

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 505
HOUSE BILL 837

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, or
- (4) an applicant for a position subject to the Personnel Act

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

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

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

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

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

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 explicitly threatening ~~him with that employment termination change in employment status or discipline-~~or preferential personnel treatment will occur with regard to any person listed in subdivisions (1) through (3) of this subsection.

(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 person of violating this section shall be subject to discipline or ~~termination-change in employment status~~ in accordance with the provisions of G.S. 126-35, 126-37, and 126-38 and may, as otherwise provided by law, be subject to criminal penalties for perjury or civil liability for libel, slander, or malicious prosecution."

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

In the General Assembly read three times and ratified this the 2nd day of July, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives