

House Bill 273

By: Representatives Snow of the 2nd, Lane of the 146th, Barnard of the 154th, Stuckey of the 67th, Hudson of the 120th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated,
2 relating to campaign contributions, so as to define certain terms; to provide that no natural
3 gas marketer or person or political action committee acting on behalf of a natural gas
4 marketer shall make a campaign contribution to a person holding or seeking the office of
5 member of the Public Service Commission or to a campaign committee of such person; to
6 provide that no attorney who practices before the Public Service Commission, no lobbyist
7 who lobbies the Public Service Commission, no officer or member of the board of directors
8 of a utility regulated by the Public Service Commission, and no officers or member of the
9 board of directors of a natural gas marketer shall make a contribution to or on behalf of a
10 person holding office as a member of the Public Service Commission or to or on behalf of
11 a candidate for the office of a member of the Public Service Commission or to or on behalf
12 of a campaign committee of any such candidate; to provide for criminal penalties; to provide
13 for related matters; to provide for an effective date; to repeal conflicting laws; and for other
14 purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

16 style="text-align:center">**SECTION 1.**

17 Article 2 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to
18 campaign contributions, is amended by adding a new Code Section 21-5-30.3 to read as
19 follows:

20 "21-5-30.3.

21 (a) Except as otherwise provided in this subsection, the definitions set forth in Code
22 Section 21-5-3 shall be applicable to the provisions of this Code section. As used in this
23 Code section, the term:

24 (1) 'Campaign committee' means the candidate, person, or committee which accepts
25 contributions to bring about the nomination for election or election of an individual to the
26 office of member of the Public Service Commission.

1 (2) 'Contribution' means a gift, subscription, membership, loan, forgiveness of debt,
2 advance or deposit of money, or anything of value conveyed or transferred for the
3 purpose of influencing the nomination for election or election of an individual to the
4 office of member of the Public Service Commission or encouraging the holder of such
5 office to seek reelection. The term 'contribution' shall include the payment of a
6 qualifying fee for and on behalf of a candidate for the office of member of the Public
7 Service Commission and any other payment or purchase made for and on behalf of the
8 holder of the office of member of the Public Service Commission or for or on behalf of
9 a candidate for that office when such payment or purchase is made for the purpose of
10 influencing the nomination for election or election of the candidate and is made pursuant
11 to the request or authority of the holder of such office, the candidate, the campaign
12 committee of the candidate, or any other agent of the holder of such office or the
13 candidate. The term 'contribution' shall not include the value of personal services
14 performed by persons who serve on a voluntary basis without compensation from any
15 source.

16 (3) 'Natural gas marketer' shall have the same meaning as the term 'marketer' defined in
17 paragraph (13) of Code Section 46-4-152.

18 (4) 'Political action committee' means any committee, club, association, partnership,
19 corporation, labor union, or other group of persons which receives donations aggregating
20 in excess of \$1,000.00 during a calendar year from persons who are members or
21 supporters of the committee and which distributes these funds as contributions to one or
22 more campaign committees of candidates for public office. Such term does not mean a
23 campaign committee.

24 (b) No natural gas marketer and no person or political action committee acting on behalf
25 of a natural gas marketer shall make a contribution to or on behalf of a person holding
26 office as a member of the Public Service Commission or to or on behalf of a candidate for
27 the office of a member of the Public Service Commission or to or on behalf of a campaign
28 committee of any such candidate.

29 (c) No attorney who practices before the Public Service Commission, no lobbyist who
30 lobbies the Public Service Commission, no officer or member of the board of directors of
31 a utility regulated by the Public Service Commission, and no officers or member of the
32 board of directors of a natural gas marketer shall make a contribution to or on behalf of a
33 person holding office as a member of the Public Service Commission or to or on behalf of
34 a candidate for the office of a member of the Public Service Commission or to or on behalf
35 of a campaign committee of any such candidate.

36 (d) Nothing contained in this Code section shall be construed to prevent any person who
37 may be employed by a natural gas marketer, other than an officer or board member,

1 including a person in whose name a license or lease is held, from voluntarily making a
2 campaign contribution from that person's personal funds to or on behalf of a person
3 holding office as a member of the Public Service Commission or to or on behalf of a
4 candidate for the office of member of the Public Service Commission or to or on behalf of
5 a campaign committee of any such candidate. It shall be unlawful and a violation of this
6 Code section for any natural gas marketer or other person to require another by coercive
7 action to make any such contribution.

8 (e) Any person who knowingly violates this Code section shall be guilty of a felony and
9 shall be punished by imprisonment for not less than one nor more than five years or by a
10 fine not to exceed \$5,000.00, or both."

11 **SECTION 2.**

12 This Act shall become effective upon its approval by the Governor or upon its becoming law
13 without such approval.

14 **SECTION 3.**

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