



NORTH CAROLINA STATE BOARD OF ELECTIONS

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CLOSURE REPORT

December 21, 2020

Complaint Number: 2020-CF-017

Complainant: Jonathan Andrew Jackson
Complaint Date: August 19, 2020

Respondent: NCAE PAC; Cooper for NC
Response Date: August 31, 2020; August 24, 2020

On August 19, 2020, a complaint was filed alleging excess contributions from NCAE PAC to Cooper for NC in violation of N.C.G.S. § 163-278.13(a). Pursuant to N.C.G.S. § 163-278.22(7), it is the duty of the NCSBE to investigate alleged violations of Chapter 163, Articles 22A and 22M of the North Carolina General Statutes.

Upon review, the NCAE PAC disclosed an erroneous contribution to Roy Cooper for Attorney General for \$5,400 on 02/26/2020. The reported contribution was never actually made to the candidate.

The NCAE PAC made a \$5,400 contribution to Cooper for NC on 02/26/2020. Cooper for NC received the contribution on 03/02/2020. This contribution resulted in the sum to date for the primary election exceeding the \$5,400 threshold. As a result, Cooper for NC refunded the NCAE PAC the excess of \$1,000 on 03/03/2020. The investigation found the excess contribution and refund were reported by Cooper for NC and handled consistent with agency guidance.

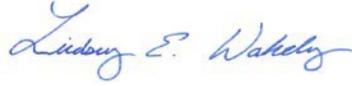
The NCAE PAC did receive the refund from Cooper for NC but omitted the refund from the PAC's 2020 second quarter report. The investigation found that the omission, and the erroneous contribution, appear to have resulted from data entry errors. There is insufficient evidence to establish that any incorrect disclosure was intentional.

The NCAE PAC was asked to amend the 2020 second quarter report to remove the erroneous contribution and to disclose the refund received consistent with the reporting obligations in Article 22A. The amended report was received October 27, 2020.

Due to the foregoing findings, this complaint has been closed by the NCSBE as to all respondents. Please take notice that if the complainant becomes aware of new facts that were not known at the time the original complaint was filed, then a new complaint may be filed.

If you have any questions, please don't hesitate to contact me.

BY:



Lindsey Wakely
Associate General Counsel
North Carolina State Board of Elections