

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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SENATE BILL 224\*

Short Title: Recasting Lost Votes.

(Public)

Sponsors: Senators Allran, Kinnaird; Berger of Franklin, Bingham, Blake, Boseman, Brock, Brown, Dorsett, East, Goodall, Hagan, Holloman, Horton, Hoyle, Hunt, Jacumin, Lucas, Malone, Nesbitt, Purcell, Rand, Shaw, Snow, Soles, Stevens, Swindell, Thomas, Tillman, and Weinstein.

Referred to: Judiciary I.

February 28, 2005

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

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

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

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