



CHAPTER 163
ARTICLE 2 - TIME OF ELECTIONS TO FILL VACANCIES

N.C.G.S. § 163-9.

Filling vacancies in State and district judicial offices.

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. 3C.1(a) — sixteenth act in the lineage	21 September 2026, 05:36 UTC	493c8c230f5fb1194460ad11 - 86139a99f782b9892040dc10 - b8a8d1a5f001528e

§ 163-9(a) The Governor shall appoint persons to fill vacancies occurring in the offices of Justice of the Supreme Court and judge of the Court of Appeals for causes other than expiration of term from a list of three qualified persons recommended by the political party executive committee of the political party with which the vacating judge was affiliated when elected. If a political party fails to make recommendations under this subsection within 30 days of the occurrence of the vacancy, or if a vacating judge was not affiliated with a political party at the time of the judge's election, the Governor shall appoint a qualified person to fill the vacancy. For purposes of this subsection, a qualified person is a person who is a resident of the State who is duly authorized to practice law in this State. An appointee to the office of Justice of the Supreme Court or judge of the Court of Appeals shall hold office until January 1 next following the election for members of the General Assembly that is held more than 60 days after the vacancy occurs, at which time an election shall be held for an eight-year term and until a successor is elected and qualified.

§ 163-9(b) The Governor shall appoint qualified persons to fill vacancies occurring in the office of judge of the superior court. Except for judges specified in subsection (b1) of this section, an appointee to the office of judge of superior court shall hold office until the next election for members of the General Assembly that is held more than 60 days after the vacancy occurs, at which time an election shall be held to fill the unexpired term of the office.

§ 163-9(b1)

Appointees under this section for judges of the superior court from any district with only one resident judge or in which no county is subject to section 5 of the Voting Rights Act of 1965, shall hold the office until the next election of members of the General Assembly that is held more than 60 days after the vacancy occurs, at which time an election shall be held to fill an eight-year term.

§ 163-9(c)

When the unexpired term of the office in which the vacancy has occurred expires on the first day of January succeeding the next election for members of the General Assembly, the Governor shall appoint to fill that vacancy for the unexpired term of the office in accordance with the requirements of this section.

§ 163-9(d)

Vacancies in the office of district judge which occur before the expiration of a term shall be filled in accordance with G.S. 7A-142.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
16 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, ss. 4, 73	ENACTED
02	Rev.	s. 4299	RECODIFIED
03	C.S.	s. 5920	RECODIFIED
04	1967	c. 775, s. 1	AMENDED
05	1969	c. 44, s. 81	AMENDED
06	1979	c. 494	AMENDED
07	1981	c. 763, s. 3	AMENDED
08	1981	1985 (Reg. Sess., 1986), c. 920, s. 6	AMENDED
09	1995	c. 98, s. 1	AMENDED
10	1996	2nd Ex. Sess., c. 9, s. 21	AMENDED
11	2017	S.L. 2017-6, s. 3	AMENDED

12	2018	S.L. 2018-146, s. 3.1(a), (b)	AMENDED
13	2022	S.L. 2022-72, s. 5.2(a)	AMENDED
14	2022	S.L. 2022-73, s. 7(b)	AMENDED
15	2023	S.L. 2023-46, s. 20(a)	AMENDED
16	2024	S.L. 2024-57, s. 3C.1(a)	AMENDED

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. 7A-142	(d)	"shall be filled in accordance with"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 163-9 (2024).

PINPOINT

N.C. Gen. Stat. § 163-9(a) (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

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1901, c. 89, ss. 4, 73; Rev. s. 4299; C.S., s. 5920; 1967, c. 775, s. 1; 1969, c. 44, s. 81; 1979, c. 494; 1981, c. 763, s. 3; 1985 (Reg. Sess., 1986), c. 920, s. 6; 1995, c. 98, s. 1; 1996, 2nd Ex. Sess., c. 9, s. 21; 2017-6, s. 3; 2018-146, s. 3.1(a), (b); 2022-72, s. 5.2(a); 2022-73, s. 7(b); 2023-46, s. 20(a); 2024-57, s. 3C.1(a).)

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