

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 38

Short Title: Campaign Reporting.

(Public)

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Sponsors: Senators Plexico; Edwards, Hoyle, Martin of Guilford, Odom, Winner, and Gulley.

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Referred to: Judiciary II/Election Laws.

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January 26, 1995

A BILL TO BE ENTITLED

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2 AN ACT TO AMEND THE CAMPAIGN-REPORTING LAWS TO REQUIRE MORE  
3 DISCLOSURE ABOUT CONTRIBUTORS AND TO ADD A REPORT AROUND  
4 LABOR DAY FOR CERTAIN CANDIDATES; AND TO ELIMINATE THE  
5 EXTRA CONTRIBUTION LIMIT PERIOD FOR THE SECOND PRIMARY FOR  
6 CANDIDATES WHO ARE NOT ON THE BALLOT IN THE SECOND PRIMARY.

7 The General Assembly of North Carolina enacts:

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

9 "(c) A treasurer may not accept a contribution of more than one hundred dollars  
10 (\$100.00) from a nonresident of this State unless the contribution is accompanied by a  
11 written statement setting forth the ~~name and address~~ name, home mailing address,  
12 occupation, and business mailing address of each contributor."

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

14 "(d) A treasurer shall not be required to report the name of any individual who is a  
15 resident of this State who makes a total contribution of one hundred dollars (\$100.00) or  
16 less but he shall instead report the fact that he has received a total contribution of one  
17 hundred dollars (\$100.00) or less, the amount of the contribution, and the date of receipt.  
18 If a treasurer receives contributions of one hundred dollars (\$100.00) or less, each at a  
19 single event, he may account for and report the total amount received at that event, the

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

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

15 "**§ 163-278.11. Contents of treasurer's statement of receipts and expenditures.**

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

18 (1) Contributions. – A list of all contributions required to be listed under  
19 G.S. 163-278.8 received by or on behalf of a candidate, political  
20 committee, or referendum committee. The statement shall list the ~~name~~  
21 ~~and complete mailing address~~ name, home mailing address, occupation,  
22 and business mailing address of each contributor, the amount  
23 contributed, and the date such contribution was received. The total sum  
24 of all contributions to date shall be plainly exhibited. Forms for required  
25 reports shall be prescribed by the Board.

26 (2) Expenditures. – A list of all expenditures required under G.S. 163-278.8  
27 made by or on behalf of a candidate, political committee, or referendum  
28 committee. The statement shall list the name and complete mailing  
29 address of each payee, the amount paid, the purpose, and the date such  
30 payment was made. The total sum of all expenditures to date shall be  
31 plainly exhibited. Forms for required reports shall be prescribed by the  
32 Board.

33 (3) Loans. – Every candidate and treasurer shall attach to the campaign  
34 transmittal submitted with each report an addendum listing all proceeds  
35 derived from loans for funds used or to be used in this campaign. The  
36 addendum shall be in the form as prescribed by the State Board of  
37 Elections and shall list the amount of the loan, the source, the period,  
38 the rate of interest, and the security pledged, if any, and all makers and  
39 endorsers.

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

42 Sec. 4. G.S. 163-278.9(a)(3) reads as rewritten:

1           "(3) Postprimary Report(s).—Report(s) for Nonstatewide, Nonlegislative  
2           Candidates, and for Judicial Candidates. – The treasurer shall file a  
3           report with the Board no later than the 30th day after the primary  
4           election if the candidate was eliminated in the primary. If there is a  
5           second primary, the treasurer shall file a report with the Board no later  
6           than the 30th day after the second primary election if the candidate was  
7           eliminated in the second primary. This subdivision applies only to  
8           candidates for offices not elected statewide, excluding candidates for the  
9           General Assembly, and to candidates for all judicial offices, regardless  
10          of whether elected statewide."

11          Sec. 5. G.S. 163-278.9(a) is amended by adding a new subdivision to read:

12          "(3a) Postprimary Report(s) for Statewide Candidates, Legislative  
13          Candidates, and Nonjudicial Candidates. – The treasurer shall file a  
14          report with the board no later than the 60th day before the general  
15          election. This subdivision applies only to candidates for offices that are  
16          elected statewide and to candidates for the General Assembly, but it  
17          does not apply to judicial offices, regardless of whether elected  
18          statewide. An individual who was defeated in a primary election is a  
19          candidate for purposes of the reporting required by this subdivision."

20          Sec. 6. G.S. 163-278.13(d) reads as rewritten:

21          "(d) For the purposes of this section, the term 'an election' means any primary,  
22          second primary, or general election in which the candidate or political committee may be  
23          involved, without regard to whether the candidate is opposed or unopposed in the ~~election.~~  
24          election, except that where a candidate is not on the ballot in a second primary, that  
25          second primary is not 'an election' with respect to that candidate."

26          Sec. 7. This act becomes effective January 1, 1996, and applies to all primaries  
27          and elections conducted on and after that date. Sections 1 through 3 and Section 6 apply  
28          to all contributions made, accepted, or solicited on or after January 1, 1996. Sections 4  
29          and 5 apply to all reports filed on or after January 1, 1996.