

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 908

Short Title: Matching Funds Repeal. (Public)

Sponsors: Senators Brunstetter (Primary Sponsor); and Brock.

Referred to: Judiciary I.

May 30, 2012

1 A BILL TO BE ENTITLED
2 AN ACT TO REMOVE THE MATCHING FUNDS PROVISIONS OF THE PUBLIC
3 CAMPAIGN ACT AND THE VOTER-OWNED ELECTION ACT AND TO MAKE
4 CONFORMING AND RELATED CHANGES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 163-278.62(18) is repealed.

7 **SECTION 2.** G.S. 163-278.66 is repealed.

8 **SECTION 3.** G.S. 163-278.67 is repealed.

9 **SECTION 4.** G.S. 163-278.64(d)(2) reads as rewritten:

10 "(2) From the filing of a declaration of intent through the end of the qualifying
11 period, a candidate may accept only qualifying contributions, contributions
12 under ten dollars (\$10.00) from North Carolina voters, and personal and
13 family contributions permitted under subdivision (4) of this subsection. The
14 total contributions the candidate may accept during this period shall not
15 exceed the maximum qualifying contributions for that candidate. In addition
16 to these contributions, the candidate may only expend during this period the
17 remaining money raised pursuant to subdivision (1) of this subsection and
18 possible matching funds received pursuant to ~~G.S. 163-278.67~~ subsection.
19 Except for personal and family contributions permitted under subdivision (4)
20 of this subsection, multiple contributions from the same contributor to the
21 same candidate shall not exceed five hundred dollars (\$500.00)."

22 **SECTION 5.** G.S. 163-278.64A(a) reads as rewritten:

23 "(a) Participation Provisions Modified. – Candidates involved in elections described in
24 G.S. 163-329 may participate in the Fund subject to the provisions of G.S. 163-278.64 as
25 modified by this section. The Board shall adapt other provisions of this ~~Article, including~~
26 ~~G.S. 163-278.67, Article~~ to those elections."

27 **SECTION 6.** G.S. 163-278.65(b)(2) reads as rewritten:

28 "(2) Contested primaries. – No funds shall be ~~distributed except as provided in~~
29 ~~G.S. 163-278.67~~ distributed."

30 **SECTION 7.** G.S. 163-278.68(d) reads as rewritten:

31 "(d) Board to Adopt Rules and Issue Opinions. – The Board shall adopt rules and issue
32 opinions to ensure effective administration of this Article. Such rules and opinions shall
33 include, but not be limited to, procedures for obtaining qualifying contributions, certification of
34 candidates, addressing circumstances involving special elections, vacancies, recounts,
35 withdrawals, or replacements, collection of revenues for the Fund, distribution of Fund revenue
36 to certified candidates, return of unspent Fund disbursements, and compliance with this Article.



1 ~~The Board shall adopt procedures for the distribution of matching money that further the~~
2 ~~purpose and avoid the subversion of G.S. 163-278.67.~~ For races involving special elections,
3 recounts, vacancies, withdrawals, or replacement candidates, the Board shall establish
4 procedures for qualification, certification, disbursement of Fund revenues, and return of
5 unspent Fund revenues. The Board shall fulfill each of these duties in consultation with the
6 Advisory Council on the Public Campaign Fund."

7 **SECTION 8.** G.S. 163-278.96(17) is repealed.

8 **SECTION 9.** G.S. 163-278.99A is repealed.

9 **SECTION 10.** G.S. 163-278.99B is repealed.

10 **SECTION 11.** G.S. 163-278.98(e)(2) reads as rewritten:

11 "(2) From the filing of a declaration of intent through the end of the qualifying
12 period, a candidate may accept only qualifying contributions, contributions
13 under ten dollars (\$10.00) from North Carolina voters, in-kind party
14 contributions as permitted in subdivision (4) of this subsection, and personal
15 and family contributions permitted under subdivision (4a) of this subsection.
16 The total contributions the candidate may accept during this period shall not
17 exceed the maximum qualifying contributions for that candidate. In addition
18 to these contributions, the candidate may only expend during this period the
19 remaining money raised pursuant to subdivision (1) of this ~~subsection and~~
20 ~~possible matching funds received pursuant to G.S. 163-278.99B subsection.~~
21 If the candidate has any remaining money that was raised as contributions
22 before August 1 of the year before the election, the candidate may not
23 expend that money after filing the declaration of intent, except for purposes
24 permitted under subdivision (2), (3), (6), (7), or (8) of G.S. 163-278.16B(a)."

25 **SECTION 12.** G.S. 163-278.98(e)(3) reads as rewritten:

26 "(3) After the qualifying period and through the date of the general election, the
27 candidate shall cease campaign-related fund-raising activities and shall
28 expend only the funds the candidate receives from the Fund pursuant to
29 G.S. 163-278.99(b) plus any funds remaining from the qualifying ~~period and~~
30 ~~possible matching funds period.~~"

31 **SECTION 13.** G.S. 163-278.99(b)(2) reads as rewritten:

32 "(2) Contested primaries. – No funds shall be ~~distributed except as provided in~~
33 ~~G.S. 163-278.99B distributed.~~"

34 **SECTION 14.** G.S. 163-278.13(e4) is repealed.

35 **SECTION 15.** This act is effective when it becomes law.