



CHAPTER 163
ARTICLE 10 - PRIMARY ELECTIONS

N.C.G.S. § 163-115.

Special provisions for obtaining
nominations when vacancies occur in
certain offices.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2018-146, s. 3.1(a), (b) — fifteenth act in the lineage	21 September 2026, 01:27 UTC	0a625de394e0244d3c4cc835 - ba85f59a6b3f846498758672 - 93dc27f6323f99bc

- § 163-115(a)

If a vacancy occurs in the office of the clerk of superior court, otherwise than by expiration of the term, or if the people fail to elect, the vacancy shall be filled as provided in Sec. 9(3) of Article IV of the North Carolina Constitution. If the vacancy occurs after the time for filing notice of candidacy in the primary has expired in a year when a regular election is not being held to elect a clerk of the superior court by expiration of term, then the county executive committee of each political party shall nominate a candidate whose name shall appear on the general election ballot. The candidate elected in the general election shall serve the unexpired portion of the term of the person causing the vacancy.
- § 163-115(b)

In the event a special election is called to fill a vacancy in the State's delegation in the United States House of Representatives, the provisions of G.S. 163-13 shall apply.
- § 163-115(c)

If a vacancy occurs in an elective State or district office (other than member of the United States House of Representatives) during the period opening 10 days before the filing period for the office ends and closing 30 days before the ensuing general election, a nomination shall be made by the proper executive committee of each political party as provided in G.S. 163-114, and the names of the nominees shall be printed on the general election ballots.
- § 163-115(d)

If a vacancy occurs on a county board of commissioners and G.S. 153A-27 or G.S. 153A-27.1 requires that a person shall be elected to the seat vacated for the remainder of the unexpired term, and the vacancy occurs:

- (1) Beginning on the tenth day before the filing period ends under G.S. 163-106.2, a nomination shall be made by the county executive committee of each political party and the names of the nominees shall be printed on the general election ballots.
- (2) Prior to the tenth day before the filing period ends under G.S. 163-106.2, nominations shall be made by primary election as provided by this Article.

§ 163-115(e)

If a vacancy occurs in the office of United States Senator, and the vacancy occurs:

- (1) Beginning on the tenth day before the filing period ends under G.S. 163-106.2, a nomination shall be made by the State executive committee of each political party and the names of the nominees shall be printed on the general election ballots.
- (2) Prior to the tenth day before the filing period ends under G.S. 163-106.2, nominations shall be made by primary election as provided by this Article.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
15 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	1915	c. 101, s. 33	ENACTED
02	1917	c. 179, s. 3	AMENDED
03	1917	c. 218	AMENDED
04	C.S.	s. 6053	RECODIFIED
05	1923	c. 111, s. 16	AMENDED
06	1955	c. 574	AMENDED

07	1957	c. 1242	AMENDED
08	1966	Ex. Sess., c. 5, s. 14	AMENDED
09	1967	c. 775, s. 1	AMENDED
10	1973	c. 793, s. 46	AMENDED
11	1985	c. 563, ss. 7, 7.1	AMENDED
12	1985	c. 759, s. 1	AMENDED
13	1997	S.L. 1997-456, s. 27	AMENDED
14	2017	S.L. 2017-6, s. 3	AMENDED
15	2018	S.L. 2018-146, s. 3.1(a), (b)	AMENDED

APPARATUS II
5 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. 163-13	(b)	"House of Representatives, the provisions of"
G.S. 163-114	(c)	"each political party as provided in"
G.S. 153A-27	(d)	"a county board of commissioners and"
G.S. 153A-27.1	(d)	"of commissioners and G.S. 153A-27 or"
G.S. 163-106.2	(d)(1)	"before the filing period ends under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 163-115 (2018).

PINPOINT

N.C. Gen. Stat. § 163-115(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, s. 33; 1917, c. 179, s. 3; c. 218; C.S., s. 6053; 1923, c. 111, s. 16; 1955, c. 574; 1957, c. 1242; 1966, Ex. Sess., c. 5, s. 14; 1967, c. 775, s. 1; 1973, c. 793, s. 46; 1985, c. 563, ss. 7, 7.1; c. 759, s. 1; 1997-456, s. 27; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

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