GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2007

H HOUSE DRH30409-LY-221 (04/10)

Short Title: Confidentiality Agreements Void. (Public)

Sponsors: Representative Luebke.

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1 A BILL TO BE ENTITLED

AN ACT TO DECLARE CONFIDENTIALITY AGREEMENTS INVOLVING ELECTED OFFICIALS AND ECONOMIC DEVELOPMENT INAPPLICABLE TO ELECTED OFFICIALS AS A MATTER OF PUBLIC POLICY.

The General Assembly of North Carolina enacts:

SECTION 1. Part 2 of Article 10 of Chapter 143B of the General Statutes reads as rewritten:

"§ 143B-437.11. Confidentiality agreements void as a matter of public policy.

The General Assembly finds that for the operation of government it is critical that elected officials be able to communicate freely with the public. The General Assembly finds that this is especially true when the issues to be communicated involve the use of public funds or resources for economic development. As such, the General Assembly declares that confidentiality agreements involving specific economic development proposals that restrict the ability of elected officials acting in their official capacity to communicate with the public are contrary to public policy and do not apply to any elected official, or to any person who was an elected official at the time of signing the agreement, but may apply to persons who are not elected officials."

SECTION 2. This act is effective when it becomes law.