

April 15, 1999

S 1063. CAMPAIGN STANDARDS. TO ESTABLISH A CODE OF CAMPAIGN STANDARDS TO BE ENFORCED BY THE STATE BOARD OF ELECTIONS. Adds Art. 22D ("Campaign Standards") to GS Ch. 163, prohibiting anyone during the course of a political campaign, with the intent to affect the outcome of the campaign, to (1) make a false or misleading statement about the voting record of a candidate or public official, including taking the votes or actions significantly out of context or distorting the record by use of demonstrably unrepresentative votes or actions; (2) make a false or misleading statement that a candidate or official has been indicted or convicted of crimes involving financial corruption or moral turpitude; (3) make a statement that a candidate has been indicted for a crime or been subject to a finding by the Campaign Standards Commission without disclosing the outcome; (4) make a false or misleading statement that the candidate or official has a record of treatment or confinement for a mental disorder; (5) make a false or misleading statement that the candidate or official has been subject to military discipline or dishonorably discharged; (6) issue statements under the name of another person without attribution, identify in a false or misleading way the source of statement, or state in a false or misleading way the endorsement by another person or publication; (7) misleadingly imply that a person who does not now hold an office in fact does; (8) make a false or misleading statement about a candidate's educational history; (9) make a false or misleading statement concerning the candidate's employment history.

Directs the State Board of Elections to make rules for the submission and processing of complaints of violations of these provisions. Directs Executive Secretary-Director of state board to examine a submitted complaint to determine whether it alleges a violation. If it does, a panel of two members of the state board (not of the same political party) are to determine whether probable cause exists to find that a violation has occurred. If it so finds, then the full state board is to conduct a hearing. If the board finds that a violation has occurred it is to issue a letter of reprimand. If it believes that a violation of other substantive criminal election statute has occurred, it is to refer the matter to the appropriate district attorney.

Intro. by Metcalf.

Ref. to Judiciary I

GS 163