

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 645
SENATE BILL 306

AN ACT TO PROVIDE FOR REQUESTING AND GIVING NOTICE OF A SECOND
PRIMARY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-111(c)(1) and (2), as the same appears in Volume 3D of the General Statutes, are amended by rewriting the language before the colon in each to read:

- "(1) A candidate who is apparently entitled to demand a second primary, according to the unofficial results, for one of the offices listed below, and desiring to do so, shall file a request for a second primary in writing or by telegram with the Executive Secretary-Director of the State Board of Elections no later than 12:00 noon on the seventh day (including Saturdays and Sundays) following the date on which the primary was conducted, and such request shall be subject to the certification of the official results by the State Board of Elections. If the vote certification by the State Board of Elections determines that a candidate who was not originally thought to be eligible to call for a second primary is in fact eligible to call for a second primary, the Executive Secretary-Director of the State Board of Elections shall immediately notify such candidate and permit him to exercise any options available to him within a 48-hour period following the notification.
- (2) A candidate who is apparently entitled to demand a second primary, according to the unofficial results, for one of the offices listed below and desiring to do so, shall file a request for a second primary in writing or by telegram with the Chairman or Supervisor of the county board of elections no later than 12:00 noon on the seventh day (including Saturdays and Sundays) following the date on which the primary was conducted, and such request shall be subject to the certification of the official results by the County Board of Elections."

Sec. 2. G.S. 163-111(c) is amended by adding a new subdivision (3) to read:

- "(3) Immediately upon receipt of a request for a second primary the appropriate board of elections, State or county, shall notify all candidates entitled to participate in the second primary, by telephone followed by written notice, that a second primary has been requested and of the date of the second primary."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 22nd day of June,

1981.