



**North Carolina General Assembly
Legislative Ethics Committee**

July 2, 2012

**PUBLISHED ADVISORY OPINION OF THE
LEGISLATIVE ETHICS COMMITTEE**

Re: AO-LEC-12-001 – Further Guidance on the Use of Legislative Resources to Send New Voter Letters

Questions:

1. May a legislator send letters to newly registered voters residing in the district as the district will exist once redistricting takes effect (i.e. the district to which the legislator would be elected following the November 2012 election, if the legislator wins that election)?
2. Who qualifies as a newly registered voter?

I. Advisory Opinion Overview

Pursuant to G.S. 120-104(a), any member of the General Assembly may ask the Committee for a formal advisory opinion on specific questions involving legislative ethics. Formal opinions are published in a redacted format on the State Ethics Commission's website. Please keep in mind that formal advisory opinions do not confer immunity from criminal investigation or prosecution. Requests for advisory opinions, the opinions themselves, and all materials related to the opinions are confidential and are not public records. G.S. 138A-13(e).

II. Application of AO-LEC-07-001 - May a legislator send letters to newly registered voters residing in the district as the district will exist once redistricting takes effect (i.e. the district to which the legislator would be elected following the November 2012 election, if the legislator wins that election)?

No. The use of legislative postage, stationery, and staff to send letters to newly registered voters is limited to constituents who live in the legislator's district. The phrase "in the legislator's district" refers to the district for which the legislator was issued a certificate of election or letter of appointment under Chapter 163 of the General Statutes and for which the legislator is currently serving out that term of office.

III. Application of AO-LEC-07-001 – Who is a newly registered voter?

Newly registered voters are those individuals who register in that district within the biennium (i.e. January 1 of the odd numbered year until December 31 of the even numbered year.).