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*SEI Filing Part 3: Reminder & FAQs*

April 2012

## 2012 SEI FILING: REMINDER & FREQUENTLY ASKED QUESTIONS

### DEADLINE & WHO HAS TO FILE

- 1. WHAT IS THE FILING DEADLINE?** Completed SEIs must be filed on or before **April 15, 2012**. (Because April 15<sup>th</sup> falls on a Sunday, SEIs filed on Monday, April 16, 2012 will be considered timely filed.)
- 2. WHO HAS TO FILE?** Public servants, legislators, and judicial officers (justices, judges, district attorneys, clerks of court). *However*, State employees who are covered by the State Government Ethics Act because of their State employment and make less than \$60,000 per year do not have to file an SEI.
- 3. IF I HAVE ALREADY FILED AS A CANDIDATE, DO I HAVE TO FILE AGAIN?** No. Your candidate SEI was forwarded to the State Ethics Commission, and you do not have to file another one. However, if your form was incomplete, you will be required to provide responses to those questions.
- 4. DO I STILL HAVE TO FILE IF MY TERM HAS ALREADY EXPIRED OR WILL EXPIRE ON OR BEFORE APRIL 15TH?** If your term has already expired or will expire on or before April 15, 2012 and you have not been replaced or have not resigned prior to April 15th, you are still required to file an SEI on or before April 15, 2012.

### FILING METHODS & FORMS

- 1. HOW DO I FILE?** You may choose to file by one of the following methods:
  - a. Manually.** You may complete the form by hand, sign and mail or hand-deliver it to the Commission.
  - b. Fillable.** You may complete the form online, print, sign and mail or hand-deliver it to the Commission. In order to access the fillable web form, you must obtain an NCID user id and password.
  - c. Electronic.** You may complete and file the form electronically. In order to access the electronic filing web form, you must obtain an NCID user id and password.
- 2. IS THERE A "NO CHANGE" FORM?** Yes.
  - a. 2012 SEI No Change Form.** If you filed a 2011 SEI *and* you have had no changes since your 2011 filing, you may file a No Change Form.
  - b. 2012 Long Form.** If either of the following apply to you, you *must* file a Long Form:
    - i.** You filed a 2011 SEI but you have had changes since your 2011 filing; or,
    - ii.** You are a first time filer.
- 3. WHERE DO I ACCESS THE FORM, INSTRUCTIONS & NCID INFORMATION?** All information is on our website at: <http://www.ethicscommission.nc.gov/sei/blankForm.aspx>

## **COMPLETING THE FORM**

- 1. WHAT DATE DO I USE IN ANSWERING THE QUESTIONS?** December 31, 2011. Unless otherwise indicated in the particular question, your answers should be as of December 31st of the preceding year.
- 2. DO I HAVE TO RESPOND TO EVERY QUESTION?** Yes. You **must** respond to **all** questions and sub-parts of questions, even if the response is "none or not known."
- 3. DO I HAVE TO INCLUDE MY CHILD WHO IS AWAY AT COLLEGE?** Yes. If you have a child who is 18 or older and temporarily resides away from home, that child is "residing in the household" for each year in which the child is claimed as a dependent on your Federal Income Tax Return.
- 4. DO I INCLUDE MY HOUSE ON QUESTION 1?** Yes.
- 5. I OWN A COMPANY OR I AM A PARTNER IN A COMPANY THAT OWNS REAL ESTATE. DO I LIST THOSE HOLDINGS ON QUESTION 1?** No. The question only asks for real estate owned directly by the filer, filer's spouse or member of the filer's immediate family. However, you do list the name of the company on either Question 5 (publicly held) or Question 6 (privately held).
- 6. IS QUESTION 5 CUMULATIVE OR PER STOCK?** The threshold is per stock/per company. List only each company in which you own more than a \$10,000 interest.
- 7. DO I LIST MUTUAL FUNDS, A 401K, OR AN INDEX FUND THROUGH A BROKER ON QUESTION 5?** No. These types of investments do not have to be listed because you do not control what stocks are purchased.
- 8. IS QUESTION 8 CUMULATIVE OR PER DEBT?** Per debt. List each loan or debt over \$10,000.
- 9. DO I LIST A SECOND MORTGAGE ON MY PRIMARY RESIDENCE IN QUESTION 8?** No. Like your first mortgage, this is a debt related to your primary personal residence and does not have to be listed.
- 10. HOW DO I RESPOND TO QUESTION 10?** First, list income from the job you had last year (even though you already listed your employer on page 1). Second, list any other sources that paid you over \$5,000 each.

## **PENALTIES**

- 1. ARE THERE FINES FOR LATE OR NON-FILING?** Yes. The State Ethics Commission may levy a \$250.00 penalty for failure to timely file a complete SEL.
- 2. ARE THERE CRIMINAL PENALTIES?** Yes. Knowingly concealing or failing to disclose information is a Class 1 misdemeanor. Knowingly providing false information is a Class H felony. In addition, knowingly concealing, failing to disclose, or providing false information may be used in prosecutions by other law enforcement agencies.

## SEI UNIT CONTACT INFORMATION

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E-mail: [SEI@doa.nc.gov](mailto:SEI@doa.nc.gov)

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### SEI UNIT ADVICE STAFF:

- Teresa Pell, SEI Attorney
- Lisa Johnson, Paralegal
- Beth Carpenter, Administrative Assistant
- Anitra Hill, Administrative Assistant

**OBTAINING OR USING AN NCID:** Contact ITS (Information Technology Services) directly at:

Phone: (919)754-6000  
Toll Free: (800)722-3946  
Email: [its.incidents@its.nc.gov](mailto:its.incidents@its.nc.gov)

Additional Resources:  
<https://www.ncid.its.state.nc.us/>

**QUESTIONS ABOUT USING THE FILLABLE OR ELECTRONIC FILING WEB FORM:** Contact Beth Carpenter or Teresa Pell:

Phone: (919) 715-2071  
Fax: (919) 715-1644  
E-mail: [SEI@doa.nc.gov](mailto:SEI@doa.nc.gov)

**QUESTIONS ABOUT THE CONTENTS OF THE FORM:**

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