

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 760*
Judiciary I Committee Substitute Adopted 5/6/93

Short Title: No Gifts for Purchasing Agents.

(Public)

Sponsors:

Referred to:

April 8, 1993

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT PURCHASING AGENTS IN STATE AGENCIES FROM ACCEPTING GIFTS OVER TWENTY-FIVE DOLLARS IN VALUE AND TO PROHIBIT PERSONS AND ORGANIZATIONS FROM OFFERING OR GIVING GIFTS OVER TWENTY-FIVE DOLLARS IN VALUE TO STATE PURCHASING AGENTS.

The General Assembly of North Carolina enacts:

Section 1. The heading of Article 31 of Chapter 14 of the General Statutes reads as rewritten:

"Misconduct in Public Office and Employment."

Sec. 2. Chapter 14 of the General Statutes is amended by adding the following new section to read:

§ 14-253. Prohibit gifts and favors to State purchasing agents.

(a) Offense. It is unlawful for an officer or employee of a State department, institution, or agency who has authority to purchase or procure property or services for the State to solicit, receive, or agree to receive a gift or anything of a value over twenty-five dollars (\$25.00) from a person or organization who intends to sell property or services to that State department, institution, or agency. It is unlawful for a person or organization who intends to sell property or services to a State department, institution, or agency to offer or give a gift or anything of a value over twenty-five dollars (\$25.00) to an officer or employee of that State department, institution, or agency who has authority to purchase or procure property or services for the State.

1 **(b) Exceptions.** This section does not apply to the gift and receipt of
2 honorariums, advertising items and souvenirs of nominal value, and gifts and favors
3 between relatives.

4 **(c) Punishment.** A violation of this section is a Class J felony."

5 Sec. 3. This act becomes effective December 1, 1993, and applies to offenses
6 committed on or after that date.