Article 10.

Inappropriate Political Activity.

§ 126A-10-1. Appropriate political activity of employees.

(a) Each employee retains all the rights and obligations of citizenship provided in the Constitution and laws of the State and the Constitution and laws of the United States. Employees subject to this Article shall not do any of the following:

(1) Take any active part in managing a campaign, campaign for political office, or otherwise engage in political activity while on duty or within any period of time during which he or she is expected to perform services for which he or she receives compensation from the State.

(2) Otherwise use the authority of their position, or utilize State funds, supplies, or vehicles to secure support for or oppose any candidate, party, or issue in an election involving candidates for office or party nominations, or affect the results thereof.

(b) No agency head or other employee exercising supervisory authority shall make, issue, or enforce any rule or policy the effect of which is to interfere with the right of any employee as an individual to engage in political activity while not on duty or at times during which he or she is not performing services for which he or she receives compensation from the State. An employee who is or may be expected to perform his or her duties on a 24 hour per day basis shall not be prevented from engaging in political activity except during regularly scheduled working hours or at other times when actually performing the duties of office. The willful violation of this section shall be a Class 1 misdemeanor. (2026-40, s. 1.)

§ 126A-10-2. Promise or threat to obtain political contribution or support.

(a) It is unlawful for an 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 this Article, to coerce (i) an employee in a position subject to this Article or (ii) an applicant for a position subject to this Article to support or contribute to a political candidate, political committee as defined in G.S. 163-278.6, or political party, or to change the party designation of the individual's voter registration by threatening that change in employment status, discipline, or preferential personnel treatment will occur.

(b) It is unlawful for a public servant as defined in G.S. 138A-3(70)a. to coerce a person as described in G.S. 138A-32(d)(1), (2), or (3) to support or contribute to a political candidate, a political committee as defined in G.S. 163-278.6, or a political party by threatening discipline or promising preferential treatment with regard to that person's business with the individual's State office or that person's activities regulated by the individual's State office.

(c) Any person violating this section shall be guilty of a Class 2 misdemeanor.

(d) An employee subject to this Article who without probable cause falsely accuses an employee or a person appointed to State office of violating this section shall be subject to discipline or change in employment status in accordance with the provisions of G.S. 126A-8-2 and may be subject to criminal penalties for perjury or civil liability for libel, slander, or malicious prosecution. (2026-40, s. 1.)

§ 126A-10-3. Threat to obtain political contribution or support.

(a) It is unlawful for any person to coerce (i) an employee subject to this Article or (ii) an applicant for a position subject to this Article to support or contribute to a political candidate,

political committee as defined in G.S. 163-278.6, or political party, or to change the party designation of his or her voter registration by explicitly threatening that change in employment status, discipline, or preferential personnel treatment will occur.

(b) Any person violating this section shall be guilty of a Class 2 misdemeanor.

(c) An employee subject to this Article who without probable cause falsely accuses a person of violating this section shall be subject to discipline or change in employment status in accordance with the provisions of G.S. 126A-8-2 and may be subject to criminal penalties for perjury or civil liability for libel, slander, or malicious prosecution. (2026-40, s. 1.)

§ 126A-10-4. Compelled speech prohibited.

(a) Each agency shall refrain from soliciting or requiring an applicant for employment to do any of the following:

(1) Endorse or opine about beliefs, affiliations, ideals, or principles regarding matters of contemporary political debate or social action as a condition of employment.

(2) Describe the applicant's actions in support of, or in opposition to, the beliefs, affiliations, ideals, or principles regarding matters of contemporary political debate or social action as a condition of employment.

(b) Nothing in subsection (a) of this section shall infringe on the ability of an applicant for employment to voluntarily opine or speak regarding any matter, including matters of contemporary political debate or social action.

(c) No application for employment shall inquire into matters prohibited as compelled speech under subsection (a) of this section.

(d) Nothing in this section shall be construed to:

(1) Prohibit discussion with or questions to an applicant regarding the content of the applicant's resume, curriculum vitae, or other written work or oral remarks.

(2) Affect the ability of the employing agency to comply with applicable federal or State law, including employment oaths, appointment affidavits, and licensure and certification requirements.

(3) Apply to speech protected by the First Amendment of the U.S. Constitution. (2026-40, s. 1.)

§ 126A-10-5. Ensuring dignity and nondiscrimination in State government workplaces.

(a) The General Assembly finds that Article I, Section 1 of the Constitution of this State recognizes the equality and rights of all persons. Therefore, it is the intent of the General Assembly that employees respect the dignity of others, acknowledge the right of others to express differing opinions and the right to freedom of speech and association, and that agencies employ training methods and procedures to further that intent.

(b) Agencies shall not compel employees to affirm or profess belief in any of the following concepts in the workplace or as part of any employee training program:

(1) One race or sex is inherently superior to another race or sex.

(2) An individual, solely by virtue of his or her race or sex, is inherently racist, sexist, or oppressive.

(3) An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

(4) An individual's moral character is necessarily determined by his or her race or sex.
(5) An individual, solely by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.
(6) Any individual, solely by virtue of his or her race or sex, should feel discomfort, guilt, anguish, or any other form of psychological distress.
(7) A meritocracy is inherently racist or sexist.
(8) The United States was created by members of a particular race or sex for the purpose of oppressing members of another race or sex.
(9) The United States government should be violently overthrown.
(10) Particular character traits, values, moral or ethical codes, privileges, or beliefs should be ascribed to a race or sex or to an individual because of the individual's race or sex.
(11) The rule of law does not exist but instead is a series of power relationships and struggles among racial or other groups.
(12) All Americans are not created equal and are not endowed by their Creator with certain unalienable rights, including life, liberty, and the pursuit of happiness.
(13) Governments should deny to any person within the government's jurisdiction the equal protection of the law.

(c) Nothing in this section prevents a private contractor who provides training to employees from responding to questions that are raised by participants in the training and which pertain to the concepts in subsection (b) of this section. However, the private contractor must make it clear that the employing agency does not endorse those concepts.

(d) This section does not apply to speech protected by the First Amendment of the U.S. Constitution. (2026-40, s. 1.)

§ 126A-10-6. Disciplinary action for violation of Article.

Failure to comply with this Article is grounds for disciplinary action which, in case of deliberate or repeated violation, may include dismissal or removal from office. (2026-40, s. 1.)