

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE BILL 1663

Short Title: Confidentiality Agreements Void. (Public)

Sponsors: Representatives Luebke, Weiss (Primary Sponsors); and Harrison.

Referred to: Judiciary I.

April 19, 2007

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 elected 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 elected official, or to any person who was an elected official at the time of signing the  
17 agreement, but may apply to persons who are not elected officials."

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