

08 NCAC 21 .0207

PROCEDURES FOR COMMITTEES WITH MISSING REPORTS

(a) A political committee or referendum committee that fails to file a report required by Article 22A within 30 days after service of the Notice of Penalty Assessment under G.S. 163-278.34(e) shall be issued a Notice of Noncompliance directing the treasurer to file the missing report. A copy of the Notice of Noncompliance shall be posted to the State Board's website.

(b) If a political committee or referendum committee fails to file a missing report within 30 days after service of the Notice of Noncompliance, the State Board shall consider an order requiring the committee to file the missing report and to cease receiving contributions and making expenditures if the missing report is not filed within 30 days of the order. Prior to any decision, the State Board shall give notice to the treasurer and an opportunity for the treasurer or other representative of the committee to provide a written affidavit stating any facts or circumstances for why an order should not be issued.

(c) Any order issued by the State Board of Elections under Paragraph (b) of this Rule shall be served by any means authorized under G.S. 1A-1, Rule 4. A copy of the order shall be posted to the State Board's website.

(d) A political committee or referendum committee that fails to file the missing report within 30 days of the State Board's order under Paragraph (b) of this Rule shall have the committee's status changed from active to suspended. While suspended, the committee shall not receive any contributions or make any expenditures except for the payment of any civil penalties or forfeitures under G.S. 163-278.14 or G.S. 163-278.34. To be removed from suspended status, the political committee or referendum committee shall file all missing reports identified in any order of the State Board and pay all civil late penalties incurred pursuant to G.S. 163-278.34.

History Note: Authority G.S. 163-278.34; 163-278.21;
Eff. April 1, 2023.