

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 620
Judiciary I Committee Substitute Adopted 5/2/11

Short Title: Clarify Use of Position.

(Public)

Sponsors:

Referred to:

April 19, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THAT A LEGISLATOR'S OR PUBLIC SERVANT'S PUBLIC
3 POSITION MAY BE DISCLOSED IN AN AGENDA OR OTHER DOCUMENT
4 RELATED TO A MEETING, CONFERENCE, OR SIMILAR EVENT.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 138A-31(b) reads as rewritten:

7 "(b) A covered person shall not mention or ~~permit-authorize~~ another person to mention
8 the covered person's public position in nongovernmental advertising that advances the private
9 interest of the covered person or others. The prohibition in this subsection shall not apply to
10 any of the following:

11 (1) ~~political advertising,~~ Political advertising.

12 (2) ~~news stories, news articles,~~ News stories and articles.

13 (3) ~~the~~ The inclusion of a covered person's public position in a directory or a
14 biographical listing, listing.

15 (4) The inclusion of a covered person's public position in an agenda or other
16 document related to a meeting, conference, or similar event when the
17 disclosure could reasonably be considered material by an individual
18 attending the meeting, conference, or similar event.

19 (5) ~~or the~~ The inclusion of a covered person's public position in a charitable
20 solicitation for a nonprofit business entity qualifying under 26 U.S.C. §
21 501(c)(3).

22 (6) ~~Disclosure~~ The disclosure of a covered person's position to an existing or
23 prospective customer, supplier, or client is not considered advertising for
24 purposes of this subsection when the disclosure could reasonably be
25 considered material by the customer, supplier, or client."

26 **SECTION 2.** This act becomes effective October 1, 2011.

