

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH70305-TD-9A* (03/13)

Short Title: Clarify State Government Ethics Act. (Public)

Sponsors: Representatives Howard; and Ross.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT
ETHICS ACT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 138A-3(15) reads as rewritten:

"(15) Gift. – Anything of monetary value given or received without valuable consideration by or from a lobbyist, lobbyist principal, liaison personnel, or a person described under G.S. 138A-32(d)(1), (2), or (3).

The following shall not be considered gifts under this subdivision:

- a. Anything for which fair market value, or face value if shown, is paid by the covered person or legislative employee.
- b. Commercially available loans made on terms not more favorable than generally available to the general public in the normal course of business if not made for the purpose of lobbying.
- c. Contractual arrangements or commercial relationships or arrangements made in the normal course of business if not made for the purpose of lobbying.
- d. Academic or athletic scholarships based on the same criteria as applied to the public.
- e. Campaign contributions properly received and reported as required under Article 22A of Chapter 163 of the General Statutes."

SECTION 2. G.S. 138A-24(a)(8) reads as rewritten:

"(8) A list of all things of monetary value greater than two hundred dollars (\$200.00) given and received without valuable consideration and under circumstances that a reasonable person would conclude that the thing

1 was given for the purpose of lobbying, if such things ~~where~~were given
2 by a person not required to report under Chapter 120C of the General
3 Statutes, ~~or from excluding things given by a member of the person's~~
4 extended family. The list shall include only those things received
5 during the 12 months preceding the reporting period under subsection
6 (d) of this section, and shall include the source of those things. The list
7 required by this subdivision shall not apply to things of monetary
8 value received by the filing person prior to the time the person filed or
9 was nominated as a candidate for office, as described in G.S. 138A-22,
10 or was appointed or employed as a covered person."

11 **SECTION 3.** G.S. 138A-38(1) reads as rewritten:

12 "(1) The only interest or reasonably foreseeable benefit that accrues to the
13 covered person, the covered person's extended family, nonprofit with
14 which the covered person is associated, or business with which the
15 covered person is associated as a member of a profession, occupation,
16 or general class is no greater than that which could reasonably be
17 foreseen to accrue to all members of that profession, occupation, or
18 general class."

19 **SECTION 4.** This act is effective when it becomes law.