



ROBERT L. FARMER  
CHAIRMAN

1324 MAIL SERVICE CENTER  
RALEIGH, NORTH CAROLINA 27699-1324  
(919) 807-4620 FAX (919) 807-4619

PERRY Y. NEWSON  
EXECUTIVE DIRECTOR

---

---

Volume 12, Issue 1

*Special SEI Edition*

January 2009

---

---

## SEI FILING REQUIREMENTS

---

---

Happy New Year!

In connection with the change in administrations and the beginning of the new Statement of Economic Interest ("SEI") filing year, the State Ethics Commission wanted to provide you with an overview of the SEI filing requirements. *It is important to note that your filing obligations will vary according to whether you are new to State government, have recently transferred into a covered position, or have transferred from one covered position to another.*

### I. COUNCIL OF STATE

#### A. MEMBERS

All of the newly elected members of the Council of State filed SEIs in connection with their candidacy and have been evaluated in accordance with G.S. 138A-22(a). They therefore have complied with their SEI filing obligations. They are subject to the 2009 SEI filing requirement. The deadline is April 15, 2009. Depending upon each Council of State member's individual circumstances, they will file either an SEI "Long Form," "Amendment to SEI," or SEI "No-Change" form.

#### B. APPOINTEES OF MEMBERS OF THE COUNCIL OF STATE

G.S. 138A-22(b) provides that during the first 60 days of the member's initial term, "individuals hired by, and appointees of, constitutional officers of the State" may file an SEI "within 30 days after their appointment or employment."

Thus, a Council of State appointee or employee may assume office prior to the filing and evaluation of their SEI. So, direct appointees of members of the Council of State may assume office prior to filing an SEI. However, they must file an SEI within 30 days of the effective date of their appointment. This requirement applies to members of the Governor's Cabinet as well.

## II. OTHER APPOINTEES TO COVERED POSITIONS

Individuals newly appointed to covered positions by anyone other than the members of the Council of State are subject to the following requirements:

### A. PERSONS WHO DO NOT CURRENTLY HOLD A COVERED POSITION

Anyone assuming a covered position who does not currently hold a covered position *must file a complete 2009 SEI Long Form and have that SEI evaluated prior to assuming their position.* This applies to individuals who do not currently work in State government or those who are State employees and who are transferring from a non-covered position. G.S. 138A-22(a).

### B. PERSON WHO ARE TRANSFERRING FROM ONE COVERED POSITION TO ANOTHER.

- i. **Transfers From Within the Same Department.** Persons who are transferring from one covered position to another covered position within the same department may assume their new position and need not file an SEI. They are subject to the 2009 SEI filing requirement. The deadline is April 15, 2009. Depending upon each person's individual circumstances, they will file either an SEI "Long Form," "Amendment to SEI," or SEI "No-Change" form.
- ii. **Transfers From One Department to Another.** Persons who are transferring from one covered position to another covered position in a different department may assume their new position, but must file a Multiple Coverage Supplement as soon as possible once they assume their new position. Those individuals will still need to comply with the annual SEI filing requirement. The deadline is April 15, 2009.

## III. SEI FORMS AND INFORMATION AVAILABLE ON COMMISSION'S WEBSITE:

The following SEI forms and information are available on the Commission's website at <http://www.ethicscommission.nc.gov/>.

- i. 2009 SEI Notice: Provides an overview of the forms available for complying with the 4/15/09 regular filing deadline.
- ii. 2009 SEI Long Form Instructions
- iii. 2009 SEI Long Form
- iv. 2009 No-Change Form
- v. Multiple Coverage Supplement (will be posted the week of January 12, 2009)