

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 31
Committee Substitute Favorable 4/2/01

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. Selection of Presidential Electors by General Assembly in certain circumstances, by the Governor in certain other circumstances.

(a) Selection 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 one or more Presidential Electors has not been certified under G.S. 163-210 before noon on the date for settling controversies specified by 3 U.S.C. § 5, the General Assembly shall meet in special session to select those Presidential Electors the Secretary of State has been unable to certify. Any Presidential Electors whose selection can be certified under G.S. 163-210 before the date for settling controversies specified in 3 U.S.C. § 2 shall not be selected by the General Assembly.

(b) Selection by Governor if No Selection by Electors' Meeting Day. – If one or more Presidential Electors has not been selected by noon on the day set for the meeting of Presidential Electors by 3 U.S.C. § 7, then the Governor shall select the Presidential Electors who have not been selected by that time.

(c) Certification by Secretary of State Before Electors' Meeting Day Controls. – If the certification of any Presidential Elector 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.