

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH60427-LH-196 (04/13)

Short Title: Discretionary Funds.

(Public)

Sponsors: Representative Blust.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO REGULATE THE EXPENDITURE OF DISCRETIONARY FUNDS.

3 Whereas, the General Assembly finds that the doctrine of separation of
4 powers is vital to the functioning and the preservation of our republican form of
5 government as an important check and balance; Now, therefore,
6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Chapter 143 of the General Statutes is amended by adding a
8 new section to read:

9 "**§ 143-32.1. Discretionary funds.**

10 All appropriations made by the General Assembly in a current appropriations act
11 shall clearly specify in a separate line item the exact description of the appropriation in
12 clear and precise language. When the General Assembly permits the expenditure of
13 funds in a discretionary manner, that discretion shall reside only with the Director or the
14 Director's designee, and it shall be unlawful and unethical for a member of the General
15 Assembly after the current appropriations act is signed by the Governor to attempt to
16 influence the exercise of that discretion or otherwise attempt to influence the way such
17 funds so appropriated are expended."

18 **SECTION 2.** This act becomes effective July 1, 2005.