

April 2, 2009

H 1048. MODIFY CAMPAIGN AD LAWS. Filed 4/2/09. *TO EXEMPT REFERENCES TO UNOPPOSED CANDIDATES AND OTHER COMMERCIAL COMMUNICATIONS FROM THE ELECTIONEERING COMMUNICATION LAWS AND CANDIDATE-SPECIFIC COMMUNICATION LAWS; AND TO MAKE TECHNICAL CHANGES TO THE LAWS CONCERNING ELECTIONEERING COMMUNICATIONS AND CANDIDATE-SPECIFIC COMMUNICATIONS.*

Amends GS 163-278.80 (Electioneering Communications), GS 163-278.90 (Mass Mailings and Telephone Banks: Electioneering Communications), GS 163-278.100 (Candidate-Specific Communications), and GS 163-278.110 (Mass Mailings and Telephone Banks: Candidate-Specific Communications) to define *commercial communication* as a communication to which all of the following apply: (1) the communication does not mention any election, candidacy, political party, opposing candidate, or voting by the general public; (2) the communication does not take a position on any candidate's or officeholder's fitness for office; and (3) the communication offers a licensed professional service or proposes a commercial transaction, such as purchase of a book, video, or other product or service, or such as attendance (for a fee) at a film exhibition or other event. Amends GS 163-278.80(3) and GS 163-278.90(3) to exclude from the definition of *electioneering communication* (1) a communication that refers to a candidate against whom no opposing candidate has timely filed and qualified pursuant to GS 163-106 or GS 163-323 and (2) a commercial communication. Amends GS 163-278.100(2) and GS 163-278.110(2) to exclude from the definition of *candidate-specific communication* (1) a communication that refers to a candidate against whom no opposing candidate has timely filed and qualified pursuant to GS 163-106 or GS 163-323 and (2) a commercial communication. Amends GS 163-278.80(2) and GS 163-278.90(2) to clarify that an *electioneering communication* is aired or transmitted (was, made), respectively, within the specified time periods. Amends GS 163-278.100(1) and GS 163-278.110(1) to clarify that a *candidate specific communication* is aired or transmitted (was, made) in the specified time period. Effective January 1, 2010.

Intro. by Faison, Ross, Stam, Moore.

GS 163