

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 1152
HOUSE BILL 1590

AN ACT TO EXEMPT ELECTED OFFICIALS IN NORTHAMPTON COUNTY
AND MUNICIPAL GOVERNMENTS IN THAT COUNTY FROM G.S. 14-234
UNDER CERTAIN CIRCUMSTANCES.

Whereas, the elected officials of the county government in Northampton County and of the cities and towns within the county are often the only professional persons or business owners who can conveniently and inexpensively provide services, facilities or supplies to the public bodies they serve; and

Whereas, G.S. 14-234 makes it unlawful for those officials to undertake or contract to provide services, facilities or supplies to the public bodies or agencies that they serve; and

Whereas, it is in the public interest to make it lawful for those officials to undertake or contract to provide services, facilities or supplies to the public bodies and agencies they serve if done properly and openly; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-234 shall not apply to elected officials of Northampton County, or any of its agencies, nor to the elected officials of any city or town within Northampton County if:

(1) the undertaking or contract between the unit or agency and one of its elected officials is approved by resolution of the appropriate governing board adopted in a regular, open, and public meeting, and recorded in its minutes; and

(2) the official entering into the contract or undertaking with the unit or agency does not participate in his official capacity in any way in the negotiation of, the undertaking or contract or in the consideration of or action upon the authorizing resolution.

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 16th day of June, 1978.