

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 767

Judiciary II Committee Substitute Adopted 4/19/99

House Committee Substitute Favorable 7/6/00

Short Title: Lobbyist Fund-Raising, etc.

(Public)

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Sponsors:

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Referred to:

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April 6, 1999

A BILL TO BE ENTITLED

1 AN ACT TO REVISE THE LIMITATION ON LOBBYIST-RELATED FUND-  
2 RAISING TO STRENGTHEN THE ACT AND TO COMPLY WITH A COURT  
3 DECISION; AND TO DIRECT THE STATE BOARD OF ELECTIONS TO STUDY  
4 AND REPORT ON THE DESIGNATION, OPERATION, AND FUNDING OF  
5 MULTIPLE ONE-STOP ABSENTEE VOTING SITES BY COUNTY BOARDS OF  
6 ELECTIONS AND THE FUNDING OF SUCH SITES.  
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8 The General Assembly of North Carolina enacts:

9 Section 1. G.S. 163-278.13B reads as rewritten:

10 "§ 163-278.13B. **Limitation on fund-raising during legislative session.**

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

12 (1) 'Limited contributor' means a lobbyist registered pursuant to Article 9A  
13 of Chapter 120 of the General Statutes, that lobbyist's agent, that  
14 lobbyist's principal as defined in G.S. 120-47.1(7), or a political  
15 committee that employs or contracts with or whose parent entity  
16 employs or contracts with a lobbyist registered pursuant to Article 9A of  
17 Chapter 120 of the General Statutes.

- 1 (2) 'Limited contributee' means a member of or candidate for the Council of  
2 State, a member of or candidate for the General Assembly, ~~or a political~~  
3 ~~committee the purpose of which is to assist a member or members of or~~  
4 ~~candidate or candidates for the Council of State or General Assembly.~~
- 5 (3) The General Assembly is in 'regular session' from the date set by law or  
6 resolution that the General Assembly convenes until the General  
7 Assembly either adjourns sine die or recesses or adjourns for more than  
8 10 days.
- 9 (4) A contribution is 'made' during regular session if the check or other  
10 instrument is dated during the session, or if the check or other  
11 instrument is delivered to the limited contributee during session, or if  
12 the limited contributor pledges during the session to deliver the check or  
13 other instrument at a later time.
- 14 (5) A contribution is 'accepted' during regular session if the check or other  
15 instrument is dated during the session, or if the limited contributee  
16 receives the check or other instrument during session and does not  
17 return it within 10 days, or agrees during session to receive the check or  
18 other instrument at a later time.
- 19 (b) Prohibited Solicitations. – While the General Assembly is in regular session,  
20 no limited contributee or the real or purported agent of a limited contributee shall:
- 21 (1) Solicit a contribution from a limited contributor to be made to that  
22 limited contributee or to be made to any other candidate, officeholder,  
23 or political committee; or
- 24 (2) Solicit a third party, requesting or directing that the third party directly  
25 or indirectly solicit a contribution from a limited contributor or relay to  
26 ~~the prohibited-limited contributor the prohibited-limited~~ contributee's  
27 solicitation of a contribution.
- 28 It shall not be deemed a violation of this section for a limited contributee to serve on a  
29 board or committee of an organization that makes a solicitation of a limited contributor as  
30 long as that limited contributee does not directly participate in the solicitation and that  
31 limited contributee does not benefit from the solicitation.
- 32 (c) Prohibited Contributions. – While the General Assembly is in regular session:
- 33 (1) No limited contributor shall make or offer to make a contribution to a  
34 limited contributee.
- 35 (2) No limited contributor shall make a contribution to any candidate,  
36 officeholder, or political committee, directing or requesting that the  
37 contribution be made in turn to a limited contributee.
- 38 (3) No limited contributor shall transfer any amount of money or anything  
39 of value to any entity, directing or requesting that the entity use what  
40 was transferred to contribute to a limited contributee.
- 41 (4) No limited contributee or the real or purported agent of a limited  
42 contributee prohibited from solicitation by subsection (b) of this section  
43 shall accept a contribution from a limited contributor.

1           (5) No limited contributor shall solicit a contribution from any individual or  
2 political committee on behalf of a limited contributee. This subdivision  
3 does not apply to a limited contributor soliciting a contribution on  
4 behalf of a political party executive committee if the solicitation is  
5 solely for a separate segregated fund kept by the political party limited  
6 to use for activities that are not candidate-specific, including generic  
7 voter registration and get-out-the-vote efforts, pollings, mailings, and  
8 other general activities and advertising that do not refer to a specific  
9 individual candidate.

10       (d) Exception. – The provisions of this section do not apply with regard to a  
11 limited contributee during the three weeks prior to the day of a second primary if that  
12 limited contributee is a candidate who will be on the ballot in that second primary.

13       (e) Prosecution. – A violation of this section is a Class 2 misdemeanor."

14           Section 2. The State Board of Elections shall study the following topics  
15 concerning multiple one-stop voting sites that are allowed to be designated pursuant to  
16 G.S. 163-227.2(g):

17           (1) The process by which county boards of elections decide whether  
18 multiple sites are to be designated.

19           (2) The criteria used to select the sites.

20           (3) Any technical or management issues concerning the operation of  
21 multiple sites.

22           (4) Any issues of funding the operation of multiple sites.

23           The State Board of Elections shall make a report to the General Assembly by  
24 April 1, 2001, of its findings and recommendations concerning those topics.

25           Section 3. This act is effective when it becomes law.