

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 857

Short Title: Letters of Character Ref. and LEC/SEC Study. (Public)

Sponsors: Representatives Harrison, Mills, and Faircloth (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Rules, Calendar, and Operations of the House

May 5, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY WHEN A COVERED PERSON MAY USE THE PUBLIC POSITION  
3 WITH RESPECT TO LETTERS OF CHARACTER REFERENCE FOR INDIVIDUALS  
4 SEEKING UNPAID WORK AND FOR INDIVIDUALS BEING NOMINATED FOR  
5 PUBLIC SERVICE AWARDS FROM THE STATE AND TO REQUIRE THE  
6 LEGISLATIVE ETHICS COMMITTEE AND THE STATE ETHICS COMMISSION TO  
7 CONDUCT A STUDY OF ETHICAL STANDARDS AND THEIR POWERS, DUTIES,  
8 AND FUNCTIONS.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.(a)** G.S. 138A-31(b)(7) is amended by adding two new  
11 sub-subdivisions to read:

12 "e. An individual seeking an internship, externship, fellowship, or any  
13 other unpaid volunteer work program, at the request of that individual  
14 or in response to the inquiry of an organization offering the position as  
15 to the qualifications and character of that individual.

16 f. An individual being nominated for an award recognizing public  
17 service to the State or one of its political subdivisions."

18 **SECTION 1.(b)** This section is effective when it becomes law and applies to letters  
19 written on or after that date.

20 **SECTION 2.(a)** In addition to the requirements of G.S. 120-105, the Legislative  
21 Ethics Committee shall study the ethical standards for legislators and the powers, duties, and  
22 functions of the Committee. The purpose of the study is to examine if revisions are necessary to  
23 provide more effective advice to legislators and enhance the trust of the public. As part of the  
24 study, the Legislative Ethics Committee is directed to study all of the following:

- 25 (1) Whether revisions to the Legislative Ethics Act, Article 14 of Chapter 120 of  
26 the General Statutes, are needed.  
27 (2) Whether revisions to the State Government Ethics Act, Chapter 138A of the  
28 General Statutes, are needed.  
29 (3) Whether revisions to the lobbying laws in Chapter 120C of the General  
30 Statutes are needed.

31 **SECTION 2.(b)** The Committee shall report its findings and recommendations to  
32 the 2022 Regular Session of the 2021 General Assembly no later than January 15, 2022.

33 **SECTION 3.(a)** In addition to the requirements of G.S. 138A-10(a)(9) and (11), the  
34 State Ethics Commission shall study the ethical standards for legislators and public servants and  
35 the powers, duties, and functions of the Commission. The purpose of the study is to examine if



1 revisions are necessary to provide more effective advice to legislators and public servants and  
2 enhance the trust of the public. As part of the study, the Commission is directed to study whether  
3 revisions to the State Government Ethics Act, Chapter 138A of the General Statutes, are needed.

4 **SECTION 3.(b)** The Commission shall report its findings and recommendations to  
5 the 2022 Regular Session of the 2021 General Assembly no later than January 15, 2022.

6 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes  
7 law.