

08 NCAC 06B .0105 COUNTING OF OFFICIAL BALLOTS

(a) Following the close of the polls the official ballots shall be counted in accordance with G.S. 163-182.1(a). Precinct officials shall follow the procedures specified by the voting system manufacturer and in compliance with G.S. 163-182.1 and 163-182.2. The counting of the ballots shall be completed in the presence of the precinct election officials, observers, and any persons desiring to observe the count. All official ballots shall be counted at the precinct unless authorized by the State Board of Elections.

(b) The counting of the ballots at the precinct shall be continuous until completed. From the time the counting of the ballots is begun until the votes are counted and the requisite documentation, including results tapes, is signed, certified as required, and delivered to the chief judge or judge chosen to deliver the documentation to the county board of elections, the precinct chief judge and judges shall not separate, nor shall any of them leave the voting place except for unavoidable necessity, in which case the chief judge or judge who left the polling place shall not be permitted to return to the polling place. Unavoidable necessity means an emergency as determined by the departing precinct official.

(d) When the counting is completed the chief judge or his or her designee shall verbally announce the results at the precinct. The announcement of the results shall state the results are unofficial. The unofficial results shall be transmitted to the county board of elections in the manner determined by the county board of elections and the voting system. This report shall be unofficial and shall have no binding effect upon the official county canvass to follow. As soon as the precinct reports are received, the chair, secretary or designee shall publish the unofficial reports to the news media.

(e) Provisional official ballots shall be counted by the county board of elections before the canvass. If the county board finds that an individual voting a provisional official ballot is not eligible to vote in one or more ballot items on the official ballot, the board shall not count the official ballot in those ballot items, but shall count the official ballot in any ballot items for which the individual is eligible to vote.

*History Note: Authority G.S. 163-22; 163-47(a); 163-182.1; 163-182.2;
Temporary Adoption Eff. April 15, 2002;
Eff. August 1, 2004;
Readopted Eff. June 1, 2019.*