



CHAPTER 163
ARTICLE 24 - CONDUCT OF MUNICIPAL ELECTIONS

N.C.G.S. § 163-291.

Partisan primaries and elections.

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) — thirteenth act in the lineage	21 September 2026, 01:27 UTC	37ee77dd10d9afa6abf93907 - 67d9ee0688c5dbeabde3552e - cc6d091adb489acb

The nomination of candidates for office in cities, towns, villages, and special districts whose elections are conducted on a partisan basis shall be governed by the provisions of this Chapter applicable to the nomination of county officers, and the terms "county board of elections," "chairman of the county board of elections," "county officers," and similar terms shall be construed with respect to municipal elections to mean the appropriate municipal officers and candidates, except that:

The dates of primary and election shall be as provided in G.S. 163-279.

A candidate seeking party nomination for municipal or district office shall file notice of candidacy with the board of elections no earlier than 12:00 noon on the first Friday in July and no later than 12:00 noon on the third Friday in July preceding the election, except:

- a.In the year following a federal decennial census, a candidate seeking party nomination for municipal or district office in any city which elects members of its governing board on a district basis, or requires that candidates reside in a district in order to run, shall file his notice of candidacy with the board of elections no earlier than 12:00 noon on the fourth Monday in July and no later than 12:00 noon on the second Friday in August preceding the election; and
- b.In the second year following a federal decennial census, if the election is held then under G.S. 160A-23.1, a candidate seeking party nomination for municipal or district office shall file his notice of candidacy with the board of elections at the same time as notices of candidacy for county officers are required to be filed under G.S. 163-106.

No person may file a notice of candidacy for more than one municipal office at the same election. If a person has filed a notice of candidacy for one office with the county board of elections under this section, then a notice of candidacy may not later be filed for any other municipal office for that election unless the notice of candidacy for the first office is withdrawn first.

The filing fee for municipal and district primaries shall be fixed by the governing board not later than the day before candidates are permitted to begin filing notices of candidacy. There shall be a minimum filing fee of five dollars (\$5.00). The governing board shall have the authority to set the filing fee at not less than five dollars (\$5.00) nor more than one percent (1%) of the annual salary of the office sought unless one percent (1%) of the annual salary of the office sought is less than five dollars (\$5.00), in which case the minimum filing fee of five dollars (\$5.00) will be charged. The fee shall be paid to the board of elections at the time notice of candidacy is filed.

The municipal ballot may not be combined with any other ballot.

The canvass of the primary and second primary shall be held on the seventh day following the primary or second primary. In accepting the filing of complaints concerning the conduct of an election, a board of elections shall be subject to the rules concerning Sundays and holidays set forth in G.S. 103-5.

Candidates having the right to demand a second primary shall do so not later than 12:00 noon on the Thursday following the canvass of the first primary.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
13 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	1971	c. 835, s. 1	ENACTED
02	1973	c. 870, s. 1	AMENDED
03	1975	c. 370, s. 2	AMENDED
04	1983	c. 330, s. 2	AMENDED
05	1985	c. 599, ss. 2, 3	AMENDED
06	1985	1989 (Reg. Sess., 1990), c. 1012, s. 3	AMENDED
07	1985	1995 (Reg. Sess., 1996), c. 553, s. 2	AMENDED
08	1999	S.L. 1999-227, s. 5	AMENDED
09	2003	S.L. 2003-278, s. 10(e), (f)	AMENDED
10	2006	S.L. 2006-192, s. 4	AMENDED

11	2009	S.L. 2009-414, s. 2	AMENDED
12	2017	S.L. 2017-6, s. 3	AMENDED
13	2018	S.L. 2018-146, s. 3.1(a), (b)	AMENDED

APPARATUS II
4 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. 163-279	(null)(1)	"election shall be as provided in"
G.S. 160A-23.1		"the election is held then under"
G.S. 163-106		"are required to be filed under"
G.S. 103-5	(null)(5)	"Sundays and holidays set forth in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 163-291 (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

(1971, c. 835, s. 1; 1973, c. 870, s. 1; 1975, c. 370, s. 2; 1983, c. 330, s. 2; 1985, c. 599, ss. 2, 3; 1989 (Reg. Sess., 1990), c. 1012, s. 3; 1995 (Reg. Sess., 1996), c. 553, s. 2; 1999-227, s. 5; 2003-278, s. 10(e), (f); 2006-192, s. 4; 2009-414, s. 2; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

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