

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

H

1

HOUSE BILL 659

Short Title: Filling Vacancies/U.S. Senate. (Public)

Sponsors: Representatives Burr, Saine, Bert Jones, and K. Hall (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Elections and Ethics Law

April 11, 2017

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THE MANNER IN WHICH VACANCIES ARE FILLED IN THE  
3 OFFICE OF UNITED STATES SENATOR.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 163-12 reads as rewritten:

6 "**§ 163-12. Filling vacancy in United States Senate.**

7 Whenever there shall be a vacancy in the office of United States Senator from this State,  
8 whether caused by death, resignation, or otherwise than by expiration of term, the Governor  
9 shall appoint to fill the vacancy until an election shall be held to fill the office. If the Senator  
10 was elected as the nominee of a political party, ~~the person appointed by the Governor shall be a~~  
11 ~~person affiliated with that same political party.~~ the Governor shall appoint from a list of three  
12 persons recommended by the State executive committee of the political party with which the  
13 vacating member was affiliated when elected if that party executive committee makes  
14 recommendations within 30 days of the occurrence of the vacancy. The Governor shall issue a  
15 writ for the election of a Senator to be held at the time of the first election for members of the  
16 General Assembly that is held more than 60 days after the vacancy occurs. The person elected  
17 shall hold the office for the remainder of the unexpired term. The election shall take effect from  
18 the date of the canvassing of the returns."

19 **SECTION 2.** This act is effective when it becomes law and applies to vacancies  
20 filled on or after that date.

