



CHAPTER 163
ARTICLE 10 - PRIMARY ELECTIONS

N.C.G.S. § 163-114.

Filling vacancies among party nominees
occurring after nomination and before
election.

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) — eighteenth act in the lineage	RETRIEVED 21 September 2026, 05:12 UTC	SOURCE FINGERPRINT 5490cbf2fdaacd0f2c7132f0 - fb21b94acd42d2124df96c22 - 213a446fb95a98a5
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§ 163-114(a) If any person nominated as a candidate of a political party for one of the offices listed below (either in a primary or convention or by virtue of having no opposition in a primary) dies, resigns, or for any reason becomes ineligible or disqualified before the date of the ensuing general election, the vacancy shall be filled by appointment according to the following instructions:

Position

PresidentVacancy is to be filled by

Vice Presidentappointment of national

executive committee of

political party in which

vacancy occurs

Presidential elector orVacancy is to be filled by ap-

alternate electorpointment of State execu-

Any elective State officitive committee of political

United States Senatorparty in which vacancy occurs

A district office, including:Appropriate district executive

Member of the Unitedcommittee of political
States House of Repe-party in which vacancy occurs
sentatives
Judge of district court
District Attorney
State Senator in a multi-
county senatorial district
Member of State House of
Representatives in a
multi-county representative district
State Senator in a single-County executive committee
county senatorial districtof political party in which
Member of State House ofvacancy occurs, provided, in
Representatives in athe case of the State Senator
single-county represen-or State Representative in a
tative districtsingle-county district where
Any elective county officenot all the county is located
in that district, then in
voting, only those members of
the county executive committee
who reside within the district
shall vote
Judge of superior court in aCounty executive committee of
single-county judicialpolitical party in which vacancy
district where the district isoccurs; provided, in the case of a
the whole county or part of thesuperior court judge in a single-

county district where not all
the county is located in that
district, then in voting, only
those members of the county
executive committee who
reside within the district shall
vote.
Judge of superior court in aAppropriate district executive
multicounty judicialcommittee of political party in
districtwhich vacancy occurs.

The party executive making a nomination in accordance with the provisions of this section shall certify the name of its nominee to the chairman of the board of elections, State or county, that has jurisdiction over the ballot item under G.S. 163-182.4. If at the time a nomination is made under this section the general election ballots have already been printed, the provisions of G.S. 163-165.3(c) shall apply. If a vacancy occurs in a nomination of a political party and that vacancy arises from a cause other than death and the vacancy in nomination occurs more than 120 days before the general election, the vacancy in nomination may be filled under this section only if the appropriate executive committee certifies the name of the nominee in accordance with this paragraph at least 75 days before the general election.

§ 163-114(b)

In a county which is partly in a multicounty judicial district, in choosing that county's member or members of the judicial district executive committee for the multicounty district, only the county convention delegates or county executive committee members who reside within the area of the county which is within that multicounty district may vote.

§ 163-114(c)

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

§ 163-114(d)

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

§ 163-114(e)

An individual whose name appeared on the ballot in a primary election preliminary to the general election shall not be eligible to be nominated to fill a vacancy in the nomination of another party for the same office in the same year.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
18 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	1929	c. 164, s. 19	ENACTED
02	1967	c. 775, s. 1	AMENDED
03	1973	c. 793, s. 45	AMENDED
04	1973	1981 (Reg. Sess., 1982), c. 1265, ss. 4, 5	AMENDED
05	1987	c. 509, s. 10	AMENDED
06	1987	c. 526	AMENDED
07	1987	c. 738, s. 124	AMENDED
08	1987	1987 (Reg. Sess., 1988), c. 1037, s. 126.1	AMENDED
09	1991	c. 727, s. 8	AMENDED
10	1996	2nd Ex. Sess., c. 9, s. 13	AMENDED
11	2001	S.L. 2001-353, s. 1	AMENDED
12	2001	S.L. 2001-403, s. 8	AMENDED
13	2001	S.L. 2001-460, s. 4	AMENDED

14	2003	S.L. 2003-142, s. 1	AMENDED
15	2006	S.L. 2006-234, s. 6	AMENDED
16	2017	S.L. 2017-3, s. 9	AMENDED
17	2017	S.L. 2017-6, s. 3	AMENDED
18	2018	S.L. 2018-146, s. 3.1(a), (b)	AMENDED

APPARATUS II
2 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. 163-182.4	(a)	<i>"jurisdiction over the ballot item under"</i>
G.S. 163-165.3(c)	(a)	<i>"already been printed, the provisions of"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 163-114 (2018).

PINPOINT

N.C. Gen. Stat. § 163-114(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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The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

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

(1929, c. 164, s. 19; 1967, c. 775, s. 1; 1973, c. 793, s. 45; 1981 (Reg. Sess., 1982), c. 1265, ss. 4, 5; 1987, c. 509, s. 10; c. 526; c. 738, s. 124; 1987 (Reg. Sess., 1988), c. 1037, s. 126.1; 1991, c. 727, s. 8; 1996, 2nd Ex. Sess., c. 9, s. 13; 2001-353, s. 1; 2001-403, s. 8; 2001-460, s. 4; 2003-142, s. 1; 2006-234, s. 6; 2017-3, s. 9; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

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