

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 354

Short Title: Spending by Candidate.

(Public)

Sponsors: Representatives Dawkins; Beall and N. Crawford.

Referred to: Judiciary.

February 23, 1989

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT OUT-OF-POCKET EXPENDITURES BY CANDIDATES SHALL BE REPORTED AS CONTRIBUTIONS TO A CAMPAIGN.

The General Assembly of North Carolina enacts:

Section 1. G.S. 163-278.6(6) reads as rewritten:

"(6) The terms 'contribute' or 'contribution' mean any advance, conveyance, deposit, distribution, transfer of funds, loan, payment, gift, pledge or subscription of money or anything of value whatsoever, from any person or individual, including the candidate himself, whether or not made in an election year, and any contract, agreement, promise or other obligation, whether or not legally enforceable, to make a contribution, in support of or in opposition to any candidate, political committee, referendum committee, or political party. These terms include, without limitation, such contributions as labor or personal services, postage, publication of campaign literature or materials, in-kind transfers, loans or use of any supplies, office machinery, vehicles, aircraft, office space, or similar or related services, goods, or personal or real property. These terms also include, without limitation, the proceeds of sale of services, campaign literature and materials, wearing apparel, tickets or admission prices to campaign events such as rallies or dinners, and the proceeds of sale of any campaign-related services or goods notwithstanding the foregoing meanings of 'contribution,' the word shall not be construed to include services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate, political committee, or referendum committee."

Sec. 2. G.S. 163-278.8(a) reads as rewritten:

1       "(a) The treasurer of each candidate, political committee, and referendum  
2 committee shall keep detailed accounts, current within not more than seven days after  
3 the date of receiving a contribution or making an expenditure, of all contributions  
4 received and all expenditures made by or on behalf of the candidate, political  
5 committee, or referendum committee. The account shall include contributions made by  
6 the candidate himself to his own committee."

7               Sec. 3. G.S. 163-278.11 reads as rewritten:

8 **"§ 163-278.11. Contents of treasurer's statement of receipts and expenditures.**

9       (a) Statements filed pursuant to provisions of this Article shall set forth the  
10 following:

11           (1) Contributions. – A list of all contributions required to be listed under  
12 G.S. 163-278.8 received by or on behalf of a candidate, political  
13 committee, or referendum committee. The statement shall list the name  
14 and complete mailing address of each contributor, the amount  
15 contributed, and the date such contribution was received. The total  
16 sum of all contributions to date shall be plainly exhibited. Forms for  
17 required reports shall be prescribed by the Board.

18           (2) Expenditures. – A list of all expenditures required under G.S. 163-  
19 278.8 made by or on behalf of a candidate, political committee, or  
20 referendum committee. The statement shall list the name and complete  
21 mailing address of each payee, the amount paid, the purpose, and the  
22 date such payment was made. The total sum of all expenditures to date  
23 shall be plainly exhibited. Forms for required reports shall be  
24 prescribed by the Board.

25           (3) Loans. – Every candidate and treasurer shall attach to the campaign  
26 transmittal submitted with each report an addendum listing all  
27 proceeds derived from loans for funds used or to be used in this  
28 campaign. The addendum shall be in the form as prescribed by the  
29 State Board of Elections and shall list the amount of the loan, the  
30 source, the period, the rate of interest, and the security pledged, if any,  
31 and all makers and endorsers.

32       (b) Statements shall reflect anything of value paid for or contributed by any  
33 person or individual, both as a contribution and expenditure.

34       (c) Expenditures made by the candidate himself should be listed as contributions  
35 to his campaign."

36               Sec. 4. This act shall become effective with respect to contributions and  
37 expenditures occurring on or after January 1, 1990.