

1 21 NCAC 46 .2107 is proposed for amendment as follows:

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3 **21 NCAC 46 .2107 BALLOTS: CASTING AND COUNTING**

4 ~~(a) The ballot casting period for each election for a Board position shall begin on November 1 six months prior to the~~
5 ~~expiration of a Board member's five-year term of office and shall conclude the March 1 after the ballot casting period begins.~~

6 ~~(a) (b) The Board shall provide a access to an electronic ballot to all eligible voters on November 1 ~~in April~~ of each year that~~
7 ~~there is an election for Board position(s) begins. position(s). The Board shall employ the following method for balloting:~~

8 ~~(1) — The Board shall provide access to an electronic ballot to all eligible voters; and~~

9 ~~(2) — A paper ballot shall be mailed, with return envelope, to any eligible voter who makes a written request for a~~
10 ~~paper ballot in lieu of access to an electronic ballot and whose request is actually received by the Board on~~
11 ~~or before April 20.~~

12 ~~(b) (c) A description of a nominee's qualifications shall be accessible to all eligible voters. voters ~~casting their ballots~~~~
13 ~~electronically. The same description of the nominee's qualifications shall accompany each paper ballot sent pursuant to~~
14 ~~Subparagraph (a)(2) of this Rule.~~

15 ~~(e) (d) On or before the March 1 that the ballot casting period ends, May 15, all ballots shall be cast electronically.~~
16 ~~electronically, physically delivered to the Board office or postmarked, if the ballot is sent by U.S. mail.~~

17 ~~(d) (e) Ballots received shall be counted and certified by the Board of Pharmacy at the next regularly scheduled Board~~
18 ~~meeting following an election or at a special Board meeting properly called and noticed for the purpose of counting and~~
19 ~~certifying the ballots cast. election.~~ The Board of Pharmacy shall determine the validity of any challenged ballot, and
20 electronic or mechanical devices may be used in compiling election results. No person ~~running~~ standing for election ~~or~~
21 ~~reelection~~ may participate in the counting and certification of ballots for the election ~~or reelection~~ involving that person.

22 ~~(f) If, by operation of 21 NCAC 46 .2108, a candidate is eligible to request a run-off election, that candidate must provide a~~
23 ~~request for a run-off, in writing to the Board's Executive Director within one week of the date that the Board certifies the~~
24 ~~election results. The run-off election shall begin one week from the date that the eligible candidate requests the run-off~~
25 ~~election and the ballot casting period shall be open for two weeks. With the exception of ballot casting period dates, a run-off~~
26 ~~election shall follow the same procedures described in this Rule.~~

27 ~~(e) (g) The Executive Director shall convey the certified election results to the Governor.~~

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29 *History Note: Authority G.S. 90-85.7;*

30 *Eff. April 1, 1983;*

31 *Amended Eff. May 1, 2017; January 1, 2009; April 1, 2003.*