

March 26, 2007

S 1496. OPEN ETHICS HEARINGS/NO LOBBYIST SOLICITATION. Filed 3/26/07. *TO MAKE THE LEGISLATIVE ETHICS COMMITTEE SUBJECT TO THE OPEN MEETINGS LAW, TO PROHIBIT LOBBYISTS FROM SOLICITING CAMPAIGN CONTRIBUTIONS, AND TO MAKE ETHICS COMPLAINTS AND INVESTIGATION HEARINGS OPEN TO THE PUBLIC.* Amends GS 143-318.18 to delete the Legislative Ethics Committee from the list of groups not subject to the Open Meetings Law.

Amends various parts of GS 120-103.1 and GS 138A-12 as title indicates with respect to ethics complaints and investigations by the Legislative Ethics Committee and the State Ethics Commission, respectively. The Committee and the Commission are allowed to deliberate on a complaint in closed session, but the decision of each is to be announced in open session. In all matters in which the complaint is a public record under the bill's revisions, the Committee or Commission is to ensure that a complete record is made and preserved as a public record.

Enacts new GS 163-278.13C prohibiting lobbyists registered under GS Chapter 120C (registered lobbyists) from (1) making or offering a contribution to a legislator, executive branch official, or candidate campaign committee (all defined terms); (2) making a contribution to any candidate, officeholder, or political committee, directing or requesting that the contribution be made in turn to a person or group listed in (1); (3) transferring money or anything of value to any entity directing or requesting that the entity use what was transferred to contribute to a person or group listed in (1); (4) soliciting a contribution from any individual, political committee, or other entity on behalf of a person or group listed in (1); or (5) delivering any contribution made by another to a person or group listed in (1). Subdivision (4) does not apply to a registered lobbyist soliciting a contribution on behalf of a political party executive committee if the solicitation is solely for a separate segregated fund kept by the party and limited to use for activities that are not candidate-specific.

The persons and groups listed in (1) above and their agents are forbidden to solicit a contribution from a registered lobbyist; to solicit a third party to solicit such a contribution directly or indirectly or to relay such a solicitation to the lobbyist; or to accept a contribution from a registered lobbyist.

Allows legislators and executive branch officials to serve on a board or committee of an organization that makes a solicitation of a registered lobbyist, as long as the legislator or official does not participate directly in the solicitation or directly benefit from it. Allows a lobbyist to advise, with respect to contributions to any of the persons or groups listed in subdivision (1), a political committee that employs or contracts with, or whose parent entity employs or contracts with, that lobbyist; individual members of such a committee; and the lobbyist's principal.

GS 163-278.13C does not apply to a lobbyist filing a notice of candidacy for office as a member of the General Assembly or as a constitutional officer of the state whose office is established in Article III of the N.C. Constitution.

A violation of new GS 163-278.13C is punishable by a civil fine in accordance with GS 163-278.34 only.

Lobbyist rules become effective October 1, 2007. Revisions to GS 120-103.1 and 138A-12 are effective when they become law and apply to complaints filed on or after that date. Remainder of act is effective when it becomes law.

Intro. by Berger of Rockingham.

GS 120, 138A, 143, 163