

Senate Bill 199

By: Senators Watson of the 11th, Gooch of the 51st, Burns of the 23rd, Goodman of the 8th, Williams of the 25th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to
2 government transparency and campaign finance, so as to provide that the State Ethics
3 Commission shall not accept or reject complaints made against candidates 60 days prior to
4 an election; to provide that campaign and personal finance disclosure reports for local elected
5 officials shall be filed with the commission instead of locally; to provide that certain local
6 elected officials shall affirm their duty to complete all statutorily required training and
7 supplemental education for their offices; to provide uniform reporting dates for campaigns
8 for all levels of office; to provide for registration of certain political action committees; to
9 require certain political action committees to maintain bank accounts; to provide disclosure
10 reporting requirements for certain political action committees; to revise and make more
11 uniform reporting dates for personal financial disclosure statements for office holders and
12 candidates; to revise provisions related to reporting income on personal financial disclosure
13 statements for office holders; to provide that the commission shall not publicly release home
14 address information in its possession; to revise lobbyist reporting requirements to make the
15 reporting dates for such requirements more uniform; to provide for related matters; to
16 provide an effective date; to repeal conflicting laws; and for other purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

S. B. 199

- 1 -

18

SECTION 1.

19 Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to government
20 transparency and campaign finance, is amended by revising Code Section 21-5-7, relating
21 to initiation of complaints, as follows:

22 "21-5-7.

23 (a) The commission shall not initiate any investigation or inquiry into any matter under its
24 jurisdiction based upon the complaint of any person, including a staff attorney employed
25 by the commission, unless that person or staff attorney shall produce the same in writing
26 and verify the same under oath to the best information, knowledge, and belief of such
27 person, the falsification of which shall be punishable as false swearing under Code
28 Section 16-10-71.

29 (b) The person against whom any complaint is made shall be furnished by hand delivery
30 or statutory overnight delivery or mailed by certified mail, return receipt requested, a copy
31 of the complaint by the commission within two business days of the commission's receipt
32 of such complaint and prior to any other public dissemination of such complaint.

33 (c) The commission shall not accept or reject a complaint made, nor issue a complaint on
34 its own cognizance, against a candidate in the 60 days immediately prior to an election in
35 which such candidate is seeking nomination for election or election."

36

SECTION 2.

37 Said chapter is further amended by revising Code Section 21-5-34, relating to campaign
38 disclosure reports relative to campaign contributions, as follows:

39 "21-5-34.

40 (a)(1)(A) The candidate or the chairperson or treasurer of each campaign committee
41 organized to bring about the nomination or election of a candidate for any office and
42 the chairperson or treasurer of every campaign committee designed to bring about the
43 recall of a public officer or to oppose the recall of a public officer or designed to bring

44 about the approval or rejection by the voters of any proposed constitutional amendment,
45 state-wide proposed question, or state-wide referendum shall electronically sign and file
46 with the commission the required campaign contribution disclosure reports; ~~provided,~~
47 ~~however, that public offices listed in subparagraph (F) or (G) of paragraph (22) of Code~~
48 ~~Section 21-5-3 shall be subject to signing and filing requirements as prescribed by~~
49 ~~paragraph (3) or (4) of this subsection, and recalls for such offices shall be subject to~~
50 ~~signing and filing requirements the same as required of candidates for such offices as~~
51 ~~prescribed by paragraph (3) or (4) of this subsection.~~

52 (B) The chairperson or treasurer of each independent committee shall file the required
53 disclosure reports with the commission.

54 (2)(A) Any campaign committee which accepts contributions or makes expenditures
55 designed to bring about the approval or rejection by the voters of any proposed question
56 which is to appear on the ballot in this state shall register with the commission and file
57 campaign contribution disclosure reports as prescribed by this chapter ~~or, in the case~~
58 ~~of any proposed question which is to appear on the ballot in a county or municipal~~
59 ~~election, shall register and file campaign disclosure reports with the same officials as~~
60 ~~prescribed by paragraph (3) or (4) of this subsection for candidates for county or~~
61 ~~municipal offices; provided, however, that such reports shall only be required if such~~
62 ~~campaign committee has received contributions which total more than \$500.00 or if~~
63 ~~such campaign committee has made expenditures which total more than \$500.00. All~~
64 ~~advertising pertaining to referendums shall identify the principal officer of such~~
65 ~~campaign committee by listing or stating the name and title of the principal officer.~~

66 (B) If a campaign committee is required to file a report with the commission under
67 subparagraph (A) of this paragraph, such report shall be electronically filed. Any such
68 report shall be filed 15 days prior to the date of the election; ~~and a.~~ A final report shall
69 be filed prior to December 31 of the election year.

70 ~~(3) A candidate for a public office listed in subparagraph (F) of paragraph (22) of Code~~
71 ~~Section 21-5-3 or the chairperson or treasurer of such candidate's campaign committee~~
72 ~~shall sign and file the required disclosure reports with the election superintendent in the~~
73 ~~county of election. Upon receipt of any such report, the election superintendent shall~~
74 ~~cause such report to be available for inspection and copying in accordance with Article 4~~
75 ~~of Chapter 18 of Title 50. The election superintendent shall transmit a copy of each such~~
76 ~~report to the commission, electronically by eFiling or eFax, not later than 30 days after~~
77 ~~the end of the grace period. No fine, fee, or sanction, including but not limited to~~
78 ~~identifying a candidate as having filed late or failed to file, shall be imposed by the~~
79 ~~commission on a candidate for the failure of the election superintendent to timely~~
80 ~~transmit a copy of such report. The commission is authorized to impose civil penalties~~
81 ~~pursuant to subparagraph (b)(14)(C) of Code Section 21-5-6 against an election~~
82 ~~superintendent who fails to properly transmit a copy of each such report, upon finding~~
83 ~~that said superintendent willfully failed to comply with the provisions of this chapter.~~

84 ~~(4) A candidate for a public office listed in subparagraph (G) of paragraph (22) of Code~~
85 ~~Section 21-5-3 or the chairperson or treasurer of such candidate's campaign committee~~
86 ~~shall sign and file the required disclosure reports with the municipal clerk in the~~
87 ~~municipality of election or, if there is no clerk, with the chief executive officer of the~~
88 ~~municipality; provided, however, that a municipality and a county may enter into an~~
89 ~~agreement whereby such candidates, chairpersons, or treasurers shall file the required~~
90 ~~disclosure reports with the county election superintendent instead. Upon receipt of any~~
91 ~~such report, the municipal clerk, chief executive officer of the municipality, or county~~
92 ~~election superintendent, as applicable, shall cause such report to be available for~~
93 ~~inspection and copying in accordance with Article 4 of Chapter 18 of Title 50. The~~
94 ~~municipal clerk, chief executive officer of the municipality, or county election~~
95 ~~superintendent, as applicable, shall transmit a copy of each such report to the~~
96 ~~commission, electronically by eFiling or eFax, not later than 30 days after the end of the~~

97 ~~grace period. No fine, fee, or sanction, including but not limited to identifying a~~
98 ~~candidate as having filed late or failed to file, shall be imposed by the commission on a~~
99 ~~candidate for the failure of the municipal clerk, chief executive officer of the county, or~~
100 ~~county election superintendent to timely transmit a copy of such report. The commission~~
101 ~~is authorized to impose civil penalties pursuant to subparagraph (b)(14)(C) of Code~~
102 ~~Section 21-5-6 against a municipal clerk, chief executive officer of the county, or county~~
103 ~~election superintendent who fails to properly transmit a copy of each such report, upon~~
104 ~~finding that said municipal clerk, chief executive officer of the county, or county election~~
105 ~~superintendent willfully failed to comply with the provisions of this chapter:~~

106 (a.1)(1) Notwithstanding the provisions of subsections (a) and (d.1) of this Code section
107 to the contrary, public offices listed in subparagraph (F) or (G) of paragraph (22) of Code
108 Section 21-5-3 shall be subject to the following signing and filing requirements until
109 December 31, 2026:

110 (A) A candidate for a public office listed in subparagraph (F) of paragraph (22) of
111 Code Section 21-5-3 or the chairperson or treasurer of such candidate's campaign
112 committee shall sign and file the required disclosure reports with the election
113 superintendent in the county of election. Upon receipt of any such report, the election
114 superintendent shall cause such report to be available for inspection and copying in
115 accordance with Article 4 of Chapter 18 of Title 50. The election superintendent shall
116 transmit a copy of each such report to the commission, electronically by eFiling or
117 eFax, not later than 30 days after the end of the grace period. No fine, fee, or sanction,
118 including but not limited to identifying a candidate as having filed late or failed to file,
119 shall be imposed by the commission on a candidate for the failure of the election
120 superintendent to timely transmit a copy of such report. The commission is authorized
121 to impose civil penalties pursuant to subparagraph (b)(14)(C) of Code Section 21-5-6
122 against an election superintendent who fails to properly transmit a copy of each such

123 report, upon finding that such superintendent willfully failed to comply with the
124 provisions of this chapter; or

125 (B) A candidate for a public office listed in subparagraph (G) of paragraph (22) of
126 Code Section 21-5-3 or the chairperson or treasurer of such candidate's campaign
127 committee shall sign and file the required disclosure reports with the municipal clerk
128 in the municipality of election or, if there is no clerk, with the chief executive officer
129 of the municipality; provided, however, that a municipality and a county may enter into
130 an agreement whereby such candidates, chairpersons, or treasurers shall file the
131 required disclosure reports with the county election superintendent instead. Upon
132 receipt of any such report, the municipal clerk, chief executive officer of the
133 municipality, or county election superintendent, as applicable, shall cause such report
134 to be available for inspection and copying in accordance with Article 4 of Chapter 18
135 of Title 50. The municipal clerk, chief executive officer of the municipality, or county
136 election superintendent, as applicable, shall transmit a copy of each such report to the
137 commission, electronically by eFiling or eFax, not later than 30 days after the end of
138 the grace period. No fine, fee, or sanction, including but not limited to identifying a
139 candidate as having filed late or failed to file, shall be imposed by the commission on
140 a candidate for the failure of the municipal clerk, chief executive officer of the county,
141 or county election superintendent to timely transmit a copy of such report. The
142 commission is authorized to impose civil penalties pursuant to subparagraph (b)(14)(C)
143 of Code Section 21-5-6 against a municipal clerk, chief executive officer of the county,
144 or county election superintendent, as applicable, who fails to properly transmit a copy
145 of each such report, upon finding that such municipal clerk, chief executive officer of
146 the county, or county election superintendent willfully failed to comply with the
147 provisions of this chapter.

148 (2)(A) In the event a candidate for nomination or election to a public office listed in
149 subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3 or the chairperson

150 or treasurer of a campaign committee organized to bring about the nomination or
151 election of such candidate signs and files with the appropriate official specified by
152 subparagraphs (A) and (B) of paragraph (1) of this subsection a written notice that such
153 candidate or campaign committee does not intend to accept during such election cycle
154 a combined total of contributions exceeding \$2,500.00 for the campaign nor make a
155 combined total of expenditures exceeding \$2,500.00 for the campaign in such election
156 cycle, then such candidate or campaign committee shall not be required to file a report
157 under this Code section. The appropriate official shall transmit an electronic copy of
158 the written notice by eFiling or eFax to the commission within ten days of receipt of
159 such notice. The failure of the appropriate official to timely transmit such copy of the
160 written notice to the commission shall not disqualify the candidate or campaign
161 committee from the exemption from report filing provided by this paragraph.

162 (B) If such candidate or campaign committee exceeds the \$2,500.00 limit for either
163 accepting contributions or making expenditures for such campaign during such election
164 cycle as specified in paragraph (1) of this subsection but does not accept a combined
165 total of contributions exceeding \$5,000.00 in such election cycle nor make expenditures
166 exceeding \$5,000.00 in such election cycle, then such candidate or campaign committee
167 shall be required to file only the July 31 and October 20 reports required by
168 paragraph (2) of subsection (c) of this Code section. The first such report shall include
169 all contributions received and expenditures made beginning January 1 of such calendar
170 year.

171 (C) If such candidate or campaign committee accepts a combined total of contributions
172 exceeding \$5,000.00 or makes expenditures exceeding \$5,000.00 for such campaign
173 during any such election cycle, then such candidate or campaign committee chairperson
174 or treasurer shall thereupon be subject to the reporting requirements of this Code
175 section the same as if the written notice authorized by this subsection had not been
176 filed.

177 (3) This subsection shall stand repealed on December 31, 2026.

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

179 (A) As to any contribution of more than \$100.00, its amount and date of receipt, the
180 election for which the contribution has been accepted and allocated, along with the
181 name and mailing address of the contributor, and, if the contributor is an individual, that
182 individual's occupation and the name of his or her employer. Such contributions shall
183 include, but shall not be limited to, the purchase of tickets for events such as dinners,
184 luncheons, rallies, and similar fund-raising events coordinated for the purpose of raising
185 campaign contributions for the reporting person;

186 (B) As to any expenditure of more than \$100.00, its amount and date of expenditure,
187 the name and mailing address of the recipient receiving the expenditure, and, if that
188 recipient is an individual, that individual's occupation and the name of his or her
189 employer and the general purpose of the expenditure;

190 (C) When a contribution consists of a loan, advance, or other extension of credit, the
191 report shall also contain the name of the lending institution or party making the advance
192 or extension of credit and the names, mailing addresses, occupations, and places of
193 employment of all persons having any liability for repayment of the loan, advance, or
194 extension of credit; and, if any such persons shall have a fiduciary relationship to the
195 lending institution or party making the advance or extension of credit, the report shall
196 specify such relationship;

197 (D) Total contributions received and total expenditures shall be reported for an election
198 cycle as follows:

199 (i) The first report filed after an election year shall list the cash on hand brought
200 forward from the previous election cycle, if any, and the total contributions received
201 during the period covered by the report;

- 202 (ii) Subsequent reports shall list the total contributions received during the period
203 covered by the report and the cumulative total of contributions received during the
204 election cycle;
- 205 (iii) The first report filed after an election year shall list the total expenditures made
206 during the period covered by the report;
- 207 (iv) Subsequent reports shall list the total expenditures made during the period
208 covered by the report, the cumulative total of expenditures made during the election
209 cycle, and net balance on hand; and
- 210 (v) If a public officer seeks reelection to the same public office, or if the public
211 officer is a member of the General Assembly seeking reelection in another district as
212 a result of redistricting, the net balance on hand at the end of the current election cycle
213 shall be carried forward to the first report filed after the election year;
- 214 (E) The corporate, labor union, or other affiliation of any political action committee or
215 independent committee making a contribution of more than \$100.00;
- 216 (F) Any investment made with funds of a campaign committee, independent
217 committee, or political action committee and held outside such committee's official
218 depository account during each reporting period for which an investment exists or a
219 transaction applying to an identifiable investment is made. The report shall identify the
220 name of the entity or person with whom such investment was made, the initial and any
221 subsequent amount of such investment if such investment was made during the
222 reporting period, and any profit or loss from the sale of such investment which occurred
223 during such reporting period; and
- 224 (G) Total debt owed on the last day of the reporting period.
- 225 (2) Each report shall be in such form as will allow for the separate identification of a
226 contribution or contributions which are less than \$100.00 but which become reportable
227 due to the receipt of an additional contribution or contributions which when combined

228 with such previously received contribution or contributions cumulatively equal or exceed \$100.00.
229 (c) Candidates or campaign committees which accept contributions, make expenditures
230 designed to bring about the nomination or election of a candidate, or have filed a
231 declaration of intention to accept campaign contributions pursuant to subsection (g) of
232 Code Section 21-5-30 shall file campaign contribution disclosure reports in compliance
233 with the following schedule:

234 (1) In each nonelection year: on January 31, April 30, July 31, and October 20;

235 ~~(A) Candidates for public office and public officers as defined in subparagraphs (A),~~
236 ~~(C), and (D) of paragraph (22) of Code Section 21-5-3 shall file on January 31 and~~
237 ~~June 30.~~

238 ~~(B) Candidates for public office and public officers as defined in subparagraphs (B),~~
239 ~~(F), and (G) of paragraph (22) of Code Section 21-5-3 shall file on June 30 and~~
240 ~~December 31;~~

241 (2) In each election year:

242 (A) On January 31, April 30, ~~June 30, September 30, October 25, and December 31~~
243 July 31, and October 20;

244 (B) Six days before any run-off primary or election in which the candidate is listed on
245 the ballot; and

246 (C) During the period of time between the last report due prior to the date of any
247 election for which the candidate is qualified and the date of such election, all
248 contributions of \$1,000.00 or more shall be reported within two business days of receipt
249 and also reported on the next succeeding regularly scheduled campaign contribution
250 disclosure report; provided, however, that this subparagraph shall only apply to
251 contributions of \$1,000.00 or more that are designated for the same actual election as
252 the one for which the individual is currently a candidate. Nothing in this Code section
253 shall be construed to require a contribution of \$1,000.00 or more that is designated as

254 a general election contribution to be reported during the two business day report period
255 of a primary election;

256 (3) If the candidate is a candidate in a special primary or special primary runoff, 15 days
257 prior to the special primary and six days prior to the special primary runoff; and

258 (4) If the candidate is a candidate in a special election or special election runoff, 15 days
259 prior to the special election and six days prior to the special election runoff.

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

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

273 (d.1)(1) In the event a candidate for nomination or election to a public office listed in
274 subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3 or the chairperson or
275 treasurer of a campaign committee organized to bring about the nomination or election
276 of such candidate signs and files with the ~~appropriate official specified by paragraph (3)~~
277 ~~or (4) of subsection (a) of this Code section~~ commission a written notice that such
278 candidate or campaign committee does not intend to accept during such election cycle a
279 combined total of contributions exceeding \$2,500.00 for the campaign nor make a
280 combined total of expenditures exceeding \$2,500.00 for the campaign in such election

281 cycle, then such candidate or campaign committee shall not be required to file a report
282 under this Code section. ~~The appropriate official shall transmit an electronic copy of the~~
283 ~~written notice by eFiling or eFax to the commission within ten days of receipt of such~~
284 ~~notice. The failure of the appropriate official to timely transmit such copy of the written~~
285 ~~notice to the commission shall not disqualify the candidate or campaign committee from~~
286 ~~the exemption from report filing provided by this paragraph.~~

287 (2) If such candidate or campaign committee exceeds the \$2,500.00 limit for either
288 accepting contributions or making expenditures for such campaign during such election
289 cycle as specified in paragraph (1) of this subsection but does not accept a combined total
290 of contributions exceeding \$5,000.00 in such election cycle nor make expenditures
291 exceeding \$5,000.00 in such election cycle, then such candidate or campaign committee
292 shall be required to file only the ~~June 30 and December 31~~ July 31 and October 20 reports
293 required by paragraph (2) of subsection (c) of this Code section. The first such report
294 shall include all contributions received and expenditures made beginning January 1 of
295 such calendar year.

296 (3) If such candidate or campaign committee accepts a combined total of contributions
297 exceeding \$5,000.00 or makes expenditures exceeding \$5,000.00 for such campaign
298 during any such election cycle, then such candidate or campaign committee chairperson
299 or treasurer shall thereupon be subject to the reporting requirements of this Code section
300 the same as if the written notice authorized by this subsection had not been filed.

301 (e) Any person who makes contributions to, accepts contributions for, or makes
302 expenditures on behalf of candidates, and any independent committee, shall file a
303 registration in the same manner as is required of campaign committees prior to accepting
304 or making contributions or expenditures. Such persons, other than independent
305 committees, shall also file campaign contribution disclosure reports at the same times as
306 required of the candidates they are supporting and a December 31 campaign contribution
307 disclosure report regardless of whether the candidate they are supporting has a

308 December 31 campaign contribution disclosure report due. The following persons shall
309 be exempt from the foregoing registration and reporting requirements:

310 (1) Individuals making aggregate contributions of \$25,000.00 or less directly to
311 candidates or the candidates' campaign committees in one calendar year;

312 (2) Persons other than individuals making aggregate contributions and expenditures to
313 or on behalf of candidates of \$25,000.00 or less in one calendar year; and

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

315 (e.1) Any political action committee which makes contributions to, accepts contributions
316 for, or makes expenditures on behalf of candidates shall file a registration in the same
317 manner as is required of campaign committees prior to accepting or making contributions
318 or expenditures. Prior to such registration, such political action committee shall open a
319 bank account in the name of such political action committee and shall maintain such bank
320 account until the political action committee is terminated. Such political action committee
321 shall also file campaign contribution disclosure reports on January 31, April 30, July 31,
322 and October 20 of each year until the bank account required by this subsection has been
323 zeroed out and the political action committee has been terminated.

324 (f)(1) Any independent committee which accepts contributions or makes expenditures
325 for the purpose of affecting the outcome of an election or advocates the election or defeat
326 of any candidate shall register with the commission prior to accepting contributions or
327 making expenditures and shall file disclosure reports as follows:

328 (A) On the first day of each of the two calendar months preceding any such election;

329 (B) Two weeks prior to the date of such election; and

330 (C) Within the two-week period prior to the date of such election the independent
331 committee shall report within two business days any contributions or expenditure of
332 more than \$1,000.00.

333 The independent committee shall file a final report prior to December 31 of the election
334 year and shall file supplemental reports on June 30 and December 31 of each year that
335 such independent committee continues to accept contributions or make expenditures.

336 (2) Reports filed by independent committees shall list the following:

337 (A) The amount and date of receipt, along with the name, mailing address, occupation,
338 and employer of any person making a contribution of more than \$100.00;

339 (B) The name, mailing address, occupation, and employer of any person to whom an
340 expenditure or provision of goods or services of the value of more than \$100.00 is made
341 and the amount, date, and general purpose thereof, including the name of the candidate
342 or candidates, if any, on behalf of whom, or in support of or in opposition to whom, the
343 expenditure or provision was made;

344 (C) Total expenditures made as follows:

345 (i) Expenditures shall be reported for the applicable reporting year;

346 (ii) The first report of a reporting year shall list the total expenditures made during
347 the period covered by the report; and

348 (iii) Subsequent reports shall list the total expenditures made during the period
349 covered by the report, the cumulative total of expenditures made during the reporting
350 year, and net balance on hand; and

351 (D) The corporate, labor union, or other affiliation of any political action committee,
352 candidate, campaign committee, or independent committee making a contribution of
353 the value of more than \$100.00.

354 (3) Whenever any independent committee makes an expenditure for the purpose of
355 financing any communication intended to affect the outcome of an election, such
356 communication shall clearly state that it has been financed by such independent
357 committee.

358 (g) Any campaign committee which accepts contributions or makes expenditures designed
359 to bring about the recall of a public officer or to oppose the recall of a public officer shall
360 file campaign contribution disclosure reports as follows:

361 (1) An initial report shall be filed within 15 days after the date when the official recall
362 petition forms were issued to the sponsors;

363 (2) A second report shall be filed 45 days after the filing of the initial report;

364 (3) A third report shall be filed within 20 days after the election superintendent certifies
365 legal sufficiency or insufficiency of a recall petition; and

366 (4) A final report shall be filed prior to December 31 of the year in which the recall
367 election is held or, in any case where such recall election is not held, a final report shall
368 be filed prior to December 31 of any year in which such campaign committee accepts
369 such contributions or makes such expenditures.

370 (h) Any campaign committee which accepts contributions or makes expenditures designed
371 to bring about the approval or rejection by the voters of a proposed constitutional
372 amendment or a state-wide referendum shall file a campaign contribution disclosure
373 report 75, 45, and 15 days prior to the date of the election and shall file a final report prior
374 to December 31 of the election year.

375 (i)(1) Any person elected to a public office who is required to file campaign contribution
376 disclosure reports pursuant to this article shall, upon leaving public office with excess
377 contributions, be required to file supplemental campaign contribution disclosure reports
378 on ~~June 30 and December 31~~ January 31, April 30, July 31, and October 20 of each year
379 until such contributions are expended in a campaign for elective office or used as
380 provided in subsection (b) of Code Section 21-5-33.

381 (2) Any person who is an unsuccessful candidate in an election and who is required to
382 file campaign contribution disclosure reports pursuant to this article shall for the
383 remainder of the election cycle file such reports at the same times as a successful
384 candidate and thereafter, upon having excess contributions from such campaign, be

385 required to file a supplemental campaign contribution disclosure report ~~no later than~~
386 ~~December 31~~ on January 31, April 30, July 31, and October 20 of each year until such
387 contributions are expended in a campaign for elective office or used as provided in
388 subsection (b) of Code Section 21-5-33. Any unsuccessful candidate in an election who
389 is required to file campaign contribution disclosure reports pursuant to this article and
390 who receives contributions following such election to retire debts incurred in such
391 campaign for elective office shall be required to file a supplemental campaign
392 contribution disclosure report ~~no later than December 31~~ on January 31, April 30, July
393 31, and October 20 of each year until such unpaid expenditures from such campaign are
394 satisfied.

395 (j) Notwithstanding any other provision of this chapter to the contrary, soil and water
396 conservation district supervisors elected pursuant to Article 2 of Chapter 6 of Title 2, the
397 'Soil and Water Conservation Districts Law,' shall not be required to file campaign
398 contribution disclosure reports under this Code section.

399 (k)(1) In addition to other penalties provided under this chapter, a late fee of \$125.00
400 shall be imposed by the person or entity with which filing is required for each report that
401 is filed late, and notice of such late fee shall be sent to the candidate and the candidate's
402 committee in the same manner by which the penalized report was filed with the
403 commission. However, if the report in question was not filed or was filed with the
404 commission in a manner other than electronic filing or certified mail, return receipt
405 requested, the commission shall utilize certified mail, return receipt requested, to notify
406 the candidate and the candidate's committee of the late fee due. The notice shall include
407 the schedule of increasing late fees for late filings and the dates upon which such late fees
408 shall be increased. In addition, a late fee of \$250.00 shall be imposed on the fifteenth day
409 after the due date for such report if the report has not been filed by such date. A late fee
410 of \$1,000.00 shall be imposed on the forty-fifth day after the due date for such report if
411 such report has not been filed. Notice by electronic means ~~does~~ shall not satisfy the

412 requirements of this paragraph; and any increased late fees shall be stayed until at least
 413 ten days after proper notice has been given as specified in this paragraph.

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

416 (l) It shall be the duty of the commission ~~or other official~~ when it receives for filing any
 417 disclosure report or statement or other document that may be filed by mail to maintain with
 418 the filed document a copy of the postal markings or statutory overnight delivery service
 419 markings of any envelope, package, or wrapping in which the document was delivered for
 420 filing if mailed or sent after the date such filing was due.

421 (m) Any person or entity which is required to be registered under this Code section shall
 422 file a termination statement together with its final campaign contribution disclosure report
 423 as required by this Code section within ten days of the dissolution of a campaign or
 424 committee. The termination statement shall identify the person responsible for maintaining
 425 campaign records as required by this chapter."

426 **SECTION 3.**

427 Said chapter is further amended in Code Section 21-5-50, relating to filing by public officers,
 428 filing by candidates for public office, filing by elected officials and members of the General
 429 Assembly, and electronic filing, by revising subsections (a) and (c) as follows:

430 "(a)(1) Except as modified in subsection (c) of this Code section with respect to
 431 candidates for state-wide elected public office;:

432 (A) Each ~~each~~ public officer, as defined in subparagraphs (A) through (D) of
 433 paragraph (22) of Code Section 21-5-3, and each person who qualifies as a candidate
 434 for election to any such public office shall file with the commission ~~not before the first~~
 435 ~~day of January nor~~ no later than July ~~April~~ 1 of each year in which such public officer
 436 holds office ~~other than an election year~~ a financial disclosure statement for the
 437 preceding calendar year; and

438 (B) Each ~~each~~ person who qualifies in a special election as a candidate for election as
439 a public officer, as defined in subparagraphs (A) through (D) of paragraph (22) of Code
440 Section 21-5-3, shall file with the commission, no later than the fifteenth day following
441 the date of qualifying as a candidate, a financial disclosure statement for the preceding
442 calendar year.

443 (2) Except as set forth in paragraph (3) of this subsection, a public officer, as defined in
444 subparagraph (E) of paragraph (22) of Code Section 21-5-3, shall not be required to file
445 a financial disclosure statement pursuant to this Code section. Each such public officer
446 shall, however, be deemed to be a public official for purposes of Code Section 45-10-26
447 and shall be subject to the disclosure requirements set forth in Code Section 45-10-26.
448 In addition, each such public officer shall file with the commission, prior to January 31
449 each year, an affidavit confirming that such public officer took no official action in the
450 previous calendar year that had a material effect on such public officer's private financial
451 or business interests; provided, however, that, if a public officer as defined in
452 subparagraph (E) of paragraph (22) of Code Section 21-5-3 has previously filed or is
453 subject to filing a financial disclosure statement with the commission pursuant to this
454 paragraph, and ~~said~~ such financial disclosure statement covers the same calendar year as
455 would be covered by the affidavit required by this Code section, the public officer shall
456 be exempted from filing an affidavit. No retired judge or senior judge of any court of this
457 state shall be required to file an affidavit pursuant to this Code section.

458 (3) A public officer, as defined in subparagraph (E) of paragraph (22) of Code
459 Section 21-5-3, who serves as a member of the commission shall be subject to the
460 requirements for filing financial disclosure statements set forth in paragraph (1) of this
461 subsection. In addition, each such public officer shall file with the commission, together
462 with the financial disclosure statement, an affidavit confirming that such public officer
463 took no official action in the previous calendar year that had a material effect on such
464 public officer's private financial or business interests.

465 (3.1)(A) Until December 31, 2026, a public officer and candidates for election as a
466 public officer, as defined in subparagraphs (F) and (G) of paragraph (22) of Code
467 Section 21-5-3, shall make filings of the same kind and in the same manner as provided
468 in paragraph (1) of this subsection for other public officers and candidates for election
469 as a public officer except that filings under this paragraph shall be made with the
470 election superintendent of the county in the case of public officers and candidates for
471 election as a public officer as defined in ~~said~~ such subparagraph (F) and shall be made
472 with the municipal clerk in the municipality of election or, if there is no clerk, with the
473 chief executive officer of the municipality in the case of public officers as defined in
474 ~~said~~ such subparagraph (G). The election superintendent, municipal clerk, or chief
475 executive officer, as applicable, shall transmit, electronically by eFiling or eFax, a copy
476 of each such report to the commission not later than 30 days after the close of the
477 reporting period. No fine, fee, or sanction, including but not limited to identifying a
478 public officer or candidate for election as a public officer as having filed late or failed
479 to file, shall be imposed by the commission on the public officer or candidate for
480 election as a public officer for the failure of the election superintendent, municipal
481 clerk, or chief executive officer, as applicable, to timely transmit a copy of such report.

482 (B) On and after January 1, 2027, a public officer and candidates for election as a
483 public officer, as defined in subparagraphs (F) and (G) of paragraph (22) of Code
484 Section 21-5-3, shall make filings of the same kind and in the same manner as provided
485 in paragraph (1) of this subsection for other public officers and candidates for election
486 as a public officer.

487 (3.2)(A) In the case of public officers and candidates for election as a public officer as
488 defined in subparagraph (F) of paragraph (22) of Code Section 21-5-3, when such
489 public officers and candidates are qualifying for election to a county governing
490 authority or to a local board of education, such public officer or candidate shall make
491 an affirmation in such filings acknowledging, in the case of public officers and

492 candidates for a county governing authority, the requirement for such newly elected
493 county officials to receive training pursuant to Code Section 36-20-4, and in the case
494 of public officers and candidates as an elected member of a local board of education,
495 the requirement for such newly elected members receive training pursuant to Code
496 Section 20-2-230.

497 (B) In the case of public officers and candidates for election as a public officer as
498 defined in subparagraph (G) of paragraph (22) of Code Section 21-5-3, when such
499 public officers and candidates are qualifying for election, such public officer or
500 candidate shall make an affirmation in such filings acknowledging the requirement for
501 newly elected municipal officials to receive training pursuant to Code Section 36-45-4.

502 (C) The affirmations required by subparagraphs (A) and (B) of this paragraph need not
503 be transmitted to the commission.

504 (4) Each member of the State Transportation Board shall file a financial disclosure
505 statement for the preceding calendar year no later than the sixtieth day following such
506 member's election to the State Transportation Board. Thereafter, each board member
507 shall file by ~~January 31~~ April 1 of each year a financial disclosure statement for the
508 preceding year. In addition, each board member shall file with the commission, prior to
509 ~~January 31~~ April 1 of each year, an affidavit confirming that such board member took no
510 official action in the previous calendar year that had a material effect on such board
511 member's private financial or business interests.

512 (5) The commission or the applicable official under paragraph (3.1) of this subsection
513 shall review each financial disclosure statement to determine that such statement is in
514 compliance with the requirements of this chapter.

515 (6) A public officer shall not, however, be required to file such a financial disclosure
516 statement for the preceding calendar year in an election year if such public officer does
517 not qualify for nomination for election to succeed himself or herself or for election to any
518 other public office subject to this chapter. For purposes of this paragraph, a public officer

519 shall not be deemed to hold office in a year in which the public officer holds office for
520 fewer than 15 days."

521 "(c)(1) Each person who qualifies with a political party as a candidate for party
522 nomination to a public office elected state wide, (including an incumbent public officer
523 elected state wide qualifying to succeed himself or herself), shall file with the
524 commission, not later than ~~seven days after so qualifying~~ April 1 of such election year,
525 a financial disclosure statement. Each person who qualifies as a candidate for election
526 to a public office elected state wide through a nomination petition or convention shall
527 likewise file a financial disclosure statement not later than ~~seven days after filing his or~~
528 ~~her notice of candidacy~~ April 1 of such election year. Such financial disclosure statement
529 shall comply with the requirements of subsections (a) and (b) of this Code section and
530 shall in addition identify, for the preceding five calendar years:

531 (A) Each transaction or transactions which aggregate \$9,000.00 or more in a calendar
532 year in which the candidate (whether for himself or herself or on behalf of any
533 business) or any business in which such candidate or any member of his or her family
534 has a substantial interest or is an officer of such business has transacted business with
535 the government of the State of Georgia, the government of any political subdivision of
536 the State of Georgia, or any agency of any such government; and

537 (B) Each transaction or transactions which aggregate \$9,000.00 or more in a calendar
538 year in which the candidate or any business in which such candidate or any member of
539 his or her family has a substantial interest or is an officer of such business received any
540 income of any nature from any person who was at the time of such receipt of income
541 represented by a lobbyist registered with the commission pursuant to Article 4 of this
542 chapter.

543 (2) The financial disclosure statement required by paragraph (1) of this subsection shall
544 include an itemized list of the transactions required to be reported, including the date of,
545 dollar amount of, and parties to each such transaction. However, with respect to any

546 transactions of a privileged nature only the total amount of such transactions shall be
547 required to be reported, and names, dates, amounts of individual transactions, and other
548 identifying data may be omitted; and for this purpose 'transactions of a privileged nature'
549 shall include transactions between attorney and client, transactions between psychiatrist
550 and patient, transactions between physician and patient, and any other transactions which
551 are by law of a similar privileged and confidential nature.

552 (3) The financial disclosure statement required by paragraph (1) of this subsection shall
553 be accompanied by a financial statement of the candidate's financial affairs for the five
554 calendar years prior to the year in which the election is held and the first quarter of the
555 calendar year in which the election is held.

556 (3.1) The financial disclosure statement required by paragraph (1) of this subsection shall
557 include the source or sources of the candidate's income for the five calendar years prior
558 to the year in which the election is held ~~and the first quarter of the calendar year in which~~
559 ~~the election is held.~~

560 (4) As used in this subsection, the term:

561 (A) 'Agency' means any agency, authority, department, board, bureau, commission,
562 committee, office, or instrumentality of the State of Georgia or any political subdivision
563 of the State of Georgia.

564 (B) 'Financial statement' means a statement of a candidate's financial affairs ~~in a form~~
565 ~~substantially equivalent to the short form financial statement required for bank directors~~
566 ~~under the rules of the Department of Banking and Finance which details the source and~~
567 ~~type of income with an indication of which of the following categories the amount or~~
568 value of such item of income is within:

569 (i) Not more than \$1,000.00;

570 (ii) Greater than \$1,000.00 but not more than \$2,500.00;

571 (iii) Greater than \$2,500.00 but not more than \$5,000.00;

572 (iv) Greater than \$5,000.00 but not more than \$15,000.00;

- 573 (v) Greater than \$15,000.00 but not more than \$50,000.00;
 574 (vi) Greater than \$50,000.00 but not more than \$100,000.00;
 575 (vii) Greater than \$100,000.00 but not more than \$250,000.00;
 576 (viii) Greater than \$250,000.00 but not more than \$500,000.00;
 577 (ix) Greater than \$500,000.00 but not more than \$1 million;
 578 (x) Greater than \$1 million but not more than \$5 million; or
 579 (xi) Greater than \$5 million.

580 (C) 'Person' and 'transact business' shall have the meanings ~~specified~~ set forth in Code
 581 Section 45-10-20.

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

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

588 **SECTION 4.**

589 Said chapter is further amended by revising Code Section 21-5-51, relating to inspection and
 590 copying of financial disclosure statements, as follows:

591 "21-5-51.

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

595 (b) Notwithstanding subsection (a) of this Code section or any provision of Chapter 18 of
 596 Title 50 to the contrary, the commission shall redact any identifiable home addresses from
 597 any records the commission discloses, posts, or releases to the public."

SECTION 5.

598

599 Said chapter is further amended in Code Section 21-5-73, relating to lobbyist disclosure
600 reports, by revising subsections (b), (c), and (d) as follows:

601 "(b) A person who is required to register under this article and:

602 (1) Lobbies to promote or oppose the passage of any legislation by the General
603 Assembly, or any committee of either chamber or a joint committee thereof, or the
604 approval or veto of legislation by the Governor shall file a semimonthly disclosure report
605 on the first and fifteenth day of each month, current through the end of the preceding
606 report, beginning January 15 and continuing throughout the period that the General
607 Assembly is in session.;

608 (2) Lobbies to promote or oppose the passage of any ordinance or resolution by a public
609 officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3,
610 or any committee of such public officers, or the approval or veto of any such ordinance
611 or resolution;

612 (3) Lobbies to promote or oppose the passage of any legislation by the General
613 Assembly, or any committee of either chamber or a joint committee thereof, or the
614 approval or veto of legislation by the Governor;

615 (4) As an employee of the executive branch or judicial branch of local government,
616 lobbies to promote or oppose the passage of any ordinance or resolution by a public
617 officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3,
618 or any committee of such public officers, or the approval or veto of any such ordinance
619 or resolution;

620 (5) Lobbies to influence a public officer or state agency in the selection of a vendor to
621 supply any goods or services to any state agency; or

622 (6) Lobbies to promote or oppose any matter before the State Transportation Board shall
623 file a monthly disclosure report, current through the end of the preceding period, on or
624 before the fifth day of each month.

625 (c) In addition to the requirements of subsection (b) of this Code section, a A person who
626 is required to register under this article and lobbies to promote or oppose the passage of any
627 ordinance or resolution by a public officer specified under subparagraph (F) or (G) of
628 paragraph (22) of Code Section 21-5-3, or any committee of such public officers, or the
629 approval or veto of any such ordinance or resolution shall: file a disclosure report on or
630 before the fifth day of each month, provided that all persons or entities required to file such
631 reports shall have a five-day grace period in filing the required reports.

632 ~~(1) File a disclosure report, current through the end of the preceding month, on or before~~
633 ~~the fifth day of May, September, and January of each year instead of the reports required~~
634 ~~by subsections (b) and (d) of this Code section; and~~

635 ~~(2) File such report with the commission, file a copy of such with the election~~
636 ~~superintendent of each county involved if the report contains any lobbying expenditures~~
637 ~~relating to county or county school district affairs, and file a copy of such report with the~~
638 ~~municipal clerk (or if there is no municipal clerk, with the chief executive officer of the~~
639 ~~municipality) of each municipality involved if the report contains any lobbying~~
640 ~~expenditures relating to municipal affairs or independent school district affairs.~~

641 (d) Reserved. A person who is required to register under this article and:

642 ~~(1) Lobbies to promote or oppose the passage of any legislation by the General~~
643 ~~Assembly, or any committee of either chamber or a joint committee thereof, or the~~
644 ~~approval or veto of legislation by the Governor;~~

645 ~~(2) As an employee of the executive branch or judicial branch of local government,~~
646 ~~lobbies to promote or oppose the passage of any ordinance or resolution by a public~~
647 ~~officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3,~~
648 ~~or any committee of such public officers, or the approval or veto of any such ordinance~~
649 ~~or resolution;~~

650 ~~(3) Lobbies to influence a public officer or state agency in the selection of a vendor to~~
651 ~~supply any goods or services to any state agency; or~~

652 ~~(4) Lobbies to promote or oppose any matter before the State Transportation Board shall~~
653 ~~file a monthly disclosure report, current through the end of the preceding period, on or~~
654 ~~before the fifth day of each month, provided, however, that such monthly reports shall~~
655 ~~not be filed during any period that the lobbyist files a semimonthly report pursuant to~~
656 ~~subsection (b) of this Code section."~~

657 **SECTION 6.**

658 This Act shall become effective on January 1, 2026.

659 **SECTION 7.**

660 All laws and parts of laws in conflict with this Act are repealed.