



CHAPTER 163
ARTICLE 15A - COUNTING BALLOTS, CANVASSING VOTES, AND CERTIFYING RESULTS IN PRECINCT AND COUNTY

N.C.G.S. § 163-182.13.

New elections.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT No amendment history on record	RETRIEVED 21 September 2026, 04:14 UTC	SOURCE FINGERPRINT 8535308bff58c28885e9e9d2 - 01e7777658da9cdba5045745 - 20593f509f75f9b4
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- § 163-182.13(a)

When State Board May Order New Election. - The State Board of Elections may order a new election, upon agreement of at least four of its members, in the case of any one or more of the following:

(1)

Ineligible voters sufficient in number to change the outcome of the election were allowed to vote in the election, and it is not possible from examination of the official ballots to determine how those ineligible voters voted and to correct the totals.

(2)

Eligible voters sufficient in number to change the outcome of the election were improperly prevented from voting.

(3)

Other irregularities affected a sufficient number of votes to change the outcome of the election.

(4)

Irregularities or improprieties occurred to such an extent that they taint the results of the entire election and cast doubt on its fairness.
- § 163-182.13(b)

State Board to Set Procedures. - The State Board of Elections shall determine when a new election shall be held and shall set the schedule for publication of the notice, preparation of absentee official ballots, and the other actions necessary to conduct the election.
- § 163-182.13(c)

Eligibility to Vote in New Election. - Eligibility to vote in the new election shall be determined by the voter's eligibility at the time of the new election, except that in a primary, no person who voted in the initial primary of one party shall vote in the new

election in the primary of another party. The State Board of Elections shall promulgate rules to effect the provisions of this subsection.

§ 163-182.13(d) Jurisdiction in Which New Election Held. - The new election shall be held in the entire jurisdiction in which the original election was held.

§ 163-182.13(e) Which Candidates to Be on Official Ballot. - All the candidates who were listed on the official ballot in the original election shall be listed in the same order on the official ballot for the new election, except in either of the following:

- (1) If a candidate dies or otherwise becomes ineligible between the time of the original election and the new election, that candidate may be replaced in the same manner as if the vacancy occurred before the original election.
- (2) If the election is for a multiseat office, and the irregularities could not have affected the election of one or more of the candidates, the new election, upon agreement of at least four members of the State Board, may be held among only those candidates whose election could have been affected by the irregularities.

§ 163-182.13(f) Tie Votes. - If ineligible voters voted in an election and it is possible to determine from the official ballots the way in which those votes were cast and to correct the results, and consequently the election ends in a tie, the provisions of G.S. 163-182.8 concerning tie votes shall apply.

§ 163-182.13(g) Primary Required for a New Election. - For any new congressional general election ordered under subsection (a) of this section, a primary for that election shall be conducted. The State Board shall determine when the primary shall be held, and shall set the schedule for publication of the notice, preparation of absentee official ballots, and the other actions necessary to conduct the primary. (2001-398, s. 3; 2003-278, s. 8(a); 2008-150, s. 2(a); 2016-125, 4th Ex. Sess., s. 5(j); 2017-6, ss. 2, 3, 7(j); 2018-146, ss. 1, 3.1(a), (b); 2023-139, s. 5.2; 2024-57, s. 3A.3(a).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II
1 AUTHORITY

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. 163-182.8	(f)	"in a tie, the provisions of"

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 163-182.13 (2026).

PINPOINT
N.C. Gen. Stat. § 163-182.13(a) (2026).

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

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