



CHAPTER 163
ARTICLE 10 - PRIMARY ELECTIONS

N.C.G.S. § 163-106.5.

Certificate of registration to vote in county and party affiliation; cancellation of candidacy; residency requirements for judges.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2018-146, s. 3.1(a), (b) — fifty-seventh act in the lineage	RETRIEVED 21 September 2026, 06:38 UTC	SOURCE FINGERPRINT 9bc08c29ca126e591cedaadf - 80a6680bb004a8061b35b97b - f5d11171ccf3335c
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§ 163-106.5(a) Candidates required to file their notice of candidacy with the State Board of Elections under G.S. 163-106.2 shall file along with their notice a certificate signed by the chairman of the board of elections or the director of elections of the county in which they are registered to vote, stating that the person is registered to vote in that county, if the candidacy is for superior court judge and the county contains more than one superior court district, stating the superior court district of which the person is a resident, stating the party with which the person is affiliated, and that the person has not changed his affiliation from another party or from unaffiliated within three months prior to the filing deadline under G.S. 163-106.2. In issuing such certificate, the chairman or director shall check the registration records of the county to verify such information. During the period commencing 36 hours immediately preceding the filing deadline the State Board of Elections shall accept, on a conditional basis, the notice of candidacy of a candidate who has failed to secure the verification ordered herein subject to receipt of verification no later than three days following the filing deadline. The State Board of Elections shall prescribe the form for such certificate, and distribute it to each county board of elections no later than the last Monday in December of each odd-numbered year.

§ 163-106.5(b)

When any candidate files a notice of candidacy with a board of elections under G.S. 163-106.2 or under G.S. 163-291(2), the board of elections shall, immediately upon receipt of the notice of candidacy, inspect the registration records of the county, and cancel the notice of candidacy of any person who does not meet the constitutional or statutory qualifications for the office, including residency.

The board shall give notice of cancellation to any candidate whose notice of candidacy has been cancelled under this section by mail or by having the notice served on him by the sheriff, and to any other candidate filing for the same office. A candidate who has been adversely affected by a cancellation or another candidate for the same office affected by a substantiation under this section may request a hearing on the cancellation. If the candidate requests a hearing, the hearing shall be conducted in accordance with Article 11B of this Chapter.

§ 163-106.5(c)

No person may file a notice of candidacy for superior court judge, unless that person is, at the time of filing the notice of candidacy, a resident of the judicial district as it will exist at the time the person would take office if elected. No person may be nominated as a superior court judge under G.S. 163-114, unless that person is, at the time of nomination, a resident of the judicial district as it will exist at the time the person would take office if elected. This subsection implements Section 9(1) of Article IV of the North Carolina Constitution, which requires regular superior court judges to reside in the district for which elected.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
57 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

			
1915		1967	2018
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1915	c. 101, ss. 6, 15	ENACTED
02	1917	c. 218	AMENDED
03	C.S.	ss. 6022, 6035	RECODIFIED
04	1921	c. 217	AMENDED

05	1923	c. 111, s. 13	AMENDED
06	C.S.	s. 6055(a)	RECODIFIED
07	1927	c. 260, s. 19	AMENDED
08	1929	c. 26, s. 1	AMENDED
09	1933	c. 165, s. 12	AMENDED
10	1937	c. 364	AMENDED
11	1947	c. 505, s. 7	AMENDED
12	1949	c. 672, s. 4	AMENDED
13	1949	c. 932	AMENDED
14	1951	c. 1009, s. 3	AMENDED
15	1955	c. 755	AMENDED
16	1955	c. 871, s. 1	AMENDED
17	1959	c. 1203, s. 4	AMENDED
18	1965	c. 262	AMENDED
19	1967	c. 775, s. 1	AMENDED
20	1967	c. 1063, s. 2	AMENDED
21	1969	c. 44, s. 83	AMENDED
22	1969	c. 1190, s. 56	AMENDED
23	1971	cc. 189, 675, 798	AMENDED
24	1973	c. 47, s. 2	AMENDED
25	1973	c. 793, s. 36	AMENDED
26	1973	c. 862	AMENDED
27	1975	c. 844, s. 2	AMENDED
28	1977	c. 265, ss. 4, 5	AMENDED
29	1977	c. 408, s. 2	AMENDED
30	1977	c. 661, ss. 2, 3	AMENDED
31	1979	c. 24	AMENDED
32	1979	c. 411, s. 5	AMENDED
33	1981	c. 32, ss. 1, 2	AMENDED
34	1983	c. 330, s. 1	AMENDED

35	1985	c. 472, s. 2	AMENDED
36	1985	c. 558, s. 1	AMENDED
37	1985	c. 759, s. 6	AMENDED
38	1985	1985 (Reg. Sess., 1986), c. 957, s. 1	AMENDED
39	1987	c. 509, s. 13	AMENDED
40	1987	c. 738, s. 124	AMENDED
41	1987	1987 (Reg. Sess., 1988), c. 1028, s. 1	AMENDED
42	1987	1993 (Reg. Sess., 1994), c. 762, s. 31	AMENDED
43	1995	c. 243, s. 1	AMENDED
44	1996	2nd Ex. Sess., c. 9, s. 8	AMENDED
45	1999	S.L. 1999-456, s. 59	AMENDED
46	2001	S.L. 2001-403, s. 3	AMENDED
47	2001	S.L. 2001-466, s. 5.1(a)	AMENDED
48	2002	S.L. 2002-158, ss. 8, 9	AMENDED
49	2002	S.L. 2002-159, s. 55(a)	AMENDED
50	2006	S.L. 2006-155, s. 2	AMENDED
51	2007	S.L. 2007-369, s. 1	AMENDED
52	2009	S.L. 2009-47, s. 1	AMENDED
53	2013	S.L. 2013-381, s. 21.1	AMENDED
54	2014	S.L. 2014-111, s. 1(a)	AMENDED
55	2017	S.L. 2017-3, s. 5	AMENDED
56	2017	S.L. 2017-6, s. 3	AMENDED
57	2018	S.L. 2018-146, s. 3.1(a), (b)	AMENDED

APPARATUS II
3 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 163-106.2	(a)	<i>"the State Board of Elections under"</i>
G.S. 163-291(2)	(b)	<i>"elections under G.S. 163-106.2 or under"</i>

G.S. 163-114

(c)

"as a superior court judge under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 163-106.5 (2018).

PINPOINT

N.C. Gen. Stat. § 163-106.5(a) (2018).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1915, c. 101, ss. 6, 15; 1917, c. 218; C.S., ss. 6022, 6035; 1921, c. 217; 1923, c. 111, s. 13; C.S., s. 6055(a); 1927, c. 260, s. 19; 1929, c. 26, s. 1; 1933, c. 165, s. 12; 1937, c. 364; 1947, c. 505, s. 7; 1949, c. 672, s. 4; c. 932; 1951, c. 1009, s. 3; 1955, c. 755; c. 871, s. 1; 1959, c. 1203, s. 4; 1965, c. 262; 1967, c. 775, s. 1; c. 1063, s. 2; 1969, c. 44, s. 83; c. 1190, s. 56; 1971, cc. 189, 675, 798; 1973, c. 47, s. 2; c. 793, s. 36; c. 862; 1975, c. 844, s. 2; 1977, c. 265, ss. 4, 5; c. 408, s. 2; c. 661, ss. 2, 3; 1979, c. 24; c. 411, s. 5; 1981, c. 32, ss. 1, 2; 1983, c. 330, s. 1; 1985, c. 472, s. 2; c. 558, s. 1; c. 759, s. 6; 1985 (Reg. Sess., 1986), c. 957, s. 1; 1987, c. 509, s. 13; c. 738, s. 124; 1987 (Reg. Sess., 1988), c. 1028, s. 1; 1993 (Reg. Sess., 1994), c. 762, s. 31; 1995, c. 243, s. 1; 1996, 2nd Ex. Sess., c. 9, s. 8; 1999-456, s. 59; 2001-403, s. 3; 2001-466, s. 5.1(a); 2002-158, ss. 8, 9; 2002-159, s. 55(a); 2006-155, s. 2; 2007-369, s. 1; 2009-47, s. 1; 2013-381, s. 21.1; 2014-111, s. 1(a); 2017-3, s. 5; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

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