



CHAPTER 163
ARTICLE 22A - REGULATING CONTRIBUTIONS AND EXPENDITURES IN POLITICAL CAMPAIGNS

N.C.G.S. § 163-278.28.

Issuance of injunctions; special prosecutors named.

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) — fourth act in the lineage	RETRIEVED 21 September 2026, 05:13 UTC	SOURCE FINGERPRINT 54ca315a55286a50e16584f4 - 22216702067a786c11c15765 - f16b7b4d81d5b9b9
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§ 163-278.28(a) The superior courts of this State shall have jurisdiction to issue injunctions or grant any other equitable relief appropriate to enforce the provisions of this Article upon application by any registered voter of the State.

§ 163-278.28(b) If the Board makes a report to a district attorney under G.S. 163-278.27 and no prosecution is initiated within 45 days after the report is made, any registered voter of the prosecutorial district to whose district attorney a report has been made, or any board of elections in that district, may, by verified affidavit, petition the superior court for that district for the appointment of a special prosecutor to prosecute the individuals or persons who have or who are believed to have violated any section of this Article. Upon receipt of a petition for the appointment of a special prosecutor, the superior court shall issue an order to show cause, directed at the individuals or persons alleged in the petition to be in violation of this Article, why a special prosecutor should not be appointed. If there is no answer to the order, the court shall appoint a special prosecutor. If there is an answer, the court shall hold a hearing on the order, at which both the petitioning and answering parties may be heard, to determine whether a prima facie case of a violation and failure to prosecute exists. If there is such a prima facie case, the court shall so find and shall thereupon appoint a special prosecutor to prosecute the alleged violators. The special prosecutor shall take the oath required of assistant district attorneys by G.S. 7A-63, shall serve as an assistant district attorney pro tem of the appropriate district, and shall prosecute the alleged violators.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
4 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.

1973		1996		2018
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1973	c. 1272, s. 1	ENACTED	
02	1979	c. 500, s. 11	AMENDED	
03	2017	S.L. 2017-6, s. 3	AMENDED	
04	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. 163-278.27	(b)	"report to a district attorney under"
G.S. 7A-63	(b)	"required of assistant district attorneys by"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 163-278.28 (2018).

PINPOINT

N.C. Gen. Stat. § 163-278.28(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

(1973, c. 1272, s. 1; 1979, c. 500, s. 11; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

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