



NORTH CAROLINA STATE BOARD OF ELECTIONS

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RE: SBE Rules: Notice of Public Comment
DATE: April 15, 2020

Pursuant to G.S. § 150B-21.2, notice is hereby given that the State Board of Elections intends to adopt the permanent rule cited as 08 NCAC 21 .0301. The full text is attached hereto.

In accordance with G.S. § 150B-20 and 08 NCAC 15 .0101, Bob Hall, a registered voter and resident of Orange County, submitted a rulemaking petition to the State Board of Elections on January 23, 2020. The petition requested that the State Board engage in rulemaking to adopt a new rule limiting candidate expenditures under G.S. 163-278.16B. The petition proposed a prohibition on the use of candidate committee funds to purchase, lease, rent or reimburse the candidate for residential real property that is owned directly or indirectly by the candidate or a member of the candidate's family.

The State Board granted the petition on March 20, 2020. At that same meeting, the State Board voted to submit the proposed text of 08 NCAC 21 .0301 to the Office of Administrative Hearings for publication in the North Carolina Register and to transmit the same to all interested parties for public comment from Wednesday, April 15, 2020 through Monday, June 15, 2020.

Public comment may be made by the following methods:

Online: [Public Comment Portal](#)

Email: rules@ncsbe.gov

Mail: Attn: Rulemaking Coordinator, P.O. Box 27255, Raleigh, NC
27611-7255

A remote public hearing will be held as follows:

Date: April 30, 2020

Time: 1:00 PM

Location: Please register to attend and/or speak [here](#).

After registering, you will receive a confirmation email containing information about joining the webinar. Please use the Panelist code provided in the confirmation email if you plan to make an oral comment during the public hearing. Please use the Attendee code if you wish to listen to the hearing but don't plan to provide a comment.

This notice is posted on the State Board of Elections website, <http://www.ncsbe.gov>.

1 08 NCAC 21 .0301 is proposed for adoption as follows:

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3 **08 NCAC 21 .0301 EXPENDITURES FOR RESIDENTIAL REAL PROPERTY**

4 (a) An expenditure does not result from the campaign for public office or result from holding public office under
5 G.S. 163-278.16B if the purpose of the expenditure is to purchase, lease, rent, or make mortgage payments on
6 residential real property that is owned, either directly or indirectly, by the candidate or officeholder, or a member of
7 the candidate's or officeholder's family, even if a portion of the residence is used for the campaign or holding office.

8 (b) For the purpose of this rule, "family" includes a candidate's or officeholder's spouse, children, parents,
9 brothers, or sisters.

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11 *History Note: Authority G.S. 163-278.16B; 163-278.21.*