



CHAPTER 163
ARTICLE 20 - ABSENTEE BALLOT

N.C.G.S. § 163-234.

Counting absentee ballots by county board.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2024-57, s. 3A.4(g) — twenty-fourth act in the lineage	21 September 2026, 02:08 UTC	96882e9f5aac8288ebc6c446 - 2510a558287bca074322ddb5 - 44c694673aad3e1

All absentee ballots returned to the county board in the container-return envelopes shall be retained by the county board to be counted by the county board as follows:

Only those absentee ballots returned to the county board in a properly executed container-return envelope and received pursuant to G.S. 163-231 shall be counted. Absentee ballots not received pursuant to all requirements in G.S. 163-231 shall not be deemed to be valid and shall not be counted. An absentee ballot returned in an executed container-return envelope containing a deficiency listed in G.S. 163-230.1(e) shall be counted if documentation curing the deficiency is timely received by the county board in accordance with the requirements of G.S. 163-230.1(e).

The county board shall meet at 5:00 P.M. on election day in the county board office or other public location in the county courthouse for the purpose of counting all absentee ballots except those which have been challenged before 5:00 P.M. on election day and those received pursuant to G.S. 163-231(b)(2). Any elector of the county shall be permitted to attend the meeting and allowed to observe the counting process, so long as the elector does not in any manner interfere with the election officials in the discharge of their duties. The count of these absentee ballots shall be continuous until completed, and the members shall not separate or leave the counting place except for unavoidable necessity.

The county board may begin counting absentee ballots issued under Article 21A of this Chapter between the hours of 9:00 A.M. and 5:00 P.M. and may begin counting all absentee ballots between the hours of 2:00 P.M. and 5:00 P.M. upon the adoption of a resolution at least two weeks prior to the election in which the hour and place of counting absentee ballots shall be stated. A copy of the resolution shall be published once a week for two weeks prior to the election, in a newspaper having general circulation in the county. Notice may additionally be made on a radio or television station or both, but the notice shall be in addition to the newspaper and other required notice. The count shall be continuous until completed and the members shall not separate or leave the counting place except for unavoidable necessity, except that if the count has

been completed prior to the time the polls close, it shall be suspended until that time pending receipt of any additional ballots. Nothing in this section prohibits a county board from taking preparatory steps for the count earlier than the times specified in this section, as long as the preparatory steps do not reveal to any individual not engaged in the actual count election results before the times specified in this subdivision for the count to begin. By way of illustration and not limitation, a preparatory step for the count would be the entry of tally cards from direct record electronic voting units into a computer for processing. The county board shall not announce the result of the count before 7:30 P.M.

Notwithstanding subdivision (2) of this section, a county board may, at each meeting at which it approves absentee ballot applications pursuant to G.S. 163-230.1(e) and (f), remove those absentee ballots from their envelopes and have them read by an optical scanning machine, without printing the totals on the scanner. The county board shall complete the counting of these absentee ballots at the times provided in subdivision (2) of this section. The State Board shall provide instructions to county boards for executing this procedure, and the instructions shall be designed to ensure the accuracy of the count, the participation of county board members of both parties, and the secrecy of the results before election day. This subdivision applies only in counties that use optical scan devices to count absentee ballots.

The counting of absentee ballots shall not commence until a majority and at least one county board member of each political party represented on the county board is present and that fact is publicly declared and entered in the official minutes of the county board.

The county board may employ such assistants as deemed necessary to count the absentee ballots, but each county board member present shall be responsible for and observe and supervise the opening and tallying of the absentee ballots.

As each ballot envelope is opened, the county board shall cause to be entered into a pollbook designated "Pollbook of Absentee Voters" the name of the absentee voter, or if the pollbook is computer-generated, the county board shall check off the name. Preserving secrecy, the absentee ballots shall be placed in the appropriate ballot boxes, at least one of which shall be provided for each type of ballot.

After all absentee ballots have been placed in the boxes, the counting process shall begin.

If a challenge transmitted to the county board on canvass day by a chief judge is sustained, the absentee ballots challenged and sustained shall be withdrawn from the appropriate boxes, as provided in G.S. 163-89(e).

As soon as the absentee ballots have been counted and the names of the absentee voters entered in the pollbook as required in this subdivision, the county board members and assistants employed to count the absentee ballots shall each sign the pollbook immediately beneath the last absentee voter's name entered in the pollbook. The county board is responsible for the safekeeping of the pollbook of absentee voters.

03	1953	c. 1114	AMENDED
04	1963	c. 547, s. 8	AMENDED
05	1967	c. 775, s. 1	AMENDED
06	1967	c. 851, s. 2	AMENDED
07	1973	c. 536, s. 1	AMENDED
08	1975	c. 798, s. 3	AMENDED
09	1977	c. 469, s. 1	AMENDED
10	1977	c. 626, s. 1	AMENDED
11	1989	c. 93, s. 7	AMENDED
12	1989	1993 (Reg. Sess., 1994), c. 762, s. 55	AMENDED
13	1995	c. 243, s. 1	AMENDED
14	1999	S.L. 1999-455, s. 14	AMENDED
15	2005	S.L. 2005-159, s. 1	AMENDED
16	2006	S.L. 2006-262, s. 1	AMENDED
17	2009	S.L. 2009-537, s. 8(d)	AMENDED
18	2011	S.L. 2011-182, s. 7	AMENDED
19	2017	S.L. 2017-6, s. 3	AMENDED
20	2018	S.L. 2018-144, s. 3.4(k)	AMENDED
21	2018	S.L. 2018-146, s. 3.1(a), (b)	AMENDED
22	2020	S.L. 2020-69, s. 5.6	AMENDED
23	2023	S.L. 2023-140, s. 35	AMENDED
24	2024	S.L. 2024-57, s. 3A.4(g)	AMENDED

APPARATUS II
6 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. 163-231	(null)(1)	"container-return envelope and received pursuant to"
G.S. 163-230.1(e)	(null)(1)	"envelope containing a deficiency listed in"
G.S. 163-231(b)(2)	(null)(2)	"day and those received pursuant to"

G.S. 163-230.1(e) and (f)	(null)(3)	"approves absentee ballot applications pursuant to"
G.S. 163-89(e)		"the appropriate boxes, as provided in"
G.S. 163-230.1	(null)(11)	"other requirements of this section and"

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 163-234 (2024).

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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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
(1939, c. 159, ss. 8, 9; 1945, c. 758, s. 8; 1953, c. 1114; 1963, c. 547, s. 8; 1967, c. 775, s. 1; c. 851, s. 2; 1973, c. 536, s. 1; 1975, c. 798, s. 3; 1977, c. 469, s. 1; c. 626, s. 1; 1989, c. 93, s. 7; 1993 (Reg. Sess., 1994), c. 762, s. 55; 1995, c. 243, s. 1; 1999-455, s. 14; 2005-159, s. 1; 2006-262, s. 1; 2009-537, s. 8(d); 2011-182, s. 7; 2017-6, s. 3; 2018-144, s. 3.4(k); 2018-146, s. 3.1(a), (b); 2020-69, s. 5.6; 2023-140, s. 35; 2024-57, s. 3A.4(g).)

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