

TABLED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 958

A3

AMENDMENT NO. _____

(to be filled in by
Principal Clerk)

H958-ACHe-42 [v.3]

Page 1 of 3

Amends Title [NO]
Seventh Edition

Date July 28, 2026

Senator Applewhite

moves to amend the bill on page 5, lines 45-46, by inserting the following between those lines:

"STATE BOARD OF ELECTIONS INDEPENDENT AGENCY

SECTION 1.14.(a) Section 3A.2 of S.L. 2024-57 is repealed.

SECTION 1.4.(b) The North Carolina State Board of Elections shall exercise all its prescribed statutory powers, duties, and functions as an independent State agency. The budgeting functions that were transferred to the State Auditor by Type II transfer, as described in G.S. 143A-6, pursuant to Section 3A.2 of S.L. 2024-57, shall not be performed under the direction and supervision of the State Auditor but shall be transferred to the State Board of Elections and performed under the direction and supervision of the State Board of Elections.

SECTION 1.14.(c) No action or proceeding pending on July 1, 2027, brought by or against the State Board of Elections shall be affected by any provision of this section. Any business or other matter undertaken or commanded by any State program or office or contract transferred by this section pertaining to or connected with the functions, powers, obligations, and duties set forth herein, which is pending on July 1, 2027, may be conducted and completed in the same manner and under the same terms and conditions and with the same effect as if conducted and completed by the original program, office, or commissioners or directors thereof.

SECTION 1.14.(d) The transition provided for under this section shall not affect any ongoing investigation or audit. Prosecutions for offenses or violations committed before July 1, 2026, are not abated or affected by this section.

SECTION 1.14.(e) Rules and forms adopted by the State Board of Elections shall remain in effect until amended or repealed.

SECTION 1.14.(f) G.S. 163-28, as reenacted by Section 1.6 of this act, reads as rewritten:

"§ 163-28. State Board of Elections independent agency.

~~The State Board shall be administratively located within, and supported administratively by, the Department of the Secretary of State. not be placed within any principal administrative department.~~ The State Board shall exercise its statutory powers, duties, functions, and authority independently from authority of the Secretary of State and shall have all powers and duties conferred upon the heads of principal departments under G.S. 143B-10."

SECTION 1.14.(g) This section becomes effective July 1, 2027.

SECTION 1.15.(a) Section 3A.3(b) of S.L. 2024-57 is repealed.



* H 9 5 8 - A C H E - 4 2 - V - 3 *

NORTH CAROLINA GENERAL ASSEMBLY

AMENDMENT

House Bill 958

TABLED

A3

AMENDMENT NO. _____

(to be filled in by
Principal Clerk)

H958-ACHe-42 [v.3]

Page 2 of 3

1 **SECTION 1.15.(b)** G.S. 163-19 reads as rewritten:

2 "**§ 163-19. State Board of Elections; appointment; term of office; vacancies; oath of office.**

3 (a) There is established the State Board of Elections, which may be referred to as the
4 "State Board" in this Chapter.

5 (b) The State Board shall consist of five registered voters whose terms of office shall
6 begin on May 1 of the year following the election of the President of the United States and shall
7 continue for four years, and until their successors are appointed and qualified. The ~~State Auditor~~
8 Governor shall appoint the members of the State Board and likewise shall appoint their
9 successors at the expiration of each four-year term. Not more than three members of the State
10 Board shall be members of the same political party. The ~~State Auditor~~ Governor shall appoint
11 the members from a list of nominees submitted to the ~~State Auditor~~ Governor by the State party
12 chair of each of the two political parties having the highest number of registered affiliates as
13 reflected by the latest registration statistics published by the State Board. Each State party chair
14 shall submit a list of four nominees who are affiliated with that political party. No person may
15 serve more than two full consecutive four-year terms.

16 (c) Any vacancy occurring in the State Board shall be filled by the ~~State Auditor,~~
17 Governor, and the person so appointed shall serve the remainder of the unexpired term. The ~~State~~
18 Auditor Governor shall fill the vacancy from a list of three nominees submitted to the ~~State~~
19 Auditor Governor by the State party chair of the political party that nominated the vacating
20 member as provided in subsection (b) of this section. The State party chair shall submit a list of
21 three nominees who are affiliated with that political party.

22 "

23 **SECTION 1.15.(c)** G.S. 163-20(d) reads as rewritten:

24 "(d) Quorum. – A majority of the members constitutes a quorum for the transaction of
25 business by the State Board. If any member of the State Board fails to attend a meeting, and by
26 reason thereof there is no quorum, the members present shall adjourn from day to day for not
27 more than three days, by the end of which time, if there is no quorum, the ~~State Auditor~~ Governor
28 may summarily remove any member failing to attend and appoint a successor."

29 **SECTION 1.15.(d)** G.S. 163-30(a) reads as rewritten:

30 "(a) In every county of the State there shall be a county board of elections, which may be
31 referred to as "county board" in this Chapter. Each county board shall consist of five persons of
32 good moral character who are registered voters in the county in which they are to act. Four
33 members of each county board shall be appointed by the State Board on the last Tuesday in June
34 of each odd-numbered year and shall continue to serve until successors are appointed and
35 qualified. One member of each county board shall be appointed by the ~~State Auditor~~ Governor
36 to be the chair of the county board on the last Tuesday in June of each odd-numbered year and
37 that member's term of office shall continue until a successor is appointed and qualified. Of the
38 appointments to each county board by the State Board, two members each shall belong to the
39 two political parties having the highest number of registered affiliates as reflected by the latest
40 registration statistics published by the State Board."

41 **SECTION 1.15.(e)** Notwithstanding any other provision of law, the current terms of
42 office of the members of the State Board of Elections shall terminate on April 30, 2027, and

NORTH CAROLINA GENERAL ASSEMBLY

AMENDMENT

House Bill 958

TABLED

A3

AMENDMENT NO. _____

(to be filled in by

Principal Clerk)

H958-ACHe-42 [v.3]

Page 3 of 3

1 members shall be appointed to the State Board of Elections in accordance with G.S. 163-19, as
2 amended by Section 4 of this act, for a term to begin May 1, 2027.

3 **SECTION 1.15.(f)** Notwithstanding any other provision of law, the current terms of
4 office of the members of the county boards of elections shall terminate on June 29, 2027, and
5 members of each county board of elections shall be appointed in accordance with G.S. 163-30,
6 as amended by Section 6 of this act, for a term beginning on June 30, 2027.

7 **SECTION 1.15.(g)** Except as otherwise provided, this section is effective when it
8 becomes law."".
9
10
11

SIGNED



Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED _____

FAILED _____

TABLED _____