

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 31
Committee Substitute Favorable 4/2/01
Third Edition Engrossed 4/11/01

Short Title: Presidential Elector Challenge.

(Public)

Sponsors:

Referred to:

February 1, 2001

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR SELECTION OF PRESIDENTIAL ELECTORS BY
THE GENERAL ASSEMBLY IF THE ELECTION RESULTS HAVE NOT BEEN
CERTIFIED BY THE SIXTH DAY BEFORE ELECTORS ARE TO MEET, AND
BY THE GOVERNOR IF ELECTORS HAVE NOT BEEN SELECTED BY THE
DATE ELECTORS ARE TO MEET.

The General Assembly of North Carolina enacts:

SECTION 1. Article 18 of Chapter 163 of the General Statutes is amended
by adding a new section to read:

**"§ 163-213. Appointment of Presidential Electors by General Assembly in certain
circumstances, by the Governor in certain other circumstances.**

(a) Appointment by General Assembly if No Certification by Six Days Before
Electors' Meeting Day. – As permitted by 3 U.S.C. § 2, whenever the election of
Presidential Electors has not been certified by the Secretary of State under G.S. 163-210
before noon on the date for settling controversies specified by 3 U.S.C. § 5, and upon
the call of an extra session pursuant to the North Carolina Constitution for the purposes
of this section, the General Assembly may appoint Presidential Electors.

(b) Appointment by Governor if No Appointment by Electors' Meeting Day. – If
Presidential Electors have not been appointed by noon on the day set for the meeting of
Presidential Electors by 3 U.S.C. § 7, then the Governor shall appoint them.

(c) Certification by Secretary of State Before Electors' Meeting Day Controls. –
If the certification of Presidential Electors under G.S. 163-210 is made any time before
noon on the day set for the meeting of Presidential Electors by 3 U.S.C. § 7, then that
certification shall control."

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