

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 767

Short Title: Local Employee Political Activity.

(Public)

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Sponsors: Senators Martin of Guilford; Perdue and Speed.

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Referred to: Local Government and Regional Affairs.

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April 24, 1991

1 A BILL TO BE ENTITLED  
2 AN ACT TO DEFINE THE LIMITS OF LOCAL GOVERNMENT EMPLOYEES'  
3 POLITICAL ACTIVITIES WHILE ON DUTY.

4 The General Assembly of North Carolina enacts:

5 Section 1. Chapter 153A of the General Statutes is amended by adding a new  
6 section to read:

7 "**§ 153A-99. County employee political activity.**

8 (a) Purpose. The purpose of this section is to ensure that county employees are  
9 not subjected to political or partisan coercion or interference while performing their job  
10 duties, and to ensure that public funds are not used for political or partisan activities.

11 It is not the purpose of this section to allow infringement upon the rights of  
12 employees to engage in free speech and free association. Every county employee has a  
13 civic responsibility to support good government by every available means and in every  
14 appropriate manner. Employees are not restricted from affiliating with civic  
15 organizations of a partisan or political nature, nor are employees restricted from  
16 attending political meetings, or advocating and supporting the principles or policies of  
17 civic or political organizations in accordance with the Constitution and laws of the State  
18 and the Constitution and laws of the United States of America.

19 (b) Definitions. For the purposes of this section:

20 (1) 'County employee' or 'employee' means any person employed by a  
21 county or any department or program thereof that is supported, in  
22 whole or in part, by county funds;

23 (2) 'On duty' means that time period when an employee is engaged in the  
24 duties of his or her employment; and

1           (3) 'Workplace' means any place where an employee engages in his or her  
2           job duties.

3       (c) No employee while on duty or in the workplace may:

4           (1) Engage in partisan political activity;

5           (2) Use his or her official authority or influence for the purpose of  
6           interfering with or affecting the result of an election or nomination for  
7           political office; or

8           (3) Coerce or compel contributions for political or partisan purposes by  
9           another employee.

10       (d) No employee may be required as a duty or condition of employment,  
11 promotion, or tenure of office to contribute funds for political or partisan purposes.

12       (e) No employee may use county funds, supplies, or equipment for political or  
13 partisan purposes."

14           Sec. 2. Chapter 160A is amended by adding a new section to read:

15 **"§ 160A-99. City employee political activity.**

16       (a) Purpose. The purpose of this section is to ensure that city employees are not  
17 subjected to political or partisan coercion or interference while performing their job  
18 duties, and to ensure that public funds are not used for political or partisan activities.

19       It is not the purpose of this section to allow infringement upon the rights of  
20 employees to engage in free speech and free association. Every city employee has a  
21 civic responsibility to support good government by every available means and in every  
22 appropriate manner. Employees are not restricted from affiliating with civic  
23 organizations of a partisan or political nature, nor are employees restricted from  
24 attending political meetings, or advocating and supporting the principles or policies of  
25 civic or political organizations in accordance with the Constitution and laws of the State  
26 and the Constitution and laws of the United States of America.

27       (b) Definitions. For the purposes of this section:

28           (1) 'City employee' or 'employee' means any person employed by a city or  
29           any department or program thereof that is supported, in whole or in  
30           part, by city funds;

31           (2) 'On duty' means that time period when an employee is engaged in the  
32           duties of his or her employment; and

33           (3) 'Workplace' means any place where an employee engages in his or her  
34           job duties.

35       (c) No employee while on duty or in the workplace may:

36           (1) Engage in partisan political activity;

37           (2) Use his or her official authority or influence for the purpose of  
38           interfering with or affecting the result of an election or nomination for  
39           political office; or

40           (3) Coerce or compel contributions for political or partisan purposes by  
41           another employee.

42       (d) No employee may be required as a duty or condition of employment,  
43 promotion, or tenure of office to contribute funds for political or partisan purposes.

1       (e) No employee may use city funds, supplies, or equipment for political or  
2 partisan purposes."

3               Sec. 3. This act is effective upon ratification.