

§ 120-131. Documents produced by legislative employees.

(a) Documents prepared by legislative employees upon the request of legislators are confidential. Except as provided in subsection (b) of this section, the existence of the document may not be revealed nor may a copy of the document be provided to any person who is not a legislative employee without the consent of the legislator.

(b) A document prepared by a legislative employee upon the request of a legislator becomes available to the public when the document is one of the following:

- (1) A bill or resolution once introduced.
- (2) A proposed amendment or committee substitute for a bill or resolution once offered at a committee meeting or on the floor of a house.
- (3) A proposed conference committee report once offered at a joint meeting of the conference committees.
- (4) A bill, resolution, memorandum, written analysis, letter, or other document resulting from a drafting or information request once distributed at a legislative commission or standing committee or subcommittee meeting not held in executive session, closed session, or on the floor of a house.
- (5) A letter or other written communication appointing an individual to serve on a board, commission, or other position in accordance with this Chapter.

(b1) A document prepared by a legislative employee upon the request of any legislator, that pursuant to this Article does not become available to the public, is not a "public record," as defined by G.S. 132-1.

(c) This section does not prohibit the dissemination of information or language contained in any document which has been prepared by a legislative employee in response to a substantially similar request from another legislator, provided that the identity of the requesting legislator and the fact that he or she had made such a request is not divulged.

(d) Administrative documents prepared by legislative employees shall become available to the public, and subject to retention schedules thereof, in accordance with policies adopted by the Legislative Services Commission. (1983, c. 900, s. 1; 1983 (Reg. Sess., 1984), c. 1038, s. 4; 1993 (Reg. Sess., 1994), c. 570, s. 9; 2023-134, s. 27.7(b).)