

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 240

Short Title: Fund-Raising in Session.

(Public)

Sponsors: Senators Gulley; and Page.

Referred to: Judiciary.

February 15, 1997

A BILL TO BE ENTITLED

AN ACT TO STRENGTHEN THE LIMITATION ON CERTAIN KINDS OF
POLITICAL FUND-RAISING WHILE THE GENERAL ASSEMBLY IS IN
REGULAR SESSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-278.13A is repealed.

Section 2. Article 22A of the General Statutes is amended by adding a new
section to read:

"§ 163-279.13B. Limitation on fund-raising during legislative session.

(a) Definitions. – For purposes of this section:

(1) 'Limited contributor' means a lobbyist registered pursuant to Article 9A of Chapter 120 of the General Statutes, that lobbyist's agent, or a political committee that employs or contracts with, or whose parent entity employs or contracts with, a lobbyist registered pursuant to Article 9A of Chapter 120 of the General Statutes.

(2) 'Limited contributee' means a member of the Council of State, a member of the General Assembly, or a political committee the principal purpose of which is to assist a member or members of the Council of State or General Assembly. 'Limited contributee' does not include a State,

1 county, or congressional district executive committee of a political
2 party.

3 (3) The General Assembly is in 'regular session' from the date set by law or
4 resolution that the General Assembly convenes until the General
5 Assembly either adjourns sine die, or recesses or adjourns for more than
6 10 days.

7 (b) Prohibited Solicitations. – While the General Assembly is in regular session
8 during an odd-numbered year, no limited contributee, or a real or purported agent of a
9 limited contributee, shall solicit a contribution from a limited contributor to be made to
10 that limited contributee or to be made to any other candidate, officeholder, or political
11 committee.

12 (c) Prohibited Contributions. – While the General Assembly is in regular session
13 during an odd-numbered year:

14 (1) No limited contributor shall make a contribution to a limited
15 contributee.

16 (2) No limited contributor shall make a contribution to any candidate,
17 officeholder, or political committee, directing or requesting that the
18 contribution be made in turn to a limited contributee.

19 (3) No limited contributor shall transfer any amount of money or anything
20 of value to any entity, directing or requesting that that entity use what
21 was transferred to contribute to a limited contributee.

22 (4) No limited contributee shall accept a contribution from a limited
23 contributor.

24 (d) Prosecution. – A violation of this section is a Class 2 misdemeanor, but no
25 individual shall be prosecuted under this section for accepting a contribution unless the
26 State Board of Elections has notified the individual of the apparent violation in writing by
27 certified mail, has given the individual an opportunity to return the contribution, and,
28 within 10 days of the receipt of the notification, the individual has failed to return the
29 contribution."

30 Section 3. This act becomes effective January 1, 1999, and applies to all
31 contributions solicited, accepted, or made on or after that date.