



STATE ETHICS COMMISSION

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<https://ethics.nc.gov>

CONFIDENTIAL FORMAL ADVISORY OPINION

November 13, 2025

Ms. Meredith Henderson
Executive Director
Go Global NC
68 T.W. Alexander Drive
Box 13628
Research Triangle Park, NC 27709

RE: Lobbyist Principals Paying Expenses of Covered Persons to Participate in the 2026 Global Leaders Program to Switzerland
AO-E-25-001

Dear Ms. Henderson:

This is in response to your October 15, 2025, request for a formal advisory opinion. You have asked whether the State Government Ethics Act ("the Ethics Act"), G.S. Chapter 138A, would allow legislators and public servants to participate in the 2026 Global Leaders: Switzerland Program ("2026 GL Program") sponsored by Go Global NC. Participants in the 2026 GL Program would travel to Switzerland from March 8-15, 2026. Travel costs of participating legislators and public servants may be paid by donations from lobbyist principals. You have also asked whether registered lobbyist principals may make those donations to Go Global NC in accordance with the gift ban of the Lobbying Law, G.S. Chapter 120C.

This formal advisory opinion is based upon the information you have provided and was adopted by the State Ethics Commission ("Commission") at its November 13, 2025, meeting.¹

I. Brief Conclusion.

The Commission has determined that the 2026 GL Program qualifies as an "educational meeting" related to the public duties of attending legislators and public servants and that the additional meeting requirements of G.S. 138A-32(f)(3)a.-d. will be satisfied. Therefore, lobbyist principals may donate funds

¹ Please see the enclosure entitled "Formal Advisory Opinions Issued by the State Ethics Commission" for further information regarding the protections offered to individuals receiving those opinions.

to pay for the reasonable actual travel expenses of participating legislators and public servants and the legislators and public servants may accept those expenditures. However, additional expenses related to cultural or social activities must be paid by the participating legislator or public servant.

II. The Facts.

Go Global NC is planning the 2026 GL Program, in collaboration with the North Carolina Department of Agriculture and Consumer Sciences ("Agriculture Department"). The 2026 GL Program will include a visit to Switzerland to allow participants to study economic resilience, disaster preparedness, agricultural innovation and conservation, and subnational diplomacy economic development opportunities. This will include opportunities to expand economic development through foreign direct investments and exports of agricultural products. Participants will also gain an understanding of the expansion of controlled atmosphere technologies and flood management policies. This is the tenth international study trip which the Commission has considered.

Go Global NC expects 20-25 individuals to participate. Many participants will be required to pay at least a portion of the trip's cost. Additional funding may be provided by various non-profit organizations, none of which are registered lobbyist principals. Although Go Global NC continues to seek additional funding from other organizations, including lobbyist principals, to defray the costs of legislative and public servant participants, none of the sponsors, including any lobbyist principals, will be involved in the planning or administration of the 2026 GL Program or the selection of participating legislators and public servants.

Fact-finding trip participants will include four to six members of the North Carolina General Assembly, local elected officials, staff of Go Global NC and the Agriculture Department, and eight to ten representatives from various North Carolina businesses, educational institutions, and other State agencies.

The 2026 GL Program has the following goals:

- 1) Explore Swiss sustainable agriculture, farmland preservation, and food systems innovation, and evaluate implications for North Carolina's agricultural future.
- 2) Learn about Switzerland's decentralized, local-government-driven disaster preparedness infrastructure and extract lessons for regional resilience planning in North Carolina.
- 3) Study and understand partnerships among business, higher education, and government in Switzerland to inform policy and economic development strategies in North Carolina.
- 4) Identify strategies for enhancing state-to-state and subnational diplomacy to support economic and cultural ties between North Carolina and Switzerland.
- 5) Consider opportunities for foreign direct investment, exports, and collaborative research with Swiss institutions in agriculture, energy transition, and public health.

- 6) Develop actionable recommendations for North Carolina communities to prepare for global disruptions, including climate-related events, food insecurity, and shifting economic dynamics.

A preliminary meeting of 30 regional cross-sector leaders will take place prior to the trip to familiarize participants with Switzerland. Participants will also meet after the trip to summarize information collected and make recommendations for implementing changes.

The tentative travel itinerary you provided for the 2026 GL Program, excluding travel time to and from Bern, Switzerland and free time on the day of arrival, consists of 8 to 10 hours of travel and scheduled activities a day beginning on Monday, March 9, 2026, and ending Friday, March 13, 2026. The itinerary includes meetings, presentations, and site visits in Bern, Oberland, Basel, Bern, Lausanne, Rolle, and Vevey.

Scheduled activities include site visits as follows:

A. Governmental agencies:

1. The United States Embassy to learn about trade relations, global trade dynamics, and investment opportunities between North Carolina and Switzerland.
2. The Plant Ecology Research Laboratory at the Swiss Federal Institute for Forest, Snow, and Landscape to attend a briefing on fire prevention and the environment.

B. Research institutes:

1. Swiss Food and Nutrition Valley, a collaboration between Nestle, the Swiss Hospitality Management School, and the Swiss Federal Institute of Technology, created to as an incubator for food innovation companies focusing on nutrition, life sciences, alternative proteins, packaging science, waste management, and precision agriculture (specific targeting of resources needed for farming). Presentation on public/private partnerships and their impact on agricultural innovation.
2. Oberland Research Facility and Innovation Hub, a collaboration between Bern University's School of Alpine and Mountain Farming and INFORMA, a training center which focuses on faming vegetables, to attend a presentation on alpine farming.
3. Mobilar Labs, a joint research institute between the University of Bern's Centre for Climate Change Research and Swiss Mobilar, a Swiss property insurer. Presentation on mitigation of flood, storm, and fire risks. There will also be a tour of the Labs.

C. Educational institutions:

1. Bern University of Applied Science School of Agriculture, Forest, and Food Sciences, for presentations on the evolution of agriculture and agribusiness in the region and land management and its impact on agriculture and forestry. There will also be a tour of agricultural trial plots used by faculty, students, and research staff.

D. Other sites visited include:

1. Swiss-American Chamber on Economic Relations, to discuss collaborative business opportunities.
2. Syngenta Global Headquarters. Syngenta operates a Crop Protection facility in Greensboro and is registered as a Lobbyist Principal in North Carolina. There will be tour of Syngenta and a discussion of biotech innovations in seed varieties and crop protection to increase productivity and reduce environmental impacts of food production.
3. Migros supermarket chain. There will be a presentation on packaging, produce stabilization, and consumer transparency (sustainability rating for products, the ability of consumers to track the product) and a tour of the facility.
4. Nestle. Nestle operates a pet food manufacturing facility in NC but is not registered as a lobbyist principal. Participants will tour the company's global headquarters and attend a presentation on farmer relationships, including efforts to improve manure management, reduce emissions, and convert manure into renewable energy.
5. Archer Daniels Midland Company R&D Center for Animal Health and Wellness, which researches the use of biotics and fermentation derived ingredients in pet food and animal feed. Tour facility and attend a presentation on maintaining the health of pets and farm animals.
6. Biohof Schupfenried Farm, which focuses on arable farming and vegetable cultivation. Tour of Farm and presentation on farmland preservation.

There is one entertainment option available during the trip on the day of arrival, a historic and cultural tour. All participants, including legislators and public servants whose trip expenses are being paid by donations, will be required to independently pay all expenses associated with attending that optional tour.

III. Applicable Statutory Provisions.

The Lobbying Law prohibits a lobbyist, lobbyist principal, or legislative liaison² from giving direct or indirect gifts (“anything of monetary value”), to a designated individual (legislators, legislative employees, and public servants), unless an exception to the gift ban listed in G.S. 138A-32(f) applies. G.S. 120C-303(a). Legislators and public servants are also restricted from accepting those gifts. G.S. 138A-32(c).

One of the gift ban exceptions, G.S. 138A-32(f)(3), allows a lobbyist principal to pay for “reasonable actual expenditures” incurred by a public servant, legislator, or legislative employee in connection with that individual’s attendance at four types of meetings delineated in that exception. G.S. 138A-32(f)(3)(i) allows the payment of expenses incurred for attending *an educational meeting* “for purposes primarily related to the public duties and responsibilities of the covered person” Permissible expenses include food, beverages, registration, travel, lodging, incidental items of nominal value, and incidental entertainment.

The Commission has adopted the following non-exclusive factors to be considered when determining what is an “educational meeting” under G.S. 138A-32(f)(3)(i):

- 1) Whether the meeting’s primary purpose is to promote learning for professional improvement or to influence a particular legislative or official action,
- 2) Whether the meeting’s organizer is an independent educational or governmental institution or a Lobbyist Principal,
- 3) The proportion of educational content relative to meals and entertainment provided at the meeting and the proportion of presenters who are outside experts or are independent from the Lobbyist Principal paying for the meeting expenses, and
- 4) The relationship between the meeting’s location and length to its educational purpose.

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In addition to the specific meeting criteria outlined above, G.S. 138A-32(f)(3) sets forth general requirements applicable to those meetings. They include a requirement that any food, beverages, transportation, or entertainment be provided to all attendees or defined groups of ten or more attendees and that the meeting: (a) be attended by at least ten or more participants; (b) have a formal agenda; and (c) be noticed at least ten days in advance. Moreover, any entertainment provided “must be incidental to the principal agenda of the meeting.”

² State entities, are not restricted from giving gifts to designated individuals.

IV. Analysis.

Based upon a review of the itinerary for the 2026 GL Program, the Program's content is related to the public duties of invited legislators and may be related to the duties of attending public servants, depending upon their job responsibilities.

Moreover, the Program fits the educational meeting criteria of G.S. 138A-32(f)(3)(i). Factors that support the educational purpose of the Program include the fact that the agenda and list of invitees was developed independent of any lobbyist principal; includes a wide variety of presentations and site visits at companies and governmental, research, and educational institutions; is not related to and does not seek to influence a particular legislative or official action; is scheduled with educational content throughout each day with no entertainment activities; and the Program's location and length is closely related to its educational goals.

You have also stated that there will be at least ten participants in the Program. In addition, it has a formal agenda, will have been noticed at least ten days in advance, and incidental entertainment, if any, is being provided to all participants. Thus, the meeting also complies with the general meeting requirements imposed by G.S. 138A-32(f)(3)a.-d.

Therefore, it is permissible for registered lobbyist principals to donate funds for food, beverages, registration, travel, lodging (including airfare and ground transportation), incidental items of nominal value, and incidental entertainment to attending legislators; and public servants if job-related; and for those individuals to accept those expenditures.

V. Closing.

Thank you for contacting the State Ethics Commission. Please do not hesitate to call the Commission's staff if you have any questions about the foregoing formal advisory opinion. Pursuant to G.S. 120C-102(e1), an unedited copy of this formal advisory opinion will be forwarded to the Secretary of State. The Secretary of State is statutorily obligated to treat the opinion as confidential and not a public record.

State Ethics Commission

William H. Freeman
Chairman

Formal Advisory Opinions Issued by the State Ethics Commission

Upon the written request of a public servant or legislative employee, G.S. 138A-13(a) of the State Government Ethics Act ("the Ethics Act") authorizes the State Ethics Commission ("Commission") to issue formal advisory opinions on the "meaning and application" of the Ethics Act "and the public servant's or legislative employee's compliance therewith." All opinions have prospective application only, are limited to the particular facts presented, and confer limited civil immunity upon a requester who follows the advice given. G.S. 138A-13(a).

Reliance upon a formal advisory opinion immunizes the public servant or legislative employee making the request from (1) investigation by the Commission, except the alleged violation of criminal law while performing his or her official duties, (2) adverse action by his or her employing entity, or (3) investigation by the Secretary of State. G.S. 138A-13(c).

Once issued by the Commission, formal advisory opinions are published in a redacted format on the Commission's website within 30 days of issuance. G.S. 138A-13(h). Otherwise, requests for advisory opinions, the opinions themselves, and all materials related to the opinions are confidential and are not public records. G.S. 138A-13(i).

Upon the written request of any person, State agency, or governmental unit affected by G.S. Chapter 120C ("the Lobbying Law"), G.S. 120C-102(a) authorizes the State Ethics Commission ("Commission") to issue formal advisory opinions "on the meaning and application" of the Lobbying Law and "that person's, State agency's or any other governmental unit's compliance therewith." All opinions have prospective application only and must relate to real or reasonably anticipated fact settings or circumstances. G.S. 120C-102(a). Formal advisory opinions confer limited civil immunity upon a requester who follows the advice given. G.S. 120C-102(b).

Once issued by the Commission, formal advisory opinions are published in an edited format on the Commission's website within 30 days of issuance. G.S. 120C-102(d). Requests for advisory opinions, the opinions themselves, and all materials related to the opinions are confidential and are not public records. G.S. 120C-102(e). However, the Commission is required to send an unedited copy of each formal advisory opinion to the Secretary of State's Office at the time the formal advisory opinion is issued to the requester, and the Secretary of State is required to treat the formal advisory opinion as confidential and not a matter of public record. G.S. 120C-102(e1). In addition, Commission staff is specifically authorized to share all information and documents related to requests for formal advisory opinions with the Secretary of State's Office. The Secretary of State's Office is required to treat any such information and documents in its possession as confidential and not a matter of public record G.S. 120C-102(e1).