

**08 NCAC 09 .0107            FIRST RECOUNT**

In the first recount conducted by the county board of elections in accordance with G.S. 163-182.7, all ballots that were originally counted shall be recounted by machine, notwithstanding the method by which the ballots were originally counted. All ballots that are rejected for tabulation purposes by the machines during the recount shall be recounted by hand by a bi-partisan team of four in accordance with 08 NCAC 09 .0106(d). Ballots accepted by the machines during the recount shall not be counted by hand, regardless of whether the ballot is marked, contains overvotes, or is blank. The board of elections having jurisdiction over the ballot item shall schedule the first recount to begin within three business days of the demand for a mandatory recount or the decision to conduct a discretionary recount under G.S. 163-182.7, except the recount shall begin no earlier than the conclusion of the county canvass meeting pursuant to G.S. 163-182.5.

*History Note:        Authority G.S. 163-22; 163-182.7;*  
*Temporary Adoption Eff. April 15, 2002;*  
*Eff. August 1, 2004;*  
*Readopted Eff. June 1, 2019;*  
*Amended Eff. September 1, 2021;*  
*Temporary Amendment Eff. August 8, 2024.*