

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30326-ST-39 (03/23)

Short Title: Campaign Contribution Uses. (Public)

Sponsors: Representative Blust.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO RESTRICT EXPENDITURES OUT OF THE CANDIDATE CAMPAIGN
3 COMMITTEE THAT ARE A RESULT OF HOLDING PUBLIC OFFICE.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 163-278.16B reads as rewritten:

6 "§ 163-278.16B. Use of contributions for certain purposes.

7 (a) A candidate or candidate campaign committee may use contributions only for the
8 following purposes:

- 9 (1) Expenditures resulting from the campaign for public office by the candidate
10 or candidate's campaign committee.
- 11 (2) Expenditures resulting from holding public ~~office-office~~, except as provided
12 in subsection (d) of this section.
- 13 (3) Donations to an organization described in section 170(c) of the Internal
14 Revenue Code of 1986 (26 U.S.C. § 170(c)), provided that the candidate or
15 the candidate's spouse, children, parents, brothers, or sisters are not
16 employed by the organization.
- 17 (4) Contributions to a national, State, or district or county committee of a
18 political party or a caucus of the political party or an affiliated party
19 committee.
- 20 (5) Contributions to another candidate or candidate's campaign committee.
- 21 (6) To return all or a portion of a contribution to the contributor.
- 22 (7) Payment of any penalties against the candidate or candidate's campaign
23 committee for violation of this Article imposed by a board of elections or a
24 court of competent jurisdiction.
- 25 (8) Payment to the Escheat Fund established by Chapter 116B of the General
26 Statutes.
- 27 (9) Legal expense donation not in excess of four thousand dollars (\$4,000) per
28 calendar year to a legal expense fund established pursuant to Article 22M of
29 Chapter 163 of the General Statutes.

30 (b) As used in this section, the term "candidate campaign committee" means the same
31 as in G.S. 163-278.38Z(3).

32 (c) Contributions made to a candidate or candidate campaign committee do not become
33 a part of the personal estate of the individual candidate. The candidate may file with the board a
34 written designation of those funds that directs to which of the permitted uses in subsection (a)
35 of this section those funds shall be paid in the event of the death or incapacity of the candidate.
36 If the candidate fails to file the written designation before death, the personal representative of



1 the estate may file the written designation within 90 days of the date of death, and may only
2 direct those funds to donations under subdivision (a)(3) of this section. After the payment of
3 permitted outstanding debts of the account, the candidate's filed written designation shall
4 control. If the candidate files no such written designation, the funds after payment of permitted
5 outstanding debts shall be distributed in accordance with subdivision (a)(8) of this section.

6 (d) For any candidate who is holding elected office, that candidate or candidate
7 campaign committee shall not use contributions for any of the following:

8 (1) An amount paid or reimbursed by the State or unit of local government for
9 expenditures related to that elected office whether as per diem or actual
10 expenses. A candidate may use contributions to make up any difference
11 between the amount paid or reimbursed by the State or unit of local
12 government and the actual expenses related to holding elected office if that
13 candidate provides sufficient record to the State Board.

14 (2) Costs of family or friends attending a conference, meeting, or similar event
15 primarily related to the elected office held.

16 (3) Costs of family or friends attending a meeting of a State, regional, national,
17 or international organization of which the candidate is a member or
18 participant by virtue of that candidate's elected office."

19 **SECTION 2.** This act becomes effective January 1, 2018, and applies to
20 expenditures made on or after that date."