

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 966

Short Title: Ethical Interests.

(Public)

Sponsors: Representative Gamble.

Referred to: Rules, Calendar, and Operations of the House.

April 12, 1995

A BILL TO BE ENTITLED

AN ACT TO FURTHER DEFINE CONFLICTS OF INTEREST.

The General Assembly of North Carolina enacts:

Section 1. (a) A public official or public employee shall not participate in, vote on, influence, or attempt to influence an official decision if the public official or public employee or a business or organization with which the public official or public employee is associated has:

(1) A pecuniary interest in; or

(2) A reasonably foreseeable benefit from;

the matter under consideration by the governmental entity of which the public official or public employee is a member. A potential benefit includes detriment to a business competitor to the public official or public employee or business or organization with which the public official or public employee is associated.

(b) Except as permitted in subsection (c) of this section, a public official described by this section, but not exempt, shall abstain from participation in the discussion and vote on the decision. The public official's abstention must be recorded in the governmental entity's minutes.

(c) A public official or public employee may participate in, vote on, or influence or attempt to influence an official decision if the only pecuniary interest or reasonably foreseeable benefit that may accrue to the public official or public employee is incidental

1 to the public official's or public employee's position, or which accrues to the public
2 official or public employee as a member of a profession, occupation, or large class, to no
3 greater extent than the pecuniary interest or potential benefit could reasonably be
4 foreseen to accrue to all other members of the profession, occupation, or large class.

5 (d) The restrictions of this section apply to a business or organization with which a
6 family member of a public official or employee is associated if the family member's
7 pecuniary interest or business or organization with which a family member is associated
8 has a reasonably foreseeable benefit from a matter under consideration.

9 Sec. 2. This act is effective upon ratification.