

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH50448-LB-324 (4/10)

Short Title: Limit Political Party Campaign Fund-Raising. (Public)

Sponsors: Representative Current.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO LIMIT THE ROLE OF POLITICAL PARTIES IN CAMPAIGN
FUND-RAISING.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 163-278.13 reads as rewritten:

"§ 163-278.13. Limitation on contributions.

(a) No individual, political committee, or other entity shall contribute to any candidate or other political committee any money or make any other contribution in any election in excess of four thousand dollars (\$4,000) for that election.

(b) No candidate or political committee shall accept or solicit any contribution from any individual, other political committee, or other entity of any money or any other contribution in any election in excess of four thousand dollars (\$4,000) for that election.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, it shall be lawful for a candidate or a candidate's spouse, parents, brothers and sisters to make a contribution to the candidate or to the candidate's treasurer of any amount of money or to make any other contribution in any election in excess of four thousand dollars (\$4,000) for that election.

(d) For the purposes of this section, the term "an election" means any primary, second primary, or general election in which the candidate or political committee may be involved, without regard to whether the candidate is opposed or unopposed in the election, except that where a candidate is not on the ballot in a second primary, that second primary is not "an election" with respect to that candidate.

(e) Except as provided in subsections (e2) and (e3) of this section, and except for contributions to political party executive committees by candidates or candidate campaign committees and contributions by political party executive committees to candidates or candidate campaign committees, this section shall not apply to any

1 national, State, district or county executive committee of any political party. For the
2 purposes of this section only, the term "political party" means only those political
3 parties officially recognized under G.S. 163-96. As used in this section, "candidate
4 campaign committee" is as defined in G.S. 163-278.38Z(3).

5 (e1) No referendum committee which received any contribution from a
6 corporation, labor union, insurance company, business entity, or professional
7 association may make any contribution to another referendum committee, to a candidate
8 or to a political committee.

9 (e2) In order to make meaningful the provisions of Article 22D of this Chapter,
10 the following provisions shall apply with respect to candidates for justice of the
11 Supreme Court and judge of the Court of Appeals:

12 (1) No candidate shall accept, and no contributor shall make to that
13 candidate, a contribution in any election exceeding one thousand
14 dollars (\$1,000) except as provided for elsewhere in this subsection.

15 (2) A candidate may accept, and a family contributor may make to that
16 candidate, a contribution not exceeding two thousand dollars (\$2,000)
17 in an election if the contributor is that candidate's parent, child,
18 brother, or sister.

19 (3) No candidate shall accept, and no contributor shall make to that
20 candidate, a contribution during the period beginning 21 days before
21 the day of the general election and ending the day after the general
22 election if that contribution causes the candidate to exceed the "trigger
23 for rescue funds" defined in G.S. 163-278.62(18). This subdivision
24 applies with respect to a candidate opposed in the general election by a
25 certified candidate as defined in Article 22D of this Chapter who has
26 not received the maximum rescue funds available under
27 G.S. 163-278.67. The recipient of a contribution that apparently
28 violates this subdivision has three days to return the contribution or file
29 a detailed statement with the State Board of Elections explaining why
30 the contribution does not violate this subdivision.

31 As used in this subsection, "candidate" is also a political committee authorized by
32 the candidate for that candidate's election. Nothing in this subsection shall prohibit a
33 candidate or the spouse of that candidate from making a contribution or loan secured
34 entirely by that individual's assets to that candidate's own campaign.

35 (e3) Notwithstanding the provisions of subsections (a) and (b) of this section, no
36 candidate for superior court judge or district court judge shall accept, and no contributor
37 shall make to that candidate, a contribution in any election exceeding one thousand
38 dollars (\$1,000), except as provided in subsection (c) of this section. As used in this
39 subsection, "candidate" is also a political committee authorized by the candidate for that
40 candidate's election. Nothing in this subsection shall prohibit a candidate or the spouse
41 of that candidate from making a contribution or loan secured entirely by that
42 individual's assets to that candidate's own campaign.

1 (f) Any individual, candidate, political committee, referendum committee, or
2 other entity that violates the provisions of this section is guilty of a Class 2
3 misdemeanor."

4 **SECTION 2.** This act becomes effective January 1, 2008, and applies to all
5 contributions made or accepted on or after that date.