



## MEMORANDUM

To: 2023 General Election Candidates  
From: Allison Tarpley, City Clerk  
Date: June 30, 2023  
Subject: 2023 Johns Creek Municipal Election

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Welcome 2023 Election Candidates,

Congratulations on your decision to participate in the election process. On November 7, 2023, Municipal Voters will elect Council Members for Posts 2, 4, and 6. Fulton County will conduct this election. Should a runoff election be required, such runoff will be held Tuesday, December 5, 2023. As the City Clerk of Johns Creek, I serve as the Johns Creek Municipal Election Qualifying Officer and will qualify you as a candidate. Throughout this process, if you have any questions please let me know. Questions should be directed to the City Clerk or the City Manager's office.

### About the Johns Creek City Council

The City of Johns Creek is governed by the Mayor and six (6) Council Members, which are not geographically designated as districts traditionally are. Therefore, each Johns Creek Council Member represents the city at-large. Elected officials serve for a term of four (4) years, and until their respective successors are elected and sworn-in.

To hold office in the City of Johns Creek, representatives must be: 21 years of age; a resident of the City for 12 months immediately preceding his or her election; continue to reside within the city during their time of service on Council; registered and qualified to vote in municipal elections of Johns Creek.

The City Council meets in the Council Chambers at City Hall (11360 Lakefield Drive) twice a month for a work session and business meeting. In addition to the regularly scheduled meetings, special called meetings are occasionally called throughout the year.

### About Qualifying for Elected Office at the City of Johns Creek

The Qualifying period for the November 7, 2023 election will begin on Monday, August 21, 2023 and end on Wednesday, August 23, 2023. Each day, qualifying hours are from 8:30 a.m. to 4:30 p.m. Qualifications will take place in the Clerk's Office at Johns Creek City Hall located at 11360 Lakefield Drive, Johns Creek, Ga 30097.

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## City Clerk's Office

The qualifying fee for each Council Post is \$450, which is 3% of the total gross salary for the preceding year.

***Candidates can qualify for only one office.***

During the qualifying period, candidates must submit the following:

1. Notice of Candidacy and Affidavit
2. Payment of qualifying fee (cash or check). Checks should be payable to "The City of Johns Creek"

*In the event that a candidate pays his or her qualifying fee with a check that is subsequently returned for insufficient funds, the superintendent shall automatically find that such candidate has not met the qualifications for holding the office being sought, unless the bank, credit union, or other financial institution returning the check certifies in writing by an officer's or director's oath that the bank, credit union, or financial institution erred in returning the check. O.C.G.A. § 21-2-6 (d)*

3. Confirmation of Name on Ballot, City Website and Official Documents

Please be sure and bring a valid photo id. Prior to accepting campaign funds, you must also submit a Declaration of Intent (DOI), you may submit that at the time of qualifying if you wish. An Exemption Affidavit is also an option if you do not intend to spend or receive over \$2,500.00.

Once the qualifying period closes, all qualified candidates' names will be posted on the City's website. Be aware that newspapers generally request this information and publish it as well. Please provide email address information, and advise us whether this information is permitted to be listed on our website so that voters may also contact you directly.

Georgia Government Transparency and Campaign Finance Commission
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In addition to qualifying candidates, I also receive your required forms and reports as mandated by state law. The Georgia Government and Campaign Finance Commission (formerly known as the State Ethics Commission) coordinates these filings and sets the requirements and deadlines. For your convenience, the forms can be completed on line with our filing system EasyVote Campaign Finance software. Instructions for creating an account are included.

***Candidates should familiarize themselves with all forms, publications and requirements of candidacy for public office as there are important documents and deadlines pertaining to all candidates for public office which must be adhered to in order to avoid monetary fines.*** For more information visit [www.ethics.ga.gov](http://www.ethics.ga.gov) or reach out to the GGTCFC at 404-463-1980 or [gaethics@ethics.ga.gov](mailto:gaethics@ethics.ga.gov). The Commission is located at 200 Piedmont Avenue SE, Suite 1416 West Tower, Atlanta, GA 30334.

**LINK:** [Local Candidate Information](#)

Documents included in this packet
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1. Declaration of Intent
2. Notice of Candidacy and Affidavit Form
3. Confirmation of Name on Ballot, City Website and Official Documents Form
4. Information on Placement of Political Signs
5. State Elections Calendar
6. Article II of City Charter: Candidate Qualifications
7. Johns Creek Code of Ethics
8. GGTCFC Filing Schedule
9. Forms and Disclosures Lingo
10. Sample Forms
11. GGTCFC Rules
12. EasyVote Registration Directions
13. Info on ordering Voters lists
14. Important City Dates to Note



**Georgia Government Transparency & Campaign Finance Commission**  
 200 Piedmont Avenue S.E. | Suite 1416 - West Tower | Atlanta Georgia, 30334

**DECLARATION OF INTENTION TO ACCEPT CAMPAIGN CONTRIBUTIONS (FORM DOI) –  
 COUNTY/MUNICIPAL LEVEL FILERS**

INCOMPLETE FORMS WILL NOT BE PROCESSED • If form is handwritten, it must be legible.

<b>1</b>	Today's Date: _____	
<b>2</b>	Candidate (full name): _____  Address: _____  City, State, Zip: _____  Telephone (optional): _____ Email: _____	
<b>3</b>	Name County/City: _____  Name of Office Sought or Held: _____ (include office, district, post, or judicial seat)	Party Affiliation (optional):  <input type="checkbox"/> Democrat <input type="checkbox"/> Non-Partisan <input type="checkbox"/> Republican <input type="checkbox"/> Other
<b>4</b>	Next Election Year: _____	

Complete sections 5 and 6 ONLY if you have a campaign committee.  
 This information does not register a campaign committee. (Please use Form RC to register.)

<b>5</b>	Campaign Committee Chairperson (full name): _____  Address: _____  City, State, Zip: _____  Email : _____
<b>6</b>	Treasurer (full name): _____  Address: _____  City, State, Zip: _____  Email : _____

I CERTIFY THAT THIS STATEMENT IS COMPLETE, TRUE AND ACCURATE.

\_\_\_\_\_  
 Signature of Candidate

\_\_\_\_\_  
 Date

**COUNTY/MUNICIPAL FILERS:** File this form directly with the Local Filing Officer in your county and/or municipality  
**LOCAL FILING OFFICERS:** Send a copy via email to [localreports@ethics.ga.gov](mailto:localreports@ethics.ga.gov)

TO: \_\_\_\_\_  
Superintendent of Elections  
of \_\_\_\_\_ County/Municipality  
State of Georgia

**NOTICE OF CANDIDACY AND AFFIDAVIT  
(COUNTY/MUNICIPALITY)**

I, the undersigned, being first duly sworn on oath, do depose and say: my name is \_\_\_\_\_  
\_\_\_\_\_;

my residence address is \_\_\_\_\_  
(Street Number) (Street)  
\_\_\_\_\_  
(City) (County) (State) (Zip Code);

my post office address is \_\_\_\_\_;

my telephone number is \_\_\_\_\_;  
(Business) (Home)

my profession, business, or occupation (if any ) is \_\_\_\_\_;

the name of my precinct is \_\_\_\_\_; I am an elector of the county/municipality of my  
residence eligible to vote in the election in which I am a candidate; the name of the office I am seeking is

\_\_\_\_\_  
(Circuit, District, or Post if Applicable); my date of birth is \_\_\_\_\_; I have been a legal resident  
of the State of Georgia for \_\_\_\_\_ consecutive years; I have been a legal resident of \_\_\_\_\_ county for  
\_\_\_\_\_ consecutive years; I have been a legal resident of my district (if applicable) for \_\_\_\_\_ consecutive years;

I have been a legal resident of my circuit (if applicable) for \_\_\_\_\_ consecutive years; I am a citizen of the United States;

I am eligible to hold such office; that I am a candidate for such office in the \_\_\_\_\_ to be held on the  
(Election)  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_;

I have never been convicted and sentenced in any court of competent jurisdiction for fraudulent violation of primary or election laws, malfeasance in office, or felony involving moral turpitude or conviction of domestic violence under the laws of this State, any other State, or of the United States, or, if so convicted that my civil rights have been restored; and at least ten years have elapsed from the date of completion of the sentence without subsequent conviction of another felony involving moral turpitude; I am not a defaulter for any federal, state, county, municipal, or school system taxes required of such officeholder or candidate if such person has been finally adjudicated by a court of competent jurisdiction to owe those taxes, but such ineligibility may be removed at any time by full payment thereof, or by making payments to the tax authority pursuant to a payment plan, or under such other conditions as the General Assembly may provide by general law (pursuant to Ga. Const. Art. II, Sec. II, paragraph III); I will not knowingly violate any provisions of the Georgia Election Code (O.C.G.A. § 21-2) or of the rules or regulations adopted thereunder.

I understand that any false statement knowingly made by me in this Notice of Candidacy and Affidavit will subject me to criminal penalties as provided by law and I hereby request you to cause my name to be placed on the ballots to be used in such election as a candidate for the office I am seeking.

\_\_\_\_\_  
(Signature of Candidate)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

My Commission Expires\_\_\_\_\_

(Required by Ga. Election Code O.C.G.A. § 21.2.132.)

I desire that my name appear on the ballot as follows  
(the surname of the candidate shall be as it appears  
on the candidate’s voter registration card) :

Should I be elected, I desire that my name appear on official  
documents as follows:

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

Check only one

1. ☐ I am running in a special election for a partisan office and my party affiliation is \_\_\_\_\_.

☐ I am running as a nonpartisan candidate.

☐ I am running as an independent candidate.

☐ I am the nominee of the \_\_\_\_\_ Party (Body) nominated by:

☐ Convention (Certified copy of the minutes of the convention attested by the Chairman and Secretary of the convention is being filed herewith);

☐ Other (Specify method of nomination and statute and party rule governing and allowing such method of nomination):

2. ☐ I am required to file the above Notice followed by a nomination petition containing at least \_\_\_\_\_ valid signatures due \_\_\_\_\_, \_\_\_\_\_.

☐ I am not required to submit a nomination petition pursuant to O.C.G.A. § 21-2-132, because I am:

☐ Running as a nonpartisan candidate.

☐ Running as an incumbent.

☐ Running in a special election.

☐ Running for a state-wide office nominated by a duly constituted political body convention.

3. ☐ I hereby tender check/money order in the amount of \$ \_\_\_\_\_.

NAME OF BANK: \_\_\_\_\_

CHECK NUMBER: \_\_\_\_\_

In the event that a candidate pays his or her qualifying fee with a check that is subsequently returned for insufficient funds, the superintendent shall automatically find that such candidate has not met the qualifications for holding the office being sought, unless the bank, credit union, or other financial institution returning the check certifies in writing by an officer's or director's oath that the bank, credit union, or financial institution erred in returning the check as prescribed in O.C.G.A. § 21-2-6(d).

☐ I hereby file a Pauper’s Affidavit, accompanied by a qualifying petition as prescribed in O.C.G.A. § 21-2-132(g), in lieu of paying the qualifying fee.

**NOTE: CANDIDATES FOR THE FOLLOWING OFFICES MUST FILE AN ADDITIONAL AFFIDAVIT IN ACCORDANCE WITH THE LISTED CODE SECTION AND MAY HAVE OTHER REQUIREMENTS IN ORDER TO BE QUALIFIED TO SEEK OFFICE. CANDIDATES SHOULD REVIEW THE QUALIFICATIONS FOR THE OFFICE FOR WHICH THEY OFFER FOR ELECTION CAREFULLY.**

CLERK OF SUPERIOR COURT	O.C.G.A. § 15-6-50(b)(2)
JUDGE OF THE PROBATE COURT	O.C.G.A. § 15-9-2(a)(2)
SHERIFF	O.C.G.A. § 15-16-1(c)(2)
CORONER	O.C.G.A. § 45-16-1(b)(2)
TAX RECEIVER	O.C.G.A. § 48-5-210(b)(2)
TAX COLLECTOR	O.C.G.A. § 48-5-210(b)(2)
TAX COMMISSIONER	O.C.G.A. § 48-5-210(b)(2)



## MEMORANDUM

To: 2023 General Election Candidates  
From: Allison Tarpley, City Clerk  
Date: June 15, 2023  
Subject: Confirmation of Name on Ballot, City Website and Official Documents

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Dear Candidates:

Please complete the following and return to the Johns Creek Municipal Qualifying Officer during the qualification period.

1. I desire that my name appear on the ballot as follows:

\_\_\_\_\_  
(PRINT) Legibly and Initial

\_\_\_\_\_  
Date

2. The phone numbers and addresses of all candidates who qualify for office will be published.

\_\_\_\_\_  
Phone Number to be Published

3. Would you also like your campaign website and email address published on the City's website?  
If yes, please provide the appropriate information below:

\_\_\_\_\_  
Email

\_\_\_\_\_  
Web Address

4. Should I be elected, I desire that my name appear on official documents as follows:

\_\_\_\_\_  
(PRINT) Legibly and Initial

\_\_\_\_\_  
Date

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**City Clerk's Office**



## **INFORMATION ON THE PLACEMENT OF POLITICAL SIGNS**

The City of Johns Creek does not regulate the content of printed speech or media. Political and campaign signs are classified as Standard Informational Signs or Banners based on their size, location and duration. The Georgia Department of Transportation (GDOT) is cautioning state and local political candidates to ensure roadside signs are not placed in the GDOT right-of-way (ROW), including Abbotts Bridge Road (State Route 120) and Medlock Bridge Road (State Route 141). On all other roads, the City of Johns Creek Code of Ordinances applies. Please reference Article 33 of the Zoning Ordinance for more information on signage.

### **GENERAL INFORMATION:**

- Signs cannot be placed on public ROW. Signs cannot obstruct, impede, or create a hazardous condition for pedestrian or motor vehicle traffic.
- Signs shall provide an adequate visibility triangle as per City standards.
- Signs cannot be erected on private property without the consent of the property owner.
- Signs cannot be placed on government-owned property, such as a park.

### **STANDARD INFORMATIONAL SIGNS:**

- Standard informational signs are limited to either 1 sign that is 16 square feet, or up to 4 signs not to exceed an aggregate 16 square feet in area.
- Standard informational signs shall not be greater than 8 feet above the grade level of the adjacent street or 4 feet above ground level, whichever is greater.
- Standard informational signs shall be no closer than 10 feet to the back of curb of a private street.
- Standard informational signs do not require a permit.

### **BANNERS:**

- Banners shall not be more than 32 square feet and shall be erected with supports, so they do not sag or become dilapidated.
- Banners shall be set back at least 10 feet from ROW, 20 feet from the edge of pavement if a private street.
- Banners are allowed for a period not exceeding 14 days with no more than 4 such periods per calendar year.
- Banners require permitting from the City of Johns Creek.

# Office of the Secretary of State | Elections Division



## 2023 Scheduled Elections *Abbreviated Calendar of Events*

ELECTION	ELECTION DATE	REGISTRATION CUTOFF
Special Election to Fill a Vacancy & Propose a Question	March 21, 2023	February 21, 2023*
Special Election Runoff	April 18, 2023	February 21, 2023*
Special Election to Fill a Vacancy	June 20, 2023	May 22, 2023
Special Election Runoff	July 18, 2023	May 22, 2023
Special Election to Fill a Vacancy	September 19, 2023	August 21, 2023
Special Election Runoff	October 17, 2023	August 21, 2023
General Election/Special Election to Fill a Vacancy & Propose a Question	November 7, 2023	October 10, 2023*
General Election/Special Election Runoff	December 5, 2023	October 10, 2023*

### Key Dates

Dates in red changed to next business day due to state holiday.

*Please refer to the Comprehensive Calendar for full text version*

DATE	ACTIVITY
January 3, 2023	Earliest day to file and publish a notice of intention to be a write-in candidate in the General Election. O.C.G.A. § 21-2-133(a)
January 3, 2023	Earliest day to request an absentee ballot for the March 21 <sup>st</sup> Special Election O.C.G.A. 21-2-381(a)(1)(A)
January 30, 2023	Earliest day to request an absentee ballot for the April 18 <sup>th</sup> Special Election Runoff O.C.G.A. 21-2-381(a)(1)(A)
February 1, 2023	Last day to fix and publish qualifying fees for offices to be filled during the 2023 Election Cycle. O.C.G.A. § 21-2-131(a)(1)(A)
February 13, 2023	Deadline to Publish Advance Voting Notice for March Special Election. O.C.G.A. § 21-2-385(d)(3)
February 21, 2023	1. Last day to register to vote in the March Special Election and Runoff Election. O.C.G.A. § 21-2-224 2. Last day to issue a Call for Election O.C.G.A. § 21-2-540(b)
February 27, 2023	1. Earliest day for a registrar to mail an absentee ballot for the March Special Election O.C.G.A. § 21-2-384(a)(2) 2. Advanced (Absentee In-Person) Voting begins for the March Special Election O.C.G.A. § 21-2-385(d)(1)(A)
March 4, 2023 <b>AND</b> March 11, 2023	Mandatory Saturday Voting for the March Special Election O.C.G.A. § 21-2-385(d)
March 6, 2023	Early Processing of Absentee Ballots may begin with advanced noticed. O.C.G.A. § 21-2-386(a)(2)(A)
March 10, 2023	Last day to request a March 21 <sup>st</sup> Special Election Absentee Ballot. O.C.G.A. 21-2-381(a)(1)(A)
March 17, 2023	Last day to begin L&A Testing on voting equipment. O.C.G.A. § 21-2-379.6(c); SEB Rule 183-1-12(.03)
March 17, 2023	Advanced (Absentee In-Person) Voting ends for the March Special Election O.C.G.A. § 21-2-385(d)(1)(A)
March 21, 2023	<b>ELECTION DAY</b> (Special Election)

# Office of the Secretary of State | Elections Division



## 2023 Scheduled Elections Abbreviated Calendar of Events

REVISED	
<b>3 days following</b>	Last day for a voter to submit an absentee ballot cure affidavit (if ballot was received by 7pm on Election day) and any supplemental information to verify a provisional ballot.
<b>March 27, 2023</b>	Last day to certify the March 21, 2023 Special Election
<b>April 3, 2023</b>	Earliest day to request an absentee ballot for the June 20 <sup>th</sup> Special Election O.C.G.A. 21-2-381(a)(1)(A)
<b>April 10, 2023</b>	Last day to request an April 18 <sup>th</sup> Special Election Runoff Absentee Ballot. O.C.G.A. 21-2-381(a)(1)(A) <i>Changed to next business day due to state holiday on April 7</i>
<b>April 18, 2023</b>	<b>ELECTION DAY</b> (Special Election Runoff) – Refer to Comprehensive Calendar for Special Runoff Provisions
<b>3 days following</b>	Last day for a voter to submit an absentee ballot cure affidavit (if ballot was received by 7pm on Election day) and any supplemental information to verify a provisional ballot.
<b>April 24, 2023</b>	Last day to certify the April 18, 2023 Special Election Runoff
<b>May 16, 2023</b>	Deadline to Publish Advance Voting Notice for June Special Election. O.C.G.A. § 21-2-385(d)(3)
<b>May 30, 2023</b>	1. Earliest day for a registrar to mail an absentee ballot for the June Special Election O.C.G.A. § 21-2-384(a)(2) 2. Advanced (Absentee In-Person) Voting begins for the June Special Election O.C.G.A. § 21-2-385(d)(1)(A)
<b>June 3, 2023 AND June 10, 2023</b>	Mandatory Saturday Voting for the June Special Election O.C.G.A. § 21-2-385(d)
<b>June 9, 2023</b>	Last day to request the June 20 <sup>th</sup> Absentee Ballot. O.C.G.A. 21-2-381(a)(1)(A)
<b>June 16, 2023</b>	Last day to begin L&A Testing on voting equipment. O.C.G.A. § 21-2-379.6(c) / SEB Rule 183-1-12(.03)
<b>June 16, 2023</b>	Advanced (Absentee In-Person) Voting ends for the June Special Election O.C.G.A. § 21-2-385(d)(1)(A)
<b>June 20, 2023</b>	<b>ELECTION DAY</b> (Special Election)
<b>3 days following</b>	Last day for a voter to submit an absentee ballot cure affidavit (if ballot was received by 7pm on Election day) and any supplemental information to verify a provisional ballot.
<b>June 26, 2023</b>	Last day to certify the June 20, 2023 Special Election
<b>July 18, 2023</b>	<b>ELECTION DAY</b> (Special Election Runoff) – Refer to Comprehensive Calendar for Special Runoff Provisions
<b>3 days following</b>	Last day for a voter to submit an absentee ballot cure affidavit (if ballot was received by 7pm on Election day) and any supplemental information to verify a provisional ballot.
<b>July 24, 2023</b>	Last day to certify the July 18, 2023 Special Election Runoff
<b>August 21, 2023 through August 25, 2023</b>	MUNICIPAL OFFICE CANDIDATE QUALIFYING PERIOD
<b>August 21, 2023</b>	Earliest day to request an absentee ballot for the November Municipal General/Special Election O.C.G.A. § 21-2-384(a)(2)

# Office of the Secretary of State | Elections Division



## 2023 Scheduled Elections *Abbreviated Calendar of Events*

<b>August 28, 2023</b>	1. Earliest day for a registrar to mail an absentee ballot for the September Special Election O.C.G.A. § 21-2-384(a)(2) 2. Advanced (Absentee In-Person) Voting begins for the September Special Election O.C.G.A. § 21-2-385(d)(1)(A)
<b>September 6, 2023</b>	Last day to file the notice of intention to be a write-in candidate and have notice published in accordance with O.C.G.A. § 21-2-133(a)
<b>September 8, 2023</b>	Last day to request the September 19 <sup>th</sup> Absentee Ballot. O.C.G.A. 21-2-381(a)(1)(A)
<b>September 15, 2023</b>	Last day to begin L&A Testing on voting equipment. O.C.G.A. § 21-2-379.6(c); SEB Rule 183-1-12(.03)
<b>September 19, 2023</b>	<b>ELECTION DAY</b> (Special Election)
<b>3 days following</b>	Last day for a voter to submit an absentee ballot cure affidavit and provisional ballot.
<b>September 25, 2023</b>	Last day to certify the September 19, 2023 Special Election
<b>October 10, 2023</b>	Deadline For Voter Registration/Change of Address for November Runoff. O.C.G.A. §§ 21-2-224; 21-2-501
<b>October 16, 2023</b>	Earliest day for a registrar to mail an absentee ballot for the November Municipal General/Special Election O.C.G.A. § 21-2-384(a)(2)
<b>October 16, 2023</b>	Advanced (Absentee In-Person) Voting begins for the November General Election. O.C.G.A. § 21-2-385(d)(1)
<b>October 17, 2023</b>	<b>ELECTION DAY</b> (Special Election Runoff) – Refer to Comprehensive Calendar for Special Runoff Provisions
<b>3 days following</b>	Last day for a voter to submit an absentee ballot cure affidavit (if ballot was received by 7pm on Election day) and any supplemental information to verify a provisional ballot.
<b>October 21, 2023 AND October 28, 2023</b>	Mandatory Saturday Voting for the November General Election O.C.G.A. § 21-2-385(d)(1)
<b>October 23, 2023</b>	Deadline For County Certification of Election Returns for the October Special Election Runoff O.C.G.A. §21-2-493(k)
<b>October 27, 2023</b>	Last day to request an absentee ballot for the November Municipal General Election O.C.G.A. 21-2-381(a)(1)(A)
<b>November 7, 2023</b>	<b>ELECTION DAY</b> (Municipal General/Special Election)
<b>November 13, 2023</b>	Last day for a voter to submit an absentee ballot cure affidavit (if ballot was received by 7pm on Election day) and any supplemental information to verify a provisional ballot.
<b>November 14, 2023</b>	Deadline For County Certification of Election Returns for the November Municipal General Election/Special Election. O.C.G.A. §21-2-493(k)
<b>November 27, 2023</b>	Deadline to submit an absentee ballot application for the December Special Election Runoff
<b>December 5, 2023</b>	<b>ELECTION DAY</b> (Special Election Runoff) – Refer to Comprehensive Calendar for Special Runoff Provisions
<b>December 11, 2023</b>	Deadline For County Certification of Election Returns for December Municipal General Election/Special Election Runoff O.C.G.A. §21-2-493(k)

*\*O.C.G.A. § 21-2-14. When the last day for the exercise of any privilege or discharge of any duty prescribed or required by this chapter shall fall on a Saturday, Sunday, or legal holiday, the next succeeding business day shall be the last day for the exercise of such privilege or the discharge of such duty.*

## ARTICLE II. - CANDIDATE QUALIFICATIONS

### Sec. 14-29. - Requirements.

- (a) *Residency.* In accordance with section 2.10 of the Charter, candidates for mayor and city council must have been a resident of the city for a continuous period of at least 12 months immediately prior to the date of election; and each such person shall continue to reside within the city during said period of service and shall be registered and qualified to vote in municipal elections of this city.
- (b) *Age.* No person shall be eligible to serve as mayor or councilmember unless that person is at least 21 years of age.

(Ord. No. O2006-12-17, ch. 3, art. 2, § 1, 12-19-2006)

### Sec. 14-30. - Notice of candidacy.

Filing of notice of candidacy for municipal office shall be conducted in accordance with O.C.G.A. § 21-2-132. The qualifying period shall commence no earlier than 8:30 a.m. on the last Monday in August immediately preceding the general election and shall end no later than 4:30 p.m. on the following Friday. In special elections, the qualifying period shall commence no earlier than the date of the call and shall end no later than 25 days prior to the election.

(Ord. No. O2006-12-17, ch. 3, art. 2, § 2, 12-19-2006)

### Sec. 14-31. - Fees.

- (a) Except as provided in subsection (b) of this section, each candidate shall pay a fee of three percent of the total salary of the office sought. Such fee shall be deposited into the city treasury in accordance with O.C.G.A. § 21-2-131.
- (b) A pauper's affidavit may be filed in lieu of the qualifying fee in accordance with O.C.G.A. § 21-2-132.

(Ord. No. O2006-12-17, ch. 3, art. 2, § 3, 12-19-2006)

### Sec. 14-32. - Withdrawal.

Any candidate may withdraw his name as a candidate prior to the date of the election. No refund will be made to any candidate for the fee remitted to qualify for office.

(Ord. No. O2006-12-17, ch. 3, art. 2, § 4, 12-19-2006)

**State Law reference—** Similar provisions, O.C.G.A. § 21-2-134.

Secs. 14-33—14-52. - Reserved.

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF JOHNS CREEK, GEORGIA BY AMENDING ARTICLE IX, CODE OF ETHICS, TO CHAPTER 2, ADMINISTRATION; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

**WHEREAS**, the duly elected governing authority of the City of Johns Creek, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government; and

**WHEREAS**, the duly elected governing authority of the City of Johns Creek, Georgia is the Mayor and Council thereof; and

**WHEREAS**, the governing authority deems it essential to the proper operation of democratic government that the public officials be, and give the appearance of being, independent, impartial, and responsible to the people; that governmental decisions and policies be made in the proper channels of the governmental structure; and that public office not be used for personal gain; and

**WHEREAS**, such measures are necessary to provide the public with confidence in the integrity of its government.

**NOW THEREFORE**, the Council of the City of Johns Creek, Georgia hereby ordains that the Code of the City Article IX, Code of Ethics, to Chapter 2, Administration reads as follows:

**CODE OF ETHICS**

**1. Definitions.**

- (a) Appointee shall be any person appointed to a City board, committee or commission by the City Council or Mayor.
- (b) City Councilmember shall be any person who is a City Councilmember, including the Mayor of the City.
- (c) City staff shall be any person who is a full-time or part-time employee of the City, as well as any full-time or part-time employee of any independent contractor contracted to perform specific duties for, and on behalf of, the City.
- (d) Family member means the spouse, mother, father, brother, sister, son or daughter of a City Councilmember or an appointee or the mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-law of a City Councilmember or an appointee.
- (e) Financial interest means all direct ownership interests of the total assets or capital stock of a business entity where such ownership interest is ten percent or more.

- (f) Government or City shall be construed to mean the City of Johns Creek, Georgia, government.
- (g) Member shall include City Councilmembers and Appointees.
- (h) Substantial interest means the following: (i) funds received by the Member from the other person or entity during the previous 12 months either equal or exceed (a) \$5,000.00 in salary, bonuses, commissions or professional fees, or \$5,000.00 in payment for goods, products or services, or (b) ten percent of the recipient's gross income during that period, whichever is less; or (ii) the Member is a creditor, debtor, or guarantor of the other person or entity in an amount of \$5,000.00 or more.

## **2. Prohibitions**

All Members shall meet the following standards:

### **(a) Compliance with the law**

Members shall comply with all laws of the United States, the State of Georgia, and the City in the performance of their public duties. These laws include, but are not limited to: the United States and Georgia Constitutions; laws pertaining to conflicts of interest, elections, campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and written policies.

### **(b) Policy role of Members**

Members shall respect and adhere to the structure of government of the City as outlined in the City's Charter and policies and procedures. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards, committees, commissions, and City staff. Members shall not direct the activities of City staff, interfere with the day-to-day administrative functions of the City or the professional duties of the City staff, nor impair the ability of City staff to implement City Council policy decisions.

### **(c) Independence of boards, committees and commissions**

Because of the value of the independent advice of boards, committees and commissions to the public decision-making process, City Councilmembers shall refrain from using their position to influence unduly the deliberations or outcomes of board, committee and commission proceedings of which they are not members. Members shall also refrain from appearing or speaking on behalf of themselves or third parties in front of any board, committee or commission of the City; however, this prohibition shall not prevent (i) a Councilmember from appearing or speaking on behalf of the City in front of an independent authority or commission of the City created by the General Assembly as its own political subdivision, (ii) Members from speaking on behalf of the City board, committee, commission or council on which they serve when such City board,

committee, commission or council has expressly authorized and appointed such Member to speak on its behalf or (iii) a Member from serving on more than one board, committee or commission of the City.

(d) Acceptance of gifts, benefits or remuneration

(i) Members shall not solicit or accept directly or indirectly anything of value from any person, corporation, or group which:

- (1) Has, or is seeking to obtain, contractual or other business or financial relationships with the City, unless: a Member's contractual relationship with such person, corporation, or group existed prior to the City's contractual relationship or prior to the Member's election or appointment to office; the Member, if in office at the time the contractual, business or financial relationship came before the City for consideration, disclosed such relationship or, if not in office at such time, has immediately disclosed the relationship to the City after being elected or appointed to office and becoming aware of the City's relationship with such person, corporation or group; the Member abstained from discussion of the City's consideration of entering a contract with such person, corporation, or group or competing vendor; the Member abstained from voting on any matter related to the relationship between such person, corporation, or group or the subject contract or services; and the Member did not make personal use of any official non-public information, as prohibited by Section (k) hereof;
- (2) In exchange for the thing of value, seeks to have a Member exercise a matter of discretion in his or her favor; or
- (3) In exchange for the thing of value, seeks to have interests which may be affected by the performance or nonperformance of the official duty of the Member.

(ii) Members shall not directly or indirectly request, exact, receive, or agree to receive a gift, loan, favor, promise, benefit or thing of value for him/herself or another person if:

- (1) It could reasonably be considered to influence the Member in the future, and the Member is involved in any official act or action which results in a pecuniary benefit for the donor or lender which is not available to the public at large; or
- (2) It could reasonably be considered to influence, benefit or reward the Member, and the Member recently has been, or is now or within six (6) months in the future, involved in any official act or action which results in a pecuniary benefit for the donor or lender which is not available to the public at large.

(iii) The above prohibitions shall not apply in the case of:

- (1) Occasional nonpecuniary gift of insignificant trinkets or gifts such as a calendar, memento or pen received in the normal course of business with a value of less than one hundred dollars (\$100.00) and admission to and or consumption of food and beverages at a breakfast, lunch, dinner, function or event;
- (2) Award publicly presented in recognition of public service;

- (3) Transaction authorized by and performed in accordance with O.C.G.A. § 16-10-6 as now or hereafter amended;
- (4) A commercially reasonable loan or other financial transaction made in the ordinary course of business by an institution or individual authorized by the laws of Georgia to engage in the making of such loan or financial transaction; or
- (5) Campaign contributions made and reported in accordance with Georgia laws.
- (6) Any gift, loan, favor, promise or thing of value from a Family member.

(e) Conflict of Interest

- (i) A Member may not participate in a vote or decision on a matter affecting an immediate family member or any person, entity, or property in which the Member has a substantial interest.
- (ii) A Member who serves as a corporate officer or member of the board of directors of a nonprofit entity must disclose their interest in said entity to the mayor and council prior to participating in a vote or decision regarding funding of the entity by or through the city.
- (iii) Where the interest of a Member in the subject matter of a vote or decision is remote or incidental, the Member may participate in the vote or decision and need not disclose the interest.

(f) Use of Public Property

A Member shall not use City property of any kind for other than officially approved activities, nor shall he or she direct City staff to use such property for these purposes.

(g) Coercion by Members

A Member shall not use his or her position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to him or her or a family member, or those with whom a Member has a financial interest.

(h) Voting in matters of personal interest

A Member shall not vote on an ordinance or amendment for a specific item in a City Council meeting that would directly affect his or her private business. Provided, however, that in the event of an ordinance of general application or a matter of City-wide application, or in the event such vote would be proper under the City Charter such Member shall disclose such interest and, following such disclosure, shall be allowed to vote on such matter and such vote shall not constitute a violation of these rules and shall not be the subject matter of an ethics complaint hereunder.

(i) Unauthorized use of City staff

A Member shall not use his or her superior position to unduly pressure or request or otherwise require a member of the City staff to:

- (i) Do clerical work on behalf of a family member, business, social, church or fraternal interests;
- (ii) Purchase goods and services to be used for personal, business or political purposes; and
- (iii) Work for him or her personally without offering him or her just compensation.

(j) Restrictions on contracts with former Members

The City shall not enter into any contract with any person or business represented by such person, who has been within the preceding 12-month period a Member, unless the contract is awarded by a competitive bid or a committee selection process.

(k) Improper Use of Official Non-Public Information

Members shall not directly or indirectly make use of, or permit others to make use of, official information, which at the time of its disclosure is not subject to being made available to the general public, for the purpose of furthering a private interest regardless of whether the private interest belongs to the Member or a third party.

(l) Unauthorized Attempts to Bind the City

Members shall not order any goods and services for the City without prior official authorization for such an expenditure, nor shall Members attempt to obligate the city nor give the impression of obligating the city without proper prior authorization to purchase or otherwise be liable for any goods, services or property.

(m) Improper Influence in City Judicial Matters

No Member shall attempt to unduly influence the outcome of a case before the Municipal Court of the City of Johns Creek nor shall any Member engage in ex parte communication with a municipal court judge of the City of Johns Creek on any matter pending before the Municipal Court of the City of Johns Creek.

(n) Retaliatory Action Against City Employees

No Member shall attempt to influence or take any adverse employment action against a City employee due to such City employee's provision of truthful information about such Member or any other Member, including any information that forms a part of a Complaint or Answer submitted under this Code of Ethics or which is provided pursuant to an investigation or hearing conducted in accordance with this Code of Ethics.

**3. Receipt of Complaints**

- (a) All complaints against Members shall be filed with the city clerk, provided, however, to discourage the filing of ethics complaints solely for political

purposes, complaints will not be accepted against a person seeking election as a Member, whether currently serving as a Member or not, from the date qualifying opens for the elected office at issue through the date the election results for that office are certified. The time for filing complaints will not run during this period. Properly filed complaints will be accepted and processed after the election results have been certified.

- (b) No action may be taken on any complaint which is filed later than one (1) year after a violation of this Code of Ethics is alleged to have occurred, and a complaint alleging a violation must be filed within six (6) months from the date the complainant knew or should have known of the action alleged to be a violation; such limitation periods to be measured from the date of the last act occurring in furtherance of such violation. No proceedings under this article shall be instituted or prosecuted after the earlier of: (i) the expiration of the term of office of the person complained against; or (ii) the resignation, death, vacancy, disqualification or withdrawal from office of the person against whom a complaint is filed.
- (c) No action may be taken on any complaint which arises out of substantially the same facts or circumstance which have previously served as the basis for a complaint pursuant to this Ordinance.
- (d) A separate complaint shall be filed for each person alleged to have engaged in any activity violating this Ordinance even if the allegations arise from the same factual basis. Each complaint shall state: (i) a separate count for each alleged violation; (ii) the specific section of state law, the City Charter, or this Ethics Ordinance alleged to be violated for each count; (iii) with specificity, the facts which are alleged to constitute the violation; and (iv) the documentary evidence which the charging party possesses. Copies of said documentary evidence shall be attached to the complaint as exhibits.
- (e) All complaints shall contain an oath that the facts set forth therein are true and correct to the best of the complainant's knowledge in substantially the following form:

"STATE OF GEORGIA  
COUNTY OF FULTON

AFFIDAVIT

Personally appeared before the undersigned officer duly authorized to administer oaths, (Name of person filing complaint), who on oath deposes that the statements in the foregoing Complaint are true and correct to the best of his/her knowledge and belief. The affiant further acknowledges that false statements made in this application may result in a prosecution against them for false swearing, a felony under O.C.G.A. 16-10-71.

\_\_\_\_\_  
(Signature of person filing complaint)

Sworn to and subscribed  
before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public"

- (f) Upon receipt of a complaint, the City Clerk will deliver a copy of the complaint to the City Manager.

**4. Appointment of Hearing Officer, Service of Complaint, Burden of Proof**

(a) All complaints filed hereunder shall be heard before a Hearing Officer who: (i) shall be a competent attorney at law of good standing in his or her profession, (ii) shall have at least five (5) years' experience in the practice of law, and (iii) shall not maintain an office within a ten (10) mile radius of the City of Johns Creek, Georgia. The City Clerk shall maintain a listing of no less than five (5) qualified attorneys to serve as a Hearing Officer pursuant to this section. Upon receipt of a properly verified complaint, the City Clerk shall draw names randomly from the listing of qualified Hearing Officers and appoint the first one who is available to serve in the matter. Once a Hearing Officer is appointed, no Member shall communicate with or otherwise contact the Hearing Officer, except as authorized herein, unless such Member is the complainant or the Member charged in the Complaint; however, no party to a Complaint shall engage in ex parte communications with the Hearing Officer.

(b) Original pleadings shall be filed with the City Clerk and the City Clerk shall cause the complaint to be served on the Member charged as soon as practicable but in no event later than seven (7) calendar days after receipt of a verified complaint. Service may be by personal service, by certified mail, return receipt requested or by statutory overnight delivery.

(c) In all proceedings under this section, the burden of proof shall be on the complaining party. Further, the quantum of proof required to establish a violation under this Ordinance shall be beyond a reasonable doubt.

**5. Hearing**

(a) The Member charged in the Complaint shall have fifteen (15) calendar days to file an answer to the complaint provided; however, the Member charged shall have no obligation to file an answer to any complaint.

(b) Upon the expiration of the fifteen (15) calendar day answer period, the Hearing Officer shall review the complaint and answer, if any, to determine: (i) whether the complaint is in conformity of the requirements of Section 3 above, (ii) whether upon consideration of the complaint and answer, the complaint is unjustified, frivolous,

patently unfounded, or (iii) whether upon consideration of the complaint and answer, the complaint demonstrates facts sufficient to invoke disciplinary jurisdiction as set forth in this Ordinance.

(c) If the complaint fails based upon the requirements of the foregoing subsection (b), the Complaint shall be dismissed stating the basis for said dismissal. If the dismissal is based upon the failure to comply with Sections 3(d) or 3(e), the Complaining party shall have fifteen (15) calendar days to refile the complaint correcting the defect. If the corrected complaint is not filed within said fifteen (15) calendar day period, the provisions of section 3(c) shall apply to the complaint. If the complaint otherwise fails, the provisions of section 3(c) shall apply to the complaint.

(d) Upon a determination that the complaint should not be dismissed pursuant to the foregoing subsection (c), the Hearing Officer shall be empowered to collect evidence and information concerning any complaint and to add the findings and results of its investigations to the file containing such complaint. In furtherance of this investigation, the Hearing Officer may:

(i) First, seek such further information from the complainant or the Member charged through inquiry or written questions, provided, however the Member charged shall have no obligation to answer any inquiries; and make a further determination as to whether the complaint demonstrates facts sufficient to invoke disciplinary jurisdiction as set forth in this Ordinance in accordance with Section 5(b) above. If it is determined that the complaint should not be dismissed pursuant to this subsection, then the provisions of Section 5(d)(ii) below shall apply; or

(ii) Conduct a hearing in accordance with the Administrative Hearing Procedures, as adopted by resolution by Council, regarding the allegations set forth in the complaint. At any hearing, the Member who is the subject of inquiry shall have the right: (i) to representation by counsel at all stages of these proceedings, (ii) to written notice of the hearing at least ten (10) calendar days before the first hearing, (iii) to hear and examine the evidence and witnesses, (iv) to not testify, and (v) to submit evidence and call witnesses to oppose or mitigate the allegations. In all hearings held under this section, the rules of evidence applicable in civil cases shall apply.

(e) All investigations under this section shall be completed within forty-five (45) calendar days of the filing of the complaint. Should the investigation not be completed in said period, the complaint will be deemed dismissed as a failure to state facts sufficient to invoke the disciplinary jurisdiction of the City Council. Within seven (7) calendar days of the completion of the investigation, the Hearing Officer shall:

- (i) dismiss the complaint on the grounds that it is unjustified, frivolous, patently unfounded, or that it fails to state facts sufficient to invoke the disciplinary jurisdiction of the City Council, or
- (ii) prepare a report of findings and recommendations to the Mayor and City Council.

- (iii) Should the Hearing Officer determine to submit a report in the matter, the report shall consist of: (1) a written finding of facts; (2) a determination that the complaint establishes beyond a reasonable doubt that a violation has been committed, and if so, the specific violation and evidence supporting the same, and (3) a recommendation regarding the punishment for such violation.
- (iv) Any person violating any provision of this article is subject to:
  - (1) Public or private reprimand or censure by the city council
  - (2) Request for resignation by the city council
  - (3) Removal from office in accordance with all applicable state and local laws.
- (v) The Hearing Officer's written determination of findings and recommendations shall be delivered to the City Clerk who shall provide a copy to the City Manager and the Mayor and Council and serve a copy on the complainant and Member charged by personal service, by certified mail, return receipt requested or by statutory overnight delivery. Such findings shall not be final until approved by vote of the City Council, as provided in Section 6.

**6. Report to Mayor and Council**

- (a) Upon receipt of findings and recommendations from the Hearing Officer, the Mayor and Council may:
  - (i) by simple majority accept the Findings and Recommendations of the Hearing Officer.
  - (ii) by simple majority accept the findings of fact and reject the recommended discipline, instead substituting its own discipline.
  - (iii) by a supermajority consisting of a majority of those present forming a quorum, plus one, reject the findings and recommendations and either: (1) dismiss the complaint, or (2) conduct its own hearing in accordance with Section 5 hereof. Upon the completion of such hearing, the Findings and Recommendations of the Mayor and Council shall be binding.
- (b) If the subject of the complaint is the Mayor or any City Councilmember, he or she will not be allowed to vote pursuant to this section or participate in any hearing held pursuant to this section other than as set forth and allowable by the Member charged, nor shall such position be counted for the purposes of establishing a quorum.
- (c) Upon a final judgment and certification of the minutes of the meeting disposing of the matter, the City Clerk shall serve the respondent with a copy of the certified minutes and Findings and Recommendations by personal service, certified mail (return receipt requested) or by Federal Express or other overnight delivery service.

7. **Right To Appeal**

- (a) Any Member or complainant adversely affected by the findings or recommendations of the City Council may obtain judicial review of such decision as provided in this Section.
- (b) An action for judicial review may be commenced by filing an application for a writ of certiorari in the Superior Court of Fulton County within thirty (30) calendar days after the final action on a complaint pursuant to this Ordinance. The filing of such application shall act as supersedeas.

SO ORDAINED this 7th day of December, 2020.

APPROVED:



Michael E. Bodker, Mayor

ATTEST:

  
Joan C. Jones, City Clerk

APPROVED AS TO FORM:

  
E. Ronald Bennett, Jr., City Attorney

# Georgia Government Transparency & Campaign Finance Commission

## Filing Schedule

### County-level Elected Officials & Candidates

Election Year Filing Schedule	Due Date
	January 31 <sup>st</sup>
	April 30 <sup>th</sup>
	June 30 <sup>th</sup>
	September 30 <sup>th</sup>
	October 25 <sup>th</sup>
	December 31 <sup>st</sup>

*All candidates and elected officials required to file reports shall have a **5-day** grace period*

Non - Election Year Filing Schedule	Due Date
	June 30 <sup>th</sup>
	December 31 <sup>st</sup>

### Municipal-level Elected Officials & Candidates

Election Year Filing Schedule	Due Date
	January 31 <sup>st</sup>
	April 30 <sup>th</sup>
	June 30 <sup>th</sup>
	September 30 <sup>th</sup>
	October 25 <sup>th</sup>
	December 31 <sup>st</sup>

*All candidates and elected officials required to file reports shall have a **5-day** grace period*

Non - Election Year Filing Schedule	Due Date
	June 30 <sup>th</sup>
	December 31 <sup>st</sup>

*\*County and Municipal level candidates and elected officials that file an Affidavit of Exemption, are not required to file CCDR's during their election cycle unless they cross the threshold of \$2,500 in contributions and/or expenditures.*

### Special Primary/Special Election

Special Election	Due Date
	15 Days before the Election Date
	December 31 <sup>st</sup>

*All candidates and elected officials required to file reports shall have a **5-day** grace period*

## Special Primary Run-Off/Special Election Runoff

Special Election Run-Off	Due Date
	6 Days before the Election Date
	December 31 <sup>st</sup>

## Run-Off Primary/Run-Off Election

Run-Off Election	Due Date
	6 Days before the Election Date
	December 31 <sup>st</sup>

*All candidates and elected officials required to file runoff reports shall have a **2-day** grace period*

*All grace periods include business days and **DO NOT** include weekends or State of Georgia holidays.*

# CANDIDATE FORMS & DISCLOSURES



Georgia Government Transparency  
& Campaign Finance Commission

## KNOW THE LINGO

### DOI

Declaration of Intention  
to Accept Contributions

### RC

Registration Form for  
a Candidate's Campaign  
Committee

### COOSA

Choosing the Option of  
Separate Accounting

### PIN APP

Electronic Filing Access  
Code Application

### CCDR

Campaign Contribution  
Disclosure Statement

### FR&TS

Final Report &  
Termination Statement

### PFDS

Personal Financial  
Disclosure Statement

### TBD

Two Business  
Day Report

### Local Filing Officer

Individual a candidate for a  
county or municipal office files  
with. Usually the city clerk or  
elections superintendent.

## FORMS

### Declaration of Intention to Accept Campaign Contributions

Reference: O.C.G.A. § 21-5-30(g)

- Must be filed **PRIOR** to accepting contributions.
- A candidate's personal funds expended for their campaign, except for payment of a qualifying fee, are considered campaign contributions.
- A new form must be filed if there is a break in office or if accepting contributions for a different office.
- County and Municipal candidates file this form with their local filing officer. All other candidates file with the Commission.

### Registration Form for a Campaign Committee

Reference: O.C.G.A. §§ 21-5-3(2); 21-5-30(b)

- This form registers a candidate's campaign committee.
- A committee is required only if a candidate designates someone to file reports, accept money, or expend money on behalf of the campaign.
- A Chairperson and Treasurer are required to form a committee; however, they can be the same person and can be the candidate. If either position is vacant, the committee cannot accept contributions.
- The committee registration will remain in effect until the registration is canceled by the committee or the candidate.
- Filed with the Commission

### Choosing the Option of Separate Accounting

Reference: O.C.G.A. §§ 21-5-43(a)(2); 21-5-30 (c)

- Permits candidates to accept contributions for multiple elections within an election cycle. Thus, a candidate may accept contributions for the general election in an election cycle even if the primary election has not occurred.
- A candidate must designate what election the contribution is accepted for on the applicable CCDR.
- Contributions received for a future election cannot be expended until the current election has occurred.
- If a candidate does not qualify or participate in a future election in an election cycle, the contributions received for the future election must be returned to contributors pro-rata.
- Filed with the Commission

### Electronic Filing Access Code Application

Reference: O.C.G.A. § 21-5-34.1(a)

- Used for identification purposes for local and state candidates.
- Filed with the Commission.

# DISCLOSURES

## Campaign Contribution Disclosure Report

*Reference: O.C.G.A. § 21-5-34*

- A CCDR is a report filed by a candidate or campaign committee that discloses all contributions received and expenditures made during a reporting period.
- Six reports are due in an election year and two reports are due in a nonelection year. Filing Schedule is found at O.C.G.A. § 21-5-34(c).
- \$125 late fee is assessed when a report is filed late. However, there is a five-day grace period.
- Local candidates may be exempt from filing CCDRs if they file an Affidavit of Exemption and meet certain criteria.
- Candidates for any state or state-wide office must file electronically with the Commission and candidates for county and municipal offices file with their local filing officer.

## Final Report & Termination Statement

*Reference: O.C.G.A. § 21-5-34 (m)*

- A FR&TS is a statement submitted with the campaign's final CCDR.
- It is filed by all campaigns within 10 days of the dissolution of the campaign.
- The Statement must identify the termination date as well as the person responsible for maintaining campaign records as required by the Act.
- To qualify to file a FR&TS, the filer must have a zero net balance, zero debt, and not be seeking or holding the office.
- Candidates for any state or state-wide office must file electronically with the Commission and candidates for county and municipal offices file with their local filing officer.

## Personal Financial Disclosure Statement

*Reference: O.C.G.A. § 21-5-50*

- A PFDS is a statement filed by a candidate or public official in which the filer discloses information about financial activity for the preceding calendar year.
- A statement must be filed each year, even if information does not change.
- If running for a state-wide position additional information is required to be reported.
- No grace period and a \$125 late fee is assessed when a statement is filed after the due date.
- Candidates for any state or state-wide office must file electronically with the Commission and candidates for county and municipal offices file with their local filing officer.

## Two Business Day Report

*Reference: O.C.G.A. § 21-5-34 (c)(2)(C)*

- A TBD is a report used to report individual contributions (including loans) of \$1,000.00 or more received between the date of the last CCDR due prior to the date the election for which the candidate has qualified and the date of such election.
- These contributions must be reported within two business days of receipt.
- This contribution must also be reported on the next scheduled CCDR.
- Candidates for any state or state-wide office must file electronically with the Commission and candidates for county and municipal offices file with their local filing officer.
- No grace period and a \$125 late fee is assessed when a statement is filed after the due date.

Georgia Government Transparency & Campaign Finance Commission

200 Piedmont Ave. SE, Suite 1416-West Tower, Atlanta, GA 30334

Phone: 404 463 1980 Website: [www.ethics.ga.gov](http://www.ethics.ga.gov)



**Georgia Government Transparency & Campaign Finance Commission**  
 200 Piedmont Avenue S.E. | Suite 1416 - West Tower | Atlanta Georgia, 30334

**DECLARATION OF INTENTION TO ACCEPT CAMPAIGN CONTRIBUTIONS (FORM DOI) –  
 COUNTY/MUNICIPAL LEVEL FILERS**

INCOMPLETE FORMS WILL NOT BE PROCESSED • If form is handwritten, it must be legible.

<b>1</b>	Today's Date: _____	
<b>2</b>	Candidate (full name): _____  Address: _____  City, State, Zip: _____  Telephone (optional): _____ Email: _____	
<b>3</b>	Name County/City: _____  Name of Office Sought or Held: _____ (include office, district, post, or judicial seat)	Party Affiliation (optional):  <input type="checkbox"/> Democrat <input type="checkbox"/> Non-Partisan <input type="checkbox"/> Republican <input type="checkbox"/> Other
<b>4</b>	Next Election Year: _____	

Complete sections 5 and 6 ONLY if you have a campaign committee.  
 This information does not register a campaign committee. (Please use Form RC to register.)

<b>5</b>	Campaign Committee Chairperson (full name): _____  Address: _____  City, State, Zip: _____  Email : _____
<b>6</b>	Treasurer (full name): _____  Address: _____  City, State, Zip: _____  Email : _____

I CERTIFY THAT THIS STATEMENT IS COMPLETE, TRUE AND ACCURATE.

\_\_\_\_\_  
 Signature of Candidate

\_\_\_\_\_  
 Date

**COUNTY/MUNICIPAL FILERS:** File this form directly with the Local Filing Officer in your county and/or municipality  
**LOCAL FILING OFFICERS:** Send a copy via email to [localreports@ethics.ga.gov](mailto:localreports@ethics.ga.gov)

# Campaign Contribution Disclosure Report

## Georgia Government Transparency and Campaign Finance Commission

200 Piedmont Avenue S.E. | Suite 1416 West Tower | Atlanta, GA 30334 | 404-463-1980 | [www.ethics.ga.gov](http://www.ethics.ga.gov)

<b>1. Report Type</b> <small>(Select One)</small>  <input type="checkbox"/> Original  <input type="checkbox"/> Amendment  Amendment # _____	<b>2. Filing is being made on behalf of (Select One):</b> <b>Candidate or Public Official</b> Office Held or Sought _____ <small>(Include county, municipality, district, post or judicial seat)</small>  Filer ID _____ <small>(Filer ID that begins with the letter "C")</small>  <b>Organization or Person Other than Candidate's Campaign Committee</b> Committee Name: _____  Filer ID: _____ <small>(Filer ID that begins with the letter "NC")</small>	Use Earlier of Post Mark or Hand-Delivered Date  <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
--	---	--

### 3. Identifying and Contact Information

- (1) \_\_\_\_\_ (2) \_\_\_\_\_  
*Full Name of Candidate or Other Than Candidate Campaign Committee Name Today's Date*
- (3) \_\_\_\_\_  
*Mailing Address City State Zip Code*
- (4) \_\_\_\_\_ and/ or \_\_\_\_\_  
*Primary Contact Phone Number E-Mail*
- (5) If a Candidate or Public Official is there a campaign committee (one or more persons) to make campaign transactions, keep financial records of the campaign or file the reports? ☐ Yes ☐ No
- (6) If yes, is the committee registered with the Commission? ☐ Yes ☐ No
- (7) If yes, complete the following: \_\_\_\_\_  
*Name of Committee Chairperson Name of Committee Treasurer*

### 4. Period for which you are Reporting

**You Must Check Only One Box**

My Non-Election Year	My Election Year	Run-Offs <small>(Report required only if you are in a Run-Off Election)</small>	Special Election
<input type="checkbox"/> June 30, _____ (year) <input type="checkbox"/> December 31, _____ (year)	<input type="checkbox"/> January 31, _____ (year) <input type="checkbox"/> April 30, _____ (year) <input type="checkbox"/> June 30, _____ (year) <input type="checkbox"/> September 30, _____ (year) <input type="checkbox"/> October 25, _____ (year) <input type="checkbox"/> Dec. 31, _____ (year)	<input type="checkbox"/> 6 days before Primary Run-Off _____ (year) <input type="checkbox"/> 6 days before General Run-Off _____ (year) <input type="checkbox"/> 6 days before Special Primary Run-Off _____ (year) <input type="checkbox"/> 6 days before Special Run-Off _____ (year)	<input type="checkbox"/> 15 days before Special Primary, _____ (year) <input type="checkbox"/> 15 days before Special, _____ (year) <input type="checkbox"/> Dec. 31, _____ (year)
<b>Supplemental Reporting</b>  <input type="checkbox"/> June 30, _____ (year) <input type="checkbox"/> December 31, _____ (year)  <small>*Supplemental reports are required of candidates who have unsuccessfully campaigned for office or have resigned from office. See O.C.G.A. § 21-5-34i</small>			

State of \_\_\_\_\_ County of \_\_\_\_\_

I, \_\_\_\_\_, being duly sworn (affirm), depose and say that the information in this report form is complete, true, and correct. Further, I affirm that the contents in this report are the same as the contents in the electronic filing submitted, if also electronically filed.

Sworn to and subscribed before me on \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
*Signature of Notary Public*

\_\_\_\_\_  
*Commission Expiration*

\_\_\_\_\_  
 a. *Signature of Candidate*  
 b. *Organization/Chairperson/Treasurer*

## State of Georgia Campaign Contribution Disclosure Report Summary Report

### CONTRIBUTIONS RECEIVED

1	<input type="checkbox"/> I have no contributions to report. <input type="checkbox"/> I have the following contributions, including Common Source, to report:	<b>In-Kind Estimated Value</b>	<b>Cash Amount</b>
2	A. If this is the first time to file a disclosure report for the current office sought, ENTER 0 in both columns (one time only); or B. If this is the first report of this Election Cycle*, ENTER 0 in the in-kind column and list any net balance on hand brought forward from the previous election cycle in the cash amount column (Line 15 of previous report, or total funds left over at year end of previous cycle); or C. If this filing is the second or subsequent filing of this Election Cycle, list totals from Line 6 of previous report in both the in-kind and cash amount columns.		
3	Total amount of all itemized contributions received in this reporting period which is listed on the "Itemized Contributions" page.		
3a	All loans received this reporting period.		
3b	Interest earned on campaign account this reporting period.		
3c	Total amount of investments sold this reporting period.		
3d	Total amount of cash dividends and interest paid out this reporting period.		
4	Total amount of all separate contributions of \$100 or less received in this reporting period and not listed on the "Itemized Contributions" page. "Common Source" contributions must be aggregated on the "Itemized Contributions" page.		
5	Total contributions reported this period. (Line 3 + 3a + 3b + 3c + 3d + 4)		
6	Total contributions to date. Total to be carried forward to next report of this election cycle*. (Line 2 + 5)		

### EXPENDITURES MADE

7	<input type="checkbox"/> I have no expenditures to report. <input type="checkbox"/> I have the following expenditures to report:		
8	Total expenditures made and reported prior to this reporting period. If this is the A. First report of this Election Cycle*, ENTER 0. B. Second or subsequent filing ENTER Line 12 of previous report.		
9	Total amount of all itemized expenditures made in this reporting period which are listed on the "Itemized Expenditures" page.		
10	Total amount of all separate expenditures of \$100.00 or less that were made in this reporting period and not listed on the "Itemized Expenditures" page		
11	Total expenditures reported this period. (Line 9 + 10)		
12	Total expenditures to date. Total to be carried forward to next report of this election cycle*. (Line 8 + 11)		

### INVESTMENTS

13	Total value of investments held at the beginning of this reporting period.		
14	Total value of investments held at the end of this reporting period.		

### TOTAL NET BALANCE ON HAND

15	Net balance on hand. (Line 6 - 12 + 14)		
----	--	--	--

\* O.C.G.A. 21-5-3(10) : Election cycle means the period from the day following the date of an election or appointment of a person to elective public office through and of the next such election of a person to the same public office and shall be construed and applied separately for each elective office including the date.

**State of Georgia**  
**Campaign Contribution Disclosure Report**  
**Outstanding Indebtness**

Election Cycle*: _____ Election Year: _____		<u>Amount</u>
1	Outstanding indebtedness at the beginning of this reporting period.	
2	Loans received this reporting period.	
3	Deferred payment of expenses this reporting period	
4	Payments made on loans this reporting period.	
5	Credits received on loans this reporting period	
6	Payments this reporting period on previously deferred expenses.	
7	Total indebtedness at the close of this reporting period. (Line 1 + 2 + 3 - 4 - 5 - 6)	
Election Cycle*: _____ Election Year: _____		<u>Amount</u>
1	Outstanding indebtedness at the beginning of this reporting period.	
2	Loans received this reporting period.	
3	Deferred payment of expenses this reporting period	
4	Payments made on loans this reporting period.	
5	Credits received on loans this reporting period	
6	Payments this reporting period on previously deferred expenses.	
7	Total indebtedness at the close of this reporting period. (Line 1 + 2 + 3 - 4 - 5 - 6)	
Election Cycle*: _____ Election Year: _____		<u>Amount</u>
1	Outstanding indebtedness at the beginning of this reporting period.	
2	Loans received this reporting period.	
3	Deferred payment of expenses this reporting period	
4	Payments made on loans this reporting period.	
5	Credits received on loans this reporting period	
6	Payments this reporting period on previously deferred expenses.	
7	Total indebtedness at the close of this reporting period. (Line 1 + 2 + 3 - 4 - 5 - 6)	

\* Election Cycle (Primary, General, Special, Special Primary, Run-Off Primary, Run-Off General, Run-Off Special, Run-Off Special Primary)

Public Officer/Candidate/Other Than Candidate Committee Name \_\_\_\_\_

## State of Georgia Campaign Contribution Disclosure Report Itemized Contributions

Must list contributions received by a single contributor for which the aggregate total more than \$100.00.

Note: Loans are no longer reported in "Itemized Contributions" section. See Loan Reporting section below.

Full Name of Contributor Mailing Address (Affiliation of Committee if any)	Contributor		Election Cycle**	Cash Amount	In-Kind Contributions
	Received Date Contribution Type*	Occupation & Employer			Estimated Value
					Description
First Name or Business Name	Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name					
Address					
Address2					
City					
State	Zip				
Aff. Comm.					
First Name or Business Name	Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name					
Address					
Address2					
City					
State	Zip				
Aff. Comm.					
First Name or Business Name	Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name					
Address					
Address2					
City					
State	Zip				
Aff. Comm.					
First Name or Business Name	Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name					
Address					
Address2					
City					
State	Zip				
Aff. Comm.					

Itemized Contributions Page Total \$ \_\_\_\_\_ \$ \_\_\_\_\_

CFC-CCDR 10/19

First Name or Business Name		Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name						
Address						
Address2		<input type="checkbox"/> Monetary	Employer			Description
City		<input type="checkbox"/> In-Kind				
State	Zip	<input type="checkbox"/> Common Source				
Aff. Comm.		<input type="checkbox"/> Credit Received on Loan				
First Name or Business Name		Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name						
Address						
Address2		<input type="checkbox"/> Monetary	Employer			Description
City		<input type="checkbox"/> In-Kind				
State	Zip	<input type="checkbox"/> Common Source				
Aff. Comm.		<input type="checkbox"/> Credit Received on Loan				
First Name or Business Name		Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name						
Address						
Address2		<input type="checkbox"/> Monetary	Employer			Description
City		<input type="checkbox"/> In-Kind				
State	Zip	<input type="checkbox"/> Common Source				
Aff. Comm.		<input type="checkbox"/> Credit Received on Loan				
First Name or Business Name		Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name						
Address						
Address2		<input type="checkbox"/> Monetary	Employer			Description
City		<input type="checkbox"/> In-Kind				
State	Zip	<input type="checkbox"/> Common Source				
Aff. Comm.		<input type="checkbox"/> Credit Received on Loan				
<div style="text-align: right;">Itemized Contributions Page Total    \$ _____ \$ _____</div>						

\* Contribution Type (Monetary, In-Kind, Common Source, Credit Received on Loan)

\*\* Election Cycle (Primary, General, Special, Special Primary, Run-Off Primary, Run-Off General, Run-Off Special, Run-Off Special Primary)

\*\*\* If any such person(s) shall have a fiduciary relationship to the lending institution or party making the advance or extension of credit

## Loan Reporting

Name of Lender & Mailing Address	1.Date of Loan 2.Amount of Loan 3.Election Cycle**	Person(s) responsible for repayment of loan & Mailing Address	1.Occupation & 2.Place of Employment 3.Fiduciary Relationship***
Lender Name (First Name, Business, Inst.)	1.	First Name	1.
Lender Last Name	2.	Last Name	2.
Address	3. <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Address	3.  <input type="checkbox"/> Public Officer <input type="checkbox"/> Candidate <input type="checkbox"/> Other Than Candidate Committee Name
Address2		Address2	
City		City	
State      Zip		State      Zip	
Lender Name (First Name, Business, Inst.)		1.	
Lender Last Name	2.	Last Name	2.
Address	3. <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Address	3.  <input type="checkbox"/> Public Officer <input type="checkbox"/> Candidate <input type="checkbox"/> Other Than Candidate Committee Name
Address2		Address2	
City		City	
State      Zip		State      Zip	
Reference: OCGA § 21-5-34(b)(1)		Loan Page Total    \$ _____	

\* Contribution Type (Monetary, In-Kind, Common Source, Credit Received on Loan)

\*\* Election Cycle (Primary, General, Special, Special Primary, Run-Off Primary, Run-Off General, Run-Off Special, Run-Off Special Primary)

\*\*\* If any such person(s) shall have a fiduciary relationship to the lending institution or party making the advance or extension of credit

## State of Georgia Campaign Contribution Disclosure Report Itemized Expenditures

Must list expenditures made to a single recipient for which the aggregate total more than \$100.00.

List Name and Mailing Address of Recipient		Exp. Date Exp. Type*	Occupation & Employer	Expenditure Purpose	Amount Paid
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				

Page Total \$ \_\_\_\_\_

\* Expenditure Type (Expenditure, In-Kind, Loan Repayment, Refund, Reimbursement, Credit Card, 3rd Party, Deferred Payment on Deferred Expense, Investment)  
Public Officer/Candidate/Other Than Candidate Committee Name \_\_\_\_\_

CFC-CCDR 10/19

List Name and Mailing Address of Recipient		Exp. Date Exp. Type*	Occupation & Employer	Expenditure Purpose	Amount Paid
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				

\* Expenditure Type (Expenditure, In-Kind, Loan Repayment, Refund, Reimbursement, Credit Card, 3rd Party, Deferred Payment on Deferred Expense, Investment)Public Officer/Candidate/Other Than Candidate Committee Name      Page Total \$ \_\_\_\_\_

# State of Georgia

## Campaign Contribution Disclosure Report

### Investments Statement

1. Investment Name	Account #
Institution/Person Holding Account _____  Mailing Address _____  Address2 _____  <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <span>City _____</span> <span>State _____</span> <span>Zip _____</span> </div>	Value at beginning of reporting period \$
	Value at end of reporting period \$
	Difference in value \$
	Interest Paid Out \$
	Cash Dividends \$

Investment Transactions					
<u>Date</u>	<u>Person(s) Involved in Transaction</u>	<u>Value of investment purchased</u>	<u>Value of investment sold</u>	<u>Profit</u>	<u>Loss</u>

2. Investment Name	Account #
Institution/Person Holding Account _____  Mailing Address _____  Address2 _____  <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <span>City _____</span> <span>State _____</span> <span>Zip _____</span> </div>	Value at beginning of reporting period \$
	Value at end of reporting period \$
	Difference in value \$
	Interest Paid Out \$
	Cash Dividends \$

Investment Transactions					
<u>Date</u>	<u>Person(s) Involved in Transaction</u>	<u>Value of investment purchased</u>	<u>Value of investment sold</u>	<u>Profit</u>	<u>Loss</u>

<u>Total value of investments at beginning of reporting period \$</u>  <u>Total value of investments at end of reporting period \$</u>  <u>Total difference in value \$</u>	Page Total Cash Dividends:      \$ _____  Page Total Interest Paid Out:      \$ _____  Page Total Profit:      \$ _____  Page Total Loss:      \$ _____
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**State of Georgia**  
**Campaign Contribution Disclosure Report**  
**Addendum Statement**

The Addendum Statement should be used for explanation of any additional information needed to complete an accurate filing of this report.  
Information that is to be reported in the body of the report **should not** be listed on Addendum Statement.

## STATE OF GEORGIA

**Georgia Government Transparency and Campaign Finance Commission  
200 Piedmont Ave SE, Suite 1402-West Tower, Atlanta, GA 30334**

**AFFIDAVIT OF A CANDIDATE'S INTENT NOT TO EXCEED \$2,500 IN  
CONTRIBUTIONS AND/OR EXPENDITURES**

Per O.C.G.A. §21-5-34(d)(d.1)(1),

\_\_\_\_\_ is a candidate for /public officer of  
(Full Name of Candidate)

\_\_\_\_\_ in \_\_\_\_\_  
(Office Sought/or Held) (City or County)

By submitting this form I am affirming that I, the above named candidate, **do not** intend to accept during this election cycle\* a combined total of contributions exceeding \$2,500.00 for the campaign nor make a combined total of expenditures exceeding \$2,500. If the above named candidate does not exceed \$2,500.00 in contributions or expenditures then the candidate **SHALL** not have to file a report under O.C.G.A. §21-5-34 (c).

I understand that if I, the above named candidate, exceed the \$2,500 limit for either accepting contributions or making expenditures for such campaign during the election cycle, but do not accept a combined total of contributions exceeding \$5,000.00 or make expenditures exceeding \$5,000.00 then I, the above named candidate, **SHALL** be required to file only the June 30 and December 31 reports required by O.C.G.A. §21-5-34 (c) (2). The first of such reports shall include all contributions received and expenditures made beginning January 1 of such calendar year.

Furthermore, I understand that if I, the above named candidate accepts a combined total of contributions exceeding \$5,000.00 or makes expenditures exceeding \$5,000.00 for such campaign during any such election cycle, then such candidate or campaign committee chairperson or treasurer shall thereupon be subject to the reporting requirements of this Code section the same as if the written notice authorized by this subsection had not been filed.

\*"Election cycle" means the period from the day following the date of an election or appointment of a person to elective public office through and including the date of the next such election of a person to the same public office and shall be construed and applied separately for each elective office.

State of Georgia

County of \_\_\_\_\_

I, the undersigned, being duly sworn, do swear or affirm, certify and say that this affidavit and the information hereinabove is true, complete and correct to the best of my knowledge and belief.

Sworn to and subscribed before me on \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Signature of Candidate/Chairman/Treasurer filing Affidavit

My Commission expires on \_\_\_\_\_, \_\_\_\_\_

Notary Seal

# STATE OF GEORGIA PERSONAL FINANCIAL DISCLOSURE STATEMENT

200 Piedmont Avenue S.E. | Suite 1402 West Tower | Atlanta, GA 30334  
| 404-463-1980 | [www.ethics.ga.gov](http://www.ethics.ga.gov)

Use Earlier of Post Mark  
or Hand Delivered Date

☐ Original ☐ Amendment (Enter date of statement being amended) \_\_\_\_\_

Date of this Statement: \_\_\_\_\_ Covering Calendar Year: \_\_\_\_\_

Name of Public Officer or Candidate: \_\_\_\_\_  
First Middle Last

Mailing Address: \_\_\_\_\_  
Street or P.O. Box City County State Zip code

Telephone Number: (Office/Home) \_\_\_\_\_ (E-Mail) \_\_\_\_\_

Name of Public Office Held or Sought: \_\_\_\_\_ Filer ID: \_\_\_\_\_  
(Filer ID that begins with the letter "F")

**Check One:**

☐ Elected City or County Officer

☐ Candidate for City or County Office

**WHO FILES A FINANCIAL DISCLOSURE STATEMENT:**

Each public officer holding office in Georgia, and each person who qualifies as a candidate for election as a public officer for one of the offices listed below, and all others on the following list.

- (A) Every constitutional officer;
- (B) Every elected state official;
- (C) The executive head of every state department or agency, whether elected or appointed;
- (D) Each member of the General Assembly;
- (E) Every elected county official, every elected county or area school superintendent, and every elected member of a county or area board of education; and
- (F) Every elected municipal officer.

**WHEN TO FILE A FINANCIAL DISCLOSURE STATEMENT:**

**Public Officer:** A Financial Disclosure Statement is filed not before January 1 and not later than July 1 of each year that a public officer holds office (except the year of election). The information to be provided shall be that from the preceding calendar year.

If the public officer chooses not to run for re-election or for another public office no Financial Disclosure Statement need be filed in the year qualifying to succeed him takes place. A public officer shall not be deemed to hold the office in a year in which the public officer holds office for less than 15 days.

**Candidate for Public Office:** A Financial Disclosure Statement covering the period of the preceding calendar year shall be filed no later than the fifteenth day following the date of qualifying as a candidate. Candidates for state wide office file not later than seven days after qualifying for office. Only one Financial Disclosure Statement is required per calendar year.

**Special requirements for State Wide Candidates:** Candidates for a public office elected state wide must file their Financial Disclosure Statements not later than seven days after qualifying or filing a notice of candidacy. State wide candidates must disclose more information than other candidates for public office and the additional disclosure sections required of state wide candidates must be completed in the year of election filing.

**WHERE TO FILE A FINANCIAL DISCLOSURE STATEMENT:**

State /Statewide Office: Georgia Government Transparency & Campaign Finance Commission

County: County Election Superintendent

Municipality: City Clerk or Chief Executive Officer

**SECTION I MONETARY FEES  
RECEIVED**  
(This section to be completed by Public Officers only)

Identify each monetary fee or honorarium accepted from speaking engagements, participation in seminars, discussion panels, or other activities that directly relate to the official duties of, or to the office of the public officer, with a statement identifying the fee or honorarium and the person from whom it was accepted. (You may attach additional sheets of paper if necessary.)

**I received:**

- ☐ No monetary fee or honorarium.
- ☐ Monetary fee(s) or honoraria as shown below.

**Identify Fee or Honorarium  
And Amount Accepted**

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**Identifying Information of Person from Who Accepted**

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**SECTION II FIDUCIARY  
POSITIONS**

Name all fiduciary positions held by the candidate for public office or the public officer at any time during the covered year. (You may expand this section if necessary to include all positions.) A **fiduciary position** is any position imposing a duty to act primarily for another's benefit as officer, director, manager, partner, guardian, or other designations of general responsibility of a business entity. A fiduciary position may be a paid or unpaid position. A **business entity** is any corporation, sole proprietorship, partnership, limited partnership, limited liability company, limited liability partnership, professional corporation, enterprise, franchise, association, trust, joint venture, or other entity, whether profit or nonprofit. (You may attach additional sheets of paper if necessary.)

**I held:**

- ☐ No fiduciary positions in any business entity.
- ☐ Fiduciary positions in the following business entity(ies).

**IDENTIFY:**

1. Title of each position.
2. Name and address of business entity.
3. Principal activity of each business entity.

Business entity #1

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Business entity #2

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Business entity #3

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Business entity #4

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### SECTION III

## DIRECT OWNERSHIP INTERESTS IN BUSINESS ENTITY

**Direct ownership interest** is the holding or possession of good legal or rightful title of property or the holding or enjoyment of real or beneficial use of the property by any person and includes any interest owned **or** held by a spouse of the person if such interest is held jointly or as tenants in common between the person and spouse.

Identify the name, address and principal activity of any business entity and the office held by and the duties of the candidate for public office or public officer within a business entity any time during the covered year in which a direct ownership interest: (A) Is more than 5 percent of the total interest in the business; or (B) Has a net fair market value of more than \$5,000.00. (You may attach additional sheets of paper if necessary.)

#### I held:

- ☐ No direct ownership interests in any business entity.
- ☐ Direct ownership interests in the following business entity(ies).

#### IDENTIFY:

1. Name and address of business entity.
2. Principal activity of business entity.
3. The office held by the candidate or the public officer within the business entity.
4. The duties of the candidate or the public officer within such business entity.

Business entity #1

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Ownership Interests

#### Check One or Both If Applicable

- ☐ Ownership interest is more than 5%
- ☐ Ownership interest has a net fair market value of more than \$5,000.00

Business entity #2

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- ☐ Ownership interest is more than 5%
- ☐ Ownership interest has a net fair market value of more than \$5,000.00

Business entity #3

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- ☐ Ownership interest is more than 5%
- ☐ Ownership interest has a net fair market value of more than \$5,000.00

Business entity #4

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- ☐ Ownership interest is more than 5%
- ☐ Ownership interest has a net fair market value of more than \$5,000.00

Business entity #5

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- ☐ Ownership interest is more than 5%
- ☐ Ownership interest has a net fair market value of more than \$5,000.00

## SECTION IV DIRECT OWNERSHIP INTERESTS IN REAL PROPERTY

**Direct ownership interest** is the holding or possession of good legal or rightful title of property or the holding or enjoyment of real or beneficial use of the property by any person and includes any interest owned **or** held by a spouse of the person if such interest is held jointly or as tenants in common between the person and spouse.

Identify each tract of real property in which the candidate for public office or public officer has a direct ownership interest as of December 31 of the covered year when that interest has a fair market value in excess of \$5,000.00. "Fair market" value means the appraised value of the property for ad valorem tax purposes. (You may attach additional sheets of paper if necessary.) Check one box to show the applicable valuation range for each tract.

**I had:**

- ☐ No ownership interests with a fair market value in excess of \$5,000.00
- ☐ Ownership interests with a fair market value in excess of \$5,000.00

**IDENTIFY:**

1. County where property is located.
2. State where property is located.
3. General description of property (give street address or location, size of tract, and nature or use of property).

Property #1

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The Value of this tract is

- ☐ Between \$5,000 and \$100,000
- ☐ Between \$100,000.01 and \$200,000
- ☐ More than \$200,000

Property #2

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The Value of this tract is

- ☐ Between \$5,000 and \$100,000
- ☐ Between \$100,000.01 and \$200,000
- ☐ More than \$200,000

Property #3

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The Value of this tract is

- ☐ Between \$5,000 and \$100,000
- ☐ Between \$100,000.01 and \$200,000
- ☐ More than \$200,000

Property #4

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The Value of this tract is

- ☐ Between \$5,000 and \$100,000
- ☐ Between \$100,000.01 and \$200,000
- ☐ More than \$200,000

Property #5

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The Value of this tract is

- ☐ Between \$5,000 and \$100,000
- ☐ Between \$100,000.01 and \$200,000
- ☐ More than \$200,000

**SECTION V**  
**SPOUSE'S DIRECT OWNERSHIP INTERESTS IN REAL PROPERTY**

Identify each tract of real property in which the filer's spouse has a direct ownership interest as of December 31 of the covered year when that interest has a fair market value in excess of \$5,000.00 (You may attach additional sheets of paper if necessary.) Check one box to show the applicable valuation range for each tract.

**My spouse had:**

- ☐ No ownership interests with a fair market value in excess of \$ 5,000.00
- ☐ Ownership in the following tracts with a fair market value in excess of 5,000.00

**IDENTIFY:**

1. County where property is located.
2. State where property is located.
3. General description of property (give street address or location, size of tract, and nature or use of property).

Property #1

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The Value of this tract is

- ☐ Between \$ 5,000 and \$100,000
- ☐ Between \$100,000.01 and \$200,000
- ☐ More than \$200,000

Property #2

---

---

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---

The Value of this tract is

- ☐ Between \$ 5,000 and \$100,000
- ☐ Between \$100,000.01 and \$200,000
- ☐ More than \$200,000

Property #3

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The Value of this tract is

- ☐ Between \$ 5,000 and \$100,000
- ☐ Between \$100,000.01 and \$200,000
- ☐ More than \$200,000

Property #4

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The Value of this tract is

- ☐ Between \$ 5,000 and \$100,000
- ☐ Between \$100,000.01 and \$200,000
- ☐ More than \$200,000

Property #5

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The Value of this tract is

- ☐ Between \$ 5,000 and \$100,000
- ☐ Between \$100,000.01 and \$200,000
- ☐ More than \$200,000

**SECTION VI  
EMPLOYMENT AND FAMILY MEMBERS**

Filer's Occupation \_\_\_\_\_  
Filer's Employer \_\_\_\_\_  
Employer's Address \_\_\_\_\_  
Employer's Principal Activity \_\_\_\_\_

Filer's Spouse's Name \_\_\_\_\_  
Spouse's Occupation \_\_\_\_\_  
Spouse's Employer \_\_\_\_\_  
Address of Spouse's Employer \_\_\_\_\_  
Principal Activity of Spouse's Employer \_\_\_\_\_

**SECTION VII  
INVESTMENT INTERESTS**

List the name of any investment (do not list individual stocks and bonds that are held by mutual funds), in which the filer (either individually or with any other legal or natural person or entity) owns a direct ownership interest that:

1. Is more than 5 percent of the total interests in such business or investment, or
2. Has a net fair market value of more than \$5,000.00.

Business or Investment Entity #1  
Name \_\_\_\_\_

Business or Investment Entity #2  
Name \_\_\_\_\_

Business or Investment Entity #3  
Name \_\_\_\_\_

Business or Investment Entity #4  
Name \_\_\_\_\_

**SECTION VIII  
KNOWN BUSINESS OR INVESTMENT INTERESTS OF SPOUSE AND DEPENDENT CHILDREN**

Identify any business or investment known to the filer in which the filer's spouse or dependent children have a direct ownership interest (either individually or with any other legal or natural person or entity) which interest:

1. is more than 5 percent of the total interest in the business or investment,
2. has a net fair market value exceeding \$10,000.00, or
3. is one in an entity for which the filer's spouse or a dependent child serves as an officer, director, equitable partner, or trustee.

(Do not list individual stocks and bonds that are held by mutual funds.)

Business or Investment Entity #1  
Name \_\_\_\_\_

Business or Investment Entity #2  
Name \_\_\_\_\_

Business or Investment Entity #3  
Name \_\_\_\_\_

Business or Investment Entity #4  
Name \_\_\_\_\_

**SECTION IX**  
**ANNUAL PAYMENTS RECEIVED**  
**FROM THE STATE OF GEORGIA**  
(This section to be completed by Public Officers only)

Identify all annual payments in excess of \$10,000.00 received by the public officer, or by any business entity identified in Section III above, from the State or any agency, department, commission or authority created by the State, and authorized and exempted from disclosure under O.C.G.A. § 45-10-25.

**I received:**

- ☐ No annual payments in excess of \$10,000.00 from any State entity.  
☐ Annual payments in excess of \$10,000.00 from the below named State entity(ies).

**IDENTIFY:**

1. Name and address of State entity making the payments.
2. Amount of annual payment.
3. The general nature of the consideration rendered for the payment(s).

State entity source #1

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State entity source #2

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**VERIFICATION BY OATH OR AFFIRMATION**

State of Georgia \_\_\_\_\_ County of \_\_\_\_\_

I, the undersigned, being duly sworn (affirm), depose and say that the information in this statement is complete, true, and correct.

Sworn to and subscribed before me on  
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Signature of Candidate or Public Officer

**PENALTIES:** Any person who knowingly fails to comply with or who knowingly violates any of the provisions of the Ethics in Government Act shall be guilty of a misdemeanor.

My Commission expires \_\_\_\_\_.

# **GEORGIA GOVERNMENT TRANSPARENCY AND CAMPAIGN FINANCE ACT**

## **2018 EDITION**



**GEORGIA GOVERNMENT TRANSPARENCY  
AND CAMPAIGN FINANCE COMMISSION**  
*(formerly known as State Ethics Commission)*  
**200 Piedmont Avenue SE, Suite 1416 – West Tower  
Atlanta, GA 30334**

**[WWW.ETHICS.GA.GOV](http://WWW.ETHICS.GA.GOV)**

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# ARTICLE 1. GENERAL PROVISIONS

## § 21-5-1. Short title

This Act shall be known and may be cited as the "Georgia Government Transparency and Campaign Finance Act of 2010."

## § 21-5-2. Declaration of policy

It is declared to be the policy of this state, in furtherance of its responsibility to protect the integrity of the democratic process and to ensure fair elections for constitutional offices; state offices; district attorneys; members of the Georgia House of Representatives and Georgia Senate; all constitutional judicial officers; and all county and municipal elected officials, to institute and establish a requirement of public disclosure of campaign contributions and expenditures relative to the seeking of such offices, to the re- call of public officers holding elective office, and to the influencing of voter approval or rejection of a proposed constitutional amendment, a state-wide referendum, or a proposed question which is to appear on the ballot in any county or municipal election. Further, it is the policy of this state that the state's public affairs will be best served by disclosures of significant private interests of public officers and officials which may influence the discharge of their public duties and responsibilities. The General Assembly further finds that it is for the public to determine whether significant private interests of public officers have influenced the state's public officers to the detriment of their public duties and responsibilities and, in order to make that determination and hold the public officers accountable, the public must have reasonable access to the disclosure of the significant private interests of the public officers of this state.

## § 21-5-3. Definitions

As used in this chapter, the term:

- (1) "Business entity" means any corporation, sole proprietorship, partnership, limited partnership, limited liability company, limited liability partnership, professional corporation, enterprise, franchise, association, trust, joint venture, or other entity, whether for profit or nonprofit.
- (2) "Campaign committee" means the candidate, person, or committee which accepts contributions or makes expenditures designed to bring about the nomination or election of an individual to any elected office. The term "campaign committee" also means any person or committee which accepts contributions or makes expenditures designed to bring about the recall of a public officer holding elective office or to oppose the recall of a public officer holding elective office or any person or any committee which accepts contributions or makes expenditures designed to bring about the approval or rejection by the voters of any proposed constitutional amendment, a state- wide referendum, or a proposed question which is to appear on the ballot in this state or in a county or a municipal election in this state.
- (3) "Campaign contribution disclosure report" means a report filed with the commission by a candidate or the chairperson or treasurer of a campaign committee setting forth all expenditures of more than \$100.00 and all contributions of more than \$100.00, including contributions and expenditures of lesser amounts when the aggregate amount thereof by or to a person is more than \$100.00 for the calendar year in which the report is filed. Such report shall also include the total

amount of all individual contributions received or expenditures made of less than \$100.00 each. The first report required in the calendar year of the election shall contain all such expenditures made and all such contributions received by the candidate or the committee in prior years in support of the campaign in question.

- (4) "Candidate" means an individual who seeks nomination for election or election to any public office, whether or not such an individual is elected; and a person shall be deemed to seek nomination or election if such person has taken necessary action under the laws of this state to qualify such person for nomination for election or election or has received any contributions or made any expenditures in pursuit of such nomination or election or has given such person's consent for such person's campaign committee to receive contributions or make expenditures with a view to bringing about such person's nomination for election or election to such office.
- (5) "Commission" means the Georgia Government Transparency and Campaign Finance Commission created under Code Section 21-5-4.
- (6) "Connected organization" means any organization, including any business entity, labor organization, membership organization, or cooperative, which is not a political action committee as defined in this Code section, but which, directly or indirectly, establishes or administers a political action committee or which provides more than 40 percent of the funds of the political action committee for a calendar year.
- (7) "Contribution" means a gift, subscription, membership, loan, forgiveness of debt, advance or deposit of money or anything of value conveyed or transferred for the purpose of influencing the nomination for election or election of any person for office, bringing about the recall of a public officer holding elective office or opposing the recall of a public officer holding elective office, or the influencing of voter approval or rejection of a proposed constitutional amendment, a state-wide referendum, or a proposed question which is to appear on the ballot in this state or in a county or a municipal election in this state. The term specifically shall not include the value of personal services performed by persons who serve without compensation from any source and on a voluntary basis. The term "contribution" shall include other forms of payment made to candidates for office or who hold office when such fees and compensation made can be reasonably construed as a campaign contribution designed to encourage or influence a candidate or public officer holding elective office. The term "contribution" shall also encompass transactions wherein a qualifying fee required of the candidate is furnished or paid by anyone other than the candidate.
- (8) "Direct ownership interest" means the holding or possession of good legal or rightful title of property or the holding or enjoyment of real or beneficial use of the property by any person and includes any interest owned or held by a spouse of such person if such interest is held jointly or as tenants in common between the person and spouse.
- (9) "Election" means a primary election; run-off election, either primary or general; special election; or general election. The term "election" also means a recall election.
- (10) "Election cycle" means the period from the day following the date of an election or appointment of a person to elective public office through and including the date of the next such election of a person to the same public office and shall be construed and applied separately for each elective office.
- (11) "Election year" shall be construed and applied separately for each elective office and means for each elective office the calendar year during which a regular or special election to fill such office is held.
- (12) "Expenditure" means a purchase, payment, distribution, loan, advance, deposit, or any transfer of money or anything of value made for the purpose of influencing the nomination for election or election of any person, bringing about the recall of a public officer holding elective office or opposing the recall of a public officer holding elective office, or the influencing of voter approval or rejection of a proposed constitutional amendment, a state-wide referendum, or a proposed

question which is to appear on the ballot in this state or in a county or a municipal election in this state. The term specifically shall not include the value of personal services performed by persons who serve without compensation from any source and on a voluntary basis. The term

"expenditure" shall also include the payment of a qualifying fee for and on behalf of a candidate.

- (13) "Fiduciary position" means any position imposing a duty to act primarily for the benefit of another person as an officer, director, manager, partner, guardian, or other designation of general responsibility of a business entity.
- (14) "Gift" means any gratuitous transfer to a public officer or any member of the family of the public officer or a loan of property or services which is not a contribution as defined in paragraph (7) of this Code section and which is more than \$100.00.
- (15) "Independent committee" means any committee, club, association, partnership, corporation, labor union, or other group of persons, other than a campaign committee, political party, or political action committee, which receives donations during a calendar year from persons who are members or supporters of the committee and which expends such funds either for the purpose of affecting the outcome of an election for any elected office or to advocate the election or defeat of any particular candidate.
- (16) "Intangible property" means property which is not real property and which is held for profit and includes stocks, bonds, interest in partnerships, choses in action, and other investments but shall not include any ownership interest in any public or private retirement or pension fund, account, or system and shall not include any ownership interest in any public or private life insurance contract or any benefit, value, or proceeds of such life insurance contract.
- (16.1) "Investment" means the investment of money or capital to gain interest or income.
- (17) "Member of the family" means a spouse and all dependent children.
- (17.1) "Nonelection year" shall be construed and applied separately for each elective office and means for each elective office any calendar year during which there is no regular or special election to fill such office.
- (17.2) "Nonprofit organization" means a corporation, foundation, or other legal entity, no part of the net earnings of which inures to the benefit of any private shareholder or individual holding an interest in such entity.
- (18) "Ordinary and necessary expenses" shall include, but shall not be limited to, expenditures made during the reporting period for qualifying fees, office costs and rent, lodging, equipment, travel, advertising, postage, staff salaries, consultants, files storage, polling, special events, volunteers, reimbursements to volunteers, repayment of any loans received except as restricted under subsection (i) of Code Section 21-5-41, contributions to nonprofit organizations, flowers for special occasions, which shall include, but are not limited to, birthdays and funerals, attorney fees connected to and in the furtherance of the campaign, and all other expenditures contemplated in Code Section 21-5-33.
- (19) "Person" means an individual, partnership, committee, association, corporation, limited liability company, limited liability partnership, trust, professional corporation, or other business entity recognized in the State of Georgia, labor organization, or any other organization or group of persons.
- (20) "Political action committee" means:
  - (A) Any committee, club, association, partnership, corporation, labor union, or other group of persons which receives donations during a calendar year from persons who are members or supporters of the committee and which contributes funds to one or more candidates for public office or campaign committees of candidates for public office; and
  - (B) A "separate segregated fund" as defined in Code Section 21-5-40.  
Such term does not include a candidate campaign committee.

- (21) "Public employee" means every person employed by the executive, legislative, or judicial branch of state government, or any department, board, bureau, agency, commission, or authority thereof.
- (22) "Public officer" means:
  - (A) Every constitutional officer;
  - (B) Every elected state official;
  - (C) The executive head of every state department or agency, whether elected or appointed;
  - (D) Each member of the General Assembly;
  - (E) The executive director of each state board, commission, council, or authority and the members thereof;
  - (F) Every elected county official and every elected member of a local board of education; and
  - (G) Every elected municipal official.
- (23) "Qualifying officer" means a person who qualifies a candidate for an election.
- (24) "Reporting period" means the period of time beginning the day after the last report due date, excluding any grace period, through the due date of the next report.

#### **§ 21-5-4. Ethics commission**

- (a) The Georgia Government Transparency and Campaign Finance Commission shall be a successor to the State Ethics Commission, with such duties and powers as are set forth in this chapter. As the successor commission, it shall have all the powers and duties granted to the State Ethics Commission in all matters pending before the State Ethics Commission and may continue to investigate, prosecute, and act upon all such matters.
- (b) The commission shall be governed by five members appointed as follows: three members, not more than two of whom shall be from the same political party, shall be appointed by the Governor, two for terms of three years and one for a term of two years; one member shall be appointed by the Senate Committee on Assignments for a term of four years; and one member shall be appointed by the Speaker of the House of Representatives for a term of four years. Upon the expiration of a member's term of office, a new member, appointed in the same manner as the member whose term of office expired as provided in this subsection, shall become a member of the commission and shall serve for a term of four years and until such member's successor is duly appointed and qualified. If a vacancy occurs in the membership of the commission, a new member shall be appointed to the unexpired term of office by the state official or the committee that appointed the vacating member. Members of the commission shall not serve for more than one complete term of office.
- (c) All members of the commission shall be residents of this state.
- (d) Any person who:
  - (1) Has qualified to run for any federal, state, or local public office within a period of five years prior to such person's appointment;
  - (2) Has held any federal, state, or local public office within a period of five years prior to such person's appointment; or
  - (3) Serves as an officer of any political party, whether such office is elective or appointive and whether such office exists on a local, state, or national level shall be ineligible to serve as a member of the commission.
- (e) The commission shall elect a chairperson, a vice chairperson, and other officers as it deems necessary. The members shall not be compensated for their services but they shall be reimbursed in an amount equal to the per diem received by the General Assembly for each day or portion thereof spent in serving as members of the commission. They shall be paid their necessary traveling expenses while engaged in the business of the commission.

- (f) A majority of the members of the commission constitutes a quorum for the transaction of business. The vote of at least a majority of the members present at any meeting at which a quorum is present is necessary for any action to be taken by the commission. No vacancy in the membership of the commission impairs the right of a quorum to exercise all rights and perform all duties of the commission.
- (g) Meetings of the members of the commission shall be held at the call of the chairperson or whenever any two members so request.

#### **§ 21-5-5. Operating expenses**

The funds necessary to carry out this chapter shall come from the funds appropriated to and available to the commission and from any other available funds. The commission shall be a budget unit as defined in Part 1 of Article 4 of Chapter 12 of Title 45, the 'Budget Act'; provided, however, that the commission shall be assigned for administrative purposes only to the Secretary of State.

#### **§ 21-5-6. Powers and duties of the commission**

- (a) The commission is vested with the following powers:
  - (1) To meet at such times and places as it may deem necessary;
  - (2) To contract with other agencies, public or private, or persons as it deems necessary for the rendering and affording of such services, facilities, studies, and reports to the commission as will best assist it to carry out its duties and responsibilities;
  - (3) To cooperate with and secure the cooperation of every department, agency, or instrumentality in the state government or its political subdivisions in the furtherance of the purposes of this chapter;
  - (4) To employ an executive secretary and such additional staff as the commission deems necessary to carry out the powers delegated to the commission by this chapter;
  - (5) To issue subpoenas to compel any person to appear, give sworn testimony, or produce documentary or other evidence;
  - (6) To institute and prosecute actions in the superior courts, in its own name, seeking to enjoin or restrain any violation or threatened violation of this chapter;
  - (7) To adopt in accordance with Chapter 13 of Title 50, the "Georgia Administrative Procedure Act," any rules and regulations necessary and appropriate for carrying out the purposes of this chapter; provided, however, that the commission shall not require the reporting or disclosure of more information on any report than is expressly required to be reported or disclosed by this chapter, unless such information was required to be reported or disclosed by rules and regulations of the commission which were in effect as of January 1, 2013, so long as such rules and regulations do not conflict with this chapter; and
  - (8) To do any and all things necessary or convenient to enable it to perform wholly and adequately its duties and to exercise the powers specifically authorized to it in this chapter.
- (b) The commission shall have the following duties:
  - (1) To prescribe forms to be used in complying with this chapter;
  - (2) To prepare and publish in print or electronically a manual setting forth recommended uniform methods of accounting and reporting for use by persons required by this chapter to file statements and reports;
  - (3) To accept and file any information voluntarily supplied that exceeds the requirements of this chapter;

- (4) To develop a filing, coding, and cross-indexing system consonant with the purposes of this chapter;
- (5) To adopt a retention standard for records of the commission in accordance with Article 5 of Chapter 18 of Title 50, the "Georgia Records Act";
- (6) To prepare and publish in print or electronically such other reports and technical studies as in its judgment will tend to promote the purposes of this chapter;
- (7) To provide for public dissemination of such summaries and reports;
- (8) To determine whether the required statements and reports have been filed and, if so, whether they conform to the requirements of this chapter;
- (9) To make investigations, subject to the limitations contained in Code Section 21-5-7.1, with respect to the statements and reports filed under this chapter and with respect to alleged failure to file any statements or reports required under this chapter and upon receipt of the written complaint of any person, verified under oath to the best information, knowledge, and belief by the person making such complaint with respect to an alleged violation of any provision of this chapter, provided that nothing in this Code section shall be construed to limit or encumber the right of the commission to initiate on probable cause an investigation on its own cognizance as it deems necessary to fulfill its obligations under this chapter;
- (10) (A) To conduct a preliminary investigation, subject to the limitations contained in Code Section 21-5-7.1, of the merits of a written complaint by any person who believes that a violation of this chapter has occurred, verified under oath to the best information, knowledge, and belief by the person making such complaint. If there are found no reasonable grounds to believe that a violation has occurred, the complaint shall be dismissed, subject to being reopened upon discovery of additional evidence or relevant material. If the commission determines that there are such reasonable grounds to believe that a violation has occurred, it shall give notice by summoning the persons believed to have committed the violation to a hearing. The hearing shall be conducted in all respects in accordance with Chapter 13 of Title 50, the "Georgia Administrative Procedure Act." The commission may file a complaint charging violations of this chapter, and any person aggrieved by the final decision of the commission is entitled to judicial review in accordance with Chapter 13 of Title 50; provided, however, that nothing in this Code section shall be construed to limit or encumber the right of the commission to initiate on probable cause an investigation on its own cognizance as it deems necessary to fulfill its obligations under this chapter.
- (B) In any such preliminary investigation referenced in subparagraph (A) of this paragraph, until such time as the commission determines that there are reasonable grounds to believe that a violation has occurred, it shall not be necessary to give the notice by summons nor to conduct a hearing in accordance with Chapter 13 of Title 50, the Georgia Administrative Procedure Act";
- (11) To report suspected violations of law to the appropriate law enforcement authority;
- (12) To investigate upon a written complaint any illegal use of public employees in a political campaign by any candidate;
- (13) To issue, upon written request, and publish in print or electronically written advisory opinions on the requirements of this chapter, based on a real or hypothetical set of circumstances; and each such written advisory opinion shall be issued within 60 days of the written request for the advisory opinion. The commission shall make all advisory opinions that were issued after January 9, 2006, publicly available for review and shall post these and all future opinions on the commission's website, and the commission shall make all advisory opinions that were issued prior to January 9, 2006, publicly available for review and shall post these opinions on the commission's website. No liability shall be imposed under this chapter for any act or

omission made in conformity with a written advisory opinion issued by the commission that is valid at the time of the act or omission;

- (14) To issue orders, after the completion of appropriate proceedings, directing compliance with this chapter or prohibiting the actual or threatened commission of any conduct constituting a violation. Such order may include a provision requiring the violator:
  - (A) To cease and desist from committing further violations;
  - (B) To make public complete statements, in corrected form, containing the information required by this chapter;
  - (C)
    - (i) Except as provided in paragraph (2) of Code Section 21-5-7.1, to pay a civil penalty not to exceed \$1,000.00 for each violation contained in any report required by this chapter or for each failure to comply with any other provision of this chapter or of any rule or regulation promulgated under this chapter; provided, however, that a civil penalty not to exceed \$10,000.00 may be imposed for a second occurrence of a violation of the same provision and a civil penalty not to exceed \$25,000.00 may be imposed for each third or subsequent occurrence of a violation of the same provision. In imposing a penalty or late filing fee under this chapter, the commission may waive or suspend such penalty or fee if the imposition of such penalty or fee would impose an undue hardship on the person required to pay such penalty or fee. The commission may also waive or suspend a penalty or fee in the case of failure to file or late filing of a report if there are no items to be included in the report. For the purposes of the penalties imposed by this division, the same error, act, omission, or inaccurate entry shall be considered a single violation if the error, act, omission, or inaccurate entry appears multiple times on the same report or causes further errors, omissions, or inaccurate entries in that report or in any future reports or further violations in that report or in any future reports.
    - (ii) A civil penalty shall not be assessed except after notice and hearing as provided by Chapter 13 of Title 50, the "Georgia Administrative Procedure Act." The amount of any civil penalty finally assessed shall be recoverable by a civil action brought in the name of the commission. All moneys recovered pursuant to this Code section shall be deposited in the state treasury.
    - (iii) The Attorney General of this state shall, upon complaint by the commission, or may, upon the Attorney General's own initiative if after examination of the complaint and evidence the Attorney General believes a violation has occurred, bring an action in the superior court in the name of the commission for a temporary restraining order or other injunctive relief or for civil penalties for a violation of any provision of this chapter or any rule or regulation duly issued by the commission.
    - (iv) Any action brought by the Attorney General to enforce civil penalties for a violation of the provisions of this chapter or of any rule or regulation duly issued by the commission or any order issued by the commission ordering compliance or to cease and desist from further violations shall be brought in the superior court of the county of the residence of the party against whom relief is sought. Service of process shall lie in any jurisdiction within the state. In such actions, the superior court inquiry shall be limited to whether notice was given by the commission to the violator in compliance with the Constitution and the rules of procedure of Chapter 13 of Title 50, the "Georgia Administrative Procedure Act." Upon satisfaction that notice was given and a hearing was held pursuant to Chapter 13 of Title 50, the "Georgia Administrative Procedure Act," the superior court shall enforce the orders of the commission and the civil penalties assessed under this chapter and the superior court shall not make independent inquiry as to whether the violations have occurred.

- (v) In any action brought by the Attorney General to enforce any of the provisions of this chapter or of any rule or regulation issued by the commission, the judgment, if in favor of the commission, shall provide that the defendant pay to the commission the costs, including reasonable attorneys' fees, incurred by the commission in the prosecution of such action. The commission shall make all such orders that were issued after January 9, 2006, publicly available for review and shall post these and all future orders on the commission's website, and the commission shall make all advisory orders that were issued prior to January 9, 2006, publicly available for review and shall post these orders on the commission's website. Such orders shall serve as precedent for all future orders and opinions of the commission;
- (15) To make public its conclusion that a violation has occurred and the nature of such violation;
- (16) To petition the superior court within the county where the hearing was or is being conducted for the enforcement of any order issued in connection with such hearing;
- (17) To report to the General Assembly and the Governor at the close of each fiscal year concerning the action taken during that time, the names, salaries, and duties of all individuals employed, and the funds disbursed and to make such further report on the matters within its jurisdiction as may appear desirable;
- (18) To carry out the procedures, duties, and obligations relative to the commission set forth in this chapter;
- (19) On a quarterly basis, to prepare, update, and publish in print or electronically a report and post such report on its website, listing the name of each filer required to file with the commission who has not filed the most recent campaign contribution disclosure report required by Code Sections 21-5-34 and 21-5-34.1, the financial disclosure statement required by Code Section 21-5-50, or the disclosure report required by Code Section 21-5-73 within 30 days of the date such report was due to be filed;
- (20) To publish in print or electronically overall lobbyist spending by category. Such categories shall include gifts, meals, entertainment, office supplies, lodging, equipment, advertising, travel, and postage;
- (21) To promulgate rules and regulations with respect to electronic filings;
- (22) To provide and conduct semiannual training on the mechanics of electronic filing and registration;
- (23) To award attorneys' fees to the party complained against if the commission deems the complaint to be frivolous, legally or factually, or if the complaining party fails, without good cause, to appear at the preliminary hearing on the complaint; and
- (24) To issue a warning letter to persons who have not filed any statement or report required by this chapter.

#### **§ 21-5-7. Initiation of complaints**

The commission shall not initiate any investigation or inquiry into any matter under its jurisdiction based upon the complaint of any person unless that person shall produce the same in writing and verify the same under oath to the best information, knowledge, and belief of such person, the falsification of which shall be punishable as false swearing under Code Section 16-10-71. The person against whom any complaint is made shall be furnished by hand delivery or statutory overnight delivery or mailed by certified mail, return receipt requested, a copy of the complaint by the commission within two business days of the commission's receipt of such complaint and prior to any other public dissemination of such complaint. Nothing in this Code section, however, shall be construed to limit or encumber the right of the commission to initiate on probable cause an investigation on its own cognizance as it deems necessary to fulfill its obligations under this chapter.

**§ 21-5-7.1. Technical defects in filings; determination; notice to the subject of the complaint and opportunity to correct the defect; administrative fee; dismissal of complaints where best efforts have been made to complete a filing**

The commission shall adopt rules which shall provide that:

- (1) Upon the commission's receipt of a complaint, a determination shall be made as to whether the complaint relates to a technical defect in a filing. For this purpose, a technical defect shall include, but not be limited to, a defect such as an incorrect date or a failure to include a date, an incorrect contributor's occupation or a failure to include a contributor's occupation, an incorrect address or e-mail address or a failure to include an address or e-mail address, an incorrect employer or a failure to include an employer, accounting errors, or any other similar defects;
- (2) When the commission determines that a complaint relates to a technical defect in a filing, the subject of the complaint shall be issued a notice of the technical defect by certified mail, return receipt requested, or statutory overnight delivery and shall be given a period of 30 calendar days from the receipt of the notice to correct the technical defect. During the 30 day period the complaint shall be considered as received by the commission but not yet filed with the commission and shall not be considered a violation of this chapter. If during the 30 day period the technical defect is cured by an amended filing or otherwise, or if during the 30 day period the subject of the complaint demonstrates that there is no technical defect as alleged, the complaint shall be disposed of without filing or further proceedings and no penalty shall be imposed. If the subject of the complaint fails to respond to the notice of a technical defect, make an amended filing, or demonstrate that there is no technical defect as alleged by the thirty-first day, the commission shall impose and collect an administrative fee not to exceed \$50.00 per technical defect. For the purposes of the penalties imposed by this paragraph, the same error or inaccurate entry shall be considered a single technical violation if the error or inaccurate entry appears multiple times on a single report or causes further errors or inaccurate entries in that report or in any future reports;
- (3) If the subject of the complaint does not pay the administrative fee required by paragraph (2) of this Code section, if any, and does not otherwise also comply with paragraph (2) of this Code section by the sixtieth day from the receipt of the notice of a technical defect, the commission shall conduct further investigation and the complaint may proceed further in accordance with the provisions of this chapter; and
- (4) When the commission determines in its discretion that best efforts have been made to complete a required filing, said filing shall be considered in compliance with this Code section and any complaint relative to said filing shall be dismissed.

**§ 21-5-8. Venue**

Venue for prosecution of civil violations of this chapter or for any other action by or on behalf of the commission shall be in the county of the residence of the candidate or public officer at the time of the alleged violation or action.

**§ 21-5-9. Penalties**

Except as otherwise provided in this chapter, any person who knowingly fails to comply with or who knowingly violates this chapter shall be guilty of a misdemeanor. The provisions of this Code section shall not preclude prosecution and punishment for the commission of any felony offense as otherwise provided by law.

#### **§ 21-5-10. Chapter as continuation of laws; effect of enactment**

The provisions of this chapter, so far as they are the same as those of existing laws, are intended as a continuation of such laws and not as new enactments. The repeal by this chapter of any Act of the General Assembly, or part thereof, shall not revive any Act, or part thereof, heretofore repealed or superseded. This chapter shall not affect any act done, liability or penalty incurred, or right accrued or vested prior to the taking effect of this chapter; nor shall this chapter affect any actions or prosecution then pending, or to be instituted, to enforce any right or penalty then accrued or to punish any offense thereto- fore committed.

#### **§ 21-5-11. Acceptance by public officers of monetary fees or honoraria**

- (a) No public officer other than a public officer elected state wide shall accept a monetary fee or honorarium in excess of \$100.00 for a speaking engagement, participation in a seminar, discussion panel, or other activity which directly relates to the official duties of that public officer or the office of that public officer.
- (b) No public officer elected state wide shall accept any monetary fee or honorarium for a speaking engagement, participation in a seminar, discussion panel, or other such activity.
- (c) For purposes of this chapter, actual and reasonable expenses for food, beverages, travel, lodging, and registration for a meeting which are provided to permit participation in a panel or speaking engagement at the meeting shall not be monetary fees or honoraria.

#### **§ 21-5-12. Connected organizations**

- (a) The name of each political action committee shall include the name of its connected organization.
- (b) The name of any separate segregated fund, as defined in Code Section 21-5-40, shall include the name of its connected organization.

#### **§ 21-5-13. Limitation of actions**

Any action alleging a violation of this chapter shall be commenced within three years after the date of filing of the first report containing the alleged violation; provided, however, that any action alleging a violation of this chapter shall be commenced within five years after the date of filing of the first report containing the alleged violation involving any person elected to serve for a term of four or more years or any candidate for an office with a term of four or more years. For purposes of this Code section, an action shall be deemed to have commenced against a person only when either:

- (1) A complaint has been accepted by the commission in compliance with Code Section 21-5-7; or
- (2) The commission or Attorney General serves on such person a notice of summons or hearing, in accordance with Chapter 13 of Title 50, the "Georgia Administrative Procedure Act," that alleges that such person has violated this chapter.

**§ 21-5-14. E-mail address required by filer**

- (a) Except as provided in subsection (b) of this Code section, each individual required by this chapter to file a report or disclosure statement with the commission shall provide the commission, in writing, with a current e-mail address and shall advise the commission, in writing, of any change to such address within ten days of any change to such address. Such information shall be provided to the commission prior to January 31 each year.
- (b) City, county, and school board officials are not required to provide an e-mail address to the commission.

**§ 21-5-15. Notification**

When the commission gives notice to a local official referred to in subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3 of any of the actions listed in this Code section, such notice shall be given by certified mail or statutory overnight delivery. This Code section shall apply with respect to any notice of: the filing of a complaint; a technical defect in a filing; a failure to make a timely filing; or a late fee or other penalty.

## ARTICLE 2. CAMPAIGN CONTRIBUTIONS

### § 21-5-30. Contributions made to candidate or campaign committee or for recall of a public officer

- (a) Except as provided in subsection (e) of Code Section 21-5-34, no contributions to bring about the nomination or election of a candidate for any office shall be made or accepted except directly to or by a candidate or such candidate's campaign committee which is organized for the purpose of bringing about the nomination or election of any such candidate; and no contributions to bring about the recall of a public officer or to oppose the recall of a public officer or to bring about the approval or rejection by the voters of a proposed constitutional amendment, state-wide referendum, or proposed question at the state, municipal, or county level shall be made or accepted except directly to or by a campaign committee organized for that purpose.
- (b) Each candidate shall maintain records and file reports as required by this chapter or shall have a campaign committee for the purposes of maintaining records and filing reports as required by this chapter. Every campaign committee shall have a chairperson and a treasurer, except that the candidate may serve as the chairperson and treasurer. Before a campaign committee accepts contributions, the name and address of the chairperson and treasurer shall be filed with the commission. When a candidate has been elected to public office, the registration of that candidate's campaign committee with the commission shall remain in effect so long as the candidate remains in office until and unless the registration is canceled by the campaign committee or the candidate. The same person may serve as chairperson and treasurer. No contributions shall be accepted by or on behalf of the campaign committee at a time when there is a vacancy in the office of chairperson or treasurer of the campaign committee.
- (c) Contributions of money received pursuant to subsection (a) of this Code section shall be deposited in a campaign depository account opened and maintained by the candidate or the campaign committee. The account may be an interest-bearing account; provided, however, that any interest earned on such account shall be reported and may only be used for the purposes allowed for contributions under this chapter. Those who elect the separate accounting option as provided in Code Section 21-5-43 may also open, but are not required to open, a separate campaign depository account for each election for which contributions are accepted and allocated beyond their next upcoming election.
- (d) Unless otherwise reported individually, where separate contributions of less than \$100.00 are knowingly received from a common source, such contributions shall be aggregated for reporting purposes. For purposes of fulfilling such aggregation requirement, members of the family, members of the same firm or partnership, or employees of the same person, as defined in paragraph (19) of Code Section 21-5-3, shall be considered to be a common source; provided, however, that the purchase of tickets for not more than \$25.00 each and for or attendance at a fund-raising event by members of the family, members of the same firm or partnership, or employees of the same person shall not be considered to be contributions from a common source except to the extent that tickets are purchased as a block.
- (e) The making and acceptance of anonymous contributions are prohibited. Any anonymous contributions received by a candidate or campaign committee shall be transmitted to the state treasurer for deposit in the state treasury, and the fact of such contribution and transmittal shall be reported to the commission.
- (f) (1) For the purposes of this subsection, the term:
  - (A) Public utility corporation regulated by the Public Service Commission' includes, but is

not limited to, an electric membership corporation.

(B) 'Electric membership corporation' means a public utility corporation regulated by the Public Service Commission operating as an electric membership corporation under the provisions of Article 4 of Chapter 3 of Title 46.

(2) Except as limited by Code Section 21-5-30.1 or this subsection a public utility corporation regulated by the Public Service Commission shall be allowed to make contributions to political campaigns. Any contributions made by a public utility corporation regulated by the Public Service Commission to a political campaign shall not be included as recoverable costs in any rate-making or rate-setting proceedings before the Public Service Commission.

Notwithstanding the provisions of this Code section or any other provision of law to the contrary, no electric membership corporation and no nonprofit corporation, group, or association, the membership of which consists of electric membership corporations, shall be authorized to make any contribution to a political campaign. Notwithstanding the foregoing, nothing in this Code section shall be construed to prohibit a nonprofit corporation, group, or association, the membership of which consists of electric membership corporations, from establishing, administering, and soliciting contributions for a political action committee from officers, directors, employees, agents, contractors, and members of such entities so long as such actions and contributions do not otherwise violate the provisions of this chapter."

(g) Neither a candidate who is not a public officer nor his or her campaign committee may lawfully accept a campaign contribution until the candidate has filed with the commission a declaration of intention to accept campaign contributions which shall include the name and address of the candidate and the names and addresses of his or her campaign committee officers, if any; provided, however, that a candidate, as defined in subparagraphs (F) and (G) of paragraph (22) of Code Section 21-5-3, shall make filings of the same kind and in the same manner as provided in this subsection for other public officers except that filings under this subsection shall be made with the election superintendent of the county in the case of public officers as defined in subparagraph (F) of paragraph (22) of Code Section 21-5-3 and shall be made with the municipal clerk in the municipality of election or, if there is no clerk, with the chief executive officer of the municipality in the case of public officers as defined in subparagraph (G) of paragraph (22) of Code Section 21-5-3. The election superintendent, municipal clerk, or chief executive officer, as applicable, shall transmit electronically by eFiling or eFax a copy of each such declaration of intention to the commission not later than ten days after the close of the reporting period.

#### **§ 21-5-30.1. Contributions by regulated entities to elected executive officers or candidates**

- (a) Except as otherwise provided in this subsection, the definitions set forth in Code Section 21-5-3 shall be applicable to the provisions of this Code section. As used in this Code section, the term:
- (1) "Campaign committee" means the candidate, person, or committee which accepts contributions to bring about the nomination for election or election of an individual to the office of an elected executive officer.
  - (2) "Contribution" means a gift, subscription, membership, loan, forgiveness of debt, advance or deposit of money, or anything of value conveyed or transferred for the purpose of influencing the nomination for election or election of an individual to the office of an elected executive officer or encouraging the holder of such office to seek reelection. The term "contribution" shall include the payment of a qualifying fee for and on behalf of a candidate for the office of an elected executive officer and any other payment or purchase made for and on behalf of the holder of the office of an elected executive officer or for or on behalf of a candidate for that office when such payment or purchase is made for the purpose of

influencing the nomination for election or election of the candidate and is made pursuant to the request or authority of the holder of such office, the candidate, the campaign committee of the candidate, or any other agent of the holder of such office or the candidate. The term "contribution" shall not include the value of personal services performed by persons who serve on a voluntary basis without compensation from any source.

- (3) "Elected executive officer" means the Secretary of State, Attorney General, State School Superintendent, Commissioner of Insurance, Commissioner of Agriculture, Commissioner of Labor, and members of the Public Service Commission.
  - (4) "Political action committee" means any committee, club, association, partnership, corporation, labor union, or other group of persons which receives donations aggregating in excess of: \$1,000.00 during a calendar year from persons who are members or supporters of the committee and which distributes these funds as contributions to one or more campaign committees of candidates for public office. Such term does not mean a campaign committee.
  - (5) "Regulated entity" means any person who is required by law to be licensed by an elected executive officer or a board under the jurisdiction of an elected executive officer, any person who leases property owned by or for a state department, any person who engages in a business or profession which is regulated by an elected executive officer or by a board under the jurisdiction of an elected executive officer or any public utility corporation regulated by the Public Service Commission. For purposes of this paragraph, public utility corporation regulated by the Public Service Commission shall have the same meaning as provided by subsection (f) of Code Section 21-5-30.
- (b) No regulated entity and no person or political action committee acting on behalf of a regulated entity shall make a contribution to or on behalf of a person holding office as an elected executive officer regulating such entity or to or on behalf of a candidate for the office of an elected executive officer regulating such entity or to or on behalf of a campaign committee of any such candidate.
  - (c) No person holding office as an elected executive officer and no candidate for the office of an elected executive officer and no campaign committee of a candidate for the office of an elected executive officer shall accept a contribution in violation of subsection (b) of this Code section.
  - (d) Nothing contained in this Code section shall be construed to prevent any person who may be employed by a regulated entity, including a person in whose name a license or lease is held, or who is an officer of a regulated entity from voluntarily making a campaign contribution from that person's personal funds to or on behalf of a person holding office as an elected executive officer regulating such entity or to or on behalf of a candidate for the office of an elected executive officer regulating such entity or to or on behalf of a campaign committee of any such candidate; provided, however, that:
    - (1) The elected executive officer or candidate receiving one or more campaign contributions described in this subsection shall in his or her disclosure report under Code Section 21-5-34 separately identify each contribution and the total of contributions which he or she knows or should have reason to know are described in this subsection;
    - (2) It shall be unlawful for any regulated entity or elected executive officer to require another by coercive action to make any such contribution.

#### **§ 21-5-30.2. Contributions by public agencies**

- (a) Except as otherwise provided in this subsection, the definitions set forth in Code Section 21-5-3 shall be applicable to the provisions of this Code section. As used in this Code section, the term:
  - (1) "Agency" means:
    - (A) Every state department, agency, board, bureau, commission, and authority;

- (B) Every county, municipal corporation, school district, or other political subdivision of this state;
  - (C) Every department, agency, board, bureau, commission, authority, or similar body of each such county, municipal corporation, or other political subdivision of this state; and
  - (D) Every city, county, regional, or other authority established pursuant to the laws of this state.
- (2) "Contribution" means a gift, subscription, membership, loan, forgiveness of debt, advance or deposit of money, or anything of value conveyed or transferred by or on behalf of an agency, without receipt of payment therefore, to any campaign committee, political action committee, or political organization or to any candidate for campaign purposes.
  - (3) "Elector" means any person who shall possess all of the qualifications for voting now or hereafter prescribed by the laws of this state and who shall have registered in accordance with Chapter 2 of this title.
  - (4) "Political action committee" means any committee, club, association, partnership, corporation, labor union, or other group of persons which receives donations aggregating in excess of \$1,000.00 during a calendar year from persons who are members or supporters of the committee and which distributes these funds as contributions to one or more campaign committees of candidates for public office. Such term does not mean a campaign committee.
  - (5) "Political organization" means an affiliation of electors organized for the purpose of influencing or controlling the policies and conduct of government through the nomination of candidates for public office and, if possible, the election of its candidates to public office.
  - (6) "Public meeting place" means any county, municipal, or other public building suitable and ordinarily used for public gatherings.
- (b) No agency and no person acting on behalf of an agency shall make, directly or indirectly, any contribution to any campaign committee, political action committee, or political organization or to any candidate; but nothing in this Code section shall prohibit the furnishing of office space, facilities, equipment, goods, or services to a public officer for use by the public officer in such officer's fulfillment of such office.
  - (c) No campaign committee, political action committee, or political organization or candidate shall accept a contribution in violation of subsection (b) of this Code section.
  - (d) Nothing contained in this Code section shall be construed to:
    - (1) Affect the authority of the State Personnel Board regarding the regulation of certain political activities of public employees in the classified service of the State Personnel Administration;
    - (2) Affect the authority of any agency regarding the regulation of the political activities of such agency's employees;
    - (3) Affect the use of the capitol building and grounds as specified in Code Section 50-16-4; or
    - (4) Prohibit the use of public meeting places by political organizations when such meeting places are made available to different political organizations on an equal basis; provided, however, this paragraph shall not be construed to create a right for a political organization to use a public meeting place.

**§ 21-5-32. Accounts to be kept by candidate or campaign committee treasurer**

- (a) The candidate or treasurer of each campaign committee shall keep detailed accounts, current within not more than five business days after the date of receiving a contribution or making an expenditure, of all contributions received and all expenditures made by or on behalf of the candidate or committee. The candidate or treasurer shall also keep detailed accounts of all

deposits and of all withdrawals made to the separate campaign depository and of all interest earned on any such deposits.

- (b) Accounts kept by the candidate or treasurer of a campaign committee pursuant to this Code section may be inspected under reasonable circumstances before, during, or after the election to which the accounts refer by any authorized representative of the commission. The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.
- (c) Records of such accounts kept by the candidate or campaign committee shall be preserved for three years from the termination date of the campaign for elective office conducted by the candidate or of the campaign committee for any candidate or for three years from the election to bring about the approval or rejection by the voters of any proposed constitutional amendment, referendum, or local issue or of any recall vote.

### **§ 21-5-33. Disposition of contributions**

- (a) Contributions to a candidate, a campaign committee, or a public officer holding elective office and any proceeds from investing such contributions shall be utilized only to defray ordinary and necessary expenses, which may include any loan of money from a candidate or public officer holding elective office to the campaign committee of such candidate or such public officer, incurred in connection with such candidate's campaign for elective office or such public officer's fulfillment or retention of such office.
- (b)(1) All contributions received by a candidate or such candidate's campaign committee or a public officer holding elective office in excess of those necessary to defray expenses pursuant to subsection (a) of this Code section and as determined by such candidate or such public officer may only be used as follows:
  - (A) As contributions to any charitable organization described in 26 U.S.C. 170(c) as said federal statute exists on March 1, 1986, and which additionally shall include educational, eleemosynary, and nonprofit organizations;
  - (B) Except as otherwise provided in subparagraph (D) of this paragraph, for transferal without limitation to any national, state, or local committee of any political party or to any candidate;
  - (C) For transferral without limitation to persons making such contributions, not to exceed the total amount cumulatively contributed by each such transferee;
  - (D) For use in future campaigns for only that elective office for which those contributions were received. With respect to contributions held on January 1, 1992, or received thereafter, in the event the candidate, campaign committee, or public officer holding elective office has not designated, prior to receiving contributions to which this Code section is applicable, the office for which campaign contributions are received thereby, those contributions shall be deemed to have been received for the elective office which the candidate held at the time the contributions were received or, if the candidate did not then hold elective office, those contributions shall be deemed to have been received for that elective office for which that person was a candidate most recently following the receipt of such contributions; or
  - (E) For repayment of any prior campaign obligations incurred as a candidate.
- (2) Any candidate or public officer holding elective office may provide in the will of such candidate or such public officer that the contributions shall be spent in any of the authorized manners upon the death of such candidate or such public officer; and, in the absence of any such direction in the probated will of such candidate or such public officer, the contributions shall be paid to the treasury of the state party with which such candidate or such public officer was affiliated in such candidate's or such public officer's last election or elective office after the payment of any

expenses pursuant to subsection (a) of this Code section. Notwithstanding any other provisions of this paragraph, the personal representative or executor of the estate shall be allowed to use or pay out funds in the campaign account in any manner authorized in subparagraphs (A) through (E) of paragraph (1) of this subsection.

- (c) Contributions and interest thereon, if any, shall not constitute personal assets of such candidate or such public officer.
- (d)(1) Contributions received by a campaign committee designed to bring about the recall of a public officer holding elective office or to oppose the recall of a public officer holding elective office or any person or to bring about the approval or rejection by the voters of any proposed constitutional amendment, a state-wide referendum, or a proposed question which is to appear on the ballot in any county or municipal election and any proceeds derived from investing such contributions shall be utilized only to defray ordinary and necessary expenses associated with influencing the voters on such issue.
- (2) All contributions received by a campaign committee as provided in paragraph (1) of this subsection in excess of those necessary to defray expenses relative to the influencing of voters on such issue as determined by the campaign committee may only be used as follows:
  - (A) Contributions to any charitable organization described in 26 U.S.C. 170(c) as such federal statute exists on March 1, 1986, and which additionally shall include educational, eleemosynary, and nonprofit organizations; or
  - (B) For repayment on a pro rata basis to persons making such contributions.

#### **§ 21-5-34. Disclosure reports**

- (a) (1) (A) The candidate or the chairperson or treasurer of each campaign committee organized to bring about the nomination or election of a candidate for any office and the chairperson or treasurer of every campaign committee designed to bring about the recall of a public officer or to oppose the recall of a public officer or designed to bring about the approval or rejection by the voters of any proposed constitutional amendment, state-wide proposed question, or state-wide referendum shall electronically sign and file with the commission the required campaign contribution disclosure reports; provided, however, that public offices listed in subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3 shall be subject to signing and filing requirements as prescribed by paragraph (3) or (4) of this subsection, and recalls for such offices shall be subject to signing and filing requirements the same as required of candidates for such officers as prescribed by paragraph (3) or (4) of this subsection.
- (B) The chairperson or treasurer of each independent committee shall file the required disclosure reports with the commission.
- (2) (A) Any campaign committee which accepts contributions or makes expenditures designed to bring about the approval or rejection by the voters of any proposed question which is to appear on the ballot in this state shall register with the commission and file campaign contribution disclosure reports as prescribed by this chapter or, in the case of any proposed question which is to appear on the ballot in a county or municipal election, shall register and file campaign disclosure reports with the same officials as prescribed by paragraph (3) or (4) of this subsection for candidates for county or municipal offices; provided, however, that such reports shall only be required if such campaign committee has received contributions which total more than \$500.00 or if such campaign committee has made expenditures which total more than \$500.00. All advertising pertaining to referendums shall identify the principal officer of such campaign committee by listing or stating the name and title of the principal officer.
- (B) If a campaign committee is required to file a report with the commission under

subparagraph (A) of this paragraph, such report shall be electronically filed. Any such report shall be filed 15 days prior to the date of the election; and a final report shall be filed prior to December 31 of the election year.

- (3) A candidate for a public office listed in subparagraph (F) of paragraph (22) of Code Section 21-5-3 or the chairperson or treasurer of such candidate's campaign committee shall sign and file the required disclosure reports with the election superintendent in the county of election. Upon receipt of any such report, the election superintendent shall cause such report to be available for inspection and copying in accordance with Article 4 of Chapter 18 of Title 50. The election superintendent shall transmit a copy of each such report to the commission, electronically by eFiling or eFax, not later than 30 days after the end of the grace period. No fine, fee or sanction, including but not limited to identifying a candidate as having filed late or failed to file, shall be imposed by the commission on a candidate for the failure of the election superintendent to timely transmit a copy of such report.

- (4) A candidate for a public office listed in subparagraph (G) of paragraph (22) of Code Section 21-5-3 or the chairperson or treasurer of such candidate's campaign committee shall sign and file the required disclosure reports with the municipal clerk in the municipality of election or, if there is no clerk, with the chief executive officer of the municipality; provided, however, that a municipality and a county may enter into an agreement whereby such candidates, chairpersons, or treasurers shall file the required disclosure reports with the county election superintendent instead. Upon receipt of any such report, the municipal clerk, chief executive officer of the municipality, or county election superintendent, as applicable, shall cause such report to be available for inspection and copying in accordance with Article 4 of Chapter 18 of Title 50. The municipal clerk, chief executive officer of the municipality, or county election superintendent, as applicable, shall transmit a copy of each such report to the commission, electronically by eFiling or eFax, not later than 30 days after the end of the grace period. No fine, fee, or sanction, including but not limited to identifying a candidate as having filed late or failed to file, shall be imposed by the commission on a candidate for the failure of the municipal clerk, chief executive officer of the county, or county election superintendent to timely transmit a copy of such report.

- (b) (1) All reports shall list the following:

- (A) As to any contribution of more than \$100.00, its amount and date of receipt, the election for which the contribution has been accepted and allocated, along with the name and mailing address of the contributor, and, if the contributor is an individual, that individual's occupation and the name of his or her employer. Such contributions shall include, but shall not be limited to, the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events coordinated for the purpose of raising campaign contributions for the reporting person;
- (B) As to any expenditure of more than \$100.00, its amount and date of expenditure, the name and mailing address of the recipient receiving the expenditure, and, if that recipient is an individual, that individual's occupation and the name of his or her employer and the general purpose of the expenditure;
- (C) When a contribution consists of a loan, advance, or other extension of credit, the report shall also contain the name of the lending institution or party making the advance or extension of credit and the names, mailing addresses, occupations, and places of employment of all persons having any liability for repayment of the loan, advance, or extension of credit; and, if any such persons shall have a fiduciary relationship to the lending institution or party making the advance or extension of credit, the report shall specify such relationship;

- (D) Total contributions received and total expenditures shall be reported for an election cycle as follows:
    - (i) The first report of an election cycle shall list the cash on hand brought forward from the previous election cycle, if any, and the total contributions received during the period covered by the report;
    - (ii) Subsequent reports shall list the total contributions received during the period covered by the report and the cumulative total of contributions received during the election cycle;
    - (iii) The first report of an election cycle shall list the total expenditures made during the period covered by the report;
    - (iv) Subsequent reports shall list the total expenditures made during the period covered by the report, the cumulative total of expenditures made during the election cycle, and net balance on hand; and
    - (v) If a public officer seeks reelection to the same public office, or if the public officer is a member of the General Assembly seeking reelection in another district as a result of redistricting, the net balance on hand at the end of the current election cycle shall be carried forward to the first report of the applicable new election cycle;
  - (E) The corporate, labor union, or other affiliation of any political action committee or independent committee making a contribution of more than \$100.00;
  - (F) Any investment made with funds of a campaign committee, independent committee, or political action committee and held outside such committee's official depository account during each reporting period for which an investment exists or a transaction applying to an identifiable investment is made. The report shall identify the name of the entity or person with whom such investment was made, the initial and any subsequent amount of such investment if such investment was made during the reporting period, and any profit or loss from the sale of such investment occurred during such reporting period; and
  - (G) Total debt owed on the last day of the reporting period.
- (2) Each report shall be in such form as will allow for the separate identification of a contribution or contributions which are less than \$100.00 but which become reportable due to the receipt of an additional contribution or contributions which when combined with such previously received contribution or contributions cumulatively equal or exceed \$100.00.
- (c) Candidates or campaign committees which accept contributions, make expenditures designed to bring about the nomination or election of a candidate, or have filed a declaration of intention to accept campaign contributions pursuant to subsection (g) of Code Section 21-5-30 shall file campaign contribution disclosure reports in compliance with the following schedule:
- (1) In each nonelection year on January 31 and June 30;
  - (2) In each election year:
    - (A) On January 31, March 31, June 30, September 30, October 25, and December 31;
    - (B) Six days before any run-off primary or election in which the candidate is listed on the ballot; and
    - (C) During the period of time between the last report due prior to the date of any election for which the candidate is qualified and the date of such election, all contributions of \$1,000.00 or more shall be reported within two business days of receipt and also reported on the next succeeding regularly scheduled campaign contribution disclosure report;
  - (3) If the candidate is a candidate in a special primary or special primary runoff, 15 days prior to the special primary and six days prior to the special primary runoff; and
  - (4) If the candidate is a candidate in a special election or special election runoff, 15 days prior to the special election and six days prior to the special election runoff.

All persons or entities required to file reports shall have a five-day grace period in filing the required reports, except that the grace period shall be two days for required reports prior to run-off primaries or run-off elections, and no grace period shall apply to contributions required to be reported within two business days. Reports required to be filed within two business days of a contribution shall be reported by facsimile or electronic transmission. Any facsimile filing shall also have an identical electronic filing within five business days following the transmission of such facsimile filing. Each report required in the election year shall contain cumulative totals of all contributions which have been received and all expenditures which have been made in support of the campaign in question and which are required, or previously have been required, to be reported.

- (d) In the event any candidate covered by this chapter has no opposition in either a primary or a general election and receives no contribution of more than \$100.00, such candidate shall only be required to make the initial and final report as required under this chapter.

(d.1)

- (1) In the event a candidate for nomination or election to a public office listed in subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3 or the chairperson or treasurer of a campaign committee organized to bring about the nomination or election of such candidate signs and files with the appropriate official specified by paragraph (3) or (4) of subsection (a) of this Code section a written notice that such candidate or campaign committee does not intend to accept during such election cycle a combined total of contributions exceeding \$2,500.00 for the campaign nor make a combined total of expenditures exceeding \$2,500.00 for the campaign in such election cycle, then such candidate or campaign committee shall not be required to file a report under this Code section. The appropriate official shall transmit an electronic copy of the written notice by eFiling or eFax to the commission within ten days of receipt of such notice. The failure of the appropriate official to timely transmit such copy of the written notice to the commission shall not disqualify the candidate or campaign committee from the exemption from report filing provided by this paragraph.
- (2) If such candidate or campaign committee exceeds the \$2,500.00 limit for either accepting contributions or making expenditures for such campaign during such election cycle as specified in paragraph (1) of this subsection but does not accept a combined total of contributions exceeding \$5,000.00 in such election cycle nor make expenditures exceeding \$5,000.00 in such election cycle, then such candidate or campaign committee shall be required to file only the June 30 and December 31 reports required by paragraph (2) of subsection (c) of this Code section. The first such report shall include all contributions received and expenditures made beginning January 1 of such calendar year.
- (3) If such candidate or campaign committee accepts a combined total of contributions exceeding \$5,000.00 or makes expenditures exceeding \$5,000.00 for such campaign during any such election cycle, then such candidate or campaign committee chairperson or treasurer shall thereupon be subject to the reporting requirements of this Code section the same as if the written notice authorized by this subsection had not been filed.

- (e) Any person who makes contributions to, accepts contributions for, or makes expenditures on behalf of candidates, and any independent committee, shall file a registration in the same manner as is required of campaign committees prior to accepting or making contributions or expenditures. Such persons, other than independent committees, shall also file campaign contribution disclosure reports at the same times as required of the candidates they are supporting. The following persons shall be exempt from the foregoing registration and reporting requirements:

- (1) Individuals making aggregate contributions of \$25,000.00 or less directly to candidates or the candidates' campaign committees in one calendar year;
- (2) Persons other than individuals making aggregate contributions and expenditures to or on

behalf of candidates of \$25,000.00 or less in one calendar year; and

(3) Contributors who make contributions to only one candidate during one calendar year.

- (f) (1) Any independent committee which accepts contributions or makes expenditures for the purpose of affecting the outcome of an election or advocates the election or defeat of any candidate shall register with the commission prior to accepting contributions or making expenditures and shall file disclosure reports as follows:
- (A) On the first day of each of the two calendar months preceding any such election;
  - (B) Two weeks prior to the date of such election; and
  - (C) Within the two-week period prior to the date of such election the independent committee shall report within two business days any contributions or expenditure of more than \$1,000.00. The independent committee shall file a final report prior to December 31 of the election year and shall file supplemental reports on June 30 and December 31 of each year that such independent committee continues to accept contributions or make expenditures.
- (2) Reports filed by independent committees shall list the following:
- (A) The amount and date of receipt, along with the name, mailing address, occupation, and employer of any person making a contribution of more than \$100.00;
  - (B) The name, mailing address, occupation, and employer of any person to whom an expenditure or provision of goods or services of the value of more than \$100.00 is made and the amount, date, and general purpose thereof, including the name of the candidate or candidates, if any, on behalf of whom, or in support of or in opposition to whom, the expenditure or provision was made;
  - (C) Total expenditures made as follows:
    - (i) Expenditures shall be reported for the applicable reporting year;
    - (ii) The first report of a reporting year shall list the total expenditures made during the period covered by the report; and
    - (iii) Subsequent reports shall list the total expenditures made during the period covered by the report, the cumulative total of expenditures made during the reporting year, and net balance on hand; and
  - (D) The corporate, labor union, or other affiliation of any political action committee, candidate, campaign committee, or independent committee making a contribution of the value of more than \$100.00.
- (3) Whenever any independent committee makes an expenditure for the purpose of financing any communication intended to affect the outcome of an election, such communication shall clearly state that it has been financed by such independent committee.
- (g) Any campaign committee which accepts contributions or makes expenditures designed to bring about the recall of a public officer or to oppose the recall of a public officer shall file campaign contribution disclosure reports as follows:
- (1) An initial report shall be filed within 15 days after the date when the official recall petition forms were issued to the sponsors;
  - (2) A second report shall be filed 45 days after the filing of the initial report;
  - (3) A third report shall be filed within 20 days after the election superintendent certifies legal sufficiency or insufficiency of a recall petition; and
  - (4) A final report shall be filed prior to December 31 of the year in which the recall election is held or, in any case where such recall election is not held, a final report shall be filed prior to December 31 of any year in which such campaign committee accepts such contributions or makes such expenditures.
- (h) Any campaign committee which accepts contributions or makes expenditures designed to bring about the approval or rejection by the voters of a proposed constitutional amendment or a state-wide referendum shall file a campaign contribution disclosure report 75, 45, and 15 days prior to the date of the election and shall file a final report prior to December 31 of the election year.

- (i) (1) Any person elected to a public office who is required to file campaign contribution disclosure reports pursuant to this article shall, upon leaving public office with excess contributions, be required to file supplemental campaign contribution disclosure reports on June 30 and December 31 of each year until such contributions are expended in a campaign for elective office or used as provided in subsection (b) of Code Section 21-5-33.
- (2) Any person who is an unsuccessful candidate in an election and who is required to file campaign contribution disclosure reports pursuant to this article shall for the remainder of the election cycle file such reports at the same times as a successful candidate and thereafter, upon having excess contributions from such campaign, be required to file a supplemental campaign contribution disclosure report no later than December 31 of each year until such contributions are expended in a campaign for elective office or used as provided in subsection (b) of Code Section 21-5-33. Any unsuccessful candidate in an election who is required to file campaign contribution disclosure reports pursuant to this article and who receives contributions following such election to retire debts incurred in such campaign for elective office shall be required to file a supplemental campaign contribution disclosure report no later than December 31 of each year until such unpaid expenditures from such campaign are satisfied.
- (j) Notwithstanding any other provision of this chapter to the contrary, soil and water conservation district supervisors elected pursuant to Article 2 of Chapter 6 of Title 2, the "Soil and Water Conservation Districts Law," shall not be required to file campaign contribution disclosure reports under this Code section.
- (k) (1) In addition to other penalties provided under this chapter, a late fee of \$125.00 shall be imposed by the person or entity with which filing is required for each report that is filed late, and notice of such late fee shall be sent to the candidate and the candidate's committee in the same manner by which the penalized report was filed with the commission. However, if the report in question was not filed or was filed with the commission in a manner other than electronic filing or certified mail, return receipt requested, the commission shall utilize certified mail, return receipt requested, to notify the candidate and the candidate's committee of the late fee due. The notice shall include the schedule of increasing late fees for late filings and the dates upon which such late fees shall be increased. In addition, a late fee of \$250.00 shall be imposed on the fifteenth day after the due date for such report if the report has not been filed by such date. A late fee of \$1,000.00 shall be imposed on the forty-fifth day after the due date for such report if such report has not been filed. Notice by electronic means does not satisfy the requirements of this paragraph; and any increased late fees shall be stayed until at least ten days after proper notice has been given as specified in this paragraph.
- (2) The commission shall retain \$25.00 of the first late fee received by the commission for processing pursuant to the provisions of Code Section 45-12-92.1.
- (l) It shall be the duty of the commission or other official when it receives for filing any disclosure report or statement or other document that may be filed by mail to maintain with the filed document a copy of the postal markings or statutory overnight delivery service markings of any envelope, package, or wrapping in which the document was delivered for filing if mailed or sent after the date such filing was due.
- (m) Except when electronic filing is required, the mailing of such reports by United States mail with adequate postage affixed within the required filing time as determined by the official United States postage date cancellation shall be prima-facie evidence of filing. Any person or entity which is required to be registered under this Code section shall file a termination statement together with its final campaign contribution disclosure report as required by this Code section within ten days of the dissolution of a campaign or committee. The termination statement shall identify the person responsible for maintaining campaign records as required by this chapter.
- (n) Neither the commission nor any other official shall require the reporting of any more information in a campaign contribution disclosure report than is expressly required to be disclosed by this

Code section.

**§ 21-5-34.1. Filing campaign contribution disclosure reports electronically**

- (a) Candidates, candidate committees, and public officers who are required to file campaign contribution disclosure reports with the commission shall use electronic means to file such reports with the commission using means prescribed by the commission to file such reports.
- (b) The filing of any campaign disclosure report required under this article shall constitute an affirmation that such report is true, complete, and correct.
- (c) Candidates seeking election to county or municipal offices may use electronic means to file their campaign contribution disclosure reports if such method is made available or may file by certified mail, statutory overnight delivery, or personal delivery.
- (d) Political action committees, independent committees, and any persons otherwise required by this article to file campaign contribution disclosure reports shall use electronic means to file such reports if such method is made available.
- (e) The filing of any campaign contribution disclosure report required under this article shall constitute an affirmation that the report is true, complete, and correct.

**§ 21-5-35. Acceptance of contributions or pledges during legislative sessions**

- (a) No member of the General Assembly or that member's campaign committee or public officer elected state wide or campaign committee of such public officer shall seek or accept a contribution or a pledge of a contribution to the member, the member's campaign committee, or public officer elected state wide, or campaign committee of such public officer during a legislative session.
- (b) Subsection (a) of this Code section shall not apply to:
  - (1) The receipt of a contribution which is returned with reasonable promptness to the donor or the donor's agent;
  - (2) The receipt and acceptance during a legislative session of a contribution consisting of proceeds from a dinner, luncheon, rally, or similar fundraising event held prior to the legislative session;
  - (3) The receipt of a contribution by a political party consisting of the proceeds from a dinner, luncheon, rally, or similar fundraising event in which a member of the General Assembly or a public officer elected state wide participates; or
  - (4) A judicial officer elected state wide, a candidate for a judicial office elected state wide, or a campaign committee of such judicial officer or candidate.

**§ 21-5-36. Disposition of reports; handling of complaints and violations**

- (a) (1) It shall be the duty of the commission to make the campaign contribution disclosure reports available for public inspection and copying during regular office hours commencing as soon as practicable after such reports are filed. The commission shall have the authority to charge a fee for copying such reports not to exceed the actual cost of such copying. The commission shall preserve such reports for a period of five years from the date upon which they are received.
- (2) A qualifying officer shall notify the commission in writing of the names and addresses of all candidates and offices sought in any election within ten days of the close of the qualification period.
- (b) After receiving original reports, the commission has the duty to inspect each report filed by

candidates or by a campaign committee for conformity with the law and to notify the candidate or campaign committee immediately if the report does not conform with the law or is in technical violation of filing requirements. Such notification shall be by electronic means and regular United States mail.

- (c) Within ten business days of the close of the qualification period, qualifying officers shall electronically report to the commission the names and addresses of all candidates and offices sought by each candidate in an election and the qualifying date for such candidate.

#### **§ 21-5-40. Definitions**

As used in this article, the term:

- (1) "Affiliated committees" means any two or more political committees (including a separate segregated fund) established, financed, maintained, or controlled by the same business entity, labor organization, person, or group of persons, including any parent, subsidiary, branch, division, department, or local unit thereof.
- (2) "Affiliated corporation" means with respect to any business entity any other business entity related thereto: as a parent business entity; as a subsidiary business entity; as a sister business entity; by common ownership or control; or by control of one business entity by the other.
- (3) "Business entity" shall have the same meaning as provided in Code Section 21-5-3.
- (4) Reserved.
- (5) "Person" means an individual.
- (6) "Political committee" means: (A) any partnership, committee, club, association, organization, party caucus of the House of Representatives or the Senate, or similar entity (other than a business entity) or any other group of persons or entities which makes a contribution; or (B) any separate segregated fund.
- (6.1) "Political party" means any political party as that term is defined in paragraph (25) of Code Section 21-2-2, as amended; provided, however, that for purposes of this article, local, state, and national committees shall be separate political parties.
- (6.2) "Public office" means the office of each elected public officer as specified in paragraph (22) of Code Section 21-5-3.
- (7) "Separate segregated fund" means a fund which is established, administered, and used for political purposes by a business entity, labor organization, membership organization, or cooperative and to which the business entity, labor organization, membership organization, or cooperative solicits contributions.

#### **§ 21-5-41. Maximum allowable contributions**

- (a) No person, corporation, political committee, or political party shall make, and no candidate or campaign committee shall receive from any such entity, contributions to any candidate for state-wide elected office which in the aggregate for an election cycle exceed:
  - (1) Five thousand dollars for a primary election;
  - (2) Three thousand dollars for a primary run-off election;
  - (3) Five thousand dollars for a general election; and
  - (4) Three thousand dollars for a general election runoff.
- (b) No person, corporation, political committee, or political party shall make, and no candidate or campaign committee shall receive from any such entity, contributions to any candidate for the General Assembly or public office other than state-wide elected office which in the aggregate for an election cycle exceed:
  - (1) Two thousand dollars for a primary election;
  - (2) One thousand dollars for a primary run-off election;

- (3) Two thousand dollars for a general election; and
- (4) One thousand dollars for a general election runoff.
- (c) No business entity shall make any election contributions to any candidate which when aggregated with contributions to the same candidate for the same election from any affiliated corporations exceed the per election maximum allowable contribution limits for such candidate as specified in subsection (a) of this Code section.
- (d) Candidates and campaign committees may separately account for contributions pursuant to Code Section 21-5-43. Candidates and campaign committees not separately accounting for contributions pursuant to such Code section shall not accept contributions for any election in an election cycle prior to the conclusion of the immediately preceding election in such cycle; provided, however, that contributions may be accepted for a primary election at any time in the election cycle prior to and including the date of such primary election. Upon conclusion of each election, contributions remaining unexpended may be expended on succeeding elections in the election cycle, and contributions not exceeding the contribution limits of this Code section may continue to be accepted for repayment of campaign obligations incurred as a candidate in that election except as provided in subsection (h) of this Code section.
- (e) Candidates and campaign committees shall designate on their disclosure reports the election for which a contribution has been accepted. Any contribution not so designated shall be presumed to have been accepted for the election on or first following the date of the contribution.
- (f) A contribution by a partnership shall be deemed to have been made pro rata by the partners as individuals for purposes of this Code section, as well as by the partnership in toto unless the partnership by proper action under its partnership agreement otherwise directs allocation of the contribution among the partners. At such direction of the partnership, the contribution may be allocated in any proportion among the partners, including to one or some but not all. Such allocation shall be indicated on the face of any instrument constituting the contribution or on an accompanying document referencing such instrument.
- (g) The contribution limitations established by this Code section shall not apply to a loan or other contribution made to a campaign committee or candidate by the candidate or a member of the family of the candidate.
- (h) Any candidate or campaign committee who incurs loans on or after January 9, 2006, in connection with the candidate's campaign for election shall not repay, directly or indirectly, such loans from any contributions made to such candidate or any authorized committee of such candidate after the date of the election for which the loan was made to the extent that such loans exceed \$250,000.00.
- (i) The contribution limits established by this Code section shall not apply to a bona fide loan made to a candidate or campaign committee by a state or federally chartered financial institution or a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation if:
  - (1) Such loan is made in the normal course of business with the expectation on the part of all parties that such loan shall be repaid; and
  - (2) Such loan is based on the credit worthiness of the candidate and the candidate is personally liable for the repayment of the loan.
- (j) The contribution limitations provided for in this Code section shall not include contributions or expenditures made by a political party in support of a party ticket or a group of named candidates.
- (k) At the end of the election cycle applicable to each public office as to which campaign contributions are limited by this Code section and every four years for all other elections to which this Code section is applicable, the contribution limitations in this Code section shall be raised or lowered in increments of \$100.00 by regulation of the commission pursuant to a

determination by the commission of inflation or deflation during such cycle or four-year period, as determined by the Consumer Price Index published by the Bureau of Labor Statistics of the United States Department of Labor, and such limitations shall apply until next revised by the commission. The commission shall adopt rules and regulations for the implementation of this subsection.

**§ 21-5-42. Contribution to campaign committee deemed contribution to candidate; rules for construction**

For purposes of this article, a contribution to a campaign committee of a candidate for any public office shall be deemed to be a contribution to such candidate. If during any calendar year there occur both a special election including a special primary, special primary runoff, and special election runoff as appropriate and a general election for the same public office and if the same person is a candidate for nomination or election at both such special election including a special primary, special primary runoff, and special election runoff as appropriate and such general election, then this Code section shall apply. Where this Code section applies, a person, corporation, political committee, or political party may contribute up to the maximum amount otherwise allowable under this article to such person or such person's campaign committee for the purpose of influencing such candidate's nomination or election at the special primary, special primary runoff, special election, or special election runoff; and the same person, corporation, political committee, or political party may contribute up to the maximum amount otherwise allowable under this article for the purpose of influencing such candidate's election at the general election or general election runoff. This Code section shall be construed according to the following rules:

- (1) It is the general intent of this Code section to allow a person who is a candidate for election at both a special election and a general election in the same calendar year to receive up to but no more than twice the amount of contributions which could otherwise be received from any one donor during the year; and
- (2) Seeking nomination at a special primary or general primary shall be considered as seeking election at the ensuing special election or general election for the purpose of determining whether a person is a candidate for election at both the special election and the general election and allowing the application of this Code section; but seeking election at only a single primary and its ensuing election shall not bring this Code section into effect.

**§ 21-5-43. Accounting for and expenditure of campaign contributions**

- (a) (1) A candidate or campaign committee may separately account for contributions for each election in an election cycle for which contributions are accepted. If no contributions are accepted for an election, no corresponding accounting shall be required. Subject to the contribution limits of this chapter, contributions so separately accounted for may be accepted at any time in the election cycle. Upon the conclusion of each election, contributions not exceeding such limits may continue to be accepted for repayment of campaign obligations incurred as a candidate in that election.
- (2) A candidate who wishes to accept contributions for more than one election at a time shall separately account for such campaign contributions and shall file an "Option to Choose Separate Accounting" form with the commission prior to accepting contributions for any election other than the candidate's next upcoming election; provided, however, that a candidate shall only be required to file one such form which shall be utilized for all subsequent elections to the same elective office, regardless of whether an election occurs in a new election cycle.
- (3) A candidate who accepts contributions for more than one election at a time may allocate contributions received from a single contributor to any election in the election cycle, provided

that the contributions shall not violate maximum allowable contribution limits for any election; provided, however, that in order to allocate contributions to a past election, the candidate shall have outstanding campaign debt from the previous election.

- (b) Contributions separately accounted for shall not be expended on a prior election except in conformance with this Code section. Contributions separately accounted for in a primary election may be expended at any time during the election cycle prior to and including the date of the primary.
- (c) Contributions remaining unexpended after the date of the election may be expended for any future election in the same election cycle without regard to the limitations of Code Section 21-5-41. If there are no further elections in the election cycle or if the candidate or the candidate of the campaign committee is not on the ballot of a further election in the election cycle, such contributions may be used only as provided in Code Section 21-5-33.
- (d) Contributions accepted and separately accounted for in an election which does not occur or for which the candidate does not qualify, if unexpended, shall be returned to the contributors thereof pro rata without interest. Any portion thereof which cannot be returned to the original contributor thereof shall be expended only as provided in Code Section 21-5-33.
- (e) The commission shall adopt such rules and regulations as are necessary to carry out the purposes of this Code section in accordance with Chapter 13 of Title 50, the "Georgia Administrative Procedure Act."

## ARTICLE 3. FINANCIAL DISCLOSURE STATEMENTS

### **§ 21-5-50. Filing by public officers; filing by candidates for public office; filing by elected officials and members of the General Assembly; electronic filing; transfer of filings from the Secretary of State to the commission**

- (a) (1) Except as modified in subsection (c) of this Code section with respect to candidates for state-wide elected public office, each public officer, as defined in subparagraphs (A) through (D) of paragraph (22) of Code Section 21-5-3, shall file with the commission not before the first day of January nor later than July 1 of each year in which such public officer holds office other than an election year a financial disclosure statement for the preceding calendar year; and each person who qualifies as a candidate for election as a public officer, as defined in subparagraphs (A) through (D) of paragraph (22) of Code Section 21-5-3, shall file with the commission, no later than the fifteenth day following the date of qualifying as a candidate, a financial disclosure statement for the preceding calendar year.
- (2) Except as set forth in paragraph (3) of this subsection, a public officer, as defined in subparagraph (E) of paragraph (22) of Code Section 21-5-3, shall not be required to file a financial disclosure statement pursuant to this Code section. Each such public officer shall, however, be deemed to be a public official for purposes of Code Section 45-10-26 and shall be subject to the disclosure requirements set forth in Code Section 45-10-26. In addition, each such public officer shall file with the commission, prior to January 31 each year, an affidavit confirming that such public officer took no official action in the previous calendar year that had a material effect on such public officer's private financial or business interests.
- (3) A public officer, as defined in subparagraph (E) of paragraph (22) of Code Section 21-5-3, who serves as a member of the commission shall be subject to the requirements for filing financial disclosure statements set forth in paragraph (1) of this subsection. In addition, each such public officer shall file with the commission, together with the financial disclosure statement, an affidavit confirming that such public officer took no official action in the previous calendar year that had a material effect on such public officer's private financial or business interests.
- (3.1) A public officer, as defined in subparagraphs (F) and (G) of paragraph (22) of Code Section 21-5-3, shall make filings of the same kind and in the same manner as provided in paragraph (1) of this subsection for other public officers except that filings under this paragraph shall be made with the election superintendent of the county in the case of public officers as defined in said subparagraph (F) and shall be made with the municipal clerk in the municipality of election or, if there is no clerk, with the chief executive officer of the municipality in the case of public officers as defined in said subparagraph (G). The election superintendent, municipal clerk, or chief executive officer, as applicable, shall transmit, electronically by eFiling or eFax, a copy of each such report to the commission not later than 30 days after the close of the reporting period. No fine, fee, or sanction, including but not limited to identifying a public officer as having filed late or failed to file, shall be imposed by the commission on the public officer for the failure of the election superintendent, municipal clerk, or chief executive officer to timely transmit a copy of such report.
- (4) Each member of the State Transportation Board shall file a financial disclosure statement for the preceding calendar year no later than the sixtieth day following such member's election to the State Transportation Board. Thereafter, each board member shall file by January 31 of each year a financial disclosure statement for the preceding year. In addition, each board member shall file with the commission, prior to January 31 of each year, an affidavit confirming that such board member took no official action in the previous calendar year that had a material effect on such board member's private financial or business interests.

- (5) The commission or the applicable official under paragraph (3.1) of this subsection shall review each financial disclosure statement to determine that such statement is in compliance with the requirements of this chapter.
  - (6) A public officer shall not, however, be required to file such a financial disclosure statement for the preceding calendar year in an election year if such public officer does not qualify for nomination for election to succeed himself or herself or for election to any other public office subject to this chapter. For purposes of this paragraph, a public officer shall not be deemed to hold office in a year in which the public officer holds office for fewer than 15 days.
- (b) A financial disclosure statement shall be in the form specified by the commission and shall identify:
- (1) Each monetary fee or honorarium which is accepted by a filer from speaking engagements, participation in seminars, discussion panels, or other activities which directly relate to the official duties of the filer or the office of the public officer, with a statement identifying the fee or honorarium accepted and the person from whom it was accepted;
  - (2) All fiduciary positions held by the candidate for public office or the filer, with a statement of the title of each such position, the name and address of the business entity, and the principal activity of the business entity;
  - (3) The name, address, and principal activity of any business entity or investment, exclusive of the names of individual stocks and bonds in mutual funds, and the office held by and the duties of the candidate for public office or filer within such business entity as of December 31 of the covered year in which such candidate or officer has a direct ownership interest which:
    - (A) Is more than 5 percent of the total interests in such business; or
    - (B) Has a net fair market value of \$5,000.00 or more;
  - (4) (A) Each tract of real property in which the candidate for public office or filer has a Direct ownership interest as of December 31 of the covered year when that interest has a fair market value of \$5,000.00 or more. As used in this paragraph, the term "fair market" value means the appraised value of the property for ad valorem tax purposes. The disclosure shall contain the county and state, general description of the property, and whether the fair market value is between (i) \$5,000.00 and \$100,000.00; (ii) \$100,000.01 and \$200,000.00; or (iii) more than \$200,000.00.
  - (B) Each tract of real property in which the candidate for public office's spouse or filer's spouse has a direct ownership interest as of December 31 of the covered year when that interest has a fair market value of \$5,000.00 or more. The disclosure shall contain the county and state, general description of the property, and whether the fair market value is between (i) \$5,000.00 and \$100,000.00; (ii) \$100,000.01 to \$200,000.00; (iii) or more than \$200,000.00;
  - (5) The filer's occupation, employer, and the principal activity and address of such employer;
  - (6) The filer's spouse's name, occupation, employer, and the principal activity and address of such employer;
  - (7) If the filer has actual knowledge of such ownership interest, the name of any business or subsidiary thereof or investment, exclusive of the individual stocks, bonds, or mutual funds, as of December 31 of the covered year in which the filer's spouse or dependent children, jointly or severally, own a direct ownership interest which:
    - (A) Is more than 5 percent of the total interests in such business or investment, exclusive of the individual stocks and bonds in mutual funds; or
    - (B) Has a net fair market value of more than \$10,000.00 or in which the filer's spouse or any dependent child serves as an officer, director, equitable partner, or trustee; and

(8)

(A) As used in this paragraph, the term 'agency' has the meaning provided by Code Section 45-10-20.

(B) All annual payments in excess of \$10,000.00 received by the filer or any business entity identified in paragraph (3) of this subsection from the state, any agency, department, commission, or authority created by the state, and authorized and exempted from disclosure under Code Section 45-10-25, and the agency, department, commission, or authority making the payments, and the general nature of the consideration rendered for the source of the payments. This paragraph shall not require the disclosure of payments which have already been disclosed for purposes of any other provision of this chapter.

- (c) (1) Each person who qualifies with a political party as a candidate for party nomination to a public office elected state wide (including an incumbent public officer elected state wide qualifying to succeed himself or herself) shall file with the commission, not later than seven days after so qualifying, a financial disclosure statement. Each person who qualifies as a candidate for election to a public office elected state wide through a nomination petition or convention shall likewise file a financial disclosure statement not later than seven days after filing his or her notice of candidacy. Such financial disclosure statement shall comply with the requirements of subsections (a) and (b) of this Code section and shall in addition identify, for the pre- ceding five calendar years:
- (A) Each transaction or transactions which aggregate \$9,000.00 or more in a calendar year in which the candidate (whether for himself or herself or on behalf of any business) or any business in which such candidate or any member of his or her family has a substantial interest or is an officer of such business has transacted business with the government of the State of Georgia, the government of any political subdivision of the State of Georgia, or any agency of any such government; and
- (B) Each transaction or transactions which aggregate \$9,000.00 or more in a calendar year in which the candidate or any business in which such candidate or any member of his or her family has a substantial interest or is an officer of such business received any income of any nature from any person who was at the time of such receipt of income represented by a lobbyist registered with the commission pursuant to Article 4 of this chapter.
- (2) The financial disclosure statement required by paragraph (1) of this subsection shall include an itemized list of the transactions required to be reported, including the date of, dollar amount of, and parties to each such transaction. However, with respect to any transactions of a privileged nature only the total amount of such transactions shall be required to be reported, and names, dates, amounts of individual transactions, and other identifying data may be omitted; and for this purpose "transactions of a privileged nature" shall include transactions between attorney and client, transactions between psychiatrist and patient, transactions between physician and patient, and any other transactions which are by law of a similar privileged and confidential nature.
- (3) The financial disclosure statement required by paragraph (1) of this subsection shall be accompanied by a financial statement of the candidate's financial affairs for the calendar year prior to the year in which the election is held and the first quarter of the calendar year in which the election is held.
- (4) As used in this subsection, the term:
- (A) "Agency" means any agency, authority, department, board, bureau, commission, committee, office, or instrumentality of the State of Georgia or any political subdivision of the State of Georgia.
- (B) "Financial statement" means a statement of a candidate's financial affairs in a form substantially equivalent to the short form financial statement required for bank

directors under the rules of the Department of Banking and Finance.

(C) "Person" and "transact business" shall have the meanings specified in Code Section 45-10-20.

(D) "Substantial interest" means the direct or indirect ownership of 10 percent or more of the assets or stock of any business.

(5) Notwithstanding any other provisions of this subsection, if, due to a special election or otherwise, a person does not qualify as a candidate for nomination or election to public office until after the filing date otherwise applicable, such person shall make the filings required by this subsection within seven days after so qualifying.

(d) All state-wide elected officials and members of the General Assembly shall file financial disclosure statements electronically with the commission. Local officials referred to in subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3 may file electronically if such method is available or may file by certified mail, statutory overnight delivery, or personal delivery. Except when electronic filing is required, the mailing of the notarized financial disclosure statement by United States mail with adequate postage affixed within the required filing time as determined by the official United States postage date cancellation shall be prima-facie evidence of filing.

(e) The filing of any financial disclosure statement required under this article shall constitute an affirmation that the statement is true, complete, and correct.

(f)(1) In addition to other penalties provided in this chapter, a late fee of \$125.00 shall be imposed by the person or entity with which filing is required for each financial disclosure statement that is filed late, and notice of such late fee shall be sent to the board member, candidate, and the candidate's committee in the same manner by which the penalized report was filed with the commission. However, if the report in question was not filed or was filed with the commission in a manner other than electronic filing or certified mail, return receipt requested, the commission shall use certified mail, return receipt requested, to notify the candidate and the candidate's committee of the late fee due. The notice shall include the schedule of increasing late fees for late filings and the dates upon which such late fees shall be increased. In addition, a late fee of \$250.00 shall be imposed on the fifteenth day after the due date for such statement if such statement has not been filed. A late fee of \$1,000.00 shall be imposed on the forty-fifth day after the due date for such statement if the statement has not been filed. Campaign committee funds shall not be used to pay such penalty. Notice by electronic means shall not satisfy the requirements of this paragraph; and any increased late fees shall be stayed until at least ten days after proper notice has been given as specified in this paragraph."

(2) The commission shall retain \$25.00 of the first late fee received by the commission for processing pursuant to the provisions of Code Section 45-12-92.1.

(g) Neither the commission nor any other official shall require the reporting of any more information in a financial disclosure statement than is expressly required to be disclosed by this Code Section.

### **§ 21-5-51. Inspection and copying of financial disclosure statements**

Financial disclosure statements filed pursuant to this article shall be public records and shall be subject to inspection and copying by any member of the public as provided by law for other public records.

## **ARTICLE 4. PUBLIC OFFICIALS CONDUCT AND LOBBYIST DISCLOSURE**

### **§ 21-5-70. Definitions**

As used in this article, the term:

(l) "Expenditure":

- (A) Means a purchase, payment, distribution, loan, advance, deposit, or conveyance of money or anything of value made for the purpose of influencing the actions of any public officer specifically including any such transaction which is made on behalf of or for the benefit of a public employee for the purpose of influencing a public officer;
- (B) Includes any other form of payment when such can be reasonably construed as designed to encourage or influence a public officer;
- (B.1) Includes reimbursement or payment of expenses exceeding \$75.00 provided to a public officer from any individual lobbyist for transportation, travel, lodging, registration, food, and beverages;
- (C) Includes any gratuitous transfer, payment, subscription, advance, or deposit of money, services, tickets for admission to athletic, sporting, recreational, musical concert, or other entertainment events, or anything of value, unless consideration of equal or greater than face value is received;
- (D) Includes reimbursement or payment of expenses for recreational or leisure activities; and
- (E) Does not include anything defined in paragraph (4.1) of this Code section as a lobbying expenditure, the provisions of subparagraphs (A) through (D) of this paragraph notwithstanding.

(4.1) 'Lobbying expenditure' means:

- (A) Promotional items generally distributed to the general public or to public officers and food and beverages produced in Georgia;
- (B) An award, plaque, certificate, memento, or similar item given in recognition of the recipient's civic, charitable, political, professional, or public service;
- (C) Discounts, upgrades, memberships, or other accommodations extended by a business to a bona fide customer; or legitimate salary, benefits, fees, commissions, or expenses associated with a recipient's nonpublic business, employment, trade, or profession;
- (D) Food, beverages, and registration at group events to which all members of an agency, as defined in paragraph (1) of subsection (a) of Code Section 21-5-30.2, are invited. For purposes of this subparagraph, an agency shall also include the House of Representatives, the Senate, standing committees of such bodies, but not for more than one of such group events per committee per calendar year, caucuses of members of the majority or minority political parties of the House or Senate, other caucuses of the House and Senate as approved by the House Committee on Ethics or the Senate Ethics Committee, and the governing body of each political subdivision of this state;
- (E) Campaign contributions or expenditures as defined by Code Section 21-5-3 and reported as required by Article 2 of this chapter;
- (F) Reimbursement or payment of actual and reasonable expenses provided to a public officer and his or her necessary public employee staff members for such public officer's and staff members' individual transportation, lodging, travel, and registration for attending educational, informational, charitable, or civic meetings or conferences that are held at locations within the United States and directly relate to the official duties of that public officer or the office of that public officer, plus food and beverages for such public officer, his or her necessary public employee staff members, and spouse while attending such

educational, informational, charitable, or civic meetings or conferences;

(G) Anything which:

- (i) Does not qualify as a lobbying expenditure under subparagraphs (A) through (F) of this paragraph; and
- (ii) Would qualify as an expenditure under subparagraph (B.1) of paragraph (1) of this Code section except that it does not exceed the amount or value of \$75.00 per person.

- (2) "Filed" means the delivery to the commission, as specified in this article, of a document that satisfies the requirements of this article. A document is considered delivered when it is electronically delivered to the commission or placed in the United States mail within the required filing time, properly addressed to the commission, as specified in this article, with adequate postage affixed.
- (3) "Identifiable group of public officers" means a description that is specifically determinable by available public records.
- (4) "Lobbying" means the activity of a lobbyist while acting in that capacity.
- (5) "Lobbyist" means:
  - (A) Any natural person who, either individually or as an employee of another person, receives or anticipates receiving more than \$250.00 per calendar year in compensation or reimbursement or payment of expenses specifically for undertaking to promote or oppose the passage of any legislation by the General Assembly, or any committee of either chamber or a joint committee thereof, or the approval or veto of legislation by the Governor;
  - (B) Any natural person who makes a lobbying expenditure of more than \$1,000.00 in a calendar year, not including the person's own travel, food, lodging expenses, or informational material, to promote or oppose the passage of any legislation by the General Assembly, or any committee of either chamber or a joint committee thereof, or the approval or veto of legislation by the Governor;
  - (C) Reserved;
  - (D) Any natural person who, either individually or as an employee of another person, is compensated specifically for undertaking to promote or oppose the passage of any ordinance or resolution by a public officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3, or any committee of such public officers, or the approval or veto of any such ordinance or resolution;
  - (E) Any natural person who makes a lobbying expenditure of more than \$1,000.00 in a calendar year, not including the person's own travel, food, lodging expenses, or informational material, to promote or oppose the passage of any ordinance or resolution by a public officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3, or any committee of such public officers, or the approval or veto of any such ordinance or resolution;
  - (F) Any natural person who as an employee of local government engages in any activity covered under subparagraph (D) of this paragraph;
  - (G) Any natural person who, for compensation, either individually or as an employee of another person is hired specifically to undertake influencing a public officer or state agency in the selection of a vendor to supply any goods or services to any state agency but does not include any employee or independent contractor of the vendor solely on the basis that such employee or independent contractor participates in soliciting a bid or in preparing a written bid, written proposal, or other document relating to a potential sale to a state agency and shall not include a bona fide salesperson who sells to or contracts with a state agency for goods or services and who does not otherwise engage in activities described in subparagraphs (A) through (F) or (H) through (I) of this paragraph;
  - (H) Any natural person who, either individually or as an employee of another person, is compensated specifically for undertaking to promote or oppose the passage of any rule or

regulation of any state agency;

- (I) Any natural person who, either individually or as an employee of another person is compensated specifically for undertaking to promote or oppose any matter before the State Transportation Board; or
  - (J) Any natural person who makes a lobbying expenditure of more than \$1,000.00 in a calendar year, not including the person's own travel, food, lodging expenses, or informational material, to promote or oppose any matter before the State Transportation Board.
- (6) "Public officer" means a member of the State Transportation Board and those public officers specified under paragraph (22) of Code Section 21-5-3, except as otherwise provided in this article and also includes any public officer or employee who has any discretionary authority over, or is a member of a public body which has any discretionary authority over, the selection of a vendor to supply any goods or services to any state agency.
  - (7) "State agency" means any branch of state government or any agency, authority, department, board, bureau, commission, council, corporation, entity, or instrumentality of this state or of a local political subdivision of this state.
  - (8) "Vendor" means any person who sells to or contracts with any state agency for the provision of any goods or services.

**§ 21-5-71. Registration required; application for registration; supplemental registration; expiration; docket; fees; identification cards; public rosters; exemptions**

- (a)(1) Subject to paragraph (2) of this subsection and except as otherwise provided by subsection (i) of this Code section, no person shall engage in lobbying as defined by this article unless such person is registered with the commission as a lobbyist. The commission shall not allow a person who has been convicted of a felony involving moral turpitude in the courts of this state or an offense that, had it occurred in this state, would constitute a felony involving moral turpitude under the laws of this state to become a registered lobbyist unless ten years or more have elapsed since the completion of the person's sentence. The administration of this article is vested in the commission.
  - (2) When a person is hired or retained as an employee or agent or independent contractor and under the agreement of the parties the primary duties, or a substantial part of the duties, of the person will involve lobbying activities, the person shall register as a lobbyist before commencing lobbying activities.
- (b) Each lobbyist who is required to register under this article shall file an application for registration with the commission. The application shall be verified by the applicant and shall contain:
    - (1) The applicant's name, address, and telephone number;
    - (2) The name, address, and telephone number of the person or agency that employs, appoints, or authorizes the applicant to lobby on its behalf;
    - (3) A statement of the general business or purpose of each person, firm, corporation, association, or agency the applicant represents;
    - (4) If the applicant represents a membership group other than an agency or corporation, the general purpose and approximate number of members of the organization;
    - (5) A statement signed by the person or agency employing, appointing, or authorizing the applicant to lobby on its behalf;
    - (6) If the applicant is a lobbyist attempting to influence rule making or purchasing by a state agency or agencies, the name of the state agency or agencies before which the applicant engages in lobbying;
    - (7) A statement disclosing each individual or entity on whose behalf the applicant is registering

if such individual or entity has agreed to pay him or her an amount exceeding \$10,000.00 in a calendar year for lobbying activities; and

- (8) A statement verifying that the applicant has not been convicted of a felony involving moral turpitude in the courts of this state or an offense that, had it occurred in this state, would constitute a felony involving moral turpitude under the laws of this state or, if the applicant has been so convicted, a statement identifying such conviction, the date thereof, a copy of the person's sentence, and a statement that more than ten years have elapsed since the completion of his or her sentence.
- (9) A statement by the applicant verifying that the applicant has received the Georgia General Assembly Employee Sexual Harassment Policy as set forth in the Georgia General Assembly Handbook, has read and understands the policy, and agrees to abide by the policy. The commission shall retain on file the statement required pursuant to paragraph (9) of this subsection and any renewal statements under subsection (d) of this Code section for the duration of the lobbyist's registration period. A copy of such statement shall be sent to the Legislative Fiscal Office.
- (c) The lobbyist shall, prior to any substantial or material change or addition, file a supplemental registration indicating such substantial or material change or addition to the registration prior to its expiration. Previously filed information may be incorporated by reference. Substantial or material changes or additions shall include, but are not limited to, the pertinent information concerning changes or additions to client and employment information required by paragraphs (2), (3), (4), (6), and (7) and conviction status required by paragraph (8) of subsection (b) of this Code section.
- (d) Each registration under this Code section shall expire on December 31 of each year. The commission may establish renewal procedures for those applicants desiring continuous registrations. Previously filed information may be incorporated by reference; provided, however, that the statement regarding the sexual harassment policy required under paragraph (9) of subsection (b) of this Code section shall be signed and filed each year as a part of the renewal process.
- (e) The commission shall provide a suitable public docket for registration under this Code section with appropriate indices and shall enter promptly therein the names of the lobbyists and the organizations they represent.
- (f) (1) Each person registering under this Code section shall pay the registration fees set forth in paragraph (2) of this subsection; provided, however, that a person who represents any state, county, municipal, or public agency, department, commission, or authority shall be exempted from payment of such registration fees.
- (2)(A) There shall be no charge for annual lobbyist registration or renewal filed pursuant to this Code section; provided, however, that the commission shall set, collect, and retain the fees for the following items:
  - (i) Lobbyist identification card issued pursuant to this Code section;
  - (ii) Lobbyist supplemental registration filed pursuant to this Code Section; and
  - (iii) Each replacement of a lobbyist identification card issued pursuant to this Code Section.
- (B) (i) For reports filed when the General Assembly is not in session, in addition to other penalties provided under this chapter, a late fee of \$275.00 shall be imposed for each report that is filed late. In addition, a late fee of \$1,000.00 shall be imposed on the fifteenth day after the due date for such report if the report has not been filed. A late fee of \$10,000.00 shall be imposed on the forty-fifth day after the due date for such report if the report has not been filed.
- (ii) The commission shall retain \$25.00 of the first late fee received for processing

pursuant to the provisions of Code Section 45-12-92.1.

- (C) (i) For reports filed when the General Assembly is in session, in addition to other penalties provided under this chapter, a late fee of \$275.00 shall be imposed for each report that is filed late. In addition, a late fee of \$1,000.00 shall be imposed on the seventh day after the due date for such report if the report has not been filed. A late fee of \$10,000.00 shall be imposed on the twenty-first day after the due date for such report if the report has not been filed.
- (ii) The commission shall retain \$25.00 of the first late fee received for processing pursuant to the provisions of Code Section 45-12-92.1.
- (g) As soon as practicable after registering any such person, the commission shall issue to such person an identification card which shall have printed thereon the name of the lobbyist, a color photograph of the lobbyist, and the person or agency such lobbyist represents, provided that, when any such person represents more than one entity, such identification card shall have printed thereon the name of the registered person and the word "LOBBYIST." Each lobbyist while engaged in lobbying at the capitol or in a government facility shall display said identification in a readily visible manner.
- (h) The commission shall regularly publish rosters of lobbyists along with the respective persons, firms, corporations, associations, agencies, or governmental entities they represent. During sessions of the General Assembly, the commission shall weekly report to the Clerk of the House of Representatives, the Secretary of the Senate, and the Governor those persons who have registered as lobbyists since the convening of the General Assembly. The commission shall be authorized to charge a reasonable fee for providing copies of the roster to the public.
- (i) The registration provisions of this Code section shall not apply to:
  - (1) Any individual who communicates personal views, interests, or professional opinions on that individual's own behalf, to any public officer;
  - (1.1) An employee or independent contractor of a vendor who solely participates in soliciting a bid or in preparing a written bid, written proposal, or other document relating to a potential contract with a state or local government agency or a bona fide salesperson who sells to or contracts with a state or local government agency for goods or services, is not hired specifically to undertake influencing a public officer or state agency in the selection of a vendor to supply any goods or services to any state agency, and does not engage in other activities which would make such person a lobbyist;
  - (2) Any person who is invited by a public agency or governmental entity to appear before a committee or at a hearing of such agency or entity, including but not limited to a committee of either chamber of the General Assembly or a joint committee thereof, for the purpose of giving testimony so long as such person clearly identifies himself or herself and the interested party on whose behalf he or she is testifying;
  - (3) Any person who is invited to furnish information upon the specific request of a public agency or governmental entity, including but not limited to a committee of either chamber of the General Assembly or a joint committee thereof, so long as such person clearly identifies himself or herself and the interested party on whose behalf he or she furnishes such information;
  - (3.1) Any individual who is not compensated for the specific purpose of lobbying, does not incur more than \$250.00 per calendar year in reimbursable lobbying expenditures, and is a member, director, trustee, officer, or committee member of a business, trade, labor, farm, professional, religious, educational, or charitable association, foundation, or organization which employs or contracts with a registered lobbyist for the purpose of lobbying;
  - (4) Any licensed attorney appearing on behalf of or representing a client, and any staff employed by such attorney, when such attorney is not compensated for the specific purpose of lobbying;
  - (5) Any person employed or appointed by a lobbyist registered pursuant to this Code section whose duties and activities do not include lobbying;
  - (6) Elected public officers or appointed public officials performing the official duties of their public

office or position;

- (6.1) Any employee of the executive or judicial branch of state government; provided, however, that when such an employee is acting on behalf of such government employer, meeting with or appearing before a public officer other than one from the same branch of government which employs such employee, and engaged in activity for which registration would otherwise be required under this Code section, such employee shall be required to display an identification card, issued by such employer, which shall have printed thereon the employee's name and the name of the employer; or
- (7) Any public employee, aide, or intern who performs services at the direction of a member of the General Assembly including, but not limited to, drafting petitions, bills, or resolutions; attending the taking of testimony; collating facts; preparing arguments and memorials and submitting them orally or in writing to a committee or member of the General Assembly; and other services of like character intended to reach the reason of the legislators.

**§ 21-5-72. Denial, suspension, or revocation of registration; reinstatement; civil penalty**

- (a) In addition to other penalties provided in this article, the commission may by order deny, suspend, or revoke for a period not to exceed one year the registration of a lobbyist if it finds that the lobbyist:
  - (1) Has filed an application for registration with the commission which was incomplete in a material respect or contained a statement that was, in light of the circumstances under which it was made, false or misleading with respect to a material fact;
  - (2) Has willfully violated or willfully failed to comply with this article or a rule promulgated by the commission under this article;
  - (3) Has failed to comply with the reporting requirements of this article; or
  - (4) Has engaged in lobbying practices in violation of this article.
- (b) Application may be made to the commission for reinstatement. Such reinstatement shall be conducted in the same manner as required for an initial registration under this article and shall be conditioned upon payment of the same registration fees applicable to an initial registration and also any outstanding penalty fees.
- (c) Any person failing to comply with or violating any of the provisions of this article shall be subject to a civil penalty not to exceed \$2,000.00 per violation.

**§21-5-72.1.**

- (a) No person who is required by the law of this state to register as a lobbyist shall meet at the state capitol, Coverdell Legislative Office Building, or other state government facility with any member of the General Assembly to discuss the promotion or opposition of the passage of any legislation by the General Assembly, or any committee of either chamber or joint committee thereof, or the override of a veto unless such person either is wearing his or her valid official registered lobbyist badge or is a resident of the House or Senate district which such member represents.
- (b)
  - (1) No person who is registered as a lobbyist under Code Section 21-5-71 shall make any expenditure.
  - (2) No public officer shall with actual knowledge accept any expenditure from a person who is registered as a lobbyist under Code Section 21-5-71.

### § 21-5-73. Disclosure reports

- (a) Each lobbyist registered under this article shall file disclosure reports as provided for in this Code section in the electronic format specified by the commission.
- (b) A person who is required to register under this article and lobbies to promote or oppose the passage of any legislation by the General Assembly, or any committee of either chamber or a joint committee thereof, or the approval or veto of legislation by the Governor shall file a semimonthly disclosure report on the first and fifteenth day of each month, current through the end of the preceding report, beginning January 15 and continuing throughout the period that the General Assembly is in session.
- (c) A person who is required to register under this article and lobbies to promote or oppose the passage of any ordinance or resolution by a public officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3, or any committee of such public officers, or the approval or veto of any such ordinance or resolution shall:
  - (1) File a disclosure report, current through the end of the preceding month, on or before the fifth day of May, September, and January of each year instead of the reports required by subsections (b) and (d) of this Code section; and
  - (2) File such report with the commission, file a copy of such report with the election superintendent of each county involved if the report contains any lobbying expenditures relating to county or county school district affairs, and file a copy of such report with the municipal clerk (or if there is no municipal clerk, with the chief executive officer of the municipality) of each municipality involved if the report contains any lobbying expenditures relating to municipal affairs or independent school district affairs.
- (d) A person who is required to register under this article and:
  - (1) Lobbies to promote or oppose the passage of any legislation by the General Assembly, or any committee of either chamber or a joint committee thereof, or the approval or veto of legislation by the Governor.
  - (2) As an employee of the executive branch or judicial branch of local government, lobbies to promote or oppose the passage of any ordinance or resolution by a public officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3, or any committee of such public officers, or the approval or veto of any such ordinance or resolution;
  - (3) Lobbies to influence a public officer or state agency in the selection of a vendor to supply any good or services to any state agency; or
  - (4) Lobbies to promote or oppose any matter before the State Transportation Board shall file a monthly disclosure report, current through the end of the preceding period, on or before the fifth day of each month; provided, however, that such monthly reports shall not be filed during any period that the lobbyist files a semimonthly report pursuant to subsection (b) of this Code section.
- (e) Reports filed by lobbyists shall be verified and shall include:
  - (1) A description of all lobbying expenditures described in subparagraphs (D), (F), and (G) of paragraph (4.1) of Code Section 21-5-70, or the value thereof made on behalf of or for the benefit of a public officer or on behalf of or for the benefit of a public employee for the purpose of influencing a public officer by the lobbyist or employees of the lobbyist or by any person on whose behalf the lobbyist is registered if the lobbyist has actual knowledge of such lobbying expenditure. The description of each reported lobbying expenditure shall include:
    - (A) The name and title of the public officer or public employee or, if the lobbying expenditure is simultaneously incurred for an identifiable group of public officers or public employees the individual identification of whom would be impractical, a general description of that identifiable group;

- (B) The amount, date, and description of the lobbying expenditure and a summary of all spending classified by category. Such categories shall include meals, lodging, travel, and tickets;
- (C) The aggregate lobbying expenditures described in subparagraph (D) of paragraph (4.1) of Code Section 21-5-70 incurred during the reporting period; provided, however, expenses for travel and for food, beverage, and lodging in connection therewith afforded a public officer or public employee shall be reported in the same manner as under subparagraphs (A), (B), and (D) of this paragraph;
- (D) If applicable, the number of the bill, resolution, ordinance, or regulation pending before the governmental entity in support of or opposition to which the lobbying expenditure was made; and
- (E) If applicable, the rule or regulation number or description of the rule or regulation pending before the state agency in support of or opposition to which the lobbying expenditure was made;
- (1.1) In any case where lobbying expenditures are reported pursuant to subparagraph (A) of paragraph (1) of this Code section for an identifiable group not listed in subparagraph (D) of paragraph (1) of Code Section 21-5-70, the lobbyist shall certify on the disclosure report that no lobbying expenditure made on behalf of or for the benefit of any individual public officer exceeded \$75.00.
- (2) For those who are required to register under this article and lobby to influence a public officer or state agency in the selection of a vendor to supply any goods or services to any state agency, the name of any vendor or vendors for which the lobbyist undertook to influence the awarding of a contract or contracts by any state agency together with a description of the contract or contracts and the monetary amount of the contract or contracts; and
- (3) For those who are required to register under this article and lobby to promote or oppose the passage of any rule or regulation of any state agency, the name of the individual or entity for which the lobbyist undertook to influence the rule or regulation of a state agency.
- (f) The reports required by this article shall be in addition to any reports required under Code Section 45-1-6, relating to required reports by state vendors of gifts to public employees. Compliance with this Code section shall not excuse noncompliance with that Code section, and compliance with that Code section shall not excuse noncompliance with this Code section, notwithstanding the fact that in some cases the same information may be required to be disclosed under both Code sections.
- (g) The electronic filing of any disclosure report required by this article shall constitute an affirmation that such report is true, complete, and correct.
- (h) Reserved.
- (i) All lobbyists shall have a grace period of three business days in filing all disclosure reports.

#### **§ 21-5-74. Postemployment restrictions on lobbyists**

A lobbyist shall not be eligible for executive appointment to any board, authority, commission, or bureau created and established by the laws of this state which regulates the activities of a business, firm, corporation, or agency that the lobbyist represented until one year after the expiration of the lobbyist's registration for that business, firm, corporation, or agency.

**§ 21-5-75. Postemployment restrictions on public officers**

- (a) Except as provided in subsection (b) of this Code section, on and after January 8, 2007, persons identified in subparagraphs (A) through (D) of paragraph (22) of Code Section 21-5-3 and the executive director of each state board, commission, or authority shall be prohibited from registering as a lobbyist or engaging in lobbying under this article for a period of one year after terminating such employment or leaving such office.
- (b) The lobbying prohibition contained in subsection (a) of this Code section shall not apply to persons who terminate such employment or leave such office but who remain employed in state government.

**§ 21-5-76. Contingent fees for lobbying prohibited; unauthorized persons on the floor while the General Assembly is in session**

- (a) No person, firm, corporation, or association shall retain or employ a lobbyist for compensation contingent, in whole or in part, upon the passage or defeat of any legislative measure, upon the adoption or decision not to adopt any state agency rule or regulation, or upon the granting or awarding of any state contract. No lobbyist shall be employed for compensation contingent, in whole or in part, upon the passage or defeat of any legislation, upon the adoption or decision not to adopt any state agency rule or regulation, or upon the granting or awarding of any state contract.
- (b) It shall be unlawful for any person registered pursuant to the requirements of this article or for any other person, except as authorized by the rules of the House of Representatives or Senate, to be on the floor of either chamber of the General Assembly while the same is in session.



# JOHNS CREEK EASY CAMPAIGN FINANCE PORTAL

1. Contact the Clerk's Office to be added to the software.
2. <https://cityofjohnscreekgaeasyvotecampaignfinance.com/register>  
Click Register in upper righthand corner  
Set up account

**ORDERING VOTERS LIST**  
**Fulton County Registration & Elections Department**  
**Voter Registration Division**  
**130 Peachtree St. SW, Suite 2186, Atlanta, Georgia**  
**30303 Telephone: 404-612-3816**

Contact Person: **Sante Askin** (phone: 404-612-9152)  
Alternate: **Pamela Coman** (phone: 404-612-7791) North  
Annex: **Evelyn Goodloe** (phone: 404-612-9067) South  
Annex: **Mallory Magwood** (phone: 404-612-3050)

By law, voter registration lists are available to the public and contain the following information: voter name, residential address, mailing address if different, race, gender, registration date and last voting date. The list **does not** include telephone numbers, date of birth, Social Security number or Driver's License number. The list includes Active and Inactive Voters. The pricing is set by the Secretary of State office. This data may not be used by any person for commercial purposes. **O.C.G.A. 21-2-225 ( c )**In accordance with **O.C.G.A. 21-2-601**, any person who uses the list of electors provided for in **O.C.G.A. 21-2-225** for commercial purposes shall be guilty of a misdemeanor.

**1. OUTPUT MEDIA:**

Electronic files are available on CD ROM. The purchaser will need to have a database management software (ex. Access) or spreadsheet software (ex. Excel) available to read the files. A layout of the file is provided. Orders can be placed through the local county voter registration office or directly from the Secretary of State (<https://georgiasecretaryofstate.net/collections/voter-list-1>)

**2. SELECTION CRITERIA, CURRENTLY REGISTERED VOTERS OR VOTERS FROM SPECIFIC ELECTIONS.**

- A. Entire County
- B. Congressional Districts
- C. State Senate Districts
- D. State House Districts
- E. County Education District
- F. All Municipalities in Fulton
- G. County Commission Districts
- H. Municipal Council Districts
- I. Atlanta Education Districts
- J. Individual Precincts

**3. SPECIAL SELECTION CRITERIA**

(A) Sex (B) Age, (C) Race, (D) Voters who voted in only one specific Election, or a combination of elections (limit five), may also be requested. You must specify which elections you want to pull from, either by the name or date of the election (s). All requested files are \$50.00.

**5. COST**

A cost estimate will be provided at the time of ordering. When option requested is a combination of elections, it is not always possible to accurately estimate the number of voters that the request will generate. Costs of the lists are based on the total numbers of names. Each precinct or district is a separate order.

**If you are planning a mailing to voters, it may be less expensive to use a mailing house (The postage**

discounts may cover the cost). Visit [yellowpages.com](http://yellowpages.com) for a complete list of Direct Mail Advertising options.

## **6. PAYMENTS**

**FULL PAYMENT** is required at the time of ordering; cash, check or money order. Payment for County information ordered and printed by the county are to be made payable to **Fulton County Finance**; if printed by the State, payments should be made payable to **Secretary of State**. In instances where the number of voters will not be known until the list is actually printed, we will accept payments based on anticipated output and hold the funds until the order is produced. When we notify you to pick up the order, we will let you know if the anticipated amount is correct (or if we need a new check).

### **Returned checks:**

A \$35.00 fee in addition to the amount of the check must be paid prior to processing of any future orders by agent and or candidates. We will permit agent to order future list by complete cash payment for other candidates only. Orders not picked up or paid for in full will forfeit the right to place future orders until account is paid in full. The Georgia Secretary of State charges \$40.00 for returned checks.

## **7. APPROVAL OF ORDER**

Approval of order is required at time of placing order. Agent's signature or Candidates signature is required on all orders. A signature indicates order has been verified as correct.

## **8. TURN AROUND TIME**

- A.** Files processed by Fulton County will be available for pickup after 12:00 p.m. on the third day after receipt of payment. If you request that the order be sent to one of the Service Centers or mailed to you, it will take an additional day(s).
- B.** Files processed by Georgia Secretary of State are processed ONLY over the weekend and will be ready for pick up the following Monday or Tuesday.

## **9. PICKUP OF ORDER**

We encourage you to plan ahead to ensure receipt of your order when you want it. Generally, lists are ordered and picked up from the downtown location (address above); however, you may transact business at the North or South Service Centers. You may do so with the understanding that receipt of your order may be delayed by a day. Once you take a list out of this office, you are responsible for it. By your signature, you release the County from all responsibility for your purchase.

**NOTE:** CD'S ORDERED FROM THE SECRETARY OF STATE MAY HAVE A TURN AROUND TIME OF APPROXIMATELY SEVEN BUSINESS DAYS. THE CONTACT INFORMATION FOR THE SECRETARY OF STATE IS LISTED BELOW.

### **SECRETARY OF STATE**

Elections Division

2 Martin Luther King Jr. Drive, SE Suite 802, West Tower

Atlanta, Ga. 30334-1505

(404) 656-2871

[www.sos.ga.gov](http://www.sos.ga.gov)



## VOTER LIST ORDER FORM

Fulton County Registration & Elections Department  
Voter Registration Division  
130 Peachtree St. SW, Suite 2186, Atlanta, Georgia  
30303 Telephone: 404-612-3816

Date \_\_\_\_\_

Purchaser: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
(Please, No P.O. Boxes)

Email Address: \_\_\_\_\_

Contact Person (If different): \_\_\_\_\_

Contact Phone: \_\_\_\_\_ Ext: \_\_\_\_\_

**Payment Amount:** \_\_\_\_\_ (payment must be received before request is processed)

**Check Number:** \_\_\_\_\_ **Money Order Number:** \_\_\_\_\_

**Electronic file only includes date last voted for each registered voter. There is approximately a three day processing period.**

Description of Order

Receipt of a copy of the instructions for purchasing voter list is hereby acknowledged. Furthermore, it is understood and agreed to that the said list will be checked upon receipt for accuracy and correctness as to what was ordered. If the county is in the process of redistricting, I do understand that the information I receive, may not be the most up to date voter information.

The undersigned hereby agrees to hold Fulton County harmless from any and all claims by any person whatsoever arising out of the use or purchase of this order.

\_\_\_\_\_  
Signature of Purchaser/Representative

\_\_\_\_\_  
County Official

**Warning:** In accordance with §21-2-601 of the Georgia Elections Code, any person who uses the list of electors provided for in §21-2-225 for commercial purposes, shall be guilty of a misdemeanor

# **Save the Dates!!**

## **Student Leadership Johns Creek Debate**

September 26, 2023

## **Johns Creek Council Retreat**

Friday, January 26<sup>th</sup> – Sunday, January 28<sup>th</sup>

Details to be Announced

## **2024 Dates for Newly Elected Officials Institute:**

February 28<sup>th</sup> thru March 1<sup>st</sup> – Athens, GA

or

March 20<sup>th</sup> thru March 22<sup>nd</sup> – Tifton, GA

The Georgia General Assembly passed legislation (O.C.G.A. 36-45-1) requiring all persons elected as members of a municipal governing authority who were not serving as members of a municipal governing authority on July 1, 1990 to attend and satisfactorily complete a training program specifically designed for newly elected municipal officials. The Georgia Municipal Association and the University of Georgia's Carl Vinson Institute of Government are pleased to provide this required training to Georgia's newly elected municipal officials.

The Newly Elected Officials Institute provides an opportunity for mayors and councilmembers to increase their knowledge and understanding of city government, especially as it relates to the role and responsibility of the elected official. The training provides information designed to increase the awareness of the legal, financial and ethical responsibilities of city officials. Further, the course provides six hours of credit toward the voluntary training certificate program available through the Municipal Training Institute.

Municipal elected officials that have served before and have been reelected are required to take the Newly Elected Officials Institute again if they have been out of office for more than four years.