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# N.C. ETHICS

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# COMMISSION

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GEORGE WAINWRIGHT, JR.  
CHAIRMAN

1324 MAIL SERVICE CENTER  
RALEIGH, NORTH CAROLINA 27699-1324  
(919) 814-3600 FAX (919) 715-1644  
E-MAIL: [SEI@DOA.NC.GOV](mailto:SEI@DOA.NC.GOV)

PERRY Y. NEWSON  
EXECUTIVE DIRECTOR

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Certain *candidates* for elected office are covered by the State Government Ethics Act, including the Governor, Lt. Governor, members of the Council of State, Legislators, and Judicial Officers. All candidates for these offices must file one Candidate Statement of Economic Interest (SEI) with the Ethics Commission between December 1, 2015 and February 1, 2016. 2015 Candidate SEI Forms will be available on our website beginning December 1, 2015. 2016 Candidate SEI Forms will be available from January 1 to February 1, 2016. If you are currently serving in a position for which you are required to file an annual SEI Form, you may file a 2016 Candidate SEI Form in January 2016 to fulfill both your candidate SEI filing requirement and your 2016 annual SEI filing requirement.

## FILING YOUR SEI

- 1. WHO has to file?** Candidates for Governor, Lieutenant Governor, Secretary of State, Attorney General, State Auditor, State Treasurer, Agriculture Commissioner, Insurance Commissioner, Labor Commissioner, Superintendent of Public Instruction, the Legislature (House of Representatives and Senate), Supreme Court, Court of Appeals, Superior Court, District Court, District Attorney, and Clerk of Court.
- 2. WHEN do I file?** Candidates may file their Candidate SEI Form in December 2015 or in January 2016. 2015 Candidate SEI Forms will be available for filing from December 1- 31, 2015. 2016 Candidate SEI Forms will be available on January 1, 2016. You may file either year; however, if you wait and file a 2016 Candidate SEI Form between January 1 and February 1, 2016, you will not have to re-file in 2016.
- 3. WHERE do I file?** You must file the SEI directly with the State Ethics Commission, not at the Board of Elections.
- 4. WHAT form do I use?** Use the special SEI Forms created for CANDIDATES. There are two Candidate SEI forms in 2015, and there will be two Candidate SEI forms available in 2016: a Candidate SEI No Change Form and a Candidate SEI Long Form. Please make sure you are filing a properly dated CANDIDATE SEI FORM.

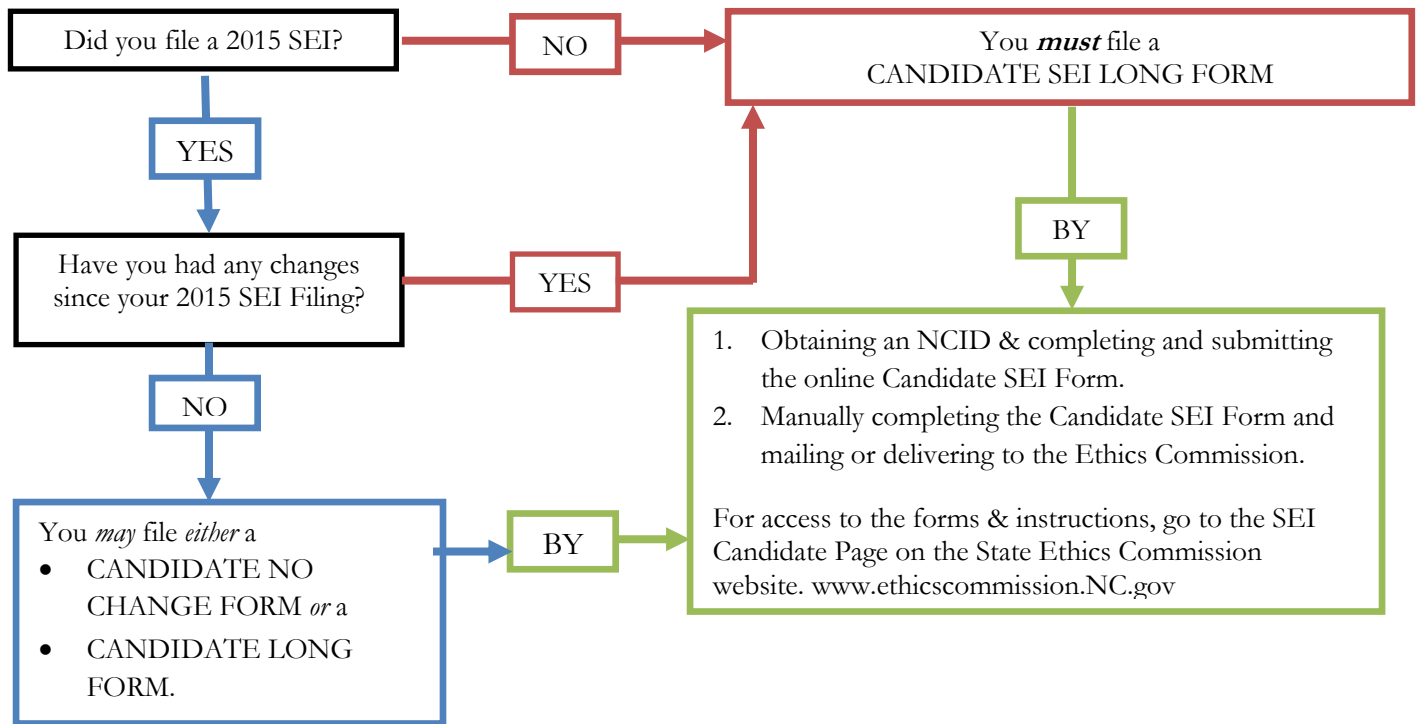
### **YOU MAY FILE THE CANDIDATE SEI NO CHANGE FORM IF:**

- You filed a 2015 SEI and you have not had any changes in the information reported. You may file a "2015 Candidate SEI No Change Form" in December 2015 or you may wait and file a "2016 Candidate SEI No Change Form" between January 1 and February 1, 2016.

### **YOU MUST FILE THE CANDIDATE SEI LONG FORM IF:**

- You filed a 2015 SEI Form, but there have been changes in the information reported; or
- You did NOT previously file a 2015 SEI Form.

- 5. HOW do I complete the form?** The Ethics Commission encourages you to submit your form electronically through the Commission's online filing website: <http://www.ethicscommission.nc.gov>. Follow the simple instructions to create an NCID account. You will receive immediate confirmation when you have successfully submitted your SEI form. You may also print the form from our website, complete and sign it, and submit it by mail or delivery to the Commission. If you file manually, keep a copy for your records.
- 6. WHERE DO I GET HELP?** Contact the State Ethics Commission at (919) 814-3600 or by e-mail at [SEI@doa.nc.gov](mailto:SEI@doa.nc.gov).



### FREQUENTLY ASKED QUESTIONS

1. **If I am already covered by the State Government Ethics Act (“Ethics Act”) and filed a form in 2015, can I wait and file by the April 15, 2016 annual filing deadline?**  
No. You must file by February 1, 2016 if you are running for offices covered under the Ethics Act. However, you may file the 2016 Candidate SEI Form between January 1 and February 1, 2016 to cover both your candidate filing requirement and your annual filing requirement.
2. **Can I fax the form or file a copy?** No. You **must** file a **signed original** SEI form or file electronically through our website. No copies, faxes or emails will be accepted. We encourage you to file electronically through our website.
3. **Should I keep a signed copy?** Yes. We strongly encourage you to keep a signed copy for your records or if you file electronically, keep your confirmation number you will receive upon the successful submission of your SEI.
4. **Is my SEI a public record?** Yes. All SEIs, including candidate SEIs, are public records.

### PENALTIES

1. **Are there fines for late or non-filing?** Yes. The Ethics Commission may levy a \$250.00 fine for failure to file your Candidate SEI between December 1, 2015 and February 1, 2016.
2. **Are there potential criminal penalties?** Yes. Knowingly concealing or failing to disclose information is a Class 1 misdemeanor. Knowingly providing false information is a Class H felony. In addition, knowingly concealing, failing to disclose, or providing false information may be used in prosecutions by other law enforcement agencies.

**ADDITIONAL INFORMATION FOR CANDIDATES FOR  
GOVERNOR, LT. GOVERNOR, COUNCIL OF STATE OR LEGISLATURE**

**GIFTS**

**“Gift”.** A “gift” is anything of monetary value given by a “prohibited giver.” There is no de minimis exception to the gift ban. The value of the gift does not matter.

**CURRENTLY SERVING PUBLIC SERVANTS, LEGISLATORS & LEGISLATIVE EMPLOYEES**

- **Public Servants.** If you are currently serving as a public servant (certain elected and appointed officials and employees in the executive branch), you are prohibited from accepting a gift from a lobbyist, lobbyist principal, or “interested person” (someone who is doing or seeking to do business with your agency or board; is regulated or controlled by your agency or board; or has financial interests that may be substantially and materially affected by your performance or nonperformance of your official duties) unless there is an exception to the gift ban. In addition, lobbyists and lobbyist principals are prohibited from giving you a gift unless a gift ban exception applies.
- **Legislators & Legislative Employees.** If you are currently a legislator or legislative employee, you are prohibited from accepting a “gift” from a lobbyist, lobbyist principal, or liaison personnel unless a gift ban exception applies. In addition, lobbyists and lobbyist principals are prohibited from giving you a gift unless there is an exception to the gift ban.

**CANDIDATES NOT CURRENTLY SERVING**

- If you are **not currently a public servant but have filed as a candidate for Governor, Lt. Governor, or Council of State**, lobbyists and lobbyist principals cannot give you gifts unless there is an exception in the Ethics Act that would allow that gift.
- If you are **not currently a member of the NC Legislature (or otherwise covered by the Ethics Act) but have filed as a candidate for State House of Representatives or State Senate**, lobbyists, lobbyist principals, and liaison personnel cannot give you gifts unless there is an exception in the Ethics Act that would allow that gift.

**LOBBYISTS, LOBBYIST PRINCIPALS, & GOVERNMENTAL LIAISON PERSONNEL**

- **Who is a lobbyist, lobbyist principal, or liaison personnel?** Generally, a lobbyist is someone who is paid by another (the “lobbyist principal”) to engage in communication or activities designed to influence legislative or executive action. A lobbyist principal is the person, organization, etc. on whose behalf the lobbyist lobbies. Liaison personnel are State and local government **employees** whose principal duties include lobbying legislators and legislative employees on behalf of State agencies. *Note: Some local governments have contract lobbyists who are not employees. If the local government has hired a contract lobbyist, the local government is a lobbyist principal and both the lobbyist and the local government lobbyist principal are subject to the gift ban.*
- **How do I know if someone is a lobbyist, lobbyist principal, or liaison personnel?** Lobbyists, lobbyist principals, and liaison personnel are required to register with the Secretary of State’s office. A searchable list of registered lobbyists, lobbyist principals, and liaison personnel is on the Secretary of State’s website at <http://www.secretary.state.nc.us/lobbyists/>.

**Questions.** If you have questions concerning a gift, please contact the State Ethics Commission at (919) 814-3600 or by e-mail at [ethics.commission@doa.nc.gov](mailto:ethics.commission@doa.nc.gov).

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