

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE DRH70340-ST-40 (03/26)

Short Title: No Pressuring Lobbyists for Contributions. (Public)

Sponsors: Representative Blust.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PREVENT LEGISLATORS FROM PRESSURING REGISTERED
3 LOBBYISTS FOR CONTRIBUTIONS TO POLITICAL CAMPAIGNS OF
4 LEGISLATORS AND EXECUTIVE BRANCH OFFICIALS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 163-278.6 is amended by adding a new subdivision to read:
7 "**§ 163-278.6. Definitions.**

8 When used in this Article:

9 ...

10 (5a) The term 'constitutional officers of the State' means officers whose offices
11 are established in Article III of the North Carolina Constitution.

12"

13 **SECTION 2.** Article 22A of Chapter 163 of the General Statutes is amended by
14 adding a new section to read:

15 "**§ 163-278.13D. Limitation on contributions by registered lobbyists.**

16 (a) No legislator, executive branch official, or candidate campaign committee or the
17 real or purported agent of that legislator, executive branch official, or candidate campaign
18 committee shall do any of the following:

19 (1) Solicit a contribution from a lobbyist registered under Chapter 120C of the
20 General Statutes.

21 (2) Request, either directly, indirectly, or by implication, a lobbyist registered
22 under Chapter 120C of the General Statutes to solicit contributions.

23 (3) Solicit a third party, requesting or directing that the third party directly or
24 indirectly solicit a contribution from a lobbyist registered under Chapter
25 120C of the General Statutes or relay to the lobbyist registered under
26 Chapter 120C of the General Statutes the legislator's, executive branch
27 official's, or candidate campaign committee's solicitation of a contribution.

28 (4) Accept a contribution from a lobbyist registered under Chapter 120C of the
29 General Statutes.

30 (b) No lobbyist registered under Chapter 120C of the General Statutes shall do any of
31 the following:

32 (1) Make or offer to make a contribution to a legislator, executive branch
33 official, or candidate campaign committee.



- 1 (2) Make a contribution to any candidate, officeholder, or political committee,
2 directing or requesting that the contribution be made in turn to a legislator,
3 executive branch official, or candidate campaign committee.
- 4 (3) Transfer any amount of money or anything of value to any entity, directing
5 or requesting that the entity use what was transferred to contribute to a
6 legislator, executive branch official, or candidate campaign committee.
- 7 (4) Solicit a contribution from any individual, political committee, or other
8 entity on behalf of a legislator, executive branch official, or candidate
9 campaign committee. This subdivision does not apply to a registered
10 lobbyist soliciting a contribution on behalf of a political party executive
11 committee if the solicitation is solely for a separate segregated fund kept by
12 the political party limited to use for activities that are not candidate-specific,
13 including generic voter registration and get-out-the-vote efforts, pollings,
14 mailings, and other general activities and advertising that do not refer to a
15 specific individual candidate.
- 16 (5) Deliver any contribution made by another to a legislator, executive branch
17 official, or candidate campaign committee.
- 18 (c) It shall not be deemed a violation of this section for a legislator or executive branch
19 official to serve on a board or committee of an organization that makes a solicitation of a
20 lobbyist registered under Chapter 120C of the General Statutes as long as that legislator or
21 executive branch official does not directly participate in the solicitation and that legislator or
22 executive branch official does not directly benefit from the solicitation.
- 23 (d) This section shall not prohibit a lobbyist registered under Chapter 120C of the
24 General Statutes from advising any of the following with regard to contributions to a legislator,
25 executive branch official, or candidate campaign committee:
- 26 (1) A political committee that employs or contracts with, or whose parent entity
27 employs or contracts with, that lobbyist.
- 28 (2) Individual members of a political committee described in subdivision (1) of
29 this subsection.
- 30 (3) The lobbyist's principal as defined in G.S. 120C-100.
- 31 (e) This section shall not apply to a lobbyist filing a notice of candidacy for office as a
32 member of the General Assembly or a constitutional officer of the State making a contribution
33 to that lobbyist.
- 34 (f) As used in this section, the following terms mean:
- 35 (1) Candidate campaign committee. – As defined in G.S. 163-278.38Z, and that
36 candidate has filed a notice of candidacy for office as a member of the
37 General Assembly or a constitutional officer of the State.
- 38 (2) Executive branch official. – As defined in G.S. 138A-3(30)a.
- 39 (3) Legislator. – As defined in G.S. 120C-100.
- 40 (g) A violation of this section is punishable by a civil fine in accordance with
41 G.S. 163-278.34 only."

42 **SECTION 3.** This act becomes effective January 1, 2010.