

Election Law Index

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Please direct any comments, questions, or corrections to legal@ncsbe.gov. Last updated July 11, 2018.

Topical Index

A	ABC Election / Absentee Voting / Abstract / Accessibility & Voters with Special Needs / Advertising & Media / Age Requirement / Annexation / Assistance to Voter
B	Ballot / Bond Referendum / Budget (County)
C	Campaign Reporting / Candidate / Canvass / Certificate of Election / Challenge to Candidacy / Challenge to Voter / Clerk of (Superior) Court / Confidentiality & Public Records / Congress (U.S.) / Constitutional Amendment / Constitutional (North Carolina) Provisions / Constitutional (U.S.) Provisions / Contested Election / Corporation / Council of State / County Board of Elections / County Commissioner / County Industrial Development Tax / County Property Tax / Crimes Relating to Election
D	Death / Director of Elections (County) / District Attorney / Division of Motor Vehicles (DMV)
E	Election / Election Assistance Commission (EAC) / Election Dates & Hours / Election District / Election Protest / Election Return / Election Supplies / Electioneering on Election Day / Electoral College / Enjoined Laws / Ethical Behavior / Executive Director of SBE
F	Fax / Federal Election / Federal Law / Felon / Filing for Office / Fire District (Rural Fire Protection District) / Form
G	Governor
H	Help America Vote Act (HAVA)
I	Incorporation (Municipal)
J	Joint Legislative Elections Oversight Committee / Judge
L	Legislators (State) / List Maintenance (of Registered Voters) / Local Act
M	Meeting of Public Body / Military-Overseas Voter / Municipal Election / Municipality / Municipal Office Holder
N	Name / New Election / Nominee / Notice
O	Oath / Observers & Runners / Offices & Public Officers / One-Stop Absentee Voting
P	Petition / Political Committee / Political Party / Pollbook / Precinct / Precinct Official / Precinct Transfer / President / Primary / Provisional Voting
R	Records Retention / Recount / Redistricting / Referendum / Registration to Vote / Residence / Robocall (automated phone call) / Rules
S	Sales & Use Tax Election / Sanitary District / School Board & School Board Election / Second Primary / Secretary of State / SEIMS / Sheriff / Signature / Soil & Water Conservation District (Board of Supervisors) / Special District Election / Special Election / State Board of Elections & Ethics Enforcement (SBE)
T	Tied Elections
V	Vacancy / Voter / Voting / Voting Place / Voting Rights Act / Voting System
W	Withdrawal of Candidates & Nominees / Write-In





ABC (Alcoholic Beverage Commission) Election

Ballot propositions that must be used	GS 18B-602
Beautification district ABC elections	GS 18B-600(g)
Determination of election: Majority vote of any question is valid	GS 18B-602
County ABC election	
Called after either a petition of voters or request of county commissioners	GS 18B-601(b)
County may hold mixed beverage election only if it already has ABC store (or holding ABC store election at same time)	GS 18B-600(b)
Effect on city's alcoholic beverage laws	GS 18B-604(b)(c)
Generally	GS 18B-601(b)
Election date: During the next regularly-scheduled election, as allowed	GS 18B-601(f)
Election procedure: Same as a referendum	GS 18B-601(a)
Form of ballots	GS 18B-602
Frequency of ABC election on same issue: 3 years	GS 18B-604(a)
Local act ABC elections	GS 18B-605
Malt beverage and unfortified wine election allowed only on certain conditions	GS 18B-600(c)
Municipal ABC election	
ABC store election	GS 18B-600(d) , 18B-602(g)
Called after either petition of voters or request of city council	GS 18B-601(c)
City located in more than one county	GS 18B-600(e4)
Effect on county's alcohol laws: Election does not affect law on alcohol sales in county area outside of municipality	GS 18B-604(d)
City ABC elections (ABC store, malt beverage, unfortified wine and mixed beverage) allowed only on certain conditions	GS 18B-600(c) , (d), (e)
City may hold mixed beverage election only if it already has ABC store (or holding ABC store election at same time)	GS 18B-600(e)
Small city mixed beverage elections allowed only on certain conditions	GS 18B-600(e1)
Small resort town mixed beverage election (limited to certain conditions)	GS 18B-600(e5)
Small town mixed beverage election (limited to certain conditions)	GS 18B-600(e3)
Ski resort ABC elections (limited to certain conditions)	GS 18B-600(e2)
Township ABC election (limited to certain conditions)	GS 18B-600(f)
Notice of election: Same as any other election	GS 18B-601(h)
Observers: Proponents and opponents each allowed to appoint 2	GS 18B-601(i)
Permits allowed; how issued as controlled by election result	GS 18B-603
Petition calling for an ABC election	GS 18B-601(e)
Prohibition by election of previously-lawful alcoholic beverage sales	GS 18B-604(f)
Registration of voters: Same as any other election	GS 18B-601(g)
Request for election must set out which kind of propositions are to be voted upon	GS 18B-601(d)
Subsequent elections for malt beverages or unfortified wine: Effect on previously approved sales	GS 18B-602(d) , (f)
Types of ABC election	GS 18B-600(a)

Absentee Voting

All voting data, including absentee votes, must be reported by Voting Precinct	GS 163A-1079
Assistance with absentee voting (other than one-stop voting)	
Certain acts prohibited	GS 163A-1298(a)
Multipartisan assistance teams available to provide assistance to voters at certain facilities	8 NCAC Ch. 16
Absentee ballot	
Date when absentee ballots must be made available (depends on the type of election; special requirements for military-overseas voters)	GS 163A-1305 , GS 163A-1343 ; 42 USC 1973ff-1(a)(8)
Delivery of requested absentee ballot and container-return envelope to voter	GS 163A-1308(c)
List of absentee ballots received on or up to 3 days after election must be certified by county board of elections	GS 163A-1312

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Municipal, special district and other certain other partial-county elections: Absentee ballots must be available 30 days prior to election	GS 163A-1630(b)
Retention of absentee ballots (and container-return envelopes) by CBE: 4 months (or longer if a pending contest exists concerning the validity of the ballots)	GS 163A-1315(10)
Retention of absentee ballot list: 22 months	GS 163A-1311
Second primary absentee ballots: To be provided as quickly as possible	GS 163A-1305(b)
Simultaneous issuance of absentee ballot with application	GS 163A-1308
Transmitting executed ballot to CBE: Timely if received by 5:00 p.m. on Election Day; or, ballot postmarked by Election Day and received three days after election; ballot can also be delivered to a one-stop site during early voting	GS 163A-1310(b), (c)
Voter must mark absentee ballot (in certain situations, voter may receive assistance upon request)	GS 163A-1308(d) ; see also GS 163A-1310(a) , 163A-1298(a)
Withdrawal of submitted absentee ballot not allowed	GS 163A-1314
Absentee ballot application (on container-return envelope)	
Annual request for absentee ballot by sick or disabled person	GS 163A-1295(b)
Application on container-return envelope; when required to be available for voters	GS 163A-1307(b)
CBE to approve/disapprove applications at special Tuesday meetings prior to election	GS 163A-1308(e), (f)
Retention of absentee ballot applications: At least 1 year	GS 163A-1313
Simultaneous issuance of absentee ballot with application	GS 163A-1308
Voter must complete and sign application (in certain situations, voter may receive assistance upon request)	GS 163A-1308(d) ; see also GS 163A-1310(a) , 163A-1298(a)
Candidate prohibited from serving as witness (if not a near relative of the voter)	GS 163A-1317(c)
Challenges to absentee ballot	GS 163A-916
Counting absentee ballot	
Abstract prepared of absentee vote tally	GS 163A-1315(7)
Ballots timely returned are counted	GS 163A-1315(1)
Board members must supervise, but may use assistants	GS 163A-1315(5)
Early count of absentee ballots on Election Day only authorized by resolution	GS 163A-1315(2)
Majority of CBE members and a representative of each party must be present for count to start	GS 163A-1315(4)
Party chair or officer must observe and attest count if none of the board members of that party are present	GS 163A-1315(9)
Pollbook of absentee voters	GS 163A-1315(6)
Procedure	GS 163A-1315(6)
Scanning of absentee ballots allowed prior to counting	GS 163A-1315(3)
Time to start count is 5 p.m. Election Day unless resolution is passed to start earlier	GS 163A-1315(2)
Counting of absentee ballot received on and after election	GS 163A-1315(2)
CBE responsible for conducting absentee voting	GS 163A-1316
Certification of executed absentee ballots by CBE: List of absentee voters delivered to each precinct	GS 163A--1311 , 163A-1365
Crimes relating to absentee voting	
Aiding and abetting fraud in connection with absentee voting: Misdemeanor	GS 163A-1317(d)
Absentee ballot felonies (includes forms of improper assistance to voter)	GS 163A-1298
Candidate serving as witness for voter (if not a near relative)	GS 163A-1317(c)
CBE violations (custody and issuance of materials): Class 2 misdemeanor	GS 163A-1316
Exception to general prohibition against assisting voters for trained assistance team	GS 163A-1298(a)(4)
False statement not under oath: Class 2 misdemeanor	GS 163A-1317(b)
False statement under oath: Class 2 misdemeanor	GS 163A-1317(a)
Forgery connected to absentee voting: Class I felony	GS 163A-1317(d)
Other violations of absentee voting law: Class 2 misdemeanor	GS 163A-1317(e)
SBE's duty to report violation the district's attorney	GS 163A-1318
Fire district election: No absentee voting	GS 163A-1295(c)
Generally, allowed for primaries, elections and runoffs (with some exceptions, including some municipal elections)	GS 163A-1295
Instruction sheet: Must be available by specified date	GS 163A-1307(c)
List of returned absentee ballots to be counted must be sent to SBE by CBE	GS 163A--1311

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Military-overseas absentee voting	See Military-Overseas Voter
Municipal election: No absentee voting unless authorized by municipality	GS 163A-1630
“Near relative” defined for absentee voting purposes	GS 163A-1308(h)
One-Stop absentee voting	See One-Stop Absentee Voting
Pollbook of absentee voters	GS 163A-1315(6)
Primary absentee voting allowed	GS 163A-1296
Records retention of absentee voting materials	
Retention of absentee ballot lists: 22 months	GS 163A-1311
Retention of absentee ballots and container-return envelopes: 4 months (or longer if a pending contest exists concerning the validity of the ballots)	GS 163A-1315(10)
Register of absentee requests, applications and ballots issued	GS 163A-1306
Reporting absentee totals by Voting Precinct	GS 163A-1079
Request for absentee ballot	
Absentee ballot for a Primary: Voter can opt to automatically request an absentee ballot for the Second Primary	GS 163A-1299
Annual request (for all elections in a calendar year) can be made by person with sickness or physical disability	GS 163A-1295(b)
Deadline, generally: Must be received by 5:00 p.m. on the last Tuesday before Election Day	GS 163A-1308
Must be on SBE’s request form, which is freely available	GS 163A-1309 , 163A-1308
Request on behalf of voter who becomes unexpectedly sick or disabled: Can be made by voter, near relative or legal guardian up until 5:00 p.m. on the day before Election Day	GS 163A-1308(b)
Second primary absentee procedure same as first primary’s	GS 163A-1299
Timeliness of ballot from voter: Timely if returned by 5:00 p.m. on the day of the election, or postmarked on Election Day or earlier and received by 5:00 p.m. on the third day after Election Day (see special rules for military-overseas voters)	GS 163A-1310(b)
Voter must personally complete and sign ballot application and mark the ballot (unless assisted as authorized by law)	GS 163A-1308(d)
Voting absentee ballot in front of one attesting witnesses	GS 163A-1310(a)
Witness requirement: Two persons, 18 years of age or older, not a candidate (unless a near relative), nor disqualified by law; or, alternatively, one notary public (notary cannot charge a fee)	GS 163A-1310(a) , 163A-1298(a)(4) , 163A-1307(b) , 10B-30(d)
Who may vote absentee: Any qualified voter	GS 163A-1295

Abstract

“Abstract” defined	GS 163A-1165(1)
Abstract: Prepared by CBE using form provided by SBE	GS 163A-1173(a)
“Composite abstract” defined	GS 163A-1165(3)
Composite abstract: Prepared by SBE	GS 163A-1173(b)
Forms: Prescribed by SBE	GS 163A-1173(d)
Municipal abstract: Due to SBE within 9 days after election	GS 163A-1628
Races for which CBE prepares abstract	GS 163A-1171(a) , (c)(2)
Races for which SBE prepares composite abstract	GS 163A-1171(b) , (c)(2)
Secretary of State to keep the certified copies of abstracts	GS 163A-1173(c)

Accessibility & Voters with Special Needs

Accessibility law, generally	Federal Americans with Disabilities Act: 42 USC 12101 et seq. ; State Persons with Disabilities Protection Act: GS Ch. 168A
Assistance: See Assistance to Voters	
Curbside voting	GS 163A-1140* ; 8 NCAC 10B.0108 , 8.0103
Handicapped transfer: Procedure to vote at CBE office if polling place is not accessible	
On Election Day	8 NCAC 8.0101
Prior to Election Day (during absentee voting)	8 NCAC 8.0104

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SBE to create rules for accessibility	GS 163A-1050
Voter in nursing home, rest home, hospital, etc.	GS 163A-1298(a)(4)
Voter who is blind	GS 163A-1139(a)(2)d
Voter who cannot read	GS 163A-1139(a)(2)c
Voter with a physical disability	GS 163A-1139(a)(2)a, b
Voting Accessibility for Elderly and Handicapped Act	42 USC 1973ee et seq.
Wheelchair accommodation at voting place	8 NCAC 10B.0102(i)

Advertising & Media: See also [Campaign Reporting](#)

Basic requirements for political advertising	GS 163A-1476
“Broadcasting station” defined	GS 163A-1411(5)
“Candidate” defined for advertisement enforcement purposes	GS 163A-1475(2)
Council of State limited in use of state-funded media pre-election	GS 163A-1432
“Communications media” defined	GS 163A-1411(11)
Definitions	GS 163A-1475
Disclosures	
Basic disclosure requirements for all political advertisements	GS 163A-1476
Disclosure as to media does not apply to individuals (1) spending less than \$1,000, or (2) in a referendum race	GS 163A-1477
Print advertisement disclosure	GS 163A-1476(3), (4)
Television advertisements: Requirement of photo	GS 163A-1476(b)
Equal opportunity for candidates (under the FCC)	47 USC 315(a); 47 CFR 73.1940 et seq., 76.205 et seq.
“Full-Screen” defined	GS 163A-1475(4)
Joint sponsors: All sponsors must be identified	GS 163A-1476(a)
Legends and authorizations	GS 163A-1476
“Media” defined	GS 163A-1411(11)
Media expenditures must be by check	GS 163A-1414(c)
Media must charge normal rates for political advertisements	GS 163A-1435(a)
Normal commercial charges for political advertising	GS 163A-1435
“Print media” defined	GS 163A-1475(7)
Signs	
CBE must notify filing candidates of signage (littering) law	GS 163A-772
SBE must notify filing candidates of signage (littering) law	GS 163A-743
Planned communities (homeowners associations) limiting the right to display political signs on private property	GS 47F-3-121
Political signs allowed on DOT right-of-way (highways)	GS 136-32
Political signs not allowed on electric company fixtures	GS 14-156
Signs are protected from being damaged or taken down	GS 14-384
Size requirement for print advertisements	GS 163A-1476(b)
Written authority required for political media purchase and records of such must be maintained by the media	GS 163A-1434

Age Requirement

Candidate (by the day of the election)	
Any elected office (other than below): Age 21 or older	N.C. Const. Art. VI, § 6
Governor and Lieutenant Governor: Age 30 or older	N.C. Const. Art. III, § 2
State legislator: Senators must be age 25 or older; no age requirement for representatives	N.C. Const. Art. II, §§ 6, 7
U.S. President: Age 35 or older	U.S. Const. Art. II, § 1
U.S. Representative: Age 25 or older	U.S. Const. Art. I, § 2
U.S. Senator: Age 30 or older	U.S. Const. Art. I, § 3
Student Election Assistant: 17 years of age or older	GS 163A-819
Voter: See also Registration to Vote (and Preregistration subsection)	
Voting at election: Age 18 or older (see note below regarding how early 17-year-olds turning 18 may register)	GS 163A-841*(a)(1); N.C. Const. Art. VI, § 1
Voting at primary: Age 18 or older by the general election	GS 163A-843*

Annexation

Annexed voter activation	GS 163A-1594
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Generally	GS Chapter 160A Art. 4A
Petition for annexation (goes to municipality, not CBE)	GS 160A-31
Referendum prior to involuntary annexation: Can only be held at the same time as municipal general election	GS 160A 58.55, 160A-58.64

Assistance to Voter: See also [Voting, Curbside voting](#)

Absentee voting (other than one-stop voting)	
Certain acts prohibited	GS 163A-1298(a)
Multipartisan assistance teams available to provide assistance to voters at certain facilities	8 NCAC Ch. 16
Access to voting enclosure	GS 163A-1133(6)
Assistance to voter: Procedure and rules	GS 163A-1139(b); 8 NCAC 10B.0107
Authorized person assisting may be in voting enclosure	GS 163A-1133(a)(6)
Demonstration of voting system available to voters upon request	8 NCAC 10B.0102(j), 4.0305
Election Day assistance: To be provided only upon the voter's request	GS 163A-1139; 8 NCAC 10B.0107
Facilities (hospital, clinic, nursing home, rest home): Assistance by facility employees prohibited; generally, assistance can only be provided by near relative or legal guardian of voter; multipartisan assistance team, or MAT, may provide assistance	GS 163A-1298(a), (a)(4)
One-Stop absentee voting: Same rules as on Election Day	GS 163A-1300*, 163A-1298(a)(2)
Precinct judges may provide only technical voting information	8 NCAC 10B.0103(g)
Who may assist voters	GS 163A-1139

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B.

Ballot

Arrangement (order on the ballot)	
Order of party candidates on general election ballots	GS 163A-1114(d)
Order of candidates for all primaries, whether partisan or not, and for all non-partisan elections: Determined by a process of random selection determined by SBE	GS 163A-1114(c)
Order of ballot items	GS 163A-1114 ; 8 NCAC 6B.0103
“Ballot” defined	GS 163A-1095(1)
Ballot and electronic records of ballots are confidential	GS 163A-1105(e)
Ballot items	
Defined	GS 163A-1095(2)
Jurisdiction of CBE	GS 163A-1171(a)
Jurisdiction of SBE	GS 163A-1171(b)
“Ballot style” defined	GS 163A-1095(3)
Certification of official ballots and instructions by SBE	GS 163A-1107(a)
Chief judge’s responsibilities while at precinct’s polling place	GS 163A-1170
Contents required of official ballots	GS 163A-1112*
Counting ballots: See also Write-In	
Absentee ballot counting	GS 163A-1315
Ballot with technical problems: Count vote and determine voter intent whenever possible	GS 163A-1166(a)(1) through (5)
Hand-to-eye audit count controls over machine count	GS 163A-1166(b) , 163A-1169*(a)(6)
Initial counting of ballots at precinct’s polling place	GS 163A-1169*
Municipal ballot, special district ballot counts: Same rules	GS 163A-1631
Overvote	GS 163A-1166(a)(4)
Polling place precinct counting procedure (after polls close)	GS 163A-1141 , 163A-1166(b) ; 8 NCAC 10B.0105
Preliminary report of vote produced by precinct officials	GS 163A-1169*(a)(5)
Principals and rules for counting	GS 163-182.1 ; 8 NCAC 6B.0105
Provisional ballot counting	GS 163A-1169*(a)(4)
Public may witness, but not interfere	GS 163A-1169*(a)(3)
Sample audit count required	GS 163A-1166(b)(1) , 163A-1169*(b)(2)
Witnesses to counting: Shall not participate	GS 163A-1169*(a)(3)
Challenged ballot (after challenge is sustained)	GS 163A-915
CBE may combine ballot items (with SBE approval)	GS 163A-1113
Contents of official ballots	GS 163A-1112*
CBE to prepare official ballots and instructions	GS 163A-1107(b)
Distributing ballots to voters at voting enclosure	GS 163A-1137*(b)
Failure to complete voting (if voter leaves without finishing)	8 NCAC 10B.0104(f)
Instructions	
Instructions to be on ballot	GS 163A-1112(6)*
Model instructions prepared by SBE	GS 163A-1107(a)(2)
Late change in ballot	GS 163A-1107(c) ; 8 NCAC 6B.0104
Minimum numbers of ballots be prepared	8 NCAC 4.0303
“Official ballot” defined	GS 163A-1095(5)
Official ballots required for all voting	GS 163A-1105(b)
Preparation of ballots	GS 163A-1107
Prompt transmission of ballots to CBE from voting place	GS 163A-1169*(b)(4) ; 8 NCAC 10B.0105(m)
Proofreading of ballot by SBE	GS 163A-1107(a)(5)
Sample ballot	
CBE to produce and post at poll; required by HAVA	GS 163A-1106(a) , 163A-1138
Document resembling official ballot must contain disclaimer	GS 163A-1106(b)
Generally	GS 163A-1106
Spoiled ballot to be returned and marked as spoiled	GS 163A-1137*(c)(4) ; 8 NCAC 10B.0104(b)
Standards for official ballots	GS 163A-1108
Straight-party voting not allowed	GS 163A-1114(f)
Voting system ballot	8 NCAC 4.0303

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Write-in vote provisions	GS 163A-1112(5)* , 163A-1114(g)
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Board of Education: See [School Board & School Board Election](#)

Bond Referendum

Local bond referendum	
Challenge to results of bond referendum: 30-day deadline	GS 159-62
Generally (Local Government Bond Act)	GS 159-43 through 159-79
Petition for referendum on bond issue	GS 159-60
Purposes allowed for bond	GS 159-48
Referendum ballot, canvass, notice and procedure	GS 159-61
Referendum required under certain conditions	GS 159-49
State bond referendum: Generally, must be approved by voters	NC Const. Art. V Sec. 3

Budget (County)

Adoption of budget by Board of Commissioners: No later than July 1 of fiscal year	GS 159-13
Budget and budget message due to Board of Commissioners by June 1 of fiscal year	GS 159-11
Budget requests due to county by April 30 of fiscal year (or earlier date fixed by budget officer)	GS 159-10
County Board of Commissioners duty to fund elections office	GS 163A-777
Interim budget: If adoption is delayed after July 1 of fiscal year	GS 159-16

Buffer Zone Around Polling Place: See [Electioneering on Election Day](#)

C.

Campaign Reporting: For more detail, refer to SBE’s [Campaign Finance Manual](#)

Account of candidate, committee may be inspected by SBE	GS 163A-1414(b)
Administration and policy to be set by SBE	GS 163A-1439
Affiliated party committee	
Affiliated party committee (of State House, Senate)	GS 163A-1416
Council of State affiliated party committee	GS 163A-1417
Audit of reports and statements must occur within 4 months	GS 163A-1442
Best efforts must be used to obtain statement information	GS 163A-1422(d)
“Board” defined: SBE or CBE, depending on type of office	GS 163A-1411(1)
Building funds for political party headquarters	GS 163A-1438
“Business entity” defined	GS 163A-1411(7)
“Candidate” defined	GS 163A-1411(9)
Contributions and limits	
\$5,000 limit per election to candidate or political committee; special reporting for certain expenditures more than \$100	GS 163A-1425(a), (3), 163A-1423
Anonymous contribution or made in another’s name: Prohibited, punishable as a Class I Felony	GS 163A-1428, 163A-1445
“Contribution” defined	GS 163A-1411(13)
Contribution limit increases: Based upon price index	GS 163A-1425(b)
Contribution limits do not apply to candidate or candidate’s spouse, parents, children, or siblings	GS 163A-1425(d)
Contribution limits do not apply to political party executive committees that give to candidates	GS 163A-1425(h)
Contribution in excess of \$50 must be made by check	GS 163A-1428(b)
Federal political committee compliance rules to be no more stringent than rules for state committees	GS 163A-1413(2)
Federal political committee may contribute to N.C. candidates and committees	GS 163A-1413
Headquarters building funds of state, local political parties	GS 163A-1438
Lobbyists banned from making certain contributions	GS 163A-1427
No anonymous contributions	GS 163A-1428(a)
No contributions by business entities, corporations, labor unions, professional associations, or insurance companies (except to referendum committee)	GS 163A-1426, 163A-1430
No contributions made in the name of another	GS 163A-1428
Sale of goods by political parties not contributions	GS 163A-1415
Restricted during legislative session for certain officials	GS 163A-1426
Statement requirements	GS 163A-1422(a)(1)
Use of contributions is limited	GS 163A-1433
Corporation	
Defined (for purposes of campaign reporting)	GS 163A-1411(24)
No corporate contributions (except to referendum committee)	GS 163A-1430
CBEs to retain campaign reporting records as directed by SBE	GS 163A-1454
Duties of SBE Executive Director	GS 163A-1441
Duties of SBE	GS 163A-1440
“Election” defined	GS 163A-1425(e)
“Electioneering communication” defined (see also Advertising & Media)	GS 163A-1411(41)
Enforcement	
“Costs of collection” defined	GS 163A1411(26)
“Enforcement costs” defined	GS 163A-1411(49)
Error, missed deadline: SBE Executive Director to notify filer	GS 163A-1441
Evidence as to “supporting” or “opposing” a candidate	GS 163A-1429
Expenditure	
Disclosure as to media does not apply to individuals with aggregate independent expenditures of less than \$1, 000	GS 163A –1477
“Expenditure” defined	GS 163A-1411(51)
Independent expenditure allowed by certain entities	GS 163A-1436(h)
“Independent expenditure” defined	GS 163A-1411(53)
Independent expenditure: Special reporting requirements	GS 163A-1423
In excess of \$50: Must be made by verifiable form (check)	GS 163A-1414(d)
Media expenditures: Must be made by verifiable form (check)	GS 163A-1414(c)
Special reporting requirements of independent expenditures	GS 163A-1423
Statement requirements	GS 163A-1422(a)(2)
Federal election	
Copies of required federal reports to be filed with SBE	GS 163A-1418(d), 163A-1448

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Generally, governed by the Federal Elections Commission (FEC) , not N.C. campaign reporting law	GS 163A-1410 ; 2 USC Ch. 14 ; Title 11 CFR
Fines, penalties and legal remedies	
Burden of proof upon SBE	GS 163A-1452
Calculation and assessment of civil penalties	GS 163A-1451(e)
Civil penalties, generally: Can be up to 3 times the amount of money in question or \$10,000, whichever is greater	GS 163A-1451
Collection by SBE	GS 163A-1440(14)
Illegal contributions and expenditures	GS 163A-1451(b)
Late filings (penalty may be waived by SBE for good cause)	GS 163A-1451(a)
Mitigation of penalty	GS 163A-1451(d)
Remedies other than fines	GS 163A-1451(c)
SBE consults with district attorney prior to assessing penalties	GS 163A-1451(f)
Willful attempt to conceal contributions or expenditures	GS 163A-1451(a)
Forms to be provided by SBE	GS 163A-1440(1)* , (9)
Inactive status: Reporting requirement	GS 163A-1420
Incidental use of office facilities may not be a violation	GS 163A-1436(f)
Investigation of campaign reporting violations by SBE	GS 163A-1440(7)*
Judge and candidate for judge: Restrictions on political activity and solicitation for contributions	NC Judicial Code of Conduct, Canon 7
Legal expense fund	
Creation	GS 163A-1551
Definitions	GS 163A-1550
Limitations on contributions	GS 163A-1566
Organizational report	GS 163A-1559
Permitted uses	GS 163A-1570
Quarterly report	GS 163A-1560
Reports to be filed with SBE	GS 163A-1558
Treasurer: To keep detailed accounts	GS 163A-1556 , 163A-1557
Violation of legal expense fund law: Class 1 misdemeanor	GS 163A-1551(g)
Loan	
How reported	GS 163A-1414(e)
Proceeds of loans made in ordinary course of business by financial institutions may be used for contributions	GS 163A-1436(c)
Statement's required contents as to loans	GS 163A-1422(a)(3)
When loan considered as contribution	GS 163A-1430(b)
Political committee	
Administrative support of committee by parental entity	GS 163A-1436(g)
Employees and officials of an entity prohibited from contributing may form political committee	GS 163A-1436(d)
Inactive campaign reporting status	GS 163A-1420
Limitation on activity until treasurer in place	GS 163A-1431
"Political committee" defined	GS 163A-1411(74)
Raffles by candidates or political committees	GS 14-309.15
Political Parties Financing Fund	
A	GS 163A-1411(78)
Raffles by candidates or political committees	GS 14-309.15
Records: Must be kept for 2 years by candidate or treasurer	GS 163A-1453
Referendum	
Campaign reporting laws apply	GS 163A-1410
Contributions from certain business entities allowed to referendum committee	GS 163A-1437
Defined for purposes of campaign reporting	GS 163A-1411(82)
Disclosure requirements as to media does not apply to individuals involved in a referendum campaign	GS 163A-1477
Failure to comply with campaign reporting does not invalidate referendum results	GS 163A-1455
Referendum committee cannot make its own contributions if it has received non-individual contributions	GS 163A-1425(i)
"Referendum committee" defined for purposes of campaign reporting	GS 163A-1411(84)
Referendum committee reports	GS 163A-1419
Report, generally	
Contents of report must be current within 7 days	GS 163A-1502
Definitions: "Board" and "city"	GS 163A-1495
Electronic filing required for certain reports	GS 163A-1418(i)
General reporting law to apply, with some exceptions	GS 163A-1504
Nonpartisan election and runoff report	GS 163A-1498
Nonpartisan plurality report	GS 163A-1500
Nonpartisan primary and election report	GS 163A-1499
Notice of report due from CBE to candidate	GS 163A-1503

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Organizational report	GS 163A-1496
Partisan election report	GS 163A-1497
Report, municipal	
Organizational report	GS 163A-1418(a)(1)
Quarterly	GS 163A-1418(a)(3)
Semiannual	GS 163A-1418(a)(4)
Statements (campaign reporting)	
Audit of statements must occur within 4 months	GS 163A-1442
Best efforts must be used to obtain required information	GS 163A-1422(d)
Electronic filing required for certain reports	GS 163A-1418(i)
Organizational report (Statement of Organization filed by treasurer): Any changes must be updated within 10 days	GS 163A-1418(a)(1) , 163A-1412
Required contents of statements	GS 163A-1422
Required statements must be filed prior to successful candidate being declared nominee or certified as elected	GS 163A-1443 , 163A-1444
Threshold of \$1,000 for certain candidates to be required to file financial reports	GS 163A-1421
Treasurer	
Appointment	GS 163A-1412
“Treasurer” defined	GS 163A-1411(51)
Duty to keep detailed accounts	GS 163A-1414
Limitations on activity until treasurer appointed and certified	GS 163A-1431
Lobbyist restricted from serving as treasurer	GS 163A-308
Removal	GS 163A-1412(d)
Reports Required	GS 163A-1418
Required training, conducted by SBE	GS 163A-1412(e), (f)
Violations	
Anonymous contribution or made in another’s name: Prohibited, punishable as a felony	GS 163A-1428 , 163A-1445(a)
Burden of proof upon SBE to prove violations	GS 163A-1452
Civil penalties	GS 163A-1451
Cost of SBE’s investigation can be assessed against the violator if violations are proven	GS 163A-1451 , 163A-1445(f)
Intentional violation: Class 2 misdemeanor	GS 163A-1445(a)
SBE’s duty to report criminal violations to prosecutors	GS 163A-1445(d)
Sworn statement (including statements signed and certified) containing information known to be untrue: Class I felony	GS 163A-1445(b) , 163A-1449
Written opinions: SBE Executive Director may issue, upon request	GS 163A-1441

Candidate: See also [Offices and Public Officer](#)

Absentee voting: Candidate prohibited from serving as witness for another voter (if not a near relative of the voter)	GS 163A-1317(c)
Appointment of new party nominees by parties	GS 163A-987
Candidate filing	
Certification of notice of candidacy	GS 163A-981
County certification of registration and party affiliation	GS 163A-977
CBE must cross-check registration information of candidates	GS 163A-977
Eligibility to file	GS 163A-973
Filing fees	GS 163A-979
Filing for more than one elected office at a time prohibited (with some limited exceptions)	GS 163A-978
If 2 vacancies exist for U.S. Senator, the candidate must designate which vacancy he or she is running for	GS 163A-975
Inspection of candidate qualifications; cancellation of petition for failure to meet statutory qualifications	GS 163A-977 , 163A-1005(d) , 163A-1006(g)
Notice and filing of candidacy	GS 163A-972
Petition in lieu of paying filing fee to run for office	GS 163A-980*
Required pledge to not run as a write-in candidate if the candidate loses the primary	GS 163A-972
Soil and Water Conservation District Board Supervisor	GS 139-6
Timing of filing, even-numbered year elections (Soil and Water Conservation District Board Supervisor and some other local offices may have different filing periods based upon specific local authority)	GS 163A-974
Withdrawal of candidacy: Deadline is the end of the third business day before the close of the candidate filing period	GS 163A-976
Challenge to a candidacy (by a challenger)	GS 163A-1025 through 163A-1030
Death of candidate	See Death

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Declared party nominee without primary	GS 163A-983
Equal opportunity for candidates (under the FCC)	47 USC 315(a); 47 CFR 73.1940 et seq., 76.205 et seq.
Municipal or special district candidates and nominees	GS 163A-1619(b)
Name	
Nickname: Allowed on ballot under certain conditions	GS 163A-972, 163A-1112(a)(3)*
Title: Generally not allowed (Mr./Miss/Mrs./Ms. is allowed)	GS 163A-1112(a)(3)*
Name must be checked before ballot is printed	GS 163A-1112(a)(3)*
Party primary	
Nomination declared when unopposed in primary	GS 163A-983
Party affiliation required for at least 90 days	GS 163A-973
Party chair shall submit list of presidential candidates to be placed on presidential preference primary ballot	GS 163A-1253
Unaffiliated candidate	
Filing fee requirements apply	GS 163A-1005(e)
Loser of a primary contest not eligible to run as an unaffiliated candidate in the same election	GS 163A-1005(a)
Petition-nominating requirements	GS 163A-1005
Unaffiliated candidate in partisan municipal race	GS 163A-1624
Unaffiliated presidential candidate	GS 163A-700, 163A-1005, 163A-1226
Withdrawal of candidacy	
Generally: Only allowed up until the third business day before the close of the filing period.	GS 163A-976
Party nominees may withdraw up until absentee voting begins for the General Election	GS 163A-986

Canvass

All voting data, including provisional and absentee, must be reported by Voting Precinct	GS 163A-1079
Date and time for CBE canvass	GS 163A-1172(b)
Date and time for SBE canvass	GS 163A-1172(c)
Defined	GS 163A-1172(a)
Municipal canvass of votes	GS 163A-1627(g)
Races for which CBE canvasses	GS 163A-1171(a), (c)(1)
Races for which SBE canvasses	GS 163A-1171(b), (c)(1)

Certificate of Election

“Certificate of election” defined	GS 163A-1165(2)
Issued by CBE or SBE 6 days after canvass	GS 163A-1184(a), (b)
Protest can delay issuance	GS 163A-1184(a), (b)
Races for which CBE prepares certificates of election	GS 163A-1171(a), (c)(3)
Races for which SBE prepares certificates of election	GS 163A-1171(b), (c)(3)
Required campaign reporting statements must be filed prior to successful candidate is declared nominee, or certified as elected (but failure to grant certification shall not affect candidate’s title to an office); denial can be appealed	GS 163A-1443, 163A-1444
Secretary of State to keep copies of certification of election	GS 163A-1184(c)
Secretary of State to send Governor certification of election of congressmen, justices, judges, and district attorneys	GS 163A-1185

Challenge to Candidacy

Generally	GS 163A, Art. 19. Pt. 3
Definitions	GS 163A-1025
When and how challenges are made	GS 163A-1026
Panel on Hearing	GS 163A-1027, 163A-1028
Burden of proof: Preponderance of the evidence	GS 163A-1029
Appeals	GS 163A-1030

Challenge to Voter

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Absentee ballot challenge	GS 163A-916
Answer to challenge relating to voter's conviction record cannot be used in criminal prosecution	GS 163A-917
Appeal of challenge ruling by CBE: Can be made to Superior Court	GS 163A-919(c)
Burden of proof: Must be substantiated by affirmative proof	GS 163A-918
CBE action after a decision is made regarding a challenge	GS 163A-919
False sworn testimony in a challenge is a Class I felony	GS 163A-920
Generally	GS 163A, Art. 17, Pt. 3
Municipal election voter challenge	GS 163A-1598
On Election Day	
Challenge ballots (voter can request a ballot even if challenge sustained; must write name on challenged ballot)	GS 163A-915; 8 NCAC 10B.0104(c)
Challenge allowed; can be made by voter of same county	GS 163A-913
Hearing	GS 163A-914
One-Stop absentee challenge to voter allowed	GS 163A-1300*
Other than on Election Day; procedure	
Hearing (if challenge survives preliminary hearing)	GS 163A-912
Procedure (including preliminary hearing)	GS 163A-911
Time of challenge; registration records open to any registered voter of the state	GS 163A-910

Civil Penalties: See [Campaign Reporting](#) (under "[Fines, penalties and legal remedies](#)")

Clerk of (Superior) Court

Appoints replacement county commissioner if Board of Commissioners fail to replace within 60 days	GS 153A-27
General law as to clerks	GS 7A-100 et. seq.
Filling vacancy in nomination of clerk of superior court	GS 163A-988(a)
Must provide certified election returns upon request and payment	GS 163A-1388(12)
Receives certain election certifications from CBE	GS 163A-1186(c)(8)

College Student: See [Residence](#)

Confidentiality & Public Records

Address of voter may be confidential with court order, or with participation with the state's Address Confidentiality Program	GS 163A-871(d); Chapter 15C
Confidential voter information: Driver's license number, Social Security number (full or partial), birthdate (but not age), signatures on registration records (but signatures may be viewed), e-mail address of military-overseas absentee voter	GS 163A-871, 163A-873
County employee personnel records	GS 153A-98
Criminal investigations	GS 132-1.4
DMV records: Personal information is protected from unauthorized release and use	18 USC 2721
Public records laws, generally	GS 132-1 through 132-10
Voted ballots are confidential	GS 163A-1105(e)

Congress (U.S.): See also [Federal Elections](#)

Certificate of election to be sent from Secretary of State to Governor; commission of election to be issued by Governor (for U.S. Representatives)	GS 163A-1185(1)
Federal law as to election of U.S. Senators and Representatives	2 USC 1 et. seq.
Congressional district	
Apportionment plans severable if a court holds a part invalid	GS 163A-1206
Described	GS 163A-1205
Election of U.S. Representatives if number of districts has changed and reapportionment has not been concluded	GS 163A-1207
U.S. Representative: Qualifications, term, vacancy, etc.	U.S. Const. Art. I, §§ 2, 4, GS 163A-721
U.S. Senator: Qualifications, term, vacancy, etc.	U.S. Const. Art. I, §§ 3, 4; 17th Amend, GS 163A-720.
Special election	2 USC 8; GS 163A-721,
Vacancy in office (mid-term)	
U.S. Representative (special election)	GS 163A-721, 2 USC 8

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

U.S. Senator (filled by the Governor, terms and conditions)	GS 163A-720
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Constitutional Amendment (North Carolina Constitution)

Constitutional Amendments Publication Commission: Chaired by Secretary of State, prepares official explanation of amendment	GS Ch. 147 Art. 4A
Caption on ballot	G.S. 163A-1114(h)

Constitutional (North Carolina) Provisions

Ballot required in election	N.C. Const. Art. VI § 5
Candidate must be 21 years old at time of election	N.C. Const. Art. VI § 6
Continuation in office: Office-holder stays in position until successor is chosen, qualified (unless a statute directs otherwise)	N.C. Const. Art. VI § 10
Dual office-holding: Disallowed except as allowed by statute	N.C. Const. Art. VI, § 9; GS 128-1.1
Elections shall be free, frequent	N.C. Const. Art. I, §§ 10, 9
Executive branch (Governor, Lt. Governor, Council of State, cabinet)	
Deciding contested Council of State races (by joint ballot of both houses of the General Assembly)	N.C. Const. Art. VI, § 5; GS 163A-1182
Elections held every 4 years; terms of office shall be every 4 years from January 1	N.C. Const. Art. III, §§ 2, 7
Governor and Lt. Governor limited to 2 consecutive terms of office	N.C. Const. Art. III, § 2
Qualifications of Governor and Lt. Governor: 30 years old , 5 years as U.S. citizen and 2 years as N.C. resident immediately prior to election	N.C. Const. Art. III, § 2
Felon (with active sentences) disqualified as voter and office-holder	N.C. Const. Art. VI, §§ 2(3), 8
Judicial branch	
District attorneys elected every 4 years and have 4-year terms of Office	N.C. Const. Art. IV, § 18
Justices and judges (other than district court judges) elected every 8 years and have 8-year terms of office	N.C. Const. Art. IV, § 16
Vacancies filled by the Governor (terms and conditions)	N.C. Const. Art. IV, § 19, GS 163A-716, GS 163A-717, GS 163A-718, GS 163A-719, GS 163A-720
Legislative branch (state senators and representatives)	
Deciding contested legislative races	N.C. Const. Art. II, § 20; GS 120-10.1 through 120-10.14
Legislative elections held every 2 years; terms begin on January 1 after each election	N.C. Const. Art. II, §§ 8, 9, 2, 4
Number of state representatives set at 120	N.C. Const. Art. II, § 4
Number of state senators set at 50	N.C. Const. Art. II, § 2
Qualifications for state representative: Residence in district for 1 year prior to election	N.C. Const. Art. II, § 7
Qualifications for state senator: 25 years old, citizen of state for 2 years, residence in district for 1 year prior to election	N.C. Const. Art. II, § 6
State representative district	N.C. Const. Art. II, § 5
State senate district	N.C. Const. Art. II § 3
Whole county requirement in redistricting (counties may need to be divided in order to comply with federal law)	N.C. Const. Art. II, §§ 3, 5
No property qualification required for voters	N.C. Const. Art. I, § 11
Oath required of elected and appointive officeholder	N.C. Const. Art. VI, § 7
Officeholder disqualification (first requirement has been judicially invalidated)	N.C. Const. Art. VI, § 8
Qualifications for voter: Age (18 years old) and U.S. citizenship	N.C. Const. Art. VI, § 1
Registration required to vote	N.C. Const. Art. VI, § 3

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Residency requirement of voters is 30 days in electoral district	N.C. Const. Art. VI, § 2(1)
Sheriff eligibility: Cannot have been convicted of a felony	N.C. Const. Art. VII, § 2

Constitutional (U.S.) Provisions

Citizenship	14th Amend.
Discrimination against voter	15th Amend.
Election of President	U.S. Const. Art. II, § 1 ; 12th Amend.
Election of U.S. Representative	U.S. Const. Art. I, §§ 2, 4
Election of U.S. Senator	U.S. Const. Art. I, §§ 3, 4 ; 17th Amend.
Poll tax abolished	24th Amend.
Voting age: 18 years old or older	26th Amend.
Women voting	19th Amend.

Contested Election: See also [Election Protest](#)

Deciding contested legislative races	N.C. Const. Art. II, § 20 ; GS 120-10.1 through 120-10.14
Deciding contested Council of State races (by joint ballot of both houses of the General Assembly)	N.C. Const. Art. VI, § 5 ; GS 163A-1182

Contribution: See [Campaign Reporting](#), under [Contributions and limits](#)

Corporation: See [Campaign Reporting](#), under [Corporation](#)

Council of State

Contribution limitations during legislative sessions	GS 163A-1426
Council limited in use of state-funded media prior to election	GS 163A-1432
Deciding contested Council of State race	N.C. Const. Art. VI § 5 ; GS 163A-1182
Election: Held every four years	N.C. Const. Art. III, §§ 7, 8
Public financing of certain races	GS 163A-1535
Term of office: Four years from January 1	N.C. Const. Art. III, § 7(1) ; GS 163A-700
Vacancy	N.C. Const. Art. III, § 7(3)

County Boards of Elections

Absentee ballots and materials: CBE is the sole custodian	GS 163A-1316
Appointments, eligibility, and terms of office	GS 163A-741(c)* , 163A-766*
Canvass date and time for CBE	GS 163A-1172(b)
Chairperson	
Failure of CBE chair to perform duty	GS 163A-1388(a)(11)
Meeting: May be called by chair or three members	GS 163A-767*
Voting systems responsibilities	GS 163-33.2 ; 8 NCAC 4.0305(b) , 4.0306(a)
Charges brought against CBE members by voters; power of SBE to remove CBE members	8 NCAC 3.0101 through 3.0106 ; GS 163A-741(c)
Compensation of CBE members	GS 163A-768
Consideration of election protest by CBE	GS 163A-1178
Duty to register voters	GS 163A-860*(b)
Duties and powers	GS 163A-769* , 163A-1186(c) , 163A-1131
Funding of CBE operations	GS 163A-777
Meeting	
Absence: If no members of either the Republican or Democratic party are present for a meeting in which absentee ballots are counted, that party's county chair must observe	GS 163A-1315(9)
Maintaining order in meeting	GS 163A-773

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Open meetings law	GS 143-318.9 through 143-318.17
Times, quorum (3 members), minutes	GS 163A-767*
Oath: Who can administer oath of office	GS 11-7.1
Office: Open at hours consistent with hours observed by other county offices; modified full-time office	GS 163A-776; 8 NCAC 5
Officers: Chair, Secretary elected at first meeting	GS 163A-767*
Power to fix CBE director's compensation	GS 163A-768
Relative of CBE member running in election: Forces board member to resign	GS 163A-766*
Restriction on political activity by CBE members	GS 163A-766*, 163A-795, 163A-796, 163A-797
Retain campaign reporting records as directed by SBE	GS 163A-1454
Training of CBE members	GS 163A-889
Voting system must be approved by CBE prior to purchase by county commissioners	GS 163A-1116
Voting system testing, examination, and other duties required of CBE	GS 163A-1117; 8 NCAC 4.0306(a), 4.0307, 4.0304

County Commissioner

Appointive office qualification: May be set by commissioners	GS 153A-25
County commission organization	
Combination of 2- and 4-year terms	GS 153A-59
Effective date of alternation	GS 153A-62
Election changing commission structure	GS 153A-61, 153A-62
Four types of optional structure	GS 153A-58(2)
Resolution to change structure	GS 153A-60, 153A-63
Duty to fund county elections office	GS 163A-777
Electoral districts; map or written description	GS 153A-20
Oath of office	GS 153A-26
Redistricting county commissioner districts	GS 153A-22
Standards for county appointive office	GS 153A-25
Vacancy	
In certain counties	GS 153A-27.1
In most counties (those not covered by GS 153A-27.1)	GS 153A-27
Filling vacancy by election (only in certain cases)	GS 163A-988(d)
Voting system purchase role (must first be approved by CBE)	GS 163A-1116

County Director of Elections: See [Director of Elections \(County\)](#)

County Industrial Development Tax

Ballot form required	GS 158-18
CBE to run election	GS 158-17
Election called by board of county commissioners	GS 158-16
Limited to certain counties	GS 158-24

County Property Tax

Election procedure to levy taxes	GS 153A-149(d)
Election procedure to raise tax rate	GS 153A-149(e)
Purposes for which tax may be levied	GS 153A-149(b)
Levy for a new purpose: Requires referendum approval	GS 153A-149(d)

Court of Appeals Judge: See [Judge](#)

Crimes Relating to Election

Compelling self-incriminating produces immunity	GS 163A-1391
Cost of campaign reporting violation investigation may be awarded to SBE as a condition of probation	GS 163A-1445(f)
Disorderly conduct at voting or registration place: Can be arrested	GS 163A-824
Felonies (Class I unless otherwise noted)	
Absentee ballot fraud	GS 163A-1298
Altering or destroying election ballots and documents	GS 163A-1389(9)
Assaulting election official	GS 163A-1389(10)
Buying and selling office	GS 14-228
Buying or selling votes	GS 163A-1389(2)

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Certifying false information in campaign reporting statement considered to be perjury	GS 163A-1449, 163A-1445(b)
Election official receiving money or promise of office from a candidate	GS 163A-1389(12)
Registration fraud (including knowingly being registered in more than one precinct)	GS 163A-1389(14), (1), (7)
False absentee ballot certificate	GS 163A-1389(16)
False documents used register to vote	GS 163A-1389(13)
False entry or return by election official	GS 163A-1389(8), (9)
Falsely taking voter's oath	GS 163A-1389(6)
Felon unlawfully voting	GS 163A-1389(5)
Fraud by an election official or board member	GS 163A-1389(3)
Knowingly registering a non-citizen to vote	GS 163A-1389(18)
Illegally voting	GS 163A-1389(7)
Intimidating election official	GS 163A-1389(11)
Misleading voters on law with intent to discourage voting	GS 163A-1389(17)
Swearing falsely as to any election matter	GS 163A-1389(4)
Voting more than once in an election	GS 163A-1389(7)
Voting systems vendors failing to notify SBE as required or keeping software in escrow (Class G)	GS 163A-1118
Misdemeanors (Class 2 unless otherwise noted)	
Absentee ballot violation by CBE	GS 163A-1316
Acting as elected officer prior to taking oath (Class 1)	GS 14-229
Acting as precinct judge without authority	GS 163A-1388(a)(3)
Aiding voter with marking ballot (other than ways allowed)	GS 163A-1387(a)(7)
Altering election record	GS 163A-1388(a)(2)
Betting on election result	GS 163A-1388(a)(6)
Campaign reporting violations, generally	GS 163A-1445(a)
Changing information on a voter registration form	GS 163A-865*(b)(3)
Clerk of court failing to provide certified election return	GS 163A-1388(a)(12)
Coercing a person into marking a party affiliation	GS 163A-865*(b)(4)
Coercion of state employee to support or contribute to a candidate: By another state employee or official	GS 126-14
Coercion of state employee to support or contribute to a candidate: By any person	GS 126-14.1
County officer willfully failing to discharge duties (Class 1)	GS 14-230
Disclose knowingly how another person voted (Class 1)	GS 163A-1105(e), 163A-1388(b)
Disruption of official meeting	GS 143-318.17
Election crime misdemeanor presumed to be Class 2	GS 163A-1386
Employer threatening employee on account of vote	GS 163A-1388(a)(7)
Failure of CBE chair to perform duty	GS 163A-1388(a)(11)
Failure of precinct judge or board member to perform duty	GS 163A-1388(a)(1)
Failure of good faith effort in delegation of duty to deliver completed voter registration application forms	GS 163A-865*(b)(1)
Forging or lying as to change of address	GS 163A-1388(a)(14)
Giving or promising political office for political support	GS 163A-1388(a)(10)
Inducing voter to show ballot marks before depositing ballot	GS 163A-1387(a)(6)
Interference with election, including boisterous conduct	GS 163A-1388(a)(4), (5)
Intimidation of voters by state or local officials	GS 163A-1385
Legal expense fund law violations (Class 1)	GS 163A-1551(g)
Misleading blind or illiterate voter	GS 163A-1388(a)(13)
Offer a voter registration form with party affiliation premarked, if premarking not requested	GS 163A-865*(b)(5)
Paying a person providing voter registration assistance, if pay is based on the number of registration forms submitted	GS 163A-1388(a)(15)
Publishing anonymous derogatory material about a candidate	GS 163A-1388(a)(8)
Publishing false derogatory material about a candidate	GS 163A-1388(a)(9)
Salary kickback for office appointment or retention (Class 1)	GS 128-4
Sale of completed voter registration application forms; requiring payment for delivery	GS 163A-865*(b)(2)
Signing that name of another to a petition	GS 163A-1278
Signs are protected from being damaged or taken down	GS 14-384
Voter allowing another to see the voter's ballot	GS 163A-1387(a)(1)
Voter not leaving the voting booth	GS 163A-1387(a)(5)
Voter removing ballot from voting enclosure	GS 163A-1387(a)(2)
Records from criminal investigations may not be public records	GS 132-1.4
Removal of public officials from office because of election crime	GS 163A-1390
Reporting possible crime covered in board hearings	8 NCAC 3.0302
SBE and district attorneys to investigate election crimes	GS 163A-1392
Summary investigation by SBE	8 NCAC 3.0301

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Curbside Voting: See [Voting](#)

D.

Death

Death of candidate for party nomination	
Within 30 days after close of filing	GS 163A-985(a), (b), (c)
More than 30 days after close of filing	GS 163A-985(b), (d)
Death of candidate in municipal or special district election	
Death of winning candidate on or after Election Day but before taking office: Creates a vacancy	GS 163A-1619(c)
Deceased candidate remains on ballot if there is not sufficient time to reopen filing and/or print new ballots (if the deceased candidate wins election, a vacancy is created)	GS 163A-1619, 163A-1622
Filing reopens if the death leaves the same or a smaller number of candidates than there are open seats for the office (and there is sufficient time for a new filing period)	GS 163A-1622
Vacancy of municipal or special district officeholder: Filled by governing body	GS 163A-1619(d), 160A-63
Death of voter	
CBE to have forms to remove deceased voters from lists, available to near relatives, personal representatives of the voter's estate, and funeral service licensees	GS 163A-769(14)*, 90-210.25C
Removal of deceased voters from voter list	GS 163A-877(b)

Director of Elections (County)

Appointment	GS 163A-774(b)
Compensation	GS 163A-774(c)
Duties	GS 163A-774(b), (d)
Eligibility and restrictions on political activity	GS 163A-774(a), 163A-795 through 163A-798
Suspension	GS 163A-775(c)
Termination	GS 163A-775
Training and certification	GS 163A-774(e), 163A-889
Vacancy in office	GS 163A-774(a)

District Attorney

Commission of election issued to new electees by Governor	GS 163A-1185(2)
District attorney consultation prior to assessment of civil penalty	GS 163A-1451(f)
Investigation of SBE or CBE involving criminal elements: Results to be reported to district attorney	GS 163A-1445(e), 163A-1440(8)*; 8 NCAC 3.0302
Prosecuting and receiving reports of election crimes	GS 163A-1392
Requirement to hold District Attorney office: Must be authorized to practice law in North Carolina courts	N.C. Const. Art. IV, § 18
Term: elected every 4 years; 4-year term of office	N.C. Const. Art. IV, § 18
Vacant filled by Governor (subject to certain terms and conditions)	N.C. Const. Art. IV § 19

District Court Judge: See [Judge](#)

Division of Motor Vehicles (DMV)

Coordination of DMV data with SBE data	GS 163A-883*(c), 163A-875(3), (7), (8)
Personal information in DMV records is protected from unauthorized release and use	18 USC 2721
Registering to vote at DMV office	GS 163A-883*(a)

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

E.

Election

Defined	GS 163A-1095(4)
Defined for purposes of campaign reporting (does not include local or statewide referendums)	GS 163A-1411(30)
Determining result (see Election Return)	GS 163A-1184(d)
Notice of election: Generally, 45 days (20 days before advance registration is closed); exception for bond special elections	GS 163A-769(8)* ; 163A-1592

Election Assistance Commission (EAC)

Please refer to the EAC website at www.eac.gov

Established by HAVA	42 USC 20921 through 20930
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Election Assistant: See [Precinct Official, Election Assistant](#)

Election Dates & Hours

Closing hour to be announced at 6:30 p.m.	8 NCAC 10B.0102(k)
General elections	GS 163A-700(c)
Hours of voting; closing time can only be extended by SBE	GS 163A-1130
Notice of election dates and hours	GS 163A-769(8)*
In general	GS 163A-700
Primaries	GS 163A-700(b)
Same timepiece to be used to determine opening and closing time	8 NCAC 10B.0105(b)

Election District

Election district of voters	GS 163A-841*(b)
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Election Protest

Authority over protests: Belongs to SBE	GS 163A-1180
Appeal of CBE decision to SBE; form	GS 163A-1179 ; 8 NCAC 2.0112
Appeal of SBE decision involving General Assembly or Executive Branch offices: Right of appeal to General Assembly	GS 163A-1183(c)
Appeal of SBE decision to Superior Court: Must be within 10 days	GS 163A-1183(b)
Attorney fees of appeal: Cannot be awarded against SBE	GS 163A-1183(d)
Certification of election: 10 days after SBE decision unless stayed by court order	GS 163A.1183(b) , 163A-1184(b)(1)
Consideration of protest by CBE	
Conduct of hearing	GS 163A-1178(c)
Findings of fact and conclusion of law	GS 163A-1178(d)
Notice of hearing	GS 163A-1178(b)
Preliminary hearing	GS 163A-1178(a)
Rules as to CBE's consideration of protest	8 NCAC 2.0110 ; GS 163A-1178(e)
Consideration of appeal by SBE	GS 163A-1179(b)
Defined	GS 163A-1165(4)
Filing an election protest	
Deadline for filing protest: If concerning vote tabulation or count, generally by county canvass, otherwise, by 5:00 p.m. on the second business day following county canvass	GS 163A-1177(b)(4)
Forms provided by SBE	8 NCAC 2.0111 ; GS 163A-1177
Who may file protest: Any eligible registered voter or candidate	GS 163A-1177(a)
Frivolous election protests: If determined to be frivolous, CBE or SBE is not required to investigate or hold hearing	8 NCAC 2.0109
New election: Can be ordered only by SBE	GS 163A-1181* ; 8 NCAC 2.0113
Presidential elections and vacancies	3 USC Chapter 1
Recasting of votes (only as authorized by SBE)	GS 163A-1180
Timing: Protest to be stayed until after Election Day if ballots have been printed	GS 163A-1179(b)(4)d.3

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Election Return

Abstracts	
“Abstract” defined	GS 163A-1165(1)
“Composite abstract” defined	GS 163A-1165(3)
Composite abstract prepared by SBE	GS 163A-1173(b)
CBE to prepare abstract using form provided by SBE	GS 163A-1173(a)
Form to be prescribed by SBE	GS 163A-1173(d)
Municipal abstract: Due from CBE within 9 days of election	GS 163A-1628
Secretary of State to keep copies of certified abstracts	GS 163A-1173(c)
Certificate of election	
Certification of election after SBE election protest decision: Issued 10 days after decision unless stayed by court order	GS 163A-1183(b) , 163A-1184(b)(1)
“Certificate of election” defined	GS 163A-1165(2)
Issued by the board with jurisdiction (CBE or SBE) 6 days after canvass (unless protest filed)	GS 163A-1184(a), (b)
Municipal certificate of election issued by CBE chair	GS 163A-1629
Protest delays the certification by CBE or SBE	GS 163A-1184(a), (b)
Secretary Of State to keep copies of certification of election	GS 163A-1184(c)
Secretary Of State to send to Governor certificate of election of congressmen, justices, judges and district attorneys	GS 163A-1185
Races for which CBE prepares abstract and certificate of election	GS 163A-1171(a) , (c)(2), (c)(3)
Races for which SBE prepares abstract and certificate of election	GS 163A-1171(b) , (c)(2), (c)(3)
Reported by Voting Precinct	163A-1079 , 163A-1065

Election Supplies

“Chain of custody” of supplies: Items must either remain in the polling place or in the custody of the chief judge or designee	8 NCAC 10B.0106(c) , 10B.0105(o)
Collection of supplies at closing	8 NCAC 10B.0105(n)
Not to be removed from precincts during voting	8 NCAC 10B.0103(a)
To be immediately returned after the election	8 NCAC 10B.0106(a)
Verification at voting place prior to opening, by chief judge and the cooperation of at least one official of the other political party	8 NCAC 10B.0102(f)

Electioneering Communications: See [Campaign Reporting](#)

Electioneering on Election Day

Buffer zone	
Buffer zone and area for election-related activity	GS 163A-1134
CBE must provide buffer zone information 30 days prior	GS 163A-1134(c)
One-Stop voting sites also have buffer zone requirement	GS 163A-1134(d)
Presumed to be 50 feet, and never less than 25 feet	GS 163A-1134(a)
Limited access to voting enclosure	GS 163A-1133
Special agreement about electioneering (non-public building)	GS 163A-1134(b)

Electoral College

Date; location for casting of electoral votes	GS 163A-1229
Presidential elector	
Alternate to serve as needed	GS 163A-1229
Compensation of elector	GS 163A-1230
Failure of duty: \$500 fine	GS 163A-1231
Governor to proclaim electors and notify U.S. archivist	GS 163A-1229
Name: Does not appear on ballot, filed with Secretary of State	GS 163A-1226
Procedure to appoint elector when election results unclear	GS 163A-1232
Secretary of State to notify Governor of electors	GS 163A-1229
Vote for presidential candidate is a vote for that party’s elector	GS 163A-1226

Enjoined Laws

Link to table	
Qualifications to vote; exclusion from electoral franchise	GS 163A-841 *
Right to participate or vote in party primary	GS 163A-843 *
General principles of voter registration	GS 163A-860 *
Voter registration application forms	GS 163A-862 *

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Acceptance of application forms	GS 163A-865*
Address and name changes at one-stop sites	GS 163A-866*
Declaration of religious objection to photograph	GS 163A-868*
Voter registration at drivers license offices; coordination on data interface	GS 163A-883*
Voter registration at other public agencies	GS 163A-884*
Voter registration at public high schools	GS 163A-888*
Challenges allowed on day of primary or election	GS 163A-913*
Voting procedures	GS 163A-1137*
Curbside voting	GS 163A-1140*
Provisional voting requirements	GS 163A-1142*
Requirements for certain voters who register by mail	GS 163A-1144*
Photo identification requirement for voting in person	GS 163A-1145*
Evaluation of determination of nonreasonable resemblance of photo identification	GS 163A-1146*
Counting of provisional official ballots cast due to failure to provide photo identification when voting in person	GS 163A-1167*
Initial counting of official ballots	GS 163A-1169*
Alternate procedures for requesting application for absentee ballot; one-stop voting procedure in board office	GS 163A-1300*
Sites for one-stop voting	GS 163A-1303*
Calculation of scheduled voting hours for absentee ballots	GS 163A-1304*
Right to participate or vote in party primary	GS 163A-1587*
Voting in nonpartisan primary	GS 163A-1588*

Ethical Behavior

Acting as elected officer prior to taking oath: Punishable as a Class 1 misdemeanor and grounds for ejection from office	GS 14-229
Betting on election result (Class 2 misdemeanor)	GS 163A-1388(a)(6)
Buying or selling office (Class I felony)	GS 14-228
Buying or selling vote (a I felony)	GS 163A-1389(2)
Charges brought against CBE members by voters	8 NCAC 3.0101 through 3.0106
City employee political activity	GS 160A-169
County employee political activity	
Activity allowed	GS 153A-99(a)
Contribution cannot be required as a condition of employment	GS 153A-99(d)
No "on duty" county employee may interfere or affect election	GS 153A-99(c)(1)
No "on duty" solicitation of political contributions	GS 153A-99(c)(2)
No use of county funds or property for political purpose	GS 153A-99(e)
Restrictions on political activity of CBE director	GS 163A-774(a)
County officer: Willful failure of duties (Class 1 misdemeanor)	GS 14-230
Election official receiving money, reward, or promise of office from a candidate (Class I felony)	GS 163A-1389(12)
Giving or promising political office for political support (Class 2 misdemeanor)	GS 163A-1388(a)(10)
Intimidation by state employee for voting (Class 2 misdemeanor)	GS 163A-1385
Improper inducements for votes by legislator: Grounds to expel	GS 120-8
Misleading blind or illiterate voter (Class 2 misdemeanor)	GS 163A-1388(a)(13)
Model code of ethics dealing with voting system vendors	Link
Post-Release Supervision and Parole Commission: Prohibited political activities	GS 148-52.1
Precinct judge cannot serve if a close relative of a candidate	GS 163A-816(b)
Precinct judge to be fair and impartial	GS 163A-823(a)
Precinct official protected from being punished by employer for missing work because of election duties (if notice was given)	GS 163A-817
Publishing anonymous derogatory material (Class 2 misdemeanor)	GS 163A-1388(a)(8)
Publishing false derogatory material (Class 2 misdemeanor)	GS 163A-1388(a)(9)
Relatives serving together as precinct judges prohibited	GS 163A-816(a)
Restriction on political activity of SBE and CBE members and any employees	GS 163A-795 through 163A-797
State employee political activity	
Appropriate political activity defined	GS 126-13
Coercion of state employee to support or contribute to a candidate: By a state employee/official (Class 2 misdemeanor)	GS 126-14
Coercion of state employee to support or contribute to a candidate: By any person (Class 2 misdemeanor)	GS 126-14.1
Judge: Political activity	NC Judicial Code of Conduct, Cannon 7
Threats or discharge by employer on account of voting (Class 2 misdemeanor)	GS 163A-1388(a)(7)

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Executive Director of SBE

Appointment and term of office	GS 163A-6*
Approves county requests for out-of-precinct voting places	GS 163A-1048
Approves county requests for temporary 2-precinct voting places	GS 163A-1049
Chief state election official (including for NVRA purposes)	GS 163A-861
Duties as to campaign reporting: (1) Notify as to errors and missed deadlines, (2) Provide opinions upon request	GS 163A-1441
Emergency powers	GS 163A-750*
Generally	GS 163A-6*
Suspending CBE director (or deciding on CBE's petition to terminate, with appeal rights to the SBE)	GS 163A-775

Expenditures: See [Campaign Reporting](#)

F.

Fax

Military-overseas absentee voting: Electronic delivery of ballot to voter (including fax)	GS 163-258.9(b) ; 8 NCAC 12.0101 through 12.0111
Voter registration application form and changes to voter's information: Fax (or e-mail) acceptable, but must be followed up by original hard copy form delivered to CBE office	GS 163A-865*(e)

Federal Election: See also [Campaign Reporting](#), under [Federal elections](#)

Equal opportunity for candidates (under the FCC)	47 USC 315(a) ; 47 CFR 73.1940 et seq. , 76.205 et seq.
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Federal Law

Americans with Disabilities Act	42 USC 12101 et seq.
Hatch Act (federal law limiting the political activities of government employees)	
State and local employee	5 USC 1501 through 1508
Federal employee	5 USC 7323
Help America Vote Act of 2002 (HAVA): See Help America Vote Act (HAVA) for more details	42 USC 15301 et seq. ; GS 163A-891
National Voter Registration Act of 1993 (NVRA): See Registration to Vote under Voter registration locations other than CBE office	42 USC 1973gg et seq. ; 11 CFR 9428
Uniformed and Overseas Citizens Absentee Voter Act (UOCAVA): See Absentee Voting , under Military-overseas absentee voting	42 USC 1973ff et seq.
Voting Accessibility for Elderly and Handicapped Act	42 USC 1973ee et seq.

Felon

Convicted felon with an active sentence disqualified as a voter and office-holder	N.C. Const. Art. VI, § 2(3), 8 ; 163A-841*(a)(2)
Felon unlawfully voting: Class I felony	GS 163A-1389(5)
List of convicted felons with no voting rights for an election	GS 163A-877(c)
Restoration of voting rights	
Automatic restoration upon completion of felony sentence	GS 13-1
Certification or order of restoration	GS 13-2
If the felon becomes eligible to vote after registration closes, the felon can register on Election Day	GS 163A-865*(f)
Information to be provided on rights at the time of discharge	GS 163A-885
Pardon restoring citizenship	GS 13-3 , 13-4 , 13-1(2)
Program to educate felons whose rights are restored	GS 163A-885

Filing for Office

Cancellation of candidacy if failing to meet requirements	GS 163A-977
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*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Certification of notice of candidacy	GS 163A-981
Checking name of candidate	GS 163A-1112(a)(3)*
County certification of registration and affiliation	GS 163A-977
County checks registration of county candidates	GS 163A-977
Disclosure of felony conviction	GS 163A-972
Eligibility to file	GS 163A-973
Filing fees	
Amounts	GS 163A-979(a)
Generally	GS 163A-979
Petition in lieu of paying filing fee to run for office	GS 163A-980
Refund	GS 163A-979(b)
Required of unaffiliated candidates	GS 163A-1005(e)
Filing for more than 1 elected office at a time prohibited (except as to presidential and vice presidential bids)	GS 163A-978
Municipal filing	
Extension allowed in nonpartisan race where none have filed	GS 163A-1622(a)
Filing for more than 1 municipal office at a time prohibited	GS 163A-1620(f)
Filing Reopens when death takes 1 of only 2 candidates	GS 163A-1622(b)
Nonpartisan municipal election	GS 163A-1620
Partisan municipal election	GS 163A-1615
Withdrawal of candidacy in nonpartisan municipal election	GS 163A-1620(d)
Nomination declared when unopposed in primary	GS 163A-983
Notice and filing of candidacy	GS 163A-972
Party affiliation required for at least 90 days to run in primary	GS 163A-973
Pledge to not run if candidate loses primary	GS 163A-972
Signage (littering) law	
CBE must notify filing candidates of signage (littering) law	GS 163A-772
SBE must notify filing candidates of signage (littering) law	GS 163A-743
Vacancy must be noted in running for certain offices	GS 163A-975
Withdrawal of candidacy (except for municipal offices)	GS 163A-976 , 163A-986

Fire District (Rural Fire Protection District)

Absentee ballots not allowed in fire districts election	GS 163A-1295(c)
Abolishing a fire district: By election, called upon petition of 15% of residents (petition checked by county tax office)	GS 69-25.10
Ballot	GS 69-25.3
Costs of election	GS 69-25.2
Election date set by county commissioners and CBE	GS 69-25.2
Election to form a district called upon petition of 35% of residents (petition checked by county tax office, not election office)	GS 69-25.1
Generally	GS Ch. 69, Art. 3A

Form

Campaign reporting forms: To be provided by SBE	GS 163A-1440(1)*, (9)
Voter registration form	
Contents	GS 163A-863
Developed by the SBE; purposes	GS 163A-862*(a)
Interstate (federal) forms	GS 163A-862*(b)

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

G.

Governor

Commission of election: Issued to congressmembers, justices, judges, and district attorneys by governor	GS 163A-1185
Election duties of governor summarized	GS 163A-1186(f)
Elections held every 4 years	N.C. Const. Art. III, §§ 2(1), 7
Governor to proclaim electors, notify U.S. archivist	GS 163A-1229
Qualifications of governor and lt. governor: 30 years old, 5 years as U.S. citizen, 2 years as N.C. resident prior to election	N.C. Const. Art. III, § 2
Terms: 4 years starting on January 1; limited to 2 consecutive terms of office	N.C. Const. Art. III, §§ 2(1), 7

H.

Help America Vote Act (HAVA)

Complaint procedure	GS 163A-935
Compliance	
Statewide computerized database compliance	GS 163A-874(c)
Voting system compliance	GS 163A-1115(a)(2)
Funding established	GS 147-69.2(a)(17d)
Statutory authority	42 USC 15301 et seq.; GS 163A-891

I.

Incorporation (Municipal)

Absentee ballots allowed in incorporation election	GS 163A-1630(a)
Absentee ballot procedure in incorporation election	GS 163A-1630(b)
Costs of incorporation election: Paid by new municipality if approved by voters, by county if disapproved by voters	GS 163A-1597
Procedure and petition for municipal incorporation	GS 120-163

Independent Expenditure: See [Campaign Reporting](#) under [Expenditure](#)

J.

Joint Legislative Elections Oversight Committee

Creation, membership, purpose, powers, organization	GS 120-70.140 through 120-70.143
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Judge: See also [Precinct Chief Judge of Election](#), [Precinct Judge of Election](#) under [Precinct Official](#)

Age limit for service as judge or justice: 72 years old	GS 7A-4.20
Certification of notice of candidacy	
Commission of election: Issued to new electees by governor	GS 163A-1185(2)
Court of appeals judge	
Term of office of 8 years, beginning in January after election	N.C. Const. Art. IV § 16
Vacancy (see also vacancy, generally in this section)	GS 163A-717
District court judge	
Chief judge named by chief justice of state Supreme Court	GS 7A-141
Districts	GS 7A-133
Term of office: 4 years, beginning in January after election	GS 7A-140
Vacancy: Filled by governor, from local bar nominations, for remainder of unexpired term (see also vacancy, generally in this section)	GS 7A-142, GS 163A-717
Filing	

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Political activity of judge or candidate for judge	NC Judicial Code of Conduct, Canon 7
Primary (judicial)	
Requirement for all elected judge and justice officeholders: Must be authorized to practice law in North Carolina courts	N.C. Const. Art. IV, § 22
Superior court judge	
Districts	GS 7A-41
Term of office: 8 years, beginning in January after election	N.C. Const. Art. IV, § 16
Vacancy (see also vacancy, generally in this section)	GS 163A-717(b) ,
Supreme court justice	
Retention elections	GS 7A-4.1, 4.2
Term of office: 8 years, beginning in January after election	N.C. Const. Art. IV, § 16
Vacancy, generally	GS 163A-717; N.C. Const. Art. IV, § 19

L.

Legal Expense Fund: See [Campaign Reporting](#), under [Legal Expense Fund](#)

Legislator (State)

Contesting of legislative seat	GS 120-10.1 through 120.10.14
Contribution limitations during legislative session	GS 163A-1426
Term of office: 2 years, beginning on January after election (elections held every even-numbered year)	N.C. Const. Art. II §§ 8, 9
Misconduct during election: Grounds for expulsion	GS 120-8
Representative (state)	
Number of representatives set at 120	N.C. Const. Art. II § 4
Qualifications: Residence in district for 1 year prior to election	N.C. Const. Art. II § 7
Representative district	N.C. Const. Art. II § 5
Senators (state)	
Number of senators set at 50	N.C. Const. Art. II § 2
Qualifications: 25 years old, citizen of state for 2 years, residence in district for 1 year prior to election	N.C. Const. Art. II § 6
Senate district	N.C. Const. Art. II § 3
Vacancy: Eligibility for appointment to fill vacancies	GS 163A-719(e)

List Maintenance (of Registered Voters)

CBE program to reflect changes in address	GS 163A-877(d)
CBE's duty upon receiving conviction report	GS 163A-877(c)(3)
Collaboration with other states	GS 163A-877(a)(2)
Deadline (for CBE): April 15 of odd-numbered years	GS 163A-877(a)
Removed voter (removed as part of list maintenance procedures) shall be reinstated if the voter confirms he has not moved out of county and has maintained residence continuously in the county	GS 163A-877(d)(3)
Report of convicted felons	GS 163A-877(c)
Report of deceased voters	GS 163A-877(b)
SBE has same authority as CBE to perform list maintenance	GS 163A-877(e)
SBE shall establish uniform program	GS 163A-877(a)
Use of the National Change of Address (NCOA) service provided by the U.S. Postal Service (see also Guidelines on Voter Registration published in the NC Register, April 15, 2009)	GS 163A-877(a)

Loans: See [Campaign Reporting](#), under [Loan](#)

Local Act

Relation between General Statutes and local acts pertaining to counties	GS 153A-3, GS 153A-2
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*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Relation between General Statutes and local acts pertaining to municipalities	GS 160A-3 , GS 160A-2
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M.

Meeting of Public Body

Acting by reference is restricted	GS 143-318.13(c)
Boards may not vote by secret or written ballots (with exceptions)	GS 143-318.13(b)
Broadcasting and recording meeting allowed	GS 143-318.14
Closed session allowed for limited purposes	GS 143-318.11
Disruption of official meeting is a misdemeanor (Class 2)	GS 143-318.17
Electronic meeting requires public access if requested	GS 143-318.13(a)
Emergency meeting	GS 143-318.12(b)(2) and (3), (f)
Generally	GS 143-318.9 through 143-318.18
Minutes must be kept	GS 143-318.10(e)
Notice requirements	GS 143-318.12
Notice of official non-regular meeting: Posted 48 hours prior	GS 143-318.12(b)(2)
“Official meeting” defined	GS 143-318.10(d)
Official meeting open to public	GS 143-318.10(a)
Public policy	GS 143-318.9

Media: See [Advertising & Media](#)

Military-Overseas Voter

Uniform and Overseas Voters Act, [GS Chapter 163 Art. 21A](#)

Applying for a ballot: Through federal postcard application (FPCA) or federal write-in absentee ballot (FWAB), or through N.C.’s regular absentee ballot request form	GS 163A-1341
Application shall be considered a request for all elections (involving candidates) of that calendar year	GS 163A-1342
General absentee law applies except as otherwise provided	GS 163A-1319
Ballots used shall be official ballots and available according to schedule (depending on type of election)	GS 163A-1343(a)
Covered voter: Includes certain uniformed-service voters and overseas voters (including certain voters born outside the U.S. whose parent or legal guardian were eligible to vote in N.C. before leaving the U.S.)	GS 163A-1336
Declaration of voter required, with voter’s signature	GS 163A-1347
E-mail address: CBE shall request an e-mail address from each covered voter. If the voter provides an e-mail address, it is considered a standing request for absentee ballots for all election events through Dec. 31 of the following year	GS 163A-1349
Early count of military overseas absentee ballots on Election Day (as early as 9:00 a.m.) only authorized by resolution	GS 163A-1315(2)
Election Day registration and voting: Allowed under certain circumstances	GS 163A-1367
Elections covered: All election events that allow absentee voting	GS 163A-1337
Electronic delivery of ballot to voter	GS 163A-1343(b)
Electronic transmittal/waiver form: Required, with signature, for ballots returned by fax or e-mail	GS 163A-1349(a)
Emergency powers of SBE to comply with UOCAVA	GS 163A-1365
Federal postcard application (FPCA) (or electronic equivalent): Can serve as application to register and/or as an application for a ballot	42 USC 1973ff(b)(2); GS 163A-1340(a) , 163A-1341(a), (b)
Federal write-in absentee ballot (FWAB): Accompanying declaration can serve as application to register and an application for a ballot	42 USC 1973ff-2; 163-258.11 , 163A-1340(b) , 163A-1341(d)
List of approved military-overseas ballots; distribution	GS 163A-1365
Military-overseas laws inapplicable to regular absentee voting	GS 163A-1319
Military-overseas absentee voting during One-Stop voting	GS 163A-1368
Non-essential requirements: Count ballot, even if not perfect, so long as all essential requirements are met	GS 163A-1351
Notice of covered election: No later than 100 days before election (or for second primary, day after order is made)	GS 163A-1350
Postmark cannot be considered in determining timeliness of military-overseas absentee ballot received after Election Day	GS 163A-1346(b)

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Registration: Through federal postcard application (FPCA) or federal write-in absentee ballot (FWAB), or through the standard voter registration application. Registration can be accepted until 5:00 p.m. on the day before the election.	GS 163A-1340
Registering on Election Day is allowed for a person who was absent at the time of the registration deadline due to military service	163A-1367
Registration remains valid for remainder of calendar year	GS 163A-1366
Residential voting address: Last place of residence in N.C.	GS 163A-1339
Returned and approved military-overseas ballots to be listed in quadruplicate prior to counting	GS 163A-1365(a)
Timeliness of application for registration and/or ballot: Timely if received by 5:00 p.m. the day before election	GS 163A-1342
Timeliness of ballot from voter: Timely if (1) received by the CBE before close of polls, or (2) transmitted no later than 12:01 a.m. on Election Day (in the voter's time zone) and received by the day preceding the canvass	GS 163A-1344 , 163A-1310(b) , 163A-1346(b)
Transmission of ballot to voter; schedule	GS 163A-1343(a)
"Uniformed-service voter" (includes spouse, dependents)	GS 163A-1336(7)
Uniformed and Overseas Citizens Absentee Voter Act (UOCAVA)	42 USC 1973ff et seq.

Move: See [Residence](#)

Municipal Campaign Reporting: See [Campaign Reporting](#)

Municipal Election

Absentee ballot must be available 30 days prior to election (if absentee voting is allowed)	GS 163A-1346(b)
Absentee voting allowed only by resolution of municipality	GS 163A-1630
Abstract due to SBE within nine days after election	GS 163A-1628
All voting data, including provisional and absentee must be reported by Voting Precinct	GS 163A-1079
Annexation	See Annexation
Ballot count governed by same rules	GS 163A-1631
Ballot order to be alphabetical unless rotation requested	GS 163A-1627(c)
Ballot to conform to general ballot rules, procedures, guidelines	GS 163A-1627
CBE administers municipal elections	GS 163A-1589
Canvass of votes completed by CBE	GS 163A-1627(g)
Certificate of election issued to chair of CBE	GS 163A-1629
Costs of administering municipal election: Municipality must reimburse CBE	GS 163A-1589
County registration record shall be official record	GS 163A-1593
Date of municipal primaries, elections and runoffs	GS 163A-1585(a)
Election results determination	
Election and runoff	GS 163A-1617
Nonpartisan primary and election	GS 163A-1618
Partisan primary and election	GS 163A-1615
Plurality nonpartisan	GS 163A-1616
Filing, notice of candidacy and filing fee	
Cannot file for more than one municipal office at a time	GS 163A-1620(f)
Extension of filing allowed in nonpartisan race if no one filed	GS 163A-1622(a)
Filing reopens where a death takes one of only 2 candidates	GS 163A-1622(b)
Nonpartisan municipal elections	GS 163A-1620
Partisan municipal elections	GS 163A-1615
Petition to run as unaffiliated candidate in partisan municipal race	GS 163A-1624 , GS 163A-1005(a)(4)
Four methods of election allowed	GS 163A-1599
"General election" as used in municipal elections defined	GS 163A-1626
General election law to apply, with certain exceptions	GS 163A-1591 , 163A-1623
Municipal partisan party primary	GS 163A-1587*
Nomination by petition in partisan municipal races	GS 163A-1624
Residency	GS 163A-1586 , 163A-842
Sole candidate must run on ballot so as to allow write-ins	GS 163A-1621
SBE has jurisdiction and authority over municipal elections	GS 163A-1631
Voter challenges in municipal election	GS 163A-1598
Voting place to be marked as any state or county election	GS 163A-1625

Municipality

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Charter	
Charter amendment affecting elections: Effective upon future elections after 90 days from passage	GS 160A-109
Charter amendment, once enacted, must be in effect for 2 years	GS 160A-107
Charter amendment by ordinance: Referendum may be required; referendum may be called by petition of 10% of registered voters (or 5,000, whichever is fewer)	GS 160A-102 , 160A-103
Charter amendment initiative petition: 10% of registered voters (or 5,000, whichever is fewer) to compel vote	GS 160A-104
Charter amendment by ordinance or petition: Form of ballot	GS 160A-105
“Charter” defined: Entire body of local acts currently in force applicable to a municipality	GS 160A-101
Relation between General Statutes and local acts pertaining to municipalities	GS 160A-3 , GS 160A-2
Map of corporate limits	
Generally; alterations; retained by municipal clerk	GS 160A-22
Reapportionment of districts	GS 160A-22 , 160A-23 , 160A-101(6)
Municipal forms of government, including elections and terms of governing body and mayor	GS 160A-101
Municipal property tax referendum	GS 160A-209(f)

Municipal Office Holder

Appointive office: Residency not required	GS 160A-60
Assumption of office by newly-elected mayor, council members: At organizational meeting to be held after results are finalized (canvassed), either at a specially-scheduled meeting or otherwise no later than the first regularly-scheduled meeting in December	GS 163A-1633 , 160A-68
Oath required	GS 160A-61
Officers hold over until successor qualifies	GS 160A-62
Police officers: Provisions relating to dual office-holding	GS 160A-284
Qualifications, including residency (if official ceases to be qualified for any reason including not having residence within municipality, vacancy in office becomes effectively immediately)	GS 160A-59
Vacancies: Filled by city council	GS 160A-63

N.

Name

Nickname of candidate allowed on ballot under certain conditions	GS 163A-1112(a)(3)*
Petition: Names signed by others void	GS 163A-1278
Titles that candidates are allowed to use on ballot	GS 163A-1112(a)(3)*

National Voter Registration Act of 1993 (NVRA): See [Registration to Vote](#), under [Voter registration locations other than CBE office](#)

New Election

Basis of order by SBE: Requires 4-member approval	GS 163A-1181(a)*
Candidates on ballot in new election	GS 163A-1181(e)*
Eligibility to vote in new election	GS 163A-1181(c)*
Jurisdiction of new election: To be the same as original election	GS 163A-1181(d)*
New election may be ordered only by SBE (not a court)	GS 163A-1181*
Recasting of votes: Allowed in limited circumstances	GS 163A-1180
Tie vote: Can be broken if ineligible votes can be identified	GS 163A-1181*

Nominee

Candidate declared nominee without primary	GS 163A-983
Excess of 30% of primary vote required to avoid second primary	GS 163A-984
May withdraw as nominee up to 30 days prior to election	GS 163A-986
Required campaign reporting statements must be filed prior to successful candidate is declared nominee, or certified as elected (but failure to grant certification shall not affect candidate’s title to an office); denial can be appealed	GS 163A-1443 , 163A-1444

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Special provisions for obtaining nominations in certain offices	GS 163A-988
Unaffiliated candidates: Nominated by petition	GS 163A-1005
Vacancies: Filled by appointees of the political party	GS 163A-987

Notice

Change in polling place or precinct boundary: Requires 45-day notice by newspaper advertisement, etc. and mailing to affected voters at least 30 days in advance	GS 163A-1045(a)
Election notice	
Election notice: Required to be posted at courthouse and published on a weekly basis for the 20-day period preceding the close of registration (which is 25 days before the election); exception for bond special elections	GS 163A-769(8)* ; 163A-1592
Election notice for bond referendum	GS 159-61
Military-overseas voter election notice containing expected ballot items: Required 100 days in advance of regularly-scheduled elections with federal offices; made available upon request and on CBE website	GS 163A-1350
Notice of absentee ballot meetings: If held at times other than on Tuesdays at 5:00 p.m. starting on the third Tuesday before Election Day, notice is required to be published no later than 30 days prior to election	163A-1308(f)
Notice of counting of absentee ballots on Election Day: Required to be published weekly during 2-week period prior to election	GS 163A-1315(2)
Notice of electioneering areas and buffer zones at voting sites: Posted 30 days prior to election (not required to be published)	GS 163A-1134(d)
Meeting notice	GS 143-318.12
Newspaper publication of legal notices	GS 1-597

O.

Oath

Election official oaths	
County board of elections member	GS 163A-766*
Precinct assistant	GS 163A-818
Precinct judge	GS 163A-815
Generally	GS Chapter 11 ; see GS 11-11
Officeholder must take oath before acting	N.C. Const. Art. VI § 7 ; GS 128-5
Specific types of offices and oaths	
County office	GS 153A-26
Municipal office	GS 160A-61
Who can administer oath of office	GS 11-7.1

Observers & Runners

Appointment; activity allowed (at any voting site, only two site-specific observers and one at-large observer can be within voting enclosure)	GS 163A-821 ; GS 18B-601(i) ; 8 NCAC 10B.0101(a)
At-large observers	GS 163A-821(a), (b)
Lists of voters who have voted to be given at 10am, 2pm, 4pm	8 NCAC 10B.0103(i)
Runner: Authorized to retrieve lists from voting enclosure; must be appointed by party chair on a list provided to CBE	GS 163A-821

Offices & Public Officer

Bargains for office void	GS 128-3
Continuation in office: Office-holders stay in position until successor is chosen, qualified (unless a statute directs otherwise)	N.C. Const. Art. VI § 10 ; GS 128-7
Disqualification of officeholder	
Generally, as set out in N.C. Constitution (first requirement has been judicially invalidated)	N.C. Const. Art. VI § 8
Generally, failure to qualify creates vacancy	GS 128-7.1

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Municipal officeholder's failure to qualify creates vacancy	GS 160A-59
Dual office-holding	
Disallowed except as allowed by statute	N.C. Const. Art. VI § 9 ; GS 128-1, 128-1.1
Concurrently holding one elective office with one appointive office allowed	GS 128-1.1(b)
Concurrently holding two appointive offices allowed	GS 128-1.1(a)
Ex officio service not considered holding office	GS 128-1.2
Police officers	GS 160A-284
Holder of office deemed to hold it lawfully	GS 128-6
Kickback for appointments or retentions (Class 1 misdemeanor)	GS 128-4
Oath: Officeholder must take before acting	N.C. Const. Art. VI § 7 ; GS 128-5
Officeholder must be 21 years old at time of election	N.C. Const. Art. VI § 6
Qualifications for certain types of officeholders	
District Attorney: Must be authorized to practice law in North Carolina courts	N.C. Const. Art. IV, § 18
Governor and Lt. Governor: 30 years old , 5 years as U.S. citizen and 2 years as N.C. resident immediately prior to election	N.C. Const. Art. III, § 2
Judge and justice officeholders: Must be authorized to practice law in North Carolina courts	N.C. Const. Art. IV, § 22
Municipal officeholder (residency requirement)	GS 160A-59
Qualifications for state representative: Residence in district for 1 year prior to election	N.C. Const. Art. II, § 7
Qualifications for state senator: 25 years old, citizen of state for 2 years, residence in district for 1 year prior to election	N.C. Const. Art. II, § 6
Sheriff: 21 years old, lived in county for 1 year prior to election, and cannot practice law or serve in General Assembly while holding Sheriff's office; cannot have been convicted of a felony	GS 162-2 ; N.C. Const. Art. VII, § 2
Terms: All offices	GS 163A-700

One-Stop Absentee Voting: See also [Absentee Voting](#)

Abstract of only One-Stop absentee votes allowed	GS 163A-1315(7)
Additional site(s) allowed with SBE approval	GS 163A-1303*
Alternative site to CBE office allowed with SBE approval	GS 163A-1303*
Assistance allowed: Same rules as on Election Day	GS 163A-1300* , 163A-1339
Buffer zone: Generally, same rules as Election Day	GS 163A-1134(e)
Challenges of voter allowed	GS 163A-1300*
Dates and times allowed	GS 163A-1300*
Held at CBE office (or site "in lieu of" CBE office) and other additional sites if properly approved by SBE	GS 163A-1300* through 163A-1304*
Private area to vote required (voting booth or private room)	GS 163A-1300*
In-person, same-day registration and voting at One-Stop site	GS 163A-866*
Procedure	GS 163A-1300* through 163A-1304*
Retrievable ballot voting system	GS 163A-1302
Site(s) must be in tax-supported building (but exception allows privately-owned site if public building is not available)	GS 163A-1303*
Voter with an unreported move	GS 163A-1142*
When ballots are counted: If electronic, when polls close; If paper ballots, with other absentee ballots	GS 163A-1315(6)

Out-of-Precinct Voting Place: See [Voting Place](#), under [Out-of-precinct voting place](#)

Overseas Citizen Absentee Voting: See [Absentee Voting](#), under [Military-overseas absentee voting](#)

P.

Petition: See the SBE website for [petition forms and requirements](#)

Filing fee: Petition in lieu of paying filing fee to run for office	GS 163A-980
New political party	GS 163A-950
Person may not sign name of another (Class 2 misdemeanor)	GS 163A-1278

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Petition calling for an election or referenda (may also be governed by local authority, such as a municipal charter)	GS 163A-1275 through 163A-1278
Petition calling for an election or referenda becomes void after 1 year	GS 163A-1276
Presidential primary nomination by petition	GS 163A-1254
Unaffiliated candidate: Nominated by petition	GS 163A-1005
Unaffiliated candidate in partisan municipal race	GS 163A-1624, GS 163A-1025(a)(4)
Write-in candidate: Petition required for partisan races	GS 163A-1006

Political Activity by Government Employee: See [Ethical Behavior](#)

Political Committee: See [Campaign Reporting](#), under [Political committee](#)

Political Party

Appointment of new party nominee by political party	GS 163A-787
Building (headquarters) funds of state and county political party	GS 163A-1438
Counting of votes: Political parties may be present	GS 163A-1169*(a)(2)
New political party	
Candidate: Determined by convention	GS 163A-953
General election participation	GS 163A-953
Petition	GS 163A-950
“Political party” defined	GS 163A-950(a)
“Political party” defined for purposes of campaign reporting	GS 163A-1411(76)
Primary of political party may be made open to unaffiliated voters by State Executive Committee (currently all political parties have taken this action)	GS 163A-989
Secretary of State shall certify presidential primary results to political party chairs	GS 163A-1257
Termination of status as political party	GS 163A-951
Use of public building by political party	GS 163A-954
Voter affiliated with expired political party	GS 163A-952
Voter can vote in only one party’s primary	GS 163A-1137*(b)

Political Parties Financing Fund: See [Campaign Reporting](#), under [Political Parties Financing Fund](#)

Pollbook

Electronic pollbook or registration records	
Allowed at polling place	GS 163A-1137*(c)(8)
Electronic pollbook must be certified by SBE	GS 163A-1115(c)
Keeping of pollbook at voting place	8 NCAC 10B.0103(h)

Polling Place: Refers to a voting place used on Election Day, see [Voting Place](#)

Pollworker: See [Precinct Official](#)

Precinct

Alternations to precinct boundaries: Subject to approval of SBE Executive Director	GS 163A-1071
Created and modified by CBE	GS 163A-1045(a)
Map to be prepared by CBE	GS 163A-1045(b)
Out-of-precinct voting place	GS 163A-1048
Temporary transfer of voter between precincts	GS 163A-1045(a)
Uniform standards for precinct boundaries	GS 163A-1071
Voter data by Voting Precinct to be maintained by CBE	GS 163A-1079

Precinct Official

Arrival on Election Day: No later than 6:00 a.m.	8 NCAC 10B.0102(a)
Checking registration at voting enclosure	GS 163A-1137*(a)*
Compensation	GS 163A-832
Ballot counter: Appointment, qualifications, tasks and duties	GS 163-43; 8 NCAC 10B.0101(f), (g)
Certification	GS 163A-889(b)
Charges against precinct officials by voter; hearing by the County Board of Elections required	8 NCAC 3.0201, 3.0202
Distributing ballots to voters	GS 163A-1137*(b)

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Duties and tasks of all precinct officials	8 NCAC 10B.0101 ; GS 163A-1136 , 163A-1186(b)
Election assistant	
Tasks and duties	8 NCAC 10B.0101(d) , (g)
Emergency election-day assistant	GS 163A-818(c) ; 8 NCAC 10B.0101(e) , (g)
May serve less than a full day (if CBE allows)	GS 163A-818
Generally, must be a qualified voter of that precinct (or if that is not possible, of that county)	GS 163A-818(a) , (b)
Appointment: Should be an equal number from each political party where possible	GS 163A-818
Student election assistant	GS 163A-819
Family members cannot serve as officials in the same precinct; family members of candidates cannot serve as precinct officials	GS 163A-816
Precinct chief judge of election (see also entries for precinct judges below)	
Appointments and terms of office	GS 163A-815(a)
Responsible for precinct's officials and for counting of votes	GS 163A-1170
Responsible for voting systems on Election Day	8 NCAC 4.0306(b)
Tasks and duties	8 NCAC 10B.0101(b) , (g)
Precinct judge of election	
Appointments and terms of office	GS 163A-815(a)
Cannot act as a precinct judge after being removed	GS 163A-1388(a)(3)
Failure to perform duty a crime (Class 2 misdemeanor)	GS 163A-1388(a)(1)
May provide only technical voting information to voter	8 NCAC 10B.0103(g)
Must act fairly and impartially	GS 163A-823(a) , GS 163A-815(a)
Must remain at polling site until all duties are completed	GS 163A-823(a)
Powers, tasks and duties	GS 163A-823 , 163A-824 ; 8 NCAC 10B.0101(c) , (g)
Residency: Generally, must be resident of the precinct (if the party's recommendations are insufficient to fill the spots, the board may fill the spots with residents of other precincts, but cannot fill all 3 judge spots with residents of other precincts)	GS 163A-815(a)
Term of office: 2 years	GS 163A-815(a)
When matters are not assigned specifically to the chief judge or to a judge, the three judges must act by majority vote	GS 163A-823(f)
Precinct officials protected from being punished by employer for missing work because of election duties (if notice was given)	GS 163A-817
Preliminary report of vote produced by precinct officials	GS 163A-1169*(a)(5)
Removal of precinct official by CBE	GS 163A-769(a)(2)*
Training: A pre-election instructional meeting required for precinct judges, and a pre-election voting system instructional meeting is required for all precinct officials	8 NCAC 10B.0101(b)(1) , (c)(1) , 4.0305

Precinct Transfer (Unreported move to another precinct within the county)

Attestation of moving within 30 days	GS 163A-878(a)
Precinct transfer assistant	GS 163A-878(g)
Procedure	GS 163A-878(e)

President

Presidential elector	
Alternates to serve as needed	GS 163A-1229
Compensation of electors	GS 163A-1230
Can be held as office to addition to other appointed office	GS 163A-1228
Cannot be held as an additional elected office	GS 163A-1227
Electoral college: Date held, location	GS 163A-1229
Failure to vote for candidate that named elector: \$500 fine	GS 163A-1231
Governor to proclaim electors and notify U.S. Archivist	GS 163A-1229
Names not to appear on ballot; to be filed with Secretary of State by noon on the last Friday in August	GS 163A-1236
Nomination: At party convention (or alternatively, as party rules allow, or if for unaffiliated candidate, by candidate), of one from	GS 163A-700(c)

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

each congressional district plus two at large; first and second alternates can also be nominated	
Procedure to appoint electors when election results unclear	GS 163A-1232
Secretary of State to notify Governor of electors	GS 163A-1229
Vote for presidential candidate shall be considered vote for that candidate's elector	GS 163A-1226(a)
Presidential preference primary	
Affiliated voters must vote in their own party's primary	GS 163A-1256
Conduct to be in same matter as other elections	GS 163A-1252
Date held	GS 163A-1251
Delegates awarded according to party rules	GS 163A-1257
Nominations to be made by SBE based upon names provided by state political parties	GS 163A-1253
Nomination of candidate for primary by petition	GS 163A-1254
"No preference" vote allowed	GS 163A-1256
Notification by SBE of candidates to appear on ballot	GS 163A-1255
State political party chairs submit list of candidates to be placed on ballot; SBE may also nominate	GS 163A-1253
Registering to vote in presidential primary	GS 163A-1257
Secretary of State shall certify results to political party chair	GS 163A-1257
SBE to make rules	GS 163A-1252

Primary

Cost of primaries to be provided by state and county	GS 163A-971
Date of statewide primary, generally	GS 163A-700(b)
Governed by general election law, including criminal election laws	GS 163A-970
Modification of time schedule by SBE	GS 163A-970
Participation as a voter	GS 163A-843*
Presidential preference primary	
Affiliated voters must vote in their own party's primary	GS 163A-1256
Conduct to be in same matter as other elections	GS 163A-1252
Date held	GS 163A-1251
Delegates awarded according to party rules	GS 163A-1257
Nominations to be made by SBE based upon names provided by state political parties	GS 163A-1253
Nomination of candidate for primary by petition	GS 163A-1254
"No preference" vote allowed	GS 163A-1256
Notification by SBE of candidates to appear on ballot	GS 163A-1255
State political party chairs submit list of candidates to be placed on ballot; SBE may also nominate	GS 163A-1253
Registering to vote in presidential primary	GS 163A-1251
Secretary of State shall certify results to political party chair	GS 163A-1257
SBE to make rules	GS 163A-1252
Results determined by plurality	GS 163A-984(a)
Right to participate, generally	GS 163A-843*
Primary candidate prohibited from running as unaffiliated (so-called "sore loser" prohibition).	GS 163A-1005(a) ; also oath on GS 163A-972(a)
Second primary (applies to partisan contests only)	
Considered a continuation of the first primary	GS 163A-984(e)
Date: If federal offices involved, 10 weeks after first primary, otherwise, 7 weeks after first primary	GS 163A-984(e)
Procedure and time deadlines for calling	GS 163A-984(c)
Registration: Restricted between first and second primary	GS 163A-984(e)
Tie vote in second primary (no third primary)	GS 163A-984(f)
To avoid, primary winner must receive 30% of vote	GS 163A-984(a)(1)
Who may call for second primary	GS 163A-984(b)
Ties and recounts	GS 163A-984(d)
Unaffiliated voter voting in primary	GS 163A-989
Vote in only one parties' primary each primary election	GS 163A-1137*(b)
Voter not yet 18 at time of primary may vote in primary if he/she will be 18 at the time of the General Election (includes those who register and vote at One-Stop voting)	GS 163A-843* , 163A-1588* , 163A-866*

Protest: See [Election Protest](#)

Provisional Voting

All voting data, including provisional and absentee must be reported by Voting Precinct	GS 163A-1079
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*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Counting of provisional ballot	GS 163A-1169*(a)(4)
Dispute (by registrant) over residence within a precinct	GS 163A-878(f)
Eligibility to receive a provisional ballot	8 NCAC 10B.0103(d)
Eligibility for a provisional ballot to be counted	GS 163A-1169*(a)(4) , GS 163A-841* , GS 163A-878(e)
If person is required to present identification and does not, that person may vote provisionally	GS 163A-1144*(e)
Informing the person of his or her right to a provisional ballot	8 NCAC 10B.0103(d)
Notation on provisional ballot marking it as such	GS 163A-1143
Only the envelope is to be marked to identify the voter (not the provisional ballot itself)	GS 163A-1095(6)
Procedural requirements for provisional voting	GS 163A-1142*
“Provisional official ballot” defined	GS 163A-1095(6)
Unreported move voter may vote provisionally (including at One-Stop voting)	GS 163A-878(e) , 163A-1142*
Voter who wishes to vote after polls close: May cast vote with a special provisional ballot	GS 163A-1130

Public Record: See [Confidentiality and Public Records](#)

R.

Records retention: See [Elections Record Retention Schedule \(2012\)](#), [Amendment \(2013\)](#), [Amendment \(2014\)](#)

Absentee ballot lists: 22 months	GS 163A-1311
Absentee ballots and container-return envelopes: 4 months (or longer if a pending contest exists concerning the validity of the ballots)	GS 163A-1315(10)
Destruction methods	07 NCAC 04M.0510

Recount

Discretionary recount	GS 163A-1174(a)
General guidelines	8 NCAC 9.0106
Mandatory recount for county races	GS 163A-1174(b)
Mandatory recount for statewide races	GS 163A-1174(c)
Manual hand-to-eye recount	8 NCAC 9.0109
Recount of DRE (direct record electronic) results	8 NCAC 9.0108
Recount of optical scan, marksense and punchcard ballots	8 NCAC 9.0107
Rules for recounts: To be set by SBE	GS 163A-1174(d)
Sample recount prior to full recount	GS 163A-1175
Second recount: Candidate’s limited right to demand	GS 163A-1175
Tie vote in a primary: Recount required in certain circumstances	GS 163A-984(d)

Redistricting

Board of education (local): Redistricting of electoral district	GS 115C-37(i)
Congressional district	
Districts described	GS 163A-1205
Election if reapportionment has not been concluded	GS 163A-1207
Legal severability of act setting out congressional districts	GS 163A-1206
Use of census data	GS 163A-1065
County commissioner district	GS 153A-22
Whole county requirement for legislative districts (but, counties may need to be divided in order to comply with federal law)	N.C. Const. Art. II §§ 3(3), 5(3)
Municipal council redistricting; special rules after census	GS 160A-23, 23.1

Referendum: See also [Bond Referendum](#); and [Campaign Reporting](#)

Annexation, municipal (involuntary)	GS 160A-58.64
Ballot order of types of referenda	GS 163A-1114(h)
Defined	GS 163A-1095(7)
Property tax approval referendum	GS 153A-307

Registration to Vote

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Administrative change of registration upon change of political boundary of county	GS 163A-879
Cancellation of registration	GS 163A-870
Change of address (within the county) or name: May be updated at the polling place on Election Day	GS 163A-878(d), (e); 8 NCAC 10B.0103(f)
Checking registration at polling place	GS 163A-1137*(a)*
Civil right of registering and voting is retained by residents in group homes unless an unrevoked adjudication of incompetency specifically precludes exercising that right	GS 122C-58
CBE must determine qualification of applicant	GS 163A-867(a)
CBE's duty to register	GS 163A-860*(b)
Change of address/name information updated at poll	8 NCAC 10B.0103(f)
Change of voter's address	
Change of address within county	GS 163A-878
Change of address within county: Verification by mail	GS 163A-878(b)
Forging/falsely attesting: Class 2 misdemeanor	GS 163A-1388(a)(14)
Removal of voter upon confirmation of change of address	GS 163A-1183(d)
Unreported move (within the same county)	See Residence, Unreported move by voter
Change of voter's name	
Change of voter's name, generally	GS 163A-880
Unreported change of name (can be done at polling place)	GS 163A-880(d)
Verification by mail	GS 163A-880(b)
Change of voter's party affiliation	
Change of voter's party affiliation, generally	GS 163A-881
CBE can correct at any time after sworn statement from voter	GS 163A-881(e)
Deadline prior to primary (same as registration deadline)	GS 163A-881(d)
Verification by mail	GS 163A-881(b)
Compensation for assisting persons in registering to vote cannot be based upon the number of forms submitted	GS 163A-1388(a)(15)
Death of voter	
CBE to have forms to removed deceased voters from lists, available to near relatives, personal representatives of the voter's estate, and funeral service licensees	GS 163A-769(14)*, 90-210.25C
Removal of deceased voters from voter list	GS 163A-1183(b)
Electronic voter registration records allowed to be used at poll	GS 163A-1137*(c)(8)
E-mail or fax: May be transmitted by 25 th day before election (if changing party affiliation by fax or e-mail, voter must also mail original 20 days before Election Day)	GS 163A-865*(e)
Identification required of voters registering by mail	GS 163A-1144*
List maintenance; collaboration with other states	GS 163A-877
Official record: State computerized voter registration	GS 163A-874
Qualifications to register: 30 days residence, cannot be convicted of a felony unless citizenship rights have been restored	N.C. Const. Art. VI, § 2
Qualifications to vote (and therefore, register to vote)	GS 163A-841*
Preregistration (16 years old or older, to automatically register when 18 years old)	
CBE to electronically forward applications to SBE	GS 163A-865*(h)
Generally	GS 163A-860*
Preregistration on voter registration application form	GS 163A-863(e)(2)b, 163A-862*(a)
Registering on Election Day: Only allowed if applicant has become eligible to vote within past 25 days, for reasons other than age, or if a military voter was absent at the time of the registration deadline	GS 163A-865*(f), 163A-1367
Registration deadline: 25 days before Primary or Election Day	GS 163A-865*(e)
Registration is permanent, subject to certain conditions	GS 163A-860*(c)
Registration is a prerequisite to voting	GS 163A-840; N.C. Const. Art. VI, § 3
Registration number: To be unique, permanent	GS 163A-872
Restoration of citizenship after completion of felony sentence: Person to receive written notice	GS 163A-885
Registration offered libraries, public agencies, senior centers, county facilities, parks and recreation service facilities	GS 163A-887
Second primary: No new registrations after the first primary	GS 163A-984(e)
Social Security number (last 4) verification through the Department of Motor Vehicles	42 USC 405(r)(8)
Verification of voter's address	
Address verification by mail	GS 163A-867(c)
Failure of verification if mail is returned as undeliverable twice	GS 163A-867(e), (f)
Incomplete verification on Election Day	GS 163A-867(g)
Voter registration application form	
Acceptance of registration application forms	GS 163A-865*(a)

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Approval of registration application	GS 163A-867(d)
Contents of form	GS 163A-863
Changing information on another's form: Class 2 misdemeanor	GS 163A-865*
Correcting incomplete form: Notice, opportunity to be given	GS 163A-863(f)
Deadline in order to vote in Election or Primary: 25 days prior (with limited exceptions)	GS 163A-865*(d) , 163A-884*(h)
Denial by CBE; right to appeal	GS 163A-867(b) , 163A-882
Developed by SBE	GS 163A-862*(a)
Distribution by SBE to governmental and private entities	GS 163A-864
E-mailed (scanned) or faxed forms: Acceptable, but original must be received by 20 days prior to Election Day	GS 163A-865*(e)
Electronic availability of form	GS 163A-871(b)
Electronically-captured signatures on voter registration forms cannot be accepted ("wet ink" requirement; exception for military-overseas voters)	GS 163A-865*(c)
Forms must be retained as official records per records retention policy; may be retained electronically	GS 163A-871(a), (b)
Generally	GS 163A-862*
Incomplete applications: Incompleteness can be corrected by day before county canvass (see also Guidelines on Voter Registration published in the NC Register, April 15, 2009)	GS 163A-863(f)
Ineligible application (because unqualified) is prohibited	GS 163A-884*(i)
Voter registration card	GS 163A-869
Voter registration drive; delegating the submission of one's completed voter registration form to another person	GS 163A-865*(a)
Voter registration locations other than CBE office	
DMV drivers license offices as registration locations	GS 163A-883*
Home registration (by agencies) for persons with disabilities; obligation to submit forms to CBE within five business days	GS 163A-884*(d)
Military recruitment offices	GS 163A-886
National Voter Registration Act of 1993 (NVRA): Also known as the "motor voter" act	42 USC 1973gg et seq. ; 11 CFR 9428
Public agencies	GS 163A-884* , 163A-887
Public colleges and universities	20 USC 1094(a)(23)(A)
Public high schools	GS 163A-888*
Public libraries, public agencies, senior centers, county facilities, parks and recreation service facilities	GS 163A-887
Voter registration record: See also SEIMS	
Access to records; free lists to be provided at certain times	GS 163A-871(c), (d)
Altering records improperly: Class 2 misdemeanor	GS 163A-1388(a)(2)
Confidentiality of certain registration information, including date of birth and information protected by court order	GS 132-1.2(4) , 163A-873 , 163A-871(a)
Must not leave voting enclosure on Election Day	8 NCAC 10B.0103(i)

Representative (State): See [Legislators \(State\)](#)

Residence

College students' residence for voting: Can be school address if student has no intention to return home after graduating	GS 163A-842(12)
Defined for registration and voting	GS 163A-842
Habitation in multiple districts; determination of one "residence"	GS 163A-842(1)a, b
Homeless persons' residence for voting purposes	GS 163A-842(1)c
Officeholder residency requirements (generally, candidate must simply be a registered voter in jurisdiction)	
Governor and Lt. Governor: 5 years as U.S. citizen and 2 years as N.C. resident immediately prior to election	N.C. Const. Art. III, § 2
Sheriff: Residence in county for 1 year prior to election	GS 162-2
State representative: Residence in district for 1 year prior to election	N.C. Const. Art. II, § 7
State senator: Citizen of state for 2 years, residence in district for 1 year prior to election	N.C. Const. Art. II, § 6
Residency requirement of voters: 30 days in electoral district	N.C. Const. Art. VI, § 2(1)
Unreported move by voter (within the same county)	
Central location in the county is available for an unreported move voter to be able to vote on Election Day	GS 163A-878(e)
Unreported move to another precinct in same county	GS 163A-878(e)

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Unreported move voter may vote provisionally (only contests that the voter is eligible to vote for may be counted)	GS 163A-878(e), 163A-1142*
Unreported move within same precinct	GS 163A-878(d)

Robocall (automated phone call)

Generally allowable for political purposes if source is disclosed	GS 75-104
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Rules (Administrative Code of the State Board of Elections)

Administrative Code of the State Board of Elections	Title 8 NCAC
Petition for rule-making	08 NCAC 15.0101 ; GS 150B-20
Rule-making authority	
General rule-making authority of SBE	GS 163A-741(a)*
Temporary rule-making authority of SBE	GS 150B-21.1(a)(11), 163A-742

Runner: See [Observers & Runners](#)

S.

Sales & Use Tax Election

Called by county commissioners or a petition of 15% of voters	GS 105-465
Supplemental tax election	
To use same electoral procedure as original tax election	GS 105-483
Ballot provisions	GS 105-484
Authorization to conduct referendum on additional ¼ cent county sales and use tax	GS 105-535 through 538

Sanitary District: See also [Special District Election](#)

Bonds may be issued; referendum may be required	GS 159-49(2)
Dissolution of district in large county: Requires referendum	GS 130A-82
Mandatory administration of special district elections by CBE	GS 163A-1589
Map of district must be provided to CBE office	GS 130A-50(a)
Merger of district and City Requires Election	GS 130A-80, 80.1, 80.2
Merger of district and water district	GS 130A-80.3
Merger of 2 or more contiguous districts: Requires election	GS 130A-83
Reimbursement to county for cost of “special district” election	GS 163A-1589
Returns of election; where CBE must file returns	GS 130A-68
Sanitary district board: Election and terms of office	GS 130A-50
Time of election	GS 163A-1585(b), 130A-50(b1), (b2)
Vacancy: Filled by county commissioners until next election for sanitary district board members	GS 130A-54

School Board & School Board Election

Consult local acts, court orders and merger plans that alter the partisanship, board makeup, election dates, and election procedures of boards of education. SBE has compiled all such local acts, court orders and school mergers into an [updated summary](#).

Biennially held (even-numbered years)	GS 115C-37(a)
CBEs to run school board elections	GS 163A-1590, 115C-37(b)
Death or disqualification of candidate	GS 115C-37(h)
Elected on nonpartisan basis	GS 115C-37(a)
Eligibility for board membership (board members cannot be current school board employees)	GS 115C-37(g)
Members: Board shall consist of 5 members per unit	GS 115C-35(a)
Members to take office in December following election	GS 115C-37(d)
Redistricting electoral districts	GS 115C-37(i)
Residency of members: Must reside in school administrative unit	GS 115C-35(b)
School bonds, school district changes and school tax election	
Called by county commissioners upon request of school board or upon petition of 25% of qualified voters	GS 115C-503

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Election to levy special tax; allowable purposes	GS 115C-501
Petition for election: Requirements; must be considered by board of education	GS 115C-504 , 115C-505
Rules and procedure	GS 115C-507
Six months must pass between school board elections	GS 115C-502(b)
Term of office	GS 115C-35(a)
Vacancy	
Vacancy in office (general rule, see entry below); vacancy in nomination	GS 115C-37
Vacancy if office if elected on a partisan basis, as allowed in certain counties	GS 115C-37.1

Second Primary

Absentee ballot for a Primary: Voter can opt to automatically request an absentee ballot for the Second Primary	GS 163A-1299
Considered a continuation of the first primary	GS 163A-984(e)
Date	
If second primary includes federal offices: 10 weeks after first primary	GS 163A-984(e)
If second primary includes no federal offices: 7 weeks after first primary	GS 163A-984(e)
Excess of 30% of vote by primary winner needed to avoid	GS 163A-984(a)(1)
Procedure and deadlines for requesting a second primary	GS 163A-984(c)
Tie vote in second primary: No third primary allowed	GS 163A-984(f)
Voter registration is closed between first and second primary	GS 163A-984(e)
Who may request a second primary	GS 163A-984(b)

Secretary of State

Shall retain, compile and make available to the public all abstracts (certified copies) and returns provided by SBE	GS 163A-1186(e) , 163A-878(c) , 163A-865*(d)
Certifies presidential primary result to political party chair	GS 163A-1257
Constitutional Amendments Publication Commission: Chaired by Secretary of State, prepares official explanation of amendment	GS Ch. 147 Art. 4A
Notifies Governor of electors for presidential election	GS 163A-1229
Sends Governor certification of election of congressional members, justices, judges and district attorneys	GS 163A-1185

Senator (State): See [Legislator \(State\)](#)

Senator (U.S.): See [Congress \(U.S.\)](#)

SEIMS: See also SIEMS topics in the [Election Resource Center](#) on the SBE website.

Access to electronic files	GS 163A-876
Coordination with DMV data; list for jury commission	GS 163A-883*(c) , 163A-874(e)
Guidelines to be established by SBE	GS 163A-875
Statewide computerized voter registration; serves as official list	GS 163A-874

Sheriff

Eligibility: 21 years old, lived in county for 1 year prior to election, and cannot practice law or serve in General Assembly while holding Sheriff's office; cannot have been convicted of a felony	GS 162-2; N.C. Const. Art. VII, § 2
Term: 4 years	GS 162-1
Vacancy (applicable statute depends on county)	GS 162-5 , 162-5.1

Signs: See [Advertising & Media: Signs](#)

Signature

On voter registration forms, may be viewed by the public but cannot be copied	GS 163A-871
Facsimile of signature may be registered with clerk of superior court for a person with a disability	GS 22A-1
Where required, "shall be in a proper handwriting, or in a proper mark"	GS 12-3(10)

Soil & Water Conservation District (Board of Supervisors)

Created by referendum; costs of referendum paid by DENR	GS 139-5(c), (d)
Election of board of supervisors: Same time as county offices	GS 139-6
Filing period for board supervisor, filing fee (\$5)	GS 139-6
Soil and Water Conservation Commission: 7-member state-level commission, appointed by the Governor	GS 106-840 to 106-844
Term of office of board supervisor: 4 years	GS 139-6
Vacancy: Filled by the Soil and Water Conservation Commission for remainder of unexpired term	GS 139-7

Special District Election

Absentee ballots must be available 30 days prior to election	GS 163A-1630(b)
Cost of election of formation of district: Paid by district if approved by voters, by county if disapproved by voters	GS 163A-1597
CBE to be reimbursed for special district elections	GS 163A-1589
CBE to conduct special district election	GS 163A-1590
General election law to apply, with certain exceptions	GS 163A-1623
Incorporated or annexed voters: Activation, notification	GS 163A-1594
Referendum prior to involuntary annexation: Can only be held at the same time as municipal general election	GS 160A 58.55, 160A-58.64
Special district ballot counts governed by same rules	GS 163A-1631

Special Election

Calling special election (generally, required to be held at same time as regularly-scheduled election)	GS 163A-701, 163A-1592
Congressional special election	2 USC 8; GS 163A-721
CBE registration record shall be official record	GS 163A-1593
Date: Not within 30 days of another election	GS 163A-1592
Four methods of election allowed	GS 163A-1599
Municipal special election: May be held at the same time as regularly-scheduled municipal general election	GS 163A-1592(a)(4)
Notice: Publication at least 45 days prior (except bond elections)	GS 163A-1592

State Board of Elections & Ethics Enforcement (SBE): See also [Executive Director of SBE](#)

Appointment, eligibility terms of board members	GS 163A-2
Campaign reporting	
Administration and policy to be set by SBE	GS 163A-1439
Duties of SBE as to campaign reporting	GS 163A-1440*
Canvass by SBE: Date and time	GS 163A-1172(c)
Compensation of board members	GS 163A-2*
Declaratory rulings	8 NCAC 15.0102; GS 150B-4
Investigations	
Of campaign reporting violation: To be conducted by SBE and reported to proper district attorney	GS 163A-1440(7), (8)*
Of election crime: By SBE and district attorneys	GS 163A-1392; 8 NCAC 3.0301
Litigation	
Attorney General to represent	GS 163A-745
Judicial review of SBE decisions	GS 150B-43 et. seq., 163A-741(I)*
Settlement of litigation, with Attorney General's consent	GS 163A-742
SBE to assist CBE in litigation	GS 163A-745
Meetings	
In general; calling of meeting; quorum; minutes	GS 163A-740*
Maintaining order	GS 163A-744
Open meetings law	GS 143-318.9 through 318.18
Municipal elections: SBE has jurisdiction and authority	GS 163A-1631
Powers and duties	
Chair's powers in execution of board duties	GS 163A-4*
Duties summarized	GS 163A-1186(d)
In general	GS 163A-741*
Temporary rules and regulations	GS 163A-742
Restriction on political activity by members and employees: Violations may be ground for removal	GS 163A-795, 163A-796, 163A-797

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

State Government Ethics Act: Applies to Board	GS 163A-159
Status as an independent agency	GS 163A-6*

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

T.

Tied Election

Correction of results involving ineligible voters creating a tie vote	GS 163A-1181(f)*
Tie vote in an election other than a primary	GS 163A-1176
Tie vote in the following types of municipal election: CBE determines winner by lot	
Election and runoff	GS 163A-1617(f)
Nonpartisan primary and election	GS 163A-1618(c)
Plurality nonpartisan	GS 163A-1616(3)
Tie vote in primary	GS 163A-984(d)
Tie vote in second primary: No third primary allowed	GS 163A-984(f)

U.

Unaffiliated Candidate: See [Candidate](#), under [Unaffiliated candidate](#)

Unaffiliated Voter: See [Voter](#), under [Unaffiliated voter](#)

Uniformed & Overseas Citizens Absentee Voter Act (UOCAVA):

See [Absentee Voting](#), under [Military and overseas absentee voting](#)

Unreported Move by Voter: See [Residence](#), under [Unreported move by voter](#)

V.

Vacancy

Clerk of court	GS 7A-100
Coroner	GS 152-1
County commissioner	
In certain counties	GS 153A-27.1
In most counties (those not covered by GS 153A-27.1)	GS 153A-27
Filling vacancy by election (only in certain cases)	GS 163A-988(d)
District attorney	GS 163A-718
District court judge	GS 7A-142
Executive office, including governor	GS 163A-716
Judicial office, generally	GS 163A-717 ; N.C. Const. Art. IV, § 19
Municipal or special district officeholder: Generally, filled by governing body	GS 163A-1619(d) , 160A-63 , 163A-1592(e)
Qualification to be appointed to fill vacancy in an elected office: If an election were to be held on the day of appointment, the appointee would have to be qualified as voter to vote in the applicable district	GS 128-7.2
Party nominee candidate vacancies (other than U.S. House): Nominees selected by party executive committees	GS 163A-987 , 163A-988(c)
Register of deeds	GS 161-5
Sanitary district: Vacancy filled by county commissioners until next election for sanitary district board members	GS 130A-54
School board	
Vacancy in office (general rule, see entry below); vacancy in nomination	GS 115C-37
Vacancy if office if elected on a partisan basis, as allowed in certain counties	GS 115C-37.1
Sheriff	GS 162-5 , 162-5.1
Soil and Water Conservation District: Filled by the Soil and Water Conservation Commission for remainder of unexpired term	GS 139-7
State legislator	GS 163A-719
U.S. House	2 USC 8 ; GS 163A-721 , 163A-988(b)
U.S. Senate	GS 163A-720 , 163A-988(e)
Unsuccessful candidate seeking one party's nomination cannot fill vacancy of another party for the same office	GS 163A-987
Vacancies in party primaries	GS 163A-985 through 163A-988

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Voter

Registration is a prerequisite to voting	GS 163A-840 ; N.C. Const. Art. VI, § 3
Unaffiliated voter	
Registering as an unaffiliated voter	GS 163A-863(d)
Voting in a party primary: Allowed if party permits	GS 163A-989 ; 8 NCAC 10B.0103(c)
Voter education and information	
Posting information at polling place	GS 163A-1138
North Carolina Public Campaign Fund: Judicial voter guide; applies to races for N.C. Supreme Court or Court of Appeals (only in existence until current funds have been exhausted pursuant to Session Law 2013-381 , Part 38)	GS 163A-1520

Voting

Cell phone (and other electronic device) use is restricted in the voting area	8 NCAC 10B.0107(f)
Curbside voting	GS 163A-1140* ; 8 NCAC 10B.0108, 8.0103
Incompetency: Civil right of registering and voting is retained by all qualified persons unless an unrevoked adjudication of incompetency specifically precludes exercising that right	GS 122C-58
Interfering with or intimidating voter: Class 2 misdemeanor	GS 163A-1387, 163A-1385
Photographing voted ballot prohibited	GS 163A-1133(c)
Procedures; voter to clearly state name and residence	GS 163A-1137** ; 8 NCAC 10B.0103, 10B.0104
Rules of voting: To be set by SBE	GS 163A-1137*(c)
Signing pollbook or voter authorization document	GS 163A-1137*(c)(10)
Spoiled ballot: Must be returned to official, marked as spoiled	GS 163A-1137*(c)(4)
Straight-party voting not allowed	GS 163A-1114(f)
Voter responsible for ensuring vote was properly cast	8 NCAC 10B.0104(c)
Voter's failure to complete casting of vote; procedure	8 NCAC 10B.0104(f)
Voting booth	
Defined	GS 163A-1095(8)
Minor children may accompany voter	GS 163A-1133(a)(7)
Only one voter at a time (exceptions for spouses or those authorized to provide assistance)	8 NCAC 10B.0104(d)
Voter to go to voting booth after given ballot	8 NCAC 10B.0104(a)
Voting when identification numbers do not match	GS 163A-1144*(d)

Voting Enclosure: See [Voting Place](#), under [Voting enclosure](#)

Voting Place: Also referred to as voting site; includes both **polling places** (open on Election Day) and **One-Stop voting sites** (open for One-Stop voting)

Access to voting enclosure on Election Day	GS 163A-1133
Boundaries of voting place to be clearly marked off	GS 163A-1046
Buffer zone (See Electioneering on Election Day)	GS 163A-1134
Closing procedure	GS 163A-1141 ; 8 NCAC 10B.0105
CBE's duties	GS 163A-1131, 163A-1046
Initial counting of ballots at precinct's polling place	GS 163A-1169*(a)(1)
Maintaining order at polling place; duties of precinct judges	GS 163A-824
Opening procedure	GS 163A-1135 ; 8 NCAC 10B.0102
Out-of-precinct voting places: Allowed if authorized	GS 163A-1048
Voting place must be provided adequate voting system	GS 163A-1141
Prompt transmission of ballots to CBE office from precinct	GS 163A-1169*(b)(4) ; 8 NCAC 10B.0105(m)
Satellite voting places for voters who are elderly/have a disability	GS 163A-1047
Sex offender: Can only be in a voting place for the limited purpose of voting; if voting place is a school, the person is also required to notify the school's principal	GS 14-208.18(e)
Simulated voting (for children) allowed	GS 163A-1133(a)(8)
Tax-supported building may be used as polling place	GS 163A-1046

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Temporary use of 2 voting places within a precinct	GS 163A-1049
Voting enclosure: Room within the voting place used for voting	
Access limited	GS 163A-1133
Arrangement and required space and furnishings	GS 163A-1132
Children of voter (minors) of allowed	GS 163A-1133(a)(7)
Defined	GS 163A-1095(9)
Leaving prior to finalizing vote	8 NCAC 10B.0104(a)
Photographing voter in voting enclosure prohibited	GS 163A-1133(b)
“Voting place” defined	GS 163A-1095(10)
Weapons: Carrying a concealed weapon may be prohibited based on the type of building, see prohibitions relating to school property, courthouses, state or federal office buildings, or private property where notice has been given	GS 14-415.11(c) , 14-269.2 , 14-269.4

Voting Rights Act

Enforced by the U.S. Department of Justice	42 USC 1973 et seq.
In general	42 USC 1971 , 1972

Voting System

See also [North Carolina Voting System Certification Program](#)

Ballots used on voting system	8 NCAC 4.0303
Certification of voting systems by SBE	GS 163A-1115 ; 8 NCAC 4.0302(a)
Chief judge has responsibility for system on Election Day	8 NCAC 4.0306(b)
County commissioners’ role in purchase	GS 163A-1116
Defined	GS 163A-1095(11)
Demonstration of voting system; to voter upon request	8 NCAC 10B.0102(j) , 4.0305
Direct record electronic (DRE) voting systems certified by SBE as of 2015 to become decertified in 2019 for counties using those systems as of 2015, and 2018 for all other counties	SL 2015-103 § 6(a)
Disapproval and discontinuance of voting system (certification and decertification)	GS 163A-1115 ; 8 NCAC 4.0302(c)
Examination of source code by SBE	GS 163A-1115(e)
Lever, punch card systems are no longer allowed	GS 163A-1109
Maintenance, testing, examination and storage responsibility of CBE, as set by SBE	8 NCAC 4.0306(a) , 4.0307 , 4.0304 ; GS 163A-1117(b)
Model code of ethics dealing with voting system vendors	Link
Modification or enhancement of voting system	8 NCAC 4.0302(b)
More than one type of system may be allowed at a voting place	GS 163A-1119
Paper record of each vote required	GS 163A-1115(a)
Precincts must be provided adequate voting system	GS 163A-1119
Results must be able to be reported by Voting Precinct	163A-1079 , 163A-1065
Standards and procedures as set by SBE	GS 163A-1166(b)
SBE rulemaking authority	GS 163A-1115(f) , 163A-1169*(b)
Testing (on official ballots) and preparation prior to election	8 NCAC 4.0306(a) , 4.0307 , 4.0303
Technical support: Provided by CBE in conjunction with SBE	GS 163A-1131
Training: Facilitated by SBE	GS 163A-1115(g)
Use allowed only if CBE chair is satisfied that officials are trained	8 NCAC 4.0305(b)
Voting system instructional meeting prior to each election	8 NCAC 4.0305
Vendor: Requirements and duties	GS 163A-1118 ; 8 NCAC 4.0301



Withdrawal of Candidates & Nominees

Even-numbered year withdrawals	
Appointment of new party nominees by parties	GS 163A-987
Withdrawal of candidacy before primary: Not allowed after third business day before closing of the filing period	GS 163A-976

*Statute may be affected by *NAACP v. McCrory*. Please see table of [Enjoined Laws](#)

Withdrawal of candidacy following primary, as party nominee: Cannot occur after absentee voting period has begun (and practically speaking, more time is required to allow ballots to be designed, proofed, printed)	GS 163A-986
Municipal or special district candidates and nominees (not allowed after third business day before closing of filing period)	GS 163A-1620 GS 163A-1619

Write-In

Write-in candidate	
If defeated in primary, cannot run as write-in for same office; candidate signs pledge not to do so when filing	GS 163A-1006(e) , 163A-972
Petition required in partisan and judicial elections (no petition required in municipal or non-partisan elections)	GS 163A-1006
Write-in vote	
Arrangement on ballot	GS 163A-1114(g) , 163A-1112(a)(5)*
Counted officially in General Election if voter's choice can be clearly determined (and if person has qualified as a write-in candidate if that qualification is necessary)	GS 163A-1166(a)(6) , 163A-1006(f)