

April 21, 2005

H 1442. STATE ETHICS ACT. *TO ESTABLISH THE STATE ETHICS ACT, TO CREATE THE STATE ETHICS COMMISSION, TO ESTABLISH ETHICAL STANDARDS FOR LEGISLATORS, STATE PUBLIC OFFICERS, STATE EMPLOYEES, AND APPOINTEES TO NONADVISORY STATE BOARDS AND COMMISSIONS, TO REQUIRE PUBLIC DISCLOSURE OF ECONOMIC INTERESTS, AND TO MAKE CONFORMING CHANGES.* Enacts new GS Chapter 138A as title indicates. New State Ethics Act applies to "public servants." Definition of public servants includes members of General Assembly, constitutional officers, employees of Governor's office, heads of principal State agencies, UNC Board of Governors, UNC president, chancellors and trustees of UNC constituent institutions, community college boards and presidents, and other specified officials, but does not include judges and members of advisory boards. Prohibits public servants from using public position for private gain, accepting gifts in return for being influenced in discharge of official responsibilities, participating in official actions in which they have a pecuniary interest, and employing or supervising members of their immediate families. Establishes State Ethics Commission consisting of seven members appointed by Governor for staggered four-year terms. Specifies powers and duties of the commission. Authorizes ethics investigations by commission. Requires public servants to file statements of economic interest and specifies contents of these statements. Provides that these statements are public records. Provides that violation of ethical requirements of new act is grounds for disciplinary action but does not constitute separate criminal violation, except for perjury committed in connection with ethics investigation. Exempts State Ethics Commission from state's Open Meetings Law and certain provisions of Administrative Procedures Act. Effective January 1, 2006.

Intro. by Blust.

Ref. to Ethics

GS 138A, 143, 150B