

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH30409-LY-221 (04/10)

Short Title: Confidentiality Agreements Void.

(Public)

Sponsors: Representative Luebke.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO DECLARE CONFIDENTIALITY AGREEMENTS INVOLVING
3 ELECTED OFFICIALS AND ECONOMIC DEVELOPMENT INAPPLICABLE
4 TO ELECTED OFFICIALS AS A MATTER OF PUBLIC POLICY.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Part 2 of Article 10 of Chapter 143B of the General Statutes
7 reads as rewritten:

8 "**§ 143B-437.11. Confidentiality agreements void as a matter of public policy.**

9 The General Assembly finds that for the operation of government it is critical that
10 electd officials be able to communicate freely with the public. The General Assembly
11 finds that this is especially true when the issues to be communicated involve the use of
12 public funds or resources for economic development. As such, the General Assembly
13 declares that confidentiality agreements involving specific economic development
14 proposals that restrict the ability of elected officials acting in their official capacity to
15 communicate with the public are contrary to public policy and do not apply to any
16 electd official, or to any person who was an electd official at the time of signing the
17 agreement, but may apply to persons who are not electd officials."

18 SECTION 2. This act is effective when it becomes law.