

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 837

Short Title: Political Pressure/Employees.

(Public)

Sponsors: Representatives Jones; Bowman and Flaherty.

Referred to: Judiciary I.

April 16, 1991

A BILL TO BE ENTITLED

AN ACT TO STRENGTHEN LAWS PROHIBITING THE USE OF POLITICAL INFLUENCE CONCERNING STATE EMPLOYMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 126-14 reads as rewritten:

"§ 126-14. Promise or threat to obtain political contribution or support.

(a) It is unlawful for a State employee or a person appointed to State office, other than elective office or office on a board, commission, committee, or council whose function is advisory only, whether or not subject to the Personnel Act, to coerce:

- (1) a State employee subject to the Personnel Act,
- (2) a probationary State employee, or
- (3) a temporary State employee,
- (4) an applicant for a position subject to the Personnel Act, or
- (5) any other person

to support or contribute to a political candidate, political committee as defined in G.S. 163-278.6, or political party or to change the party designation of his voter registration by threatening ~~him with that~~ employment termination or discipline or ~~by promising~~ preferential personnel treatment.—will occur with regard to a person listed in subdivisions (1) through (4).

(b) Any person violating this section shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000), imprisonment for not more than six months, or both.

(c) A State employee subject to the Personnel Act, probationary State employee, or temporary State employee who without probable cause falsely accuses a State

1 employee or a person appointed to State office of violating this section shall be subject
2 to discipline or termination in accordance with the provisions of G.S. 126-35, 126-37,
3 and 126-38 and may, as otherwise provided by law, be subject to criminal penalties for
4 perjury or civil liability for libel, slander, or malicious prosecution."

5 Sec. 2. G.S. 126-14.1 reads as rewritten:

6 **"§126-14.1. Threat to obtain political contribution or support.**

7 (a) It is unlawful for any person to coerce:

8 (1) a State employee subject to the Personnel Act,

9 (2) a probationary State employee, or

10 (3) a temporary State employee, or

11 (4) any other person

12 to support or contribute to a political candidate, political committee as defined in G.S.
13 163-278.6, or political party or to change the party designation of his voter registration
14 by explicitly threatening him with that employment termination or discipline will occur
15 with regard to any person listed in subdivisions (1) through (3) of this subsection.

16 (b) Any person violating this section shall be guilty of a misdemeanor punishable
17 by a fine not to exceed one thousand dollars (\$1,000), imprisonment for not more than
18 six months, or both.

19 (c) A State employee subject to the Personnel Act, probationary State employee,
20 or temporary State employee, who without probable cause falsely accuses a person of
21 violating this section shall be subject to discipline or termination in accordance with the
22 provisions of G.S. 126-35, 126-37, and 126-38 and may, as otherwise provided by law,
23 be subject to criminal penalties for perjury or civil liability for libel, slander, or
24 malicious prosecution."

25 Sec. 3. This act becomes effective October 1, 1991, and applies to offenses
26 committed on or after that date.