



CHAPTER 163
ARTICLE 2 - TIME OF ELECTIONS TO FILL VACANCIES

N.C.G.S. § 163-11.

Filling vacancies in the General Assembly.

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) — eleventh act in the lineage	RETRIEVED 21 September 2026, 01:27 UTC	SOURCE FINGERPRINT 9ee86d2051f4d9783443322d - 92d0c51d0274afe9066aff59 - 151db4b089361334
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- § 163-11(a)

If a vacancy shall occur in the General Assembly by death, resignation, or otherwise than by expiration of term, the Governor shall immediately appoint for the unexpired part of the term the person recommended by the political party executive committee provided by this section. The Governor shall make the appointment within seven days of receiving the recommendation of the appropriate committee. If the Governor fails to make the appointment within the required period, he shall be presumed to have made the appointment and the legislative body to which the appointee was recommended is directed to seat the appointee as a member in good standing for the duration of the unexpired term.
- § 163-11(b)

If the district consists solely of one county and includes all of that county, the Governor shall appoint the person recommended by the county executive committee of the political party with which the vacating member was affiliated when elected, it being the party executive committee of the county which the vacating member was resident.
- § 163-11(c)

If the district consists solely of one county but includes less than all of the county, the Governor shall appoint the person recommended by the county executive committee of the political party with which the vacating member was affiliated when elected, it being the county executive committee of the county which the vacating member was resident, provided that in voting only those county executive committee members who reside in the district shall be eligible to vote.
- § 163-11(d)

If the district consists of more than one county, the Governor shall appoint for the unexpired portion of the term the person recommended by the State House of

Representatives district committee or the Senatorial district committee of the political party with which the vacating member was affiliated when elected. In the case where all of a county is included within a district, the county convention or county executive committee of that political party shall elect or appoint at least one member from that county to serve on the State House of Representatives district executive committee or State Senatorial district executive committee. In the case where only part of a county is included within a district, the county convention or county executive committee of that political party shall elect or appoint at least one member from that county to serve on the State House of Representatives district committee or the State Senatorial district committee, but only the delegates to the county convention or the members of the county executive committee who reside in the district may vote in electing the district committee member. When the State House of Representatives district committee or the State Senatorial district committee meets, a member shall be entitled to cast for his county (or the part of his county within the district) one vote for each 300 persons or major fraction thereof residing within that county, or in the case where less than the whole county is in the district one vote for each 300 persons or major fraction thereof residing in that part of the district within the county.

A county convention or county executive committee may elect more than one member to the district committee but in the event that more than one member is selected from that county, then each member shall cast an equal share of the votes allotted to the county.

§ 163-11(e)

No person is eligible for appointment to fill a vacancy in the Senate or the House of Representatives under this section, unless that person would have been qualified to vote as an elector for that office if an election were to be held on the date of appointment. This section is intended to implement the provisions of Section 8 of Article VI of the Constitution.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
11 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.



Nº	YEAR	ACT	CHARACTER
01	1901	c. 89, s. 74	ENACTED
02	Rev.	s. 4298	RECODIFIED
03	C.S.	s. 5919	RECODIFIED
04	1947	c. 505, s. 1	AMENDED
05	1953	c. 1191, s. 1	AMENDED
06	1967	c. 775, s. 1	AMENDED
07	1973	c. 35	AMENDED
08	1973	1981 (Reg. Sess., 1982), c. 1265, s. 3	AMENDED
09	2007	S.L. 2007-391, s. 27(b)	AMENDED
10	2017	S.L. 2017-6, s. 3	AMENDED
11	2018	S.L. 2018-146, s. 3.1(a), (b)	AMENDED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 163-11 (2018).

PINPOINT

N.C. Gen. Stat. § 163-11(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

(1901, c. 89, s. 74; Rev., s. 4298; C.S., s. 5919; 1947, c. 505, s. 1; 1953, c. 1191, s. 1; 1967, c. 775, s. 1; 1973, c. 35; 1981 (Reg. Sess., 1982), c. 1265, s. 3; 2007-391, s. 27(b); 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

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