

§ 138A-10. Powers and duties.

- (a) In addition to other powers and duties specified in this Chapter, the Commission shall:
- (1) Provide reasonable assistance to covered persons in complying with this Chapter.
 - (2) Develop readily understandable forms, policies, and procedures to accomplish the purposes of the Chapter.
 - (3) Identify and publish the following:
 - a. A list of nonadvisory boards.
 - b. The names of individuals subject to this Chapter as covered persons and legislative employees under G.S. 138A-11.
 - (4) Receive and review all statements of economic interest filed with the Commission by prospective and actual covered persons as provided in G.S. 138A-28. Pursuant to G.S. 138A-24(c), this subdivision does not apply to statements of economic interest of legislators and judicial officers.
 - (5) Conduct inquiries of alleged violations against judicial officers, legislators, and legislative employees in accordance with G.S. 138A-12.
 - (6) Conduct inquiries into alleged violations against public servants in accordance with G.S. 138A-12.
 - (6a) Issue confidential recommendations to the State Board of Elections regarding the appropriateness of a criminal referral of campaign finance violations.
 - (7) Render advisory opinions in accordance with G.S. 138A-13 and G.S. 138A-102.
 - (8) Initiate and maintain oversight of ethics educational programs for public servants and their staffs, and legislators and legislative employees, consistent with G.S. 138A-14.
 - (9) Conduct a continuing study of governmental ethics in the State and propose changes to the General Assembly in the government process and the law as are conducive to promoting and continuing high ethical behavior by governmental officers and employees.
 - (10) Adopt procedures and guidelines to implement this Chapter.
 - (11) Report annually to the Joint Legislative Oversight Committee on General Government and the Governor on the Commission's activities and generally on the subject of public disclosure, ethics, and conflicts of interest, including recommendations for administrative and legislative action, as the Commission deems appropriate.
 - (12) Publish annually statistics on complaints filed with or considered by the Commission, including the number of complaints filed, the number of complaints referred under G.S. 138A-12(c), the number of complaints dismissed under G.S. 138A-12(e)(4), the number of complaints dismissed under G.S. 138A-12(h), the number of complaints referred for criminal prosecution under G.S. 138A-12, the number of complaints dismissed under G.S. 138A-12(j), the number of complaints referred for appropriate action under G.S. 138A-12(j) or G.S. 138A-12(m)(3), and the number and age of complaints pending action by the Commission.
 - (13) Perform other duties as may be necessary to accomplish the purposes of this Chapter.
- (b) The Commission may authorize the Executive Director and other staff of the Commission to evaluate statements of economic interest on behalf of the Commission as authorized under subdivision (a)(4) of this section.

(c) Except as otherwise provided in this Chapter, the Commission shall be the sole State agency with authority to determine compliance with or violations of this Chapter and to issue interpretations and advisory opinions under this Chapter. Decisions and advisory opinions by the Commission under this Chapter shall be binding on all other State agencies. (2006-201, s. 1; 2008-213, s. 55; 2008-215, s. 7; 2009-549, s. 8; 2013-360, s. 30.4(a); 2017-6, s. 3; 2018-146, ss. 3.1(a), (b), 4.11(a); 2021-180, s. 37.2.)