



CHAPTER 163
ARTICLE 4 - COUNTY BOARDS OF ELECTIONS

N.C.G.S. § 163-33.

Powers and duties of county boards of elections.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2023-140, s. 4 — twenty-first act in the lineage	21 September 2026, 04:03 UTC	476f1666023a2d7a8a76e137 - b95025e8ecfed6ef3b88206a - 46caba19d2cc1499

The county boards of elections within their respective jurisdictions shall exercise all powers granted to such boards in this Chapter, and they shall perform all the duties imposed upon them by law, which shall include the following:

To make and issue such rules, regulations, and instructions, not inconsistent with law, with directives promulgated under the provisions of G.S. 163-132.4, or with the rules, orders, and directives established by the State Board of Elections, as it may deem necessary for the guidance of election officers and voters.

To appoint all chief judges, judges, assistants, and other officers of elections, and designate the precinct in which each shall serve; and, after notice and hearing, to remove any chief judge, judge of elections, assistant, or other officer of election appointed by it for incompetency, failure to discharge the duties of office, failure to qualify within the time prescribed by law, fraud, or for any other satisfactory cause. In exercising the powers and duties of this subdivision, the board may act only when a majority of its members are present at any meeting at which such powers or duties are exercised.

To investigate irregularities, nonperformance of duties, and violations of laws by election officers and other persons, and to report violations to the State Board of Elections. In exercising the powers and duties of this subdivision, the board may act only when a majority of its members are present at any meeting at which such powers or duties are exercised. Provided that in any hearing on an irregularity no board of elections shall consider as evidence the testimony of a voter who cast a ballot, which ballot that voter was not eligible to cast, as to how that voter voted on that ballot.

As provided in G.S. 163-128, to establish, define, provide, rearrange, discontinue, and combine election precincts as it may deem expedient, and to fix and provide for places of registration and for holding primaries and elections.

To review, examine, and certify the sufficiency and validity of petitions and nomination papers.

To advertise and contract for the printing of ballots and other supplies used in registration and elections; and to provide for the delivery of ballots, pollbooks, and other required papers and materials to the voting places.

To provide for the purchase, preservation, and maintenance of voting booths, ballot boxes, registration and pollbooks, maps, flags, cards of instruction, and other forms, papers, and equipment used in registration, nominations, and elections; and to cause the voting places to be suitably provided with voting booths and other supplies required by law.

To provide for the issuance of all notices, advertisements, and publications concerning elections required by law. If the election is on a State bond issue, an amendment to the Constitution, or approval of an act submitted to the voters of the State, the State Board of Elections shall reimburse the county boards of elections for their reasonable additional costs in placing such notices, advertisements, and publications. In addition, the county board of elections shall give notice at least 20 days prior to the date on which the registration books or records are closed that there will be a primary, general or special election, the date on which it will be held, and the hours the voting places will be open for voting in that election. The notice also shall describe the nature and type of election, and the issues, if any, to be submitted to the voters at that election. Notice shall be given by advertisement at least once weekly during the 20-day period in a newspaper having general circulation in the county and by posting a copy of the notice at the courthouse door. Notice may additionally be made on a radio or television station or both, but such notice shall be in addition to the newspaper and other required notice. This subdivision shall not apply in the case of bond elections called under the provisions of Chapter 159 [of the General Statutes].

To receive the returns of primaries and elections, canvass the returns, make abstracts thereof, transmit such abstracts to the proper authorities, and to issue certificates of election to county officers and members of the General Assembly except those elected in districts composed of more than one county.

To appoint and remove the board's clerk, assistant clerks, and other employees; and to appoint and remove precinct transfer assistants as provided in G.S. 163-82.15(g).

To prepare and submit to the proper appropriating officers a budget estimating the cost of elections for the ensuing fiscal year.

To perform such other duties as may be prescribed by this Chapter, by directives promulgated pursuant to G.S. 163-132.4, or by the rules, orders, and directives of the State Board of Elections.

Notwithstanding the provisions of any other section of this Chapter, to have access to any ballot boxes and their contents, any voting machines and their contents, any registration records, pollbooks, voter authorization cards or voter lists, any lists of absentee voters, any lists of presidential registrants under the Voting Rights Act of 1965 as amended, and any other voting equipment or similar records, books or

lists in any precinct or municipality over whose elections it has jurisdiction or for whose elections it has responsibility.

To make forms available for near relatives or personal representatives of a deceased voter's estate to provide signed statements of the status of a deceased voter to return to the board of elections of the county in which the deceased voter was registered. Forms may be provided, upon request, to any of the following: near relatives, personal representatives of a deceased voter's estate, funeral directors, or funeral service licensees.

Nothing in this Chapter shall grant authority to county boards of elections to alter, amend, correct, impose, or substitute any plan apportioning or redistricting State legislative or congressional districts other than a plan imposed by a court under G.S. 120-2.4 or a plan enacted by the General Assembly.

Nothing in this Chapter shall grant authority to county boards of elections to alter, amend, correct, impose, or substitute any plan apportioning or redistricting districts for a unit of local government other than a plan imposed by a court, a plan enacted by the General Assembly, or a plan adopted by the appropriate unit of local government under statutory or local act authority.

Notwithstanding any other provision of law, to retain and preserve all voted ballots, election results tapes, and executed ballot applications for a period of 22 months after the corresponding election or as otherwise specified in federal law, whichever is greater.

County boards of elections shall not accept private monetary donations or in-kind contributions, directly or indirectly, for conducting elections or employing individuals on a temporary basis. This subdivision does not prohibit the following in-kind donations:

- a. Use of a voting site, if that voting site is used for the purpose of conducting elections.
- b. Food or beverages for precinct officials or other workers at the voting place or county board of elections office.
- c. Ink pens and personal protection equipment to be used in an election.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I 21 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	1901	c. 89, s. 11	ENACTED
02	Rev.	s. 4306	RECODIFIED
03	C.S.	s. 5927	RECODIFIED
04	1921	c. 181, s. 2	AMENDED
05	1927	c. 260, s. 1	AMENDED
06	1933	c. 165, s. 2	AMENDED
07	1966	Ex. Sess., c. 5, s. 2	AMENDED
08	1967	c. 775, s. 1	AMENDED
09	1973	c. 793, ss. 9-11	AMENDED
10	1983	c. 392, s. 1	AMENDED
11	1989	c. 93, s. 1	AMENDED
12	1989	1993 (Reg. Sess., 1994), c. 762, s. 15	AMENDED
13	1989	1995 (Reg. Sess., 1996), c. 694, s. 1	AMENDED
14	1997	S.L. 1997-510, s. 1	AMENDED
15	1999	S.L. 1999-424, s. 7(b)	AMENDED
16	2009	S.L. 2009-541, s. 2	AMENDED
17	2013	S.L. 2013-381, s. 39.1(a)	AMENDED
18	2016	S.L. 2016-125, 4th Ex. Sess., s. 20(c)	AMENDED
19	2017	S.L. 2017-6, s. 3	AMENDED
20	2018	S.L. 2018-146, s. 3.1(a), (b)	AMENDED
21	2023	S.L. 2023-140, s. 4	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. 163-132.4	(null)(1)	<i>"directives promulgated under the provisions of"</i>
G.S. 163-128	(null)(4)	<i>"As provided in"</i>
G.S. 163-82.15(g)	(null)(10)	<i>"precinct transfer assistants as provided in"</i>

G.S. 120-2.4

(null)(15)

"plan imposed by a court under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 163-33 (2023).

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

(1901, c. 89, s. 11; Rev., s. 4306; C.S., s. 5927; 1921, c. 181, s. 2; 1927, c. 260, s. 1; 1933, c. 165, s. 2; 1966, Ex. Sess., c. 5, s. 2; 1967, c. 775, s. 1; 1973, c. 793, ss. 9-11; 1983, c. 392, s. 1; 1989, c. 93, s. 1; 1993 (Reg. Sess., 1994), c. 762, s. 15; 1995 (Reg. Sess., 1996), c. 694, s. 1; 1997-510, s. 1; 1999-424, s. 7(b); 2009-541, s. 2; 2013-381, s. 39.1(a); 2016-125, 4th Ex. Sess., s. 20(c); 2017-6, s. 3; 2018-146, s. 3.1(a), (b); 2023-140, s. 4.)

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