

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 1563

Constitution and Election Laws Committee Substitute Adopted 6/9/94  
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Short Title: Donor's Occupations.

(Public)

Sponsors:

Referred to:

May 25, 1994

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT INFORMATION TO BE REPORTED CONCERNING  
CAMPAIGN CONTRIBUTORS SHALL INCLUDE OCCUPATION,  
EMPLOYER'S NAME, BUSINESS ADDRESS AND LABOR UNION  
MEMBERSHIP; AND TO CHANGE THE LIMITATION ON CONTRIBUTIONS;  
AND TO REMOVE THE POPULATION THRESHOLD FOR REPORTING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-278.8(c) reads as rewritten:

"(c) A treasurer may not accept a contribution of more than one hundred dollars (\$100.00) from a nonresident of this State unless the contribution is accompanied by a written statement setting forth the ~~name and address~~ name, home mailing address, occupation, employer's name, and business mailing address of each ~~contributor~~ contributor, and the name of any labor union of which the contributor is a member."

Sec. 2. G.S. 163-278.8(d) reads as rewritten:

"(d) A treasurer shall not be required to report the name of any resident of this State who makes a total contribution of one hundred dollars (\$100.00) or less but he shall instead report the fact that he has received a total contribution of one hundred dollars (\$100.00) or less, the amount of the contribution, and the date of receipt. If a treasurer receives contributions of one hundred dollars (\$100.00) or less, each at a single event, he may account for and report the total amount received at that event, the date and place of the event, the nature of the event, and the approximate number of people at the event. With respect to the proceeds of sale of services, campaign literature

1 and materials, wearing apparel, tickets or admission prices to campaign events such as  
2 rallies or dinners, and the proceeds of sale of any campaign-related services or goods, if  
3 the price or value received for any single service or goods exceeds one hundred dollars  
4 (\$100.00), the treasurer shall account for and report the name of the individual paying  
5 for such services or ~~goods~~, goods and other information concerning the individual  
6 required in G.S. 163-278.11(a)(1), the amount received, and the date of receipt, but if  
7 the price or value received for any single service or item of goods does not exceed one  
8 hundred dollars (\$100.00), the treasurer may report only those services or goods  
9 rendered or sold at a value that does not exceed one hundred dollars (\$100.00), the  
10 nature of the services or goods, the amount received in the aggregate for the services or  
11 goods, and the date of the receipt."

12 Sec. 3. G.S. 163-278.11 reads as rewritten:

13 **"§ 163-278.11. Contents of treasurer's statement of receipts and expenditures.**

14 (a) Statements filed pursuant to provisions of this Article shall set forth the  
15 following:

- 16 (1) Contributions. – A list of all contributions required to be listed under  
17 G.S. 163-278.8 received by or on behalf of a candidate, political  
18 committee, or referendum committee. The statement shall list the ~~name~~  
19 ~~and complete mailing address~~ name, home mailing address, occupation,  
20 employer's name, and business mailing address of each ~~contributor,~~  
21 contributor, the name of any labor union of which the contributor is a  
22 member, the amount contributed, and the date such contribution was  
23 received. The total sum of all contributions to date shall be plainly  
24 exhibited. Forms for required reports shall be prescribed by the Board.
- 25 (2) Expenditures. – A list of all expenditures required under G.S. 163-  
26 278.8 made by or on behalf of a candidate, political committee, or  
27 referendum committee. The statement shall list the name and complete  
28 mailing address of each payee, the amount paid, the purpose, and the  
29 date such payment was made. The total sum of all expenditures to date  
30 shall be plainly exhibited. Forms for required reports shall be  
31 prescribed by the Board.
- 32 (3) Loans. – Every candidate and treasurer shall attach to the campaign  
33 transmittal submitted with each report an addendum listing all  
34 proceeds derived from loans for funds used or to be used in this  
35 campaign. The addendum shall be in the form as prescribed by the  
36 State Board of Elections and shall list the amount of the loan, the  
37 source, the period, the rate of interest, and the security pledged, if any,  
38 and all makers and endorsers.

39 (b) Statements shall reflect anything of value paid for or contributed by any  
40 person or individual, both as a contribution and expenditure.

41 (c) It is not a violation of this section to incorrectly report the required  
42 information unless the required information is known by the treasurer to be incorrect. If  
43 the required information has changed between the time the contribution is made and the  
44 time the report is made, it is not a violation of this section."

1 Sec. 3.1. G.S. 163-278.6(18) reads as rewritten:

2 "(18) The term 'public office' means any office filled by election by the  
3 people on a statewide, county, municipal or district basis, and this  
4 Article shall be applicable to such elective offices whether the election  
5 therefor is partisan or ~~nonpartisan, provided candidates for municipal and~~  
6 ~~county offices in those municipalities and counties having less than 50,000~~  
7 ~~population, according to the most recent decennial census figures, shall not~~  
8 ~~be required to file reports required by this Article, but this nonpartisan.~~  
9 This Article shall otherwise be applicable to such candidates for  
10 municipal and county offices."

11 Sec. 3.2. G.S. 163-278.9(d) reads as rewritten:

12 "(d) Candidates and committees for municipal ~~offices in a city with a population of~~  
13 ~~50,000 or greater, offices,~~ which are required to submit reports by G.S. 163-278.6(18) are  
14 not subject to subsections (a), (b) and (c) of this section. Reports for those candidates  
15 and committees are covered by Part 2 of this Article."

16 Sec. 3.3. G.S. 163-278.40 reads as rewritten:

17 "**§ 163-278.40. Definitions.**

18 When used in this Part, words and phrases have the same meaning as in G.S. 163-  
19 278.6, except that:

20 (1) The term 'board' means the county board of elections;

21 (2) The term 'city' means any incorporated city, town, or ~~village with a~~  
22 ~~population of 50,000 or over, according to the most recent decennial~~  
23 ~~federal census. village.~~"

24 Sec. 4. G.S. 163-278.13 reads as rewritten:

25 "**§ 163-278.13. Limitation on contributions.**

26 (a) No individual or political committee shall contribute to any candidate or other  
27 political committee any money or make any other contribution in any election in excess  
28 of ~~four one thousand dollars (\$4,000)-(\$1,000)~~ for that election.

29 (b) No candidate or political committee shall accept or solicit any contribution  
30 from any individual or other political committee of any money or any other contribution  
31 in any election in excess of ~~four one thousand dollars (\$4,000)-(\$1,000)~~ for that election.

32 (c) Notwithstanding the provisions of subsections (a) and (b) of this section, it  
33 shall be lawful for a candidate or a candidate's spouse, parents, brothers and sisters to  
34 make a contribution to the candidate or to the candidate's treasurer of any amount of  
35 money or to make any other contribution in any election in excess of ~~four one thousand~~  
36 ~~dollars (\$4,000)-(\$1,000)~~ for that election.

37 (d) For the purposes of this section, the term 'an election' means any primary,  
38 second primary, or general election in which the candidate or political committee may  
39 be involved, without regard to whether the candidate is opposed or unopposed in the  
40 election.

41 (e) This section shall not apply to any State, district or county executive  
42 committee of any political party. For the purposes of this section only, the term 'political  
43 party' means only those political parties officially recognized under G.S. 163-96.

1 (e1) No referendum committee which received any contribution from a  
2 corporation, labor union, insurance company, business entity, or professional  
3 association may make any contribution to another referendum committee, to a candidate  
4 or to a political committee.

5 (f) Any individual, candidate, political committee, or referendum committee who  
6 violates the provisions of this section is guilty of a Class 2 misdemeanor."

7 Sec. 5. This act becomes effective January 1, 1995, and applies to the  
8 reporting of all contributions accepted on or after that date. This act applies to reports  
9 filed on or after January 1, 1995, but only to the extent that those reports describe  
10 contributions accepted on or after January 1, 1995. Section 4 of this act applies only to  
11 contributions made on or after January 1, 1995.