

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1110*

Short Title: State Government Ethics Act Technical Changes. (Public)

Sponsors: Representatives Howard and Ross (Primary Sponsors).

Referred to: Ethics.

March 28, 2007

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE TECHNICAL CHANGES TO THE STATE GOVERNMENT
3 ETHICS ACT.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 120-87(a) reads as rewritten:

6 "§ 120-87. Disclosure of confidential information.

7 (a) No legislator shall use or disclose in any way confidential information gained
8 in the course of the legislator's official activities or by reason of the legislator's official
9 position that could result in financial gain for: (i) the legislator; (ii) a business with
10 which the legislator is associated; (iii) a nonprofit corporation or organization with
11 which the legislator is associated; (iv) a member of the legislator's immediate
12 household; family; or (v) any other person."

13 SECTION 2.(a) G.S. 138A-24(a)(2)l. is repealed.

14 SECTION 2.(b) G.S. 138A-24(a) is amended by adding a new subdivision
15 to read:

16 "§ 138A-24. Contents of statement.

17 (a) Any statement of economic interest filed under this Article shall be on a form
18 prescribed by the Commission and sworn to by the filing person. Answers must be
19 provided to all questions. The form shall include the following information about the
20 filing person and the filing person's immediate family:

21 . . .

22 (2a) A list of any public or private enterprise, incorporated or otherwise,
23 that is organized or operating in the State primarily for religious,
24 charitable, scientific, literary, public health and safety, or educational
25 purposes and of which the person or any member of the person's
26 immediate family is a director, officer, governing board member,
27 employee, or independent contractor as of December 31 of the
28 preceding year, including a list of which of those nonprofit
29 corporations or organizations do business with the State or receive

State funds, if known, and a brief description of the nature of the business, or which with due diligence could reasonably be known.

...."

SECTION 3. G.S. 138A-32(e)(3) reads as rewritten:

"(e) Subsections (c) and (d) of this section shall not apply to any of the following:

...

(3) Reasonable actual expenditures of the ~~covered person or legislative employee~~ legislator, legislative employee, or public servant for food, beverages, registration, travel, lodging, other incidental items of nominal value, and entertainment, in connection with (i) ~~a covered person's or legislative employee's~~ a legislator's, legislative employee's, or public servant's attendance at an educational meeting for purposes primarily related to the public duties and responsibilities of the ~~covered person or legislative employee~~, legislator, legislative employee, or public servant or in order for the ~~covered person or legislative employee~~ legislator, legislative employee, or public servant to participate as a speaker or member of a panel; (ii) a legislator's or legislative employee's attendance and participation in meetings of a state, regional, national, or international legislative organization of which the General Assembly is a member or that the legislator or legislative employee is a member or participant of by virtue of that person's public position, or as a member of a board, agency, or committee of such organization; or (iii) a public servant's attendance and participation in meetings as a member of a board, agency, or committee of a state, regional, national, or international legislative organization of which the public servant's agency is a member or the public servant is a member by virtue of that person's public position, provided the following conditions are met:

- a. The reasonable actual expenditures shall be made by a lobbyist's principal, and not a lobbyist.
- b. Any educational meeting must be attended by at least 10 or more participants, have a formal agenda, and notice of the meeting has been given at least 10 days in advance.
- c. Any food, beverages, or entertainment must be provided to all attendees or defined groups of 10 or more attendees.
- d. Any entertainment must be incidental to the principal agenda of the educational meeting."

SECTION 4. G.S. 138A-40 reads as rewritten:

"§ 138A-40. **Employment and supervision of members of covered person's extended family.**

A covered person or legislative employee shall not cause the employment, appointment, promotion, transfer, or advancement of an extended family member of the covered person to a State office, or a position to which the covered person supervises or manages, except for positions at the General Assembly as permitted by the Legislative

1 Services Commission. A public servant or legislative employee shall not supervise,
2 manage, or participate in an action relating to the discipline of a member of the public
3 servant's or legislative employee's extended family, except as specifically authorized by
4 the public servant's or legislative employee's employing entity."

5 **SECTION 5.** This act is effective when it becomes law.