

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H.B. 1223
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HOUSE PRINCIPAL CLERK

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HOUSE DRH20170-LU-145B (01/30)

Short Title: Vacancy/US House of Rep/Exec. Comm. Nominat'n. (Public)

Sponsors: Representatives Adams, Harrison, Cunningham, and Hanes (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND ELECTION LAWS TO PROVIDE THAT A SPECIAL ELECTION TO FILL A VACANCY OCCURRING IN THE UNITED STATES HOUSE OF REPRESENTATIVES SHALL BE HELD WITHIN SIX MONTHS FROM THE DATE THE VACANCY OCCURS AND TO FURTHER PROVIDE THAT THE GOVERNOR SHALL FILL A VACANCY IN THE UNITED STATES HOUSE OF REPRESENTATIVES ONLY BY NOMINATION OF THE POLITICAL PARTY CONGRESSIONAL DISTRICT EXECUTIVE COMMITTEE IN THE DISTRICT IN WHICH THE VACANCY OCCURS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-13 reads as rewritten:

"§ 163-13. **Filling vacancy in United States House of Representatives.**

(a) Special Election. – If at any time after expiration of any Congress and before another election, or if at any time after an election, there shall be a vacancy in this State's representation in the House of Representatives of the United States Congress, the Governor shall issue a writ of election, and by proclamation fix the date on which an election to fill the vacancy shall be held in the appropriate congressional district. The Governor's writ of election shall provide for an election to be held within six months from the date the vacancy occurs.

(b) Nominating Procedures. – ~~If a congressional vacancy occurs beginning on the tenth day before the filing period ends under G.S. 163-106(c) preceding the next succeeding general election, occurs,~~ candidates for the special election to fill the vacancy shall not be nominated in primaries. Instead, nominations may be made by the political party congressional district executive committees in the district in which the vacancy occurs. The chairman and secretary of each political party congressional district executive committee nominating a candidate shall immediately certify his name and party affiliation to the State Board of Elections so that it may be printed on the special election ballots.

~~If the congressional vacancy occurs before the tenth day before the filing period ends under G.S. 163-106(c) prior to the next succeeding general election, the Governor shall call a special primary for the purpose of nominating candidates to be voted on in a special election called by the Governor in accordance with the provisions of subsection (a) of this section. Such a primary election shall be conducted in accordance with the general laws governing primaries, except that the opening and closing dates for filing notices of candidacy with the State Board of Elections shall be fixed by the Governor in his call for the special primary. The Governor may also fix the absentee voting period for the special election and for the special first primary, but such period shall not be less than 30 days."~~

SECTION 2. This act is effective when it becomes law.



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