 Vice-President of the United States at the time and place directed in G.S. 163-210 (except in
24 case of sickness or other unavoidable accident) shall forfeit and pay to the State five hundred
25 dollars (\$500), to be recovered by the Attorney General in the Superior Court of Wake County.
26 In addition to such forfeiture, refusal or failure to vote for the candidates of the political party
27 which nominated such elector shall constitute a resignation from the office of elector, his vote
28 shall not be recorded, and the remaining electors shall forthwith fill such vacancy as
29 hereinbefore provided.

30 **Sec. 4.** All laws and clauses of laws in conflict with this Act are hereby repealed.

31 **Sec. 5.** If any part of this Act is held to be in violation of the North Carolina
32 Constitution or the United States Constitution, such part shall be severed and the remainder
33 shall be in full force and effect.

34 **Sec. 6.** This Act shall become effective upon its ratification.

35 In the General Assembly read three times and ratified, this the 19th day of June,
36 1969.