

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 661
SENATE BILL 2

AN ACT TO PROVIDE THAT THE PRIMARY ELECTION SHALL BE HELD IN MAY
AND TO MAKE APPROPRIATE CHANGES IN THE ELECTION LAWS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-1(b), as it appears in the 1975 Cumulative Supplement to Volume 3D of the General Statutes, is amended by deleting the words "on the third Tuesday in August" and inserting in lieu thereof the words "on Tuesday next after the first Monday in May".

Sec. 2. G.S. 163-106(c), as it appears in the 1975 Cumulative Supplement to Volume 3D of the General Statutes, is amended by rewriting the first paragraph to read:

"(c) Time for Filing Notice of Candidacy. Candidates seeking party primary nomination for the following offices shall file their notice of candidacy with the State Board of Elections no earlier than 12:00 noon on the first Monday in January and no later than 12:00 noon on the first Monday in February preceding the primary:".

Sec. 3. G.S. 163-106(c) is further amended by rewriting the third paragraph to read:

"Candidates seeking party primary nomination for the following offices shall file their notice of candidacy with the county board of elections no earlier than 12:00 noon on the first Monday in January and no later than 12:00 noon on the first Monday in February preceding the primary:".

Sec. 4. G.S. 163-181, as it appears in the 1975 Cumulative Supplement to Volume 3D of the General Statutes, is rewritten to read as follows:

"If an election contest is properly pending before a county or city board of elections or before the State Board of Elections on appeal or otherwise, after a primary or election, the chairman of the county or city board of elections shall not issue a certification of election or certify a nominee for the office in controversy until the contest has been finally decided by the appropriate board of elections or by the court in the event the decision of the State Board of Elections is on appeal."

Sec. 5. G.S. 163-188, as it appears in the 1975 Cumulative Supplement to Volume 3D of the General Statutes, is hereby amended by rewriting the last sentence of the first paragraph to read:

"The time and date of the primary canvass shall be fixed by the State Board of Elections."

Sec. 6. G.S. 163-22, as it appears in the 1976 Replacement Volume 3D of the General Statutes, is amended by adding a new lettered paragraph to be designated (k) and to read as follows:

"(k) Notwithstanding the provisions contained in Article 20 or Article 21 of Chapter 163 the State Board of Elections shall be authorized, by resolution adopted prior to the printing of the primary ballots, to reduce the time by which absentee ballots are required to be printed and distributed for the primary election from 60 days to 45 days. This authority shall not be authorized for absentee ballots to be voted in the general election."

Sec. 7. G.S. 163-213.2 is hereby amended by rewriting to read as follows:

"§ 163-213.2. **Presidential preference primary, date of election.** — Beginning with the Tuesday after the first Monday in May, 1980, and every four years thereafter, the voters of this

State shall be given an opportunity to express their preference for the person to be the presidential candidate of their political party."

Sec. 8. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 21st day of June, 1977.