



NORTH CAROLINA
STATE BOARD OF ELECTIONS

Office of Sam M. Hayes, Executive Director

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To:

Christian Fraley
Chief Counsel
NC Republican Party
P.O. Box 12905
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August 14, 2026

Dear Mr. Fraley,

RE: Request for an advisory opinion under N.C.G.S. § 163-278.23 regarding online fundraising for candidate committees.

Thank you for your correspondence on behalf of the North Carolina Republican Party ("State Party"). The following written opinion is provided in accordance with N.C.G.S. § 163-278.23. Your question, which is fully outlined in the letter attached to this written opinion, seeks guidance on whether the State Party is permitted to host a fundraising page via the WinRed platform in support of expressly specified State House and/or State Senate candidates. Under the process described in your letter, WinRed will receive and disburse funds directly to the specified candidate committees. No funds will be received into or disbursed from the operating account or any separate segregated fund kept by the State Party.

I. Restrictions on Solicitations

In the scenario outlined in your letter, the State Party's role is in establishing the fundraising page to solicit contributions. While there is no definition of "solicit" in Article 22A, it has been defined as "to request a contribution." Written Opinion 2008-04-21 at p. 2. Political parties may solicit contributions on behalf of candidates in compliance with Article 22A. Namely, N.C.G.S. § 163-278.13(c), which says that no political committee shall solicit any contribution from any individual, other political committee, or other entity in excess of the monetary contribution limit. *Id.* While the State Party executive committees themselves are exempt from monetary contribution limits, when soliciting contributions in support of specific candidates, the State Party should ensure that it is clearly communicating the contribution limits that apply when individuals and other political committees contribute directly to candidates.

N.C.G.S. § 163-278.13B also imposes some restrictions on limited contributors and limited contributees soliciting contributions while the General Assembly is in regular session. While a State Party executive committee is unlikely to meet the definition of a limited contributor under N.C.G.S. § 163-278.13B(a)(1), lobbyist principals and qualifying political committees should exercise caution with regard to temporal limits when soliciting contributions.

II. Hosting Fundraising Pages on Donation Platforms

Donation platforms such as WinRed and ActBlue offer features that permit a user to configure and host a customized page for soliciting contributions on behalf of political committees registered with the platform. These pages may contain branding or messaging in support of the solicitation. In addition, these pages can be configured to enable a single contributor to make contributions to multiple, clearly identified, political committees simultaneously. Contributors can use something like a “split it” button to divide a sum of money equally among several political committees, or contributors can enter customized amounts.

Funds contributed through the page are transmitted directly from the contributor to each recipient political committee and do not flow through any financial account of the user. So long as funds flow directly from the contributor to recipient political committee, as directed by the contributor, N.C.G.S. § 163-278.14(a) is not implicated and there is no prohibited contribution in the name of another in the use of these fundraising pages. The State Party, individuals, and other political committee users may create and host this kind of a customized fundraising page to support State candidate committees via WinRed or another donation platform.

III. Reporting

The State Party’s hosting of a customized fundraising page does not change the obligation of the candidate committee treasurer to report all contributions the committee receives via the WinRed platform consistent with N.C.G.S. § 163-278.11. As with all contributions received, the candidate committee treasurer should use the best efforts described in 08 NCAC 21 .0101 to obtain, maintain, and report contributor information such as address and principal occupation.

In general, Article 22A does not require the treasurer of a political committee to report solicitations. However, all expenditures of political committees must be reported consistent with N.C.G.S. § 163-278.11(a)(2). The term “expenditure” includes any payment or other transfer made by a political committee. See N.C.G.S. § 163-278.6(51). To the extent WinRed charges the State Party user a fee to host a fundraising page, that fee is reportable. It is unclear the extent to which

donation platforms require some permission or engagement of the candidate committee to establish the page. If the expenditure "is made in concert or cooperation with, or at the request or suggestion of, a candidate, a candidate campaign committee as defined in G.S. 163-278.38Z(3), the agent of the candidate, or the agent of the candidate campaign committee," then it must be reported as an in-kind contribution by both the State Party and the candidate committee. N.C.G.S. § 163-278.6(20).

This opinion will be filed with the Codifier of Rules for publication in the North Carolina Register and posted on the North Carolina State Board of Elections' website.

Regards,

A handwritten signature in black ink, appearing to read "S. Hayes", with a stylized flourish at the end.

Sam M. Hayes

Executive Director