

CHAPTER 05 - STATEMENTS OF ECONOMIC INTEREST

SUBCHAPTER 05A - FILING

30 NCAC 05A .0101 MANDATORY USE OF COMMISSION FORMS

The Commission's most current forms shall be used to file all Statements of Economic Interest ("SEI").

History Note: Authority G.S. 138A-10(a)(2); 138A-10(a)(4); 138A-10(a)(10); 138A-22(g);
Eff. January 1, 2011.

30 NCAC 05A .0102 SIGNATURE VERIFIES INFORMATION IS TRUE

An individual's signature on a Statement of Economic Interest constitutes that person's verification that all information contained in the Statement of Economic Interest and any documents incorporated by reference are true and complete.

History Note: Authority G.S. 138A-10(a)(2); 138A-10(a)(4); 138A-10(a)(10); 138A-22; 138A-24(c);
Eff. January 1, 2011.

30 NCAC 05A .0103 ELECTRONIC SIGNATURE

Signers of electronic documents may use any form of electronic signature permissible under G.S. 66-312(9), except that it shall not be a sound.

History Note: Authority G.S. 66-312(9); 138A-10(a)(2); 138A-10(a)(4); 138A-10(a)(10); 138A-22;
Eff. January 1, 2011.

30 NCAC 05A .0104 GENERAL SUBMISSION LOCATIONS AND METHODS

(a) Statements of Economic Interest shall be filed using one of the following methods:

- (1) Electronically via the Commission's website.
- (2) United States mail addressed to: State Ethics Commission, 1324 Mail Service Center, Raleigh, NC 27699-1324.
- (3) Designated delivery service authorized by G.S. 1A-1, Rule 4, addressed to: State Ethics Commission, 424 N. Blount St., Raleigh, NC 27601-1010 or any successive address published on the Commission's website.
- (4) Hand-delivery during regular business hours to the Commission's offices at 424 N. Blount St., Raleigh, NC 27601-1010, or any successive address published on the Commission's website.

(b) Statements of Economic Interest shall not be filed by methods other than authorized by this Rule, including scanning, e-mailing, or facsimile transmission.

History Note: Authority G.S. 138A-10(a)(2); 138A-10(a)(4); 138A-10(a)(10); 138A-22;
Eff. January 1, 2011.

30 NCAC 05A .0105 INCOMPLETE FORMS

Incomplete Statements of Economic Interests shall not be considered timely filed for the purpose of G.S. 138A-22.

History Note: Authority G.S. 138A-10(a)(2); 138A-10(a)(4); 138A-10(a)(10); 138A-22; 138A-24(c);
Eff. January 1, 2011.

30 NCAC 05A .0106 PROOF OF SUBMISSION

A person may obtain proof of submission of a filing to the Commission by:

- (1) Any means acceptable pursuant to G.S. 1A-1, Rules of Civil Procedure;
- (2) Requesting that the Commission return a file stamped copy and supplying a postage prepaid envelope or prepaid delivery service envelope; or
- (3) Requesting that the Commission date-stamp a copy at the time of hand-delivery.

History Note: Authority G.S. 1A-1; 138A-10(a)(2); 138A-10(a)(4); 138A-10(a)(10); 138A-22;
Eff. January 1, 2011.

30 NCAC 05A .0107 RECEIPT DATE

For the purpose of determining compliance with filing deadlines, the postmarked date on a Statement of Economic Interest filed by U.S. Mail shall be used. For electronic filing and commercial or hand-delivery, the receipt date is the actual date received by the Commission.

*History Note: Authority G.S. 138A-10(a)(2); 138A-10(a)(4); 138A-10(a)(10); 138A-22;
Eff. January 1, 2011.*

SUBCHAPTER 05B - CONTENTS

30 NCAC 05B .0101 DEFINITION OF IMMEDIATE FAMILY

A child of a covered person who is 18 years of age or older and who temporarily resides away from home is "residing in the covered person's household" for each year in which the child is claimed as a dependent on the covered person's Federal Income Tax Return.

*History Note: Authority G.S. 138A-10(a)(2); 138A-10(a)(4); 138A-10(a)(10); 138A-24(a);
Eff. January 1, 2011.*

30 NCAC 05B .0102 REPORTABLE STOCK HOLDING THRESHOLD IS PER COMPANY

The ten thousand dollar (\$10,000) threshold that triggers reporting of stocks is per company and not the cumulative value of stocks held in multiple companies.

*History Note: Authority G.S. 138A-10(a)(2); 138A-10(a)(4); 138A-10(a)(10); 138A-24(a)(2)(e);
Eff. January 1, 2011.*

30 NCAC 05B .0103 SECOND MORTGAGE NOT REPORTABLE

A second mortgage is another form of "indebtedness on the filing person's primary personal residence. Therefore, that debt is not reportable on that individual's Statement of Economic Interest.

*History Note: Authority G.S. 138A-10(a)(2); 138A-10(a)(4); 138A-10(a)(10); 138A-24(a)(2)(k);
Eff. January 1, 2011.*

30 NCAC 05B .0104 REPORTABLE LIABILITY THRESHOLD IS PER CREDITOR

The ten thousand dollar (\$10,000) threshold that triggers reporting of liabilities is per creditor and not the cumulative value of multiple debts.

*History Note: Authority G.S. 138A-10(a)(2); 138A-10(a)(4); 138A-10(a)(10); 138A-24(a)(2)(k);
Eff. January 1, 2011.*

30 NCAC 05B .0105 DEFINITION OF INCOME

In addition to the types of income listed in G.S. 138A-24(a)(3) that must be reported on the Statement of Economic Interest, income shall also include all types of income required to be reported on the filer's federal tax return.

*History Note: Authority G.S. 138A-10(a)(2); 138A-10(a)(10); 138A-24(a)(3);
Eff. January 1, 2013.*