Senator Mayfield moves to amend the bill on page 3, lines 3-39, by rewriting those lines to read:

"SECTION 4. Article 31 of Chapter 14 of the General Statutes is amended by adding a new section to read:

§ 14-234.2. Local public officials participating in contracts benefiting nonprofits with which associated.

(a) No public official shall participate in making or administering a contract, including the award of money in the form of a grant, loan, or other appropriation, with any nonprofit with which that public official is associated. The public official shall record his or her recusal with the clerk to the board, and once recorded, the political subdivision of this State may enter into or administer the contract.

(b) Anyone violating this section shall be guilty of a Class 1 misdemeanor. The exceptions listed in G.S. 14-234(b) and (d1) through (d5) shall apply to this section.

(c) A contract entered into in violation of this section is void. A contract that is void under this section may continue in effect until an alternative can be arranged when: (i) an immediate termination would result in harm to the public health or welfare, and (ii) the continuation is approved as provided in this subsection. A political subdivision of this State that is a party to the contract may request approval from the chair of the Local Government Commission to continue contracts under this subsection.

(d) For purposes of this section, the following definitions shall apply:

(1) Nonprofit with which that public official is associated. – A nonprofit corporation, organization, or association, incorporated or otherwise, that is organized or operating in the State primarily for religious, charitable, scientific, literary, public health and safety, or educational purposes and of which the public official is a director, officer, or governing board member, excluding any board, entity, or other organization created by this State or by any political subdivision of this State.

(2) Participate in making or administering a contract. – Any of the following actions by a public official:

a. Deliberating or voting on the contract.

b. Attempting to influence any other person who is deliberating or voting on the contract.
1. Soliciting or receiving any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a contract by the political subdivision of the State with the not-for-profit with which that public official is associated.

3. Public official. – Any individual who is elected or appointed to serve or represent a political subdivision of the State, other than an employee or independent contractor of that political subdivision of the State.”. 

SIGNED ____________________________

Amendment Sponsor

SIGNED ____________________________

Committee Chair if Senate Committee Amendment

ADOPTED ____________  FAILED ____________  TABLED ____________