

10A NCAC 01B .0304 CERTAIN POLITICAL ACTIVITIES PROHIBITED

(a) Each local human service agency which receives federal funds from the department must comply with the Federal Political Activities Act, also known as the Hatch Act, which prohibits state and local employees which are paid from federal funds from:

- (1) using their official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;
- (2) directly or indirectly coercing, attempting to coerce, commanding or advising a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee organization, agency or person for political purposes; or
- (3) being a candidate for elective office.

(b) This prohibition does not apply to:

- (1) the Mayor of a city;
- (2) a duly elected head of an executive department of a state or municipality who is not classified under a state or municipal merit or civil service system;
- (3) an individual holding elective office;
- (4) activity, including candidacy, in connection with a non-partisan election; or
- (5) candidacy for a position of officer of a political party, delegate to a political party convention, member of a national, state, or local committee of a political party, or any similar position.

(c) No state employee, shall:

- (1) take any active part in managing a campaign or campaign for political office or otherwise engage in political activity while on duty or within any period of time during which he is expected to perform services for which he receives compensation from the state;
- (2) otherwise use the authority of his position, or utilize state funds, supplies or vehicles to secure support for or oppose any candidate, party or issue in a partisan election involving candidates for office or party nominations, or affect the results thereof.

*History Note: Authority G.S. 143B-139.1;
Eff. July 1, 1980;
Amended Eff. November 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 23, 2017.*