

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 584  
PROPOSED SENATE COMMITTEE SUBSTITUTE H584-PCS30409-ST-81

Short Title: Use of Position/Letters of Reference.

(Public)

Sponsors:

Referred to:

April 6, 2015

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 d. An individual seeking employment, at the request of that individual  
31 or in response to the inquiry of a potential employer as to the  
32 qualifications and character of that individual."

33 **SECTION 2.** This act is effective when it becomes law.



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