

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

S

2

SENATE BILL 760\*
Judiciary I Committee Substitute Adopted 6/21/00

Short Title: Lobbyist Fundraising, etc.

(Public)

Sponsors:

Referred to:

April 5, 1999

A BILL TO BE ENTITLED

AN ACT TO REVISE THE LIMITATION ON LOBBYIST-RELATED FUND-RAISING TO STRENGTHEN THE ACT AND TO COMPLY WITH A COURT DECISION; AND TO PERMIT A MAJORITY OF A COUNTY BOARD OF ELECTIONS TO APPROVE A PLAN TO DESIGNATE ONE-STOP VOTING SITES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-278.13B reads as rewritten:

§ 163-278.13B. Limitation on fund-raising during legislative session.

(a) Definitions. - For purposes of this section:

- (1) 'Limited contributor' means a lobbyist registered pursuant to Article 9A of Chapter 120 of the General Statutes, that lobbyist's agent, that lobbyist's principal as defined in G.S. 120-47.1(7), or a political committee that employs or contracts with or whose parent entity employs or contracts with a lobbyist registered pursuant to Article 9A of Chapter 120 of the General Statutes.
(2) 'Limited contributee' means a member of or candidate for the Council of State, a member of or candidate for the General Assembly, or a political

1 ~~committee the purpose of which is to assist a member or members of or~~  
2 ~~candidate or candidates for the Council of State or General Assembly.~~

3 (3) The General Assembly is in 'regular session' from the date set by law or  
4 resolution that the General Assembly convenes until the General  
5 Assembly either adjourns sine die or recesses or adjourns for more than  
6 10 days.

7 (4) A contribution is 'made' during regular session if the check or other  
8 instrument is dated during the session, or if the check or other  
9 instrument is delivered to the limited contributee during session, or if  
10 the limited contributor pledges during the session to deliver the check or  
11 other instrument at a later time.

12 (5) A contribution is 'accepted' during regular session if the check or other  
13 instrument is dated during the session, or if the limited contributee  
14 receives the check or other instrument during session and does not  
15 return it within 10 days, or agrees during session to receive the check or  
16 other instrument at a later time.

17 (b) Prohibited Solicitations. – While the General Assembly is in regular session,  
18 no limited contributee or the real or purported agent of a limited contributee shall:

19 (1) Solicit a contribution from a limited contributor to be made to that  
20 limited contributee or to be made to any other candidate, officeholder,  
21 or political committee; or

22 (2) Solicit a third party, requesting or directing that the third party directly  
23 or indirectly solicit a contribution from a limited contributor or relay to  
24 ~~the prohibited-limited contributor the prohibited-limited contributee's~~  
25 solicitation of a contribution.

26 (c) Prohibited Contributions. – While the General Assembly is in regular session:

27 (1) No limited contributor shall make or offer to make a contribution to a  
28 limited contributee.

29 (2) No limited contributor shall make a contribution to any candidate,  
30 officeholder, or political committee, directing or requesting that the  
31 contribution be made in turn to a limited contributee.

32 (3) No limited contributor shall transfer any amount of money or anything  
33 of value to any entity, directing or requesting that the entity use what  
34 was transferred to contribute to a limited contributee.

35 (4) No ~~limited contributee entity~~ prohibited from solicitation by subsection  
36 (b) of this section shall accept a contribution from a limited contributor.

37 (5) No limited contributor shall solicit a contribution from any individual or  
38 political committee on behalf of a limited contributee. This subdivision  
39 does not apply to a limited contributor soliciting a contribution on  
40 behalf of a political party executive committee if the solicitation is  
41 solely for a separate segregated fund kept by the political party limited  
42 to use for activities that are not candidate-specific, including generic  
43 voter registration and get-out-the-vote efforts, pollings, mailings, and

1                   other general activities and advertising that do not refer to a specific  
2                   individual candidate.

3           (d)    Exception. – The provisions of this section do not apply with regard to a  
4 limited contributee during the three weeks prior to the day of a second primary if that  
5 limited contributee is a candidate who will be on the ballot in that second primary.

6           (e)    Prosecution. – A violation of this section is a Class 2 misdemeanor."

7                   Section 2. G.S. 163-227.2(g) reads as rewritten:

8           "(g)   Notwithstanding any other provision of this section, a county board of  
9 elections by ~~unanimous~~ majority vote of all its members may provide for one or more sites  
10 in that county for absentee ballots to be applied for and cast under this section. Any site  
11 other than the county board of elections office shall be in any building or part of a  
12 building that the county board of elections is entitled under G.S. 163-129 to demand and  
13 use as a voting place. Every individual staffing any of those sites shall be a member or  
14 full-time employee of the county board of elections or an employee of the county board  
15 of elections whom the board has given training equivalent to that given a full-time  
16 employee. Those sites must be approved by the State Board of Elections as part of a Plan  
17 for Implementation approved by both the county board of elections and by the State  
18 Board of Elections which shall also provide adequate security of the ballots and  
19 provisions to avoid allowing persons to vote who have already voted. The Plan for  
20 Implementation shall include a provision for the presence of political party observers at  
21 each one-stop site equivalent to the provisions in G.S. 163-45 for party observers at  
22 voting places on election day."

23                   Section 3. This act is effective when it becomes law.