A BILL TO BE ENTITLED
AN ACT AMENDING THE STATE HUMAN RESOURCES ACT TO PROHIBIT
COMPELLED SPEECH WHEN AN INDIVIDUAL SEEKS STATE GOVERNMENT
EMPLOYMENT.

The General Assembly of North Carolina enacts:

SECTION 1. Article 5 of Chapter 126 of the General Statutes is amended by adding
a new section to read:

"§ 126-14.5. Compelled speech prohibited.
(a) Each State agency, department, and institution shall comply with the following:
(1) Refrain from soliciting or requiring an applicant for employment to endorse
or opine about beliefs, affiliations, ideals, or principles regarding matters of
contemporary political debate or social action as a condition of employment.
(2) Refrain from soliciting or requiring an applicant for employment to describe
the applicant's actions in support of, or in opposition to, the beliefs,
affiliations, ideals, or principles identified in subdivision (1) of this
subsection.
This subsection shall not infringe on the ability of an applicant for employment to voluntarily
opine or speak regarding any matter, including matters of contemporary political debate or social
action.
No application for employment shall inquire into matters prohibited as compelled speech
under this subsection.
(b) Nothing in this section shall be construed to:
(1) Prohibit discussion with or questions to an applicant regarding the content of
the applicant's resume.
(2) Affect the ability of the prospective employing agency from complying with
applicable federal or State law, including employment oaths, appointment
affidavits, and licensure and certification requirements.
(3) Apply to speech protected by the First Amendment of the U.S. Constitution."

SECTION 2. G.S. 126-5 is amended by adding a new subsection to read:
"(c19) Notwithstanding any provision of law to the contrary, G.S. 126-14.5 shall apply to all
exempt and nonexempt State employees in the executive, legislative, and judicial branches."

SECTION 3. This act is effective when it becomes law.