

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 741
SENATE BILL 708

AN ACT TO PROVIDE CONTINUITY FOR ELECTION PROCEDURES IN THE EVENT
OF COURT RULINGS.

The General Assembly of North Carolina enacts:

Section 1. Article 3 of Chapter 163 of the General Statutes is amended to add a new section to read:

"§ 163-22.2. Power of State Board to promulgate temporary rules and regulations. — In the event any portion of Chapter 163 of the General Statutes is held unconstitutional or invalid by a State or federal court and such ruling adversely affects the conduct and holding of any pending primary or election, the State Board of Elections shall have authority to make reasonable interim rules and regulations with respect to the pending primary or election as it deems advisable so long as they do not conflict with any provisions of Chapter 163 of the General Statutes and such rules and regulations shall become null and void upon the convening of the next session of the General Assembly. The State Board of Elections shall also be authorized, upon recommendation of the Attorney General, to enter into agreement with the courts in lieu of protracted litigation until such time as the General Assembly convenes."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 30th day of June, 1981.