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FOR IMMEDIATE RELEASE:

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To: All Media
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RE: NC General Assembly amends definition of “candidate” and lowers the campaign finance reporting threshold

Wilmington, NC, ---- The NC General Assembly ratified HB 1111 (S.L. 2009-534) on Tuesday, August 11, 2009. The ratified bill was approved by Governor Perdue on Friday, August 28, 2009 and becomes effective on Tuesday, December 1, 2009.

S.L. 2009-534 contains language which redefines the term “candidate” and lowers the campaign finance reporting threshold from three thousand dollars (\$3000) to one thousand dollars (\$1000). There are other topics addressed in the session law.

The term “candidate” contained in G.S. 163-278.6(4) is now defined as the following:
“any individual who, with respect to a public office listed in G.S. 163-278.6(18), has taken positive action for the purpose of bringing about that individual’s nomination or election to public office. Examples of positive action include:

- a. Filing a notice of candidacy or a petition requesting to be a candidate,
- b. Being certified as a nominee of a political party for a vacancy,
- c. Otherwise qualifying as a candidate in a manner authorized by law,
- d. Making a public announcement of a definite intent to run for public office in a particular election, or
- e. Receiving funds or making payments or giving the consent for anyone else to receive funds or transfer anything of value for the purpose of bringing about that individual’s nomination or election to office. Transferring anything of value includes incurring an obligation to transfer anything of value.”

(all underlined text above indicates new added language by the General Assembly)

G.S. 163-278.5 has been rewritten to lower the reporting threshold from three thousand dollars (\$3000) to one thousand dollars (\$1000) for county, municipal, local school board, soil and water conservation district board of supervisors, or sanitary district board candidates.

If the candidate **does not** intend to:

- a. Receive more than one thousand dollars (\$1000) in contributions, and
- b. Receive more than one thousand dollars (\$1000) in loans, and
- c. Spend more than one thousand dollars (\$1000)

the candidate can qualify for the exemption of reporting. The candidate's treasurer shall file a certification that the candidate does not intend to receive in contribution or loans or expend more than one thousand dollars (\$1000).

The certification shall be filed at the Board of Elections office at the same time the candidate files the candidate's Organizational Report as required in G.S. 163-278.7, 163-278.9, and 163-278.40A. If the intent to stay within the threshold changes, or if the one thousand dollar (\$1000) threshold is exceeded, the treasurer shall immediately notify the Board of Elections and shall be responsible for filing all reports required.

These changes will be effective December 1, 2009.

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