

§ 150B-45. Procedure for seeking review; waiver.

(a) **Deadline.** – To obtain judicial review of a final decision under this Article, the person seeking review must file a petition in superior court within 30 days after the person is served with a written copy of the decision. A person that fails to file a petition within the required time waives the right to judicial review under this Article. For good cause shown, however, the superior court may accept an untimely petition.

(b) **Venue.** – The petition must be filed as follows:

- (1) **Contested tax cases.** – A petition for review of a final decision in a contested tax case arising under G.S. 105-241.15 must be filed in the Superior Court of Wake County.
- (2) **Other final decisions.** – A petition for review of any other final decision under this Article must be filed in the superior court of the county where the person aggrieved by the administrative decision resides, or in the case of a person residing outside the State, in the county where the contested case that resulted in the final decision was filed.
- (3) **Change of venue.** – If a petition is filed in an improper county, the superior court of that county may order a change of venue consistent with G.S. 1-83 but shall not dismiss the petition on the ground of improper venue.

(c) **State Board of Elections.** – For a stay entered pursuant to G.S. 150B-33(b)(6), the State Board of Elections may obtain judicial review of the temporary restraining order or preliminary injunction in the superior court of the county designated in subsection (a) of this section. (1973, c. 1331, s. 1; 1985, c. 746, s. 1; 1987, c. 878, s. 16; 2007-491, s. 43; 2013-143, s. 4; 2018-13, s. 3.1; 2022-64, s. 5(a).)