

GENERAL ASSEMBLY OF NORTH CAROLINA  
1985 SESSION

CHAPTER 469  
HOUSE BILL 94

AN ACT TO FURTHER DEFINE THE APPROPRIATE POLITICAL ACTIVITY OF  
STATE EMPLOYEES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 126-13(2) is amended by deleting the words "a partisan" and substituting the word "an".

Sec. 2. G.S. 126-14 is rewritten to read as follows:

**"§ 126-14. Promise or threat to obtain political contribution or support.**—(a) It is unlawful for a State employee or a person appointed to State office, other than elective office or office on a board, commission, committee, or council whose function is advisory only, whether or not subject to the Personnel Act, to coerce a State employee subject to the Personnel Act, probationary State employee, or temporary State employee to support or contribute to a political candidate or party by threatening him with employment termination or discipline or by promising preferential personnel treatment.

(b) Any person violating this section shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000), imprisonment for not more than six months, or both.

(c) A State employee subject to the Personnel Act, probationary State employee, or temporary State employee who without probable cause falsely accuses a State employee or a person appointed to State office of violating this section shall be subject to discipline or termination in accordance with the provisions of G.S. 126-35, 126-37, and 126-38 and may, as otherwise provided by law, be subject to criminal penalties for perjury or civil liability for libel, slander, or malicious prosecution."

Sec. 3. Article 5 of Chapter 126 of the General Statutes is amended by adding after G.S. 126-14 a new section to read:

**"§ 126-14.1. Threat to obtain political contribution or support.**—(a) It is unlawful for any person to coerce a State employee subject to the Personnel Act, probationary State employee, or temporary State employee to support or contribute to a political candidate or party by explicitly threatening him with employment termination or discipline.

(b) Any person violating this section shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000), imprisonment for not more than six months, or both.

(c) A State employee subject to the Personnel Act, probationary State employee, or temporary State employee, who without probable cause falsely accuses a person of violating this section shall be subject to discipline or termination in accordance with the provisions of G.S. 126-35, 126-37, and 126-38 and may, as otherwise provided by law,

be subject to criminal penalties for perjury or civil liability for libel, slander, or malicious prosecution."

Sec. 4. Article 5 of Chapter 126 of the General Statutes is amended by adding at the end a new section to read:

"§ 126-15.1. **Probationary State employee defined.**—As used in this Article, 'probationary State employee' means a State employee who is exempt from the Personnel Act only because he has not been continuously employed by the State for the period required by G.S. 126-5(d)."

Sec. 5. This act shall become effective October 1, 1985.

In the General Assembly read three times and ratified, this the 26th day of June, 1985.