

## **SUBCHAPTER 07B - FOOD AND BEVERAGE FOR IMMEDIATE CONSUMPTION AT CERTAIN GATHERINGS**

### **30 NCAC 07B .0101 GATHERINGS OPEN TO THE GENERAL PUBLIC**

For purposes of G.S. 138A-32(e)(1)b., if the general public is required to pay a fee to attend a gathering, while individual public servants, legislators, or legislative employees are not charged the same fee, the gathering is not "open to the general public."

*History Note: Authority G.S. 120C-101(a); 120C-303; 138A-10(a)(2); 138A-10(a)(10); 138A-32(c); 138A-32(d); 138A-32(d1); 138A-32(e)(1)b; Eff. January 1, 2011.*

### **30 NCAC 07B .0102 ASSOCIATED WITH THE PERSON OR GOVERNMENTAL UNIT**

(a) For purposes of G.S. 138A-32(e)(1)c.1, when legislators or legislative employees are invited and the person or governmental unit sponsoring the gathering only consists of lobbyists, lobbyist principals, or liaison personnel, 10 individuals associated with that group must attend the gathering. For purposes of this Paragraph, "group" shall mean more than one sponsoring lobbyist, lobbyist principal or liaison personnel.

(b) For purposes of G.S. 138A-32(e)(1)c.1, when only public servants are invited or when public servants and legislators or legislative employees are invited and the person or governmental unit sponsoring the gathering only consists of interested persons, lobbyists or lobbyist principals, 10 individuals associated with that group must actually attend the gathering. For purposes of this Paragraph, "group" shall mean more than one sponsoring interested person, lobbyist or lobbyist principal.

(c) For purposes of G.S.138A-32(e)(1)c.1, "associated with the person or governmental unit" includes, where applicable:

- (1) An employee;
- (2) An individual who is a director, officer, partner, or holds another leadership position;
- (3) An owner of a legal, equitable, or beneficial interest of ten thousand dollars (\$10,000) or more, other than a trustee on a deed of trust;
- (4) An owner of five percent or more of the business, other than a trustee on a deed of trust; and
- (5) A registered lobbyist;

(d) The Commission will make an individualized determination regarding whether other relationships, such as a membership in an organization or other affiliations, qualify as being "associated with the person" or "associated with the governmental unit."

*History Note: Authority G.S. 120C-101(a); 120C-303; 138A-10(a)(2); 138A-10(a)(10); 138A-32(c); 138A-32(d); 138A-32(d1); 138A-32-(e)(1)c; Eff. January 1, 2011.*

### **30 NCAC 07B .0103 INVITED**

(a) For purposes of G.S. 138A-32(e)(1)c., a "specific qualifying group" means all members of one of the groups of public servants, legislators, or legislative employees listed in G.S. 138A-32(e)1.c.

(b) If more than one specific qualifying group is invited to a gathering, the requirements of G.S. 138A-32(e)(1)c. are satisfied if one host or sponsor provides written notice to all members of at least one of those specific qualifying groups.

(c) For purposes of G.S. 138A-32(e)(1)c., "written notice" includes a notice made by e-mail.

*History Note: Authority G.S. 120C-101(a); 120C-303; 138A-10(a)(2); 138A-10(a)(10); 138A-32(e)(1)c; Eff. January 1, 2011.*