

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 863  
HOUSE BILL 364

AN ACT TO AMEND G.S. 163-213.9 CONCERNING THE NUMBER OF VOTES TO BE  
CAST FOR CANDIDATES PARTICIPATING IN A PRIMARY ELECTION.

The General Assembly of North Carolina enacts:

**Section 1.** G.S. 163-213.9 as the same appears in the 1972 Replacement Volume 3D of the General Statutes is hereby amended to read as follows:

"§ 163-213.9. **Number of votes to be cast for candidates participating in primary.** — All candidates receiving at least five percent (5%) of the total vote cast by his political party, shall be awarded a pro rata portion of the authorized delegate vote of his political party as follows:

- (1) The total vote received by the candidates qualifying under the provisions of this Article and sections herein shall, when combined, be equal to one hundred percent (100%); and
- (2) Each such candidate shall share in the total percentage in direct proportion to the total vote received by him as is calculated to represent the total vote received by him as it is mathematically determined to be the percentage of the aggregate vote which represents one hundred percent (100%); and
- (3) Each political party shall appropriate such percentage, as is determined by this section, to the total number of delegate votes as are allotted by the national committee of each party; and
- (4) Each political party shall, on the first ballot at its national convention, cast this State's vote for the candidates as determined by the primary and calculated under this section.

Provided, however, in the event of the death or the withdrawal of a candidate receiving votes under this section prior to the tabulation of the first ballot, any delegate votes allocated to such candidate who dies or withdraws shall be reallocated to the remaining candidates having delegate votes in the manner provided in the preceding subsection of this section."

**Sec. 2.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 18th day of February, 1974.