

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 240
Second Edition Engrossed 4/23/97

Short Title: Fund-Raising in Session.

(Public)

Sponsors: Senators Gulley; and Page.

Referred to: Judiciary.

February 15, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO STRENGTHEN THE LIMITATION ON CERTAIN KINDS OF
3 POLITICAL FUND-RAISING WHILE THE GENERAL ASSEMBLY IS IN
4 REGULAR SESSION.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 163-278.13A is repealed.

7 Section 2. Article 22A of the General Statutes is amended by adding a new
8 section to read:

9 **"§ 163-279.13B. Limitation on fund-raising during legislative session.**

10 (a) Definitions. – For purposes of this section:

11 (1) 'Limited contributor' means a lobbyist registered pursuant to Article 9A
12 of Chapter 120 of the General Statutes, that lobbyist's agent, or a
13 political committee that employs or contracts with, or whose parent
14 entity employs or contracts with, a lobbyist registered pursuant to
15 Article 9A of Chapter 120 of the General Statutes.

16 (2) 'Limited contributee' means a member of the Council of State, a member
17 of the General Assembly, or a person who has filed for election to one
18 of these offices or a political committee the principal purpose of which
19 is to assist a member or members of the Council of State or General

1 Assembly or a person who has filed for election to one of these offices.
2 'Limited contributee' does not include a State, county, or congressional
3 district executive committee of a political party.

4 (3) The General Assembly is in 'regular session' from the date set by law or
5 resolution that the General Assembly convenes until the General
6 Assembly either adjourns sine die, or recesses or adjourns for more than
7 10 days.

8 (b) Prohibited Solicitations. – While the General Assembly is in regular session,
9 no limited contributee, or a real or purported agent of a limited contributee, shall solicit a
10 contribution from a limited contributor to be made to that limited contributee or to be
11 made to any other candidate, officeholder, or political committee.

12 (c) Prohibited Contributions. – While the General Assembly is in regular session:

13 (1) No limited contributor shall make a contribution to a limited
14 contributee.

15 (2) No limited contributor shall make a contribution to any candidate,
16 officeholder, or political committee, directing or requesting that the
17 contribution be made in turn to a limited contributee.

18 (3) No limited contributor shall transfer any amount of money or anything
19 of value to any entity, directing or requesting that that entity use what
20 was transferred to contribute to a limited contributee.

21 (4) No limited contributee shall accept a contribution from a limited
22 contributor.

23 (d) Prosecution. – A violation of this section is a Class 2 misdemeanor, but no
24 individual shall be prosecuted under this section for accepting a contribution unless the
25 State Board of Elections has notified the individual of the apparent violation in writing by
26 certified mail, has given the individual an opportunity to return the contribution, and,
27 within 10 days of the receipt of the notification, the individual has failed to return the
28 contribution."

29 Section 3. This act becomes effective January 1, 1998, and applies to all
30 contributions solicited, accepted, or made on or after that date.