

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 192

Short Title: Filing of Foreign Agreements.

(Public)

Sponsors: Senator Reeves.

Referred to: Commerce.

March 1, 1999

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE FOR THE FILING WITH THE SECRETARY OF STATE OF
2 ALL MEMORANDA OF UNDERSTANDING AND AGREEMENTS OF A
3 NONCOMMERCIAL NATURE BETWEEN THE STATE OF NORTH CAROLINA
4 AND FOREIGN GOVERNMENTS.
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6 The General Assembly of North Carolina enacts:

7 Section 1. Chapter 66 of the General Statutes is amended by adding a new
8 Article to read:

9 **"ARTICLE 35.**

10 **"AGREEMENTS BETWEEN NORTH CAROLINA AND FOREIGN**
11 **GOVERNMENTS.**

12 **"§ 66-275. Agreements between North Carolina and foreign governments to be**
13 **filed.**

14 (a) A copy of all executed memoranda of understanding and agreements of a
15 noncommercial nature wherein any agency of the State of North Carolina is a party, and a
16 foreign government is another party, shall be filed with the Department of the Secretary
17 of State of North Carolina. For purposes of this section, 'foreign government' is defined
18 as a foreign country's government that is recognized and accredited by the United States
19 Department of State, and includes such country's governmental subdivisions.

1 (b) Notwithstanding the foregoing, the validity or enforceability of any
2 memoranda or agreement subject to the preceding subsection shall not be affected by the
3 failure to comply with subsection (a) of this section. Documents so filed with the
4 Department of the Secretary of State shall be indexed and then available for public
5 inspection pursuant to the Public Records Act of North Carolina.

6 (c) The Department of the Secretary of State may offer direct and indirect
7 assistance in matters relating to international relations and protocol to other governmental
8 agencies and units of the State of North Carolina. Such assistance may be provided upon
9 request of the intended recipient and only when the Secretary of State deems such
10 resources to be available.

11 (d) The Department of the Secretary of State may accept gifts, donations, bequests,
12 or other forms of voluntary contributions and to also apply for grants from public and
13 private sources, and to expend such funds as are received for the purpose of promoting
14 international relations and hosting foreign dignitaries and leaders in North Carolina. All
15 funds so received shall be fully subject to audit by the Office of the State Auditor and
16 shall be expended in conformity with the Executive Budget Act."

17 Section 2. This act applies with respect to memoranda and agreements
18 executed on or after July 1, 1999.