

SUBCHAPTER 10C - REPORTING

SECTION .0100 - GENERAL

30 NCAC 10C .0101 CALCULATING VALUE OF REPORTABLE EXPENDITURES

When determining if reporting is required pursuant to the ten dollar threshold of G.S. 120C-100(a)(12), the aggregate amount of all things of value made to, at the request of, for the benefit of, or on behalf of a designated individual and that designated individual's immediate family members on that calendar day shall be used.

History Note: Authority G.S. 120C-100(a)(12); 120C-101(a); 120C-400; 120C-401; 120C-402; 120C-403;
Eff. January 1, 2011.

30 NCAC 10C .0102 REPORTABLE EXPENDITURES MADE TO OR FOR THE BENEFIT OF A DESIGNATED INDIVIDUAL OR A DESIGNATED INDIVIDUAL'S IMMEDIATE FAMILY MEMBER

(a) A reportable expenditure made to or for the benefit of a designated individual or a designated individual's immediate family member shall be reported on the expense report filed for the month the reportable expenditure is received by the designated individual or the designated individual's immediate family member.

(b) When the reportable expenditure is made to or for the benefit of a designated individual or a designated individual's immediate family member, the date of the reportable expenditure is the date the reportable expenditure is received by the designated individual or the designated individual's immediate family member.

History Note: Authority G.S. 120C-100(a)(12); 120C-101(a); 120C-400; 120C-401; 120C-402; 120C-403;
Eff. January 1, 2011.

30 NCAC 10C .0103 REPORTABLE EXPENDITURE MADE AT THE REQUEST OF OR ON BEHALF OF A DESIGNATED INDIVIDUAL OR A DESIGNATED INDIVIDUAL'S IMMEDIATE FAMILY MEMBER

(a) A reportable expenditure made at the request of or on behalf of a designated individual or a designated individual's immediate family member shall be reported on the expense report filed for the month the reportable expenditure is made by the giver.

(b) When the reportable expenditure is made at the request of or on behalf of a designated individual or a designated individual's immediate family member, the date of the reportable expenditure is the date the reportable expenditure is made by the giver.

History Note: Authority G.S. 120C-100(a)(12); 120C-101(a); 120C-400; 120C-401; 120C-402; 120C-403;
Eff. January 1, 2011.

30 NCAC 10C .0104 DESCRIPTION OF REPORTABLE EXPENDITURE

(a) For purposes of G.S. 120C-401(b)(3), which requires that "a description" of the reportable expenditure be set forth on each report, the following information should be provided where applicable:

- (1) An identification of what was given;
- (2) An identification of the third party recipient of the item, service, monetary contribution, etc., made at the request of or on behalf of a designated individual or a member of his or her immediate family; and
- (3) An identification, name or title of the event or meeting at which the item, service, monetary contribution, etc., was given and the date(s) of the event or meeting.

(b) The information required by G.S. 120C-403(b)(3) is in addition to the requirement in G.S. 120C-401(c) that the report list particular expenditure categories.

History Note: Authority G.S. 120C-101(a); 120C-401(b)(3);
Eff. January 1, 2013.

30 NCAC 10C .0105 CONNECTED WITH REPORTABLE EXPENDITURE

For purposes G.S. 120C-401(b)(5), the name of the designated individual or member of the designated individual's immediate family "connected with" a reportable expenditure means the designated individual or the immediate family member who:

- (1) Received or benefited from the reportable expenditure, if the designated individual or immediate family member was the ultimate recipient of the expenditure; or
- (2) Requested the reportable expenditure or on whose behalf the reportable expenditure was made, if a third party other than the designated individual or immediate family member was the ultimate recipient of the expenditure.

History Note: Authority G.S. 120C-101(a); 120C-401(b)(5);
Eff. January 1, 2013.

SECTION .0200 – LOBBYIST REPORTING

30 NCAC 10C .0200 RESERVED FOR FUTURE CODIFICATION

SECTION .0300 - LOBBYIST PRINCIPAL REPORTING

30 NCAC 10C .0301 REASONABLY ALLOCATED ESTIMATES ALLOWED

(a) For purposes of lobbyist principal reporting required by G.S. 120C-403(d) and (e), a lobbyist's estimate does not need to be an exact calculation or determination but shall be reasonably allocated. "Lobbyist's estimate" means a lobbyist's estimate of the portion of the salary or other payment that is reasonably allocated for lobbying and lobbying services. "Lobbying services" are those communications and activities listed in G.S. 120C-403(e)(2).

(b) A lobbyist's estimate is reasonably allocated if it:

- (1) Specifies the portion of the lobbyist's salary, fee, or retainer that is estimated to be in payment for lobbying and lobbying services (for example, "twenty-five percent" (25%), rather than "under forty percent" (40%) or "from ten percent to thirty percent" (10%-30%).
- (2) Includes all payments for lobbying that the lobbyist principal conveyed to the lobbyist during the registration period under G.S. 120C-200(d);
- (3) Includes all payments for lobbying services the lobbyist principal conveyed to the lobbyist during the registration period under G.S. 120C-200(d);
- (4) Is consistent with the known facts and circumstances underlying the employment terms or compensation agreement between the lobbyist principal and the lobbyist;
- (5) Is made retrospectively; and
- (6) Is made in good faith.

(c) The estimate of the portion of the lobbyist's payment that is allocated for the purpose of lobbying shall be verifiable in some manner in the event the allocation is questioned.

History Note: Authority G.S. 120C-101(a); 120C-400; 120C-403(d); 120C-403(e);
Eff. January 1, 2011.

30 NCAC 10C .0302 REPORTABLE EXPENDITURES MADE FOR LOBBYING

(a) For purposes of G.S. 120C-402(b)(1) and 120C-403(b)(1), when reporting expenditures for events held for lobbying, the entire cost of the event must be reported, not just the "gift" given or provided to the designated individual(s) attending the event. Examples of non-gift reportable expenditures made for lobbying are expenses and charges incurred for items and/or services provided in connection with the lobbying event, such as planning and organizing services, printing services and supplies, facility rental and set-up charges, food supplies and services, name badges, flowers, and other decorations.

(b) Reportable expenditures made for lobbying events shall be reported on the expense report filed with the Secretary of State for the month the lobbying event is held.

History Note: Authority G.S. 120C-101(a); 120C-402(b)(1); 120C-403(b)(3);
Eff. January 1, 2013.

