

24L-05

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: February 20, 2024

ANALYST: Chris Jones

I. COMMITTEE:

A Better NC
C90021676
Michael Weisel, Attorney
Post Office Box 745
Raleigh, NC 27602

II. RELEVANT STATUTE:

52 U.S.C. § 30104(c) and (g)(2)
11 CFR § 109.10

III. BACKGROUND:

**Independent Expenditure Reporting Problems – Persons other than Political Committees
(Form 5) (Failure to Timely File 48-Hour Reports)**

A Better NC (“ABNC”) failed to timely file one (1) 48-Hour Report to support one (1) independent expenditure totaling \$200,000.00 disclosed on the 2022 October Quarterly Report, made during the period up to and including the 20th day before the 2022 General Election (Attachment 1).

On October 16, 2022, ABNC filed its [2022 October Quarterly Report](#) covering the period from July 1, 2022 through September 30, 2022. [Schedule 5-E \(Itemized Independent Expenditures\)](#) of the report disclosed one (1) independent expenditure totaling \$200,000.00 made in support of one (1) federal candidate for the 2022 General Election. ABNC failed to file one (1) 48-Hour Report to support one (1) independent expenditure totaling \$200,000.00 for the 2022 General Election.

On October 24, 2022, ABNC filed an [Amended 2022 October Quarterly Report](#) with no relevant changes to the independent expenditure disclosed on [Schedule 5-E](#).

On April 17, 2023, a [Request for Additional Information \(RFAI\)](#) was sent to ABNC referencing the Amended 2022 October Quarterly Report. The RFAI noted ABNC may have

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failed to timely file a 48-Hour Report for one (1) independent expenditure disclosed on Schedule 5-E.

On January 25, 2024, ABNC filed one (1) [48-Hour Report](#) to support one (1) independent expenditure totaling \$200,000.00, disseminated on August 24, 2022¹.

On the same date, ABNC filed an [Amended 2022 October Quarterly Report](#) with no relevant changes to the independent expenditure disclosed on [Schedule 5-E](#)².

Since January 17, 2024, the Reports Analysis Division (RAD) logged two (2) communications with ABNC which reflect efforts to help the entity voluntarily comply with the Act. RAD was able to connect with the entity's attorney, Michael Weisel, on one (1) occasion and notified him that the matter would be referred to another office at the Commission for further review. RAD encouraged the filer to clarify the public record if anything was incorrectly disclosed (Attachment 2).

To date, no further communications have been received from the Committee regarding this matter. Filings and correspondence related to the Committee can be found here: [A Better NC](#).

¹ Memo text included in the report stated, "Digital advertising 8/22 - 9/22."

² Memo text included in the report stated, "Digital advertising 8/22 - 9/22."

A Better NC (C90021676)[Amended 2022 October Quarterly Report, received 1/25/2024](#)48-Hour Report Not Timely Filed

Name of Payee	Date of Dissemination (Schedule E)	Expenditure Amount	Candidate Supported	Election	<u>48-Hour Report Filed</u>
Rising Tide Interactive	8/24/2022	\$200,000.00 <i>48-Hour Report Required</i>	Cheri Beasley	2022 General	1/25/2024