

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 526
SENATE BILL 482

AN ACT TO ELIMINATE THE REQUIREMENT THAT THE COUNTY BOARD OF ELECTIONS MUST APPROVE THE WITHDRAWAL OF ANY CANDIDATE IN A SINGLE COUNTY ELECTION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-114 reads as rewritten:

"§ 163-114. **Filling vacancies among party nominees occurring after nomination and before election.**—If any person nominated as a candidate of a political party for one of the offices listed below (either in a primary or convention or by virtue of having no opposition in a primary) dies, resigns, or for any reason becomes ineligible or disqualified before the date of the ensuing general election, the vacancy shall be filled by appointment according to the following instructions:

Position	Vacancy is to be filled by
Any elective State office	appointment of State
United States Senator	executive committee of
	political party in which
	vacancy occurs
A district office, including:	
Member of the United States	
House of Representatives	
Judge of superior court	
Judge of district court	Appropriate district executive
Solicitor	committee of political party
State Senator in a multi-	in which vacancy occurs
county senatorial district	
Member of State House of	
Representatives in a multi-	
county representative	
district	
State Senator in a single-	County executive committee
county senatorial district	of political party in which
Member of State House of	vacancy occurs, but if the
Representatives in a	vacancy arises from a cause

single-county
representative district
Any elective county office

~~other than death, the
vacancy shall not be filled
unless the board of
elections in the
county in which the vacancy
occurs issues an order to
that effect,~~ provided, in
the case of the State
Senator or State
Representative in a
single-county district where
not all the county is
located in that district,
then in voting, only those
members of the county
executive committee who
reside within the
district shall vote.

The party executive making a nomination in accordance with the provisions of this section shall certify the name of its nominee to the chairman of the board of elections, State or county, charged with the duty of printing the ballots on which the name is to appear. If at the time a nomination is made under this section the general election ballots have already been printed, the provisions of G.S. 163-139 shall apply. If any person nominated as a candidate of a political party vacates such nomination and such vacancy arises from a cause other than death and the vacancy in nomination occurs more than 120 days before the general election, the vacancy in nomination may be filled under this section only if the appropriate executive committee certifies the name of the nominee in accordance with this paragraph at least 90 days before the general election.

In a county not all of which is located in one congressional district, in choosing the congressional district executive committee member or members from that area of the county, only the county convention delegates or county executive committee members who reside within the area of the county which is within the congressional district may vote.

In a county which is partly in a multi-county senatorial district or which is partly in a multi-county House of Representatives district, in choosing that county's member or members of the senatorial district executive committee or House of Representatives district executive committee for the multi-county district, only the county convention delegates or county executive committee members who reside within the area of the county which is within that multi-county district may vote."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 1st day of July, 1987.