

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 584
Apr 2, 2015
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH10227-ST-31 (03/23)

Short Title: Use of Position/Letters of Reference. (Public)

Sponsors: Representatives Glazier, Faircloth, Daughtry, and Harrison (Primary Sponsors).

Referred to:

- 1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THAT A LEGISLATOR OR PUBLIC SERVANT MAY
3 REFERENCE THEIR PUBLIC POSITION IN A LETTER OF REFERENCE.
4 The General Assembly of North Carolina enacts:
5 **SECTION 1.** G.S. 138A-31(b) reads as rewritten:
6 "(b) A covered person shall not mention or authorize another person to mention the
7 covered person's public position in nongovernmental advertising that advances the private
8 interest of the covered person or others. The prohibition in this subsection shall not apply to
9 any of the following:
10 (1) Political advertising.
11 (2) News stories and articles.
12 (3) The inclusion of a covered person's public position in a directory or a
13 biographical listing.
14 (4) The inclusion of a covered person's public position in an agenda or other
15 document related to a meeting, conference, or similar event when the
16 disclosure could reasonably be considered material by an individual
17 attending the meeting, conference, or similar event.
18 (5) The inclusion of a covered person's public position in a charitable
19 solicitation for a nonprofit business entity qualifying under 26 U.S.C. §
20 501(c)(3).
21 (6) The disclosure of a covered person's position to an existing or prospective
22 customer, supplier, or client when the disclosure could reasonably be
23 considered material by the customer, supplier, or client.
24 (7) A letter of character reference for any of the following:
25 a. A student seeking admittance to a school or institution of higher
26 education.
27 b. An individual seeking an academic scholarship.
28 c. An individual seeking leniency upon sentencing by the courts, or
29 other matters related to probation or parole.
30 (8) A response to the inquiry of a potential employer as to the qualifications and
31 character of an individual seeking employment."
32 **SECTION 2.** This act is effective when it becomes law.

