

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2005**

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**HOUSE BILL 158**

Short Title: Recasting Lost Votes. (Public)

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Sponsors: Representatives Preston, Insko (Primary Sponsors); B. Allen, Allred, Blackwood, Fisher, LaRoque, Lucas, and Underhill.

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Referred to: Election Law and Campaign Finance Reform.

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February 10, 2005

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE BOARDS OF ELECTIONS TO ALLOW KNOWN  
2 VOTERS WHOSE VOTES WERE LOST TO RECAST THEIR BALLOTS  
3 DURING A TWO-WEEK PERIOD AFTER THE ELECTION, AS  
4 RECOMMENDED BY THE JOINT SELECT COMMITTEE ON ELECTRONIC  
5 VOTING SYSTEMS.  
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 163-182.12 reads as rewritten:

9 "**§ 163-182.12. Authority of State Board of Elections over protests.**

10 The State Board of Elections may consider protests that were not filed in compliance  
11 with G.S. 163-182.9, may initiate and consider complaints on its own motion, may  
12 intervene and take jurisdiction over protests pending before a county board, and may  
13 take any other action necessary to assure that an election is determined without taint of  
14 fraud or ~~corruption~~ corruption and without irregularities that may have changed the  
15 result of an election. Where a known group of voters cast votes that were lost beyond  
16 retrieval, the State Board of Elections may authorize a county board of elections to  
17 allow those voters to recast their ballots during a period of two weeks after the election.  
18 If the State Board approves a recasting of votes under this section, any procedures the  
19 county board uses to contact those voters and allow them to recast their votes shall be  
20 subject to approval by the State Board. Those recast votes shall be added to the returns  
21 and included in the canvass. The recasting of those votes shall not be deemed a new  
22 election for purposes of G.S. 163-182.13."

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