

Article 12A.

Precinct Boundaries.

§ 163-132.1. Repealed by Session Laws 2013-381, s. 27.1, effective January 1, 2014.

§ 163-132.1A. Repealed by Session Laws 1999-227, s. 1, effective June 25, 1999.

§ 163-132.1B. Repealed by Session Laws 2016-109, s. 7(b), effective July 22, 2016.

**§ 163-132.1C. Participation in the 2020 Census Redistricting Data Program of the United States Census Bureau.**

(a) Participation. – The State of North Carolina shall participate in the 2020 Census Redistricting Data Program, conducted pursuant to P.L. 94-171, of the United States Bureau of the Census, so that the State will receive 2020 Census data by voting districts.

(b) Reporting of Voting Districts. – The Legislative Services Officer shall report to the Bureau of the Census this State's voting precincts, which shall be based upon the 2010 Census block boundaries, to be used in developing the geography for the 2020 Census as voting districts. The Executive Director shall approve and the Legislative Services Officer shall submit the report to the Bureau of the Census in time to comply with the deadlines of that Bureau for the 2020 Census Redistricting Data Program. The Legislative Services Officer shall participate in the Bureau of the Census's verification program and notify the Bureau of the Census of any errors in the entry of the voting districts in time for those errors to be corrected.

(c) Additional Rules. – The Legislative Services Officer shall provide a copy of the submission required by subsection (b) of this section to the Executive Director and to the chair of each political party recognized under G.S. 163-96. The Legislative Services Officer shall also, at the time of the report to Bureau of the Census, post the report on the Web site of the General Assembly. (2016-109, s. 7(a); 2017-6, s. 3; 2018-146, s. 3.1(a), (b); 2019-16, s. 1.)

§ 163-132.2. Repealed by Session Laws 1999-227, s. 1, effective June 25, 1999.

**§ 163-132.3. Alterations to approved precinct boundaries.**

(a) No county board of elections may change any precinct boundary unless approved by the Executive Director of the State Board.

(b) To be used by the Executive Director and the county boards of elections in changing precinct boundaries in accordance with this section, the State Board shall set uniform standards for precinct boundaries that the county boards of elections shall follow. Any uniform standards for precinct boundaries set by the State Board shall comply with all of the following:

- (1) Precinct boundaries shall coincide with Census block boundaries, as set forth in the TIGER/Line Shapefiles associated with the most recent federal decennial census.
- (2) Precincts shall consist solely of contiguous territory.
- (3) Precincts shall consist of territory and population that allows for efficient and accurate administration of elections, taking into consideration available polling places and access to polling places.
- (4) The county shall be able to reallocate any out of precinct ballots cast by a voter to the precinct associated with that voter's voter registration for purposes of reporting the results of an election.

(c) The county board of elections shall report every change in precinct boundary to the Executive Director in a format required by the Executive Director.

No newly created or altered precinct boundary is effective until approved by the Executive Director as being in compliance with this section.

(d) The Executive Director shall examine the maps of the proposed new or altered precincts and any required written descriptions. If the Executive Director determines that all precinct boundaries are in compliance with this section, the Executive Director shall approve the maps and written descriptions as filed and these precincts shall be the official precincts for voting.

(e) If the Executive Director determines that the proposed precinct boundaries are not in compliance with subsection (b) of this section, the Executive Director shall not approve those proposed precinct boundaries. The Executive Director shall notify the county board of elections of the disapproval specifying the reasons. The county board of elections may then resubmit new proposed precinct maps and written descriptions to cure the reasons for the disapproval. (1985, c. 757, s. 205(a); 1987 (Reg. Sess., 1988), c. 1074, s. 2; 1991 (Reg. Sess., 1992), c. 927, s. 1; 1993, c. 352, s. 3; 1993 (Reg. Sess., 1994), c. 762, s. 71; 1995, c. 423, ss. 2, 3; 1999-227, ss. 1, 2; 2001-319, ss. 10.1, 11; 2001-487, s. 96; 2002-159, s. 56; 2003-434, 1st Ex. Sess., s. 13; 2004-127, s. 1(a); 2007-391, s. 6(b); 2008-187, s. 33(b); 2016-109, s. 8(a); 2017-6, s. 3; 2018-146, s. 3.1(a), (b); 2019-16, s. 4(a).)

#### **§ 163-132.3A. Alterations to precinct names.**

No county board of elections shall assign to any precinct a name that has been used after January 1, 1999, for a precinct comprising different territory. That requirement does not apply to a precinct change made under G.S. 163-132.3(a)(3). The county board of elections shall submit to the Executive Director of the State Board of Elections for approval every proposed change to a precinct name, and the Executive Director shall approve a name change only if it complies with this section. (2004-127, s. 1(b); 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

#### **§ 163-132.4. Directives.**

The Executive Director of the State Board of Elections may promulgate directives concerning its duties and those of the county boards of elections under this Article. (1985, c. 757, s. 205(a); 1987 (Reg. Sess., 1988), c. 1074, s. 2; 2001-319, s. 11; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

#### **§ 163-132.5. Cooperation of State and local agencies.**

The Office of State Budget and Management, the Department of Transportation and county and municipal planning departments shall cooperate and assist the Legislative Services Office, the Executive Director of the State Board of Elections and the county boards of elections in the implementation of this Article. (1985, c. 757, s. 205(a); 1987, c. 715, s. 4; 1987 (Reg. Sess., 1988), c. 1074, s. 2; 1989, c. 440, s. 3, c. 770, s. 75.3; 2000-140, ss. 93.1(c); 2001-319, s. 11; 2001-424, s. 12.2(b); 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

**§ 163-132.5A.** Repealed by Session Laws 1991 (Regular Session, 1992), c. 927, s. 1.

**§ 163-132.5B.** Repealed by Session Laws 2018-146, s. 4.5(e), effective January 31, 2019.

#### **§ 163-132.5C. Local acts and township lines.**

(a) Notwithstanding the provisions of any local act, a county board of elections need not have the approval of any other county board or commission to make precinct boundary changes required by this Article.

(b) Precinct boundaries established, retained or changed under this Article, or changed to follow a district line where a precinct has been divided in a districting plan, may cross township lines. (1987, c. 715, s. 4; 1989, c. 440, s. 5; 1991 (Reg. Sess., 1992), c. 927, s. 1; 1995, c. 423, s. 2; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

**§ 163-132.5D. Retention of precinct maps.**

The Executive Director of the State Board of Elections shall retain the maps and written descriptions which he approves pursuant to G.S. 163-132.3. (1991 (Reg. Sess., 1992), c. 927, s. 1; 2001-319, s. 11; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

**§ 163-132.5E.** Repealed by Session Laws 1999-227, s. 1, effective June 25, 1999.

**§ 163-132.5F. U.S. Census data by voting tabulation district.**

The State shall request the U.S. Bureau of the Census for each decennial census to provide summaries of census data by voting tabulation district and shall participate in any U.S. Bureau of the Census' program to effectuate this provision. (1991 (Reg. Sess., 1992), c. 927, s. 1; 2007-391, s. 6(e); 2008-187, s. 33(b); 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

**§ 163-132.5G. Voting data maintained by precinct.**

(a) Each county board of elections shall maintain voting data by voting precinct so that precinct returns for each item on the ballot shall include the votes cast by all residents of that voting precinct who voted, regardless of where the voter voted. The county board shall not be required to report returns by voting precinct for voters who voted other than at the voting precinct associated with that voter's voter registration until 30 days after the election. In reporting returns, the county board shall not compromise the secrecy of an individual's ballot. In reporting returns, the county board shall report, by precinct for each item on the ballot, the number of voters who did not select a choice for that item on the ballot and the number of voters who selected more choices than available for that item on the ballot.

(b) The 30-day deadline for reporting returns by voting precinct does not relieve the county board of the duty to report all returns as soon as practicable after the election according to other categories specified by the State Board.

(c) The State Board shall adopt rules for the enforcement of this section.

(d) If a county board of elections does not comply with the requirements of this section, the State Board shall direct the chair of the county board of elections to appear and explain the delay at the next official meeting of the State Board. (2001-466, s. 2; 2003-183, s. 1; 2005-323, s. 1(e); 2007-391, s. 6(c); 2008-187, s. 33(b); 2016-109, s. 9(a); 2017-6, s. 3; 2018-146, s. 3.1(a), (b); 2020-17, s. 10.5.)

**§ 163-132.6.** Repealed by Session Laws 1991 (Regular Session, 1992), c. 927, s. 1.

**§ 163-133.** Reserved for future codification purposes.

**§ 163-134.** Reserved for future codification purposes.