

House Bill 155

By: Representatives Day of the 126th and Stephens of the 123rd

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 provide that certain campaign contributions shall
3 disqualify persons from consideration for appointment to judgeships; to provide for
4 definitions; to provide for conditions and limitations; to provide for authority for this Act;
5 to provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to
9 campaign contributions, is amended by adding a new Code section at the end thereof, to be
10 designated Code Section 21-5-37, to read as follows:

11 "21-5-37.

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

15 (1) 'Campaign committee' means the candidate, person, or committee which accepts
16 contributions to bring about the nomination for election or election of an individual to the
17 office of Governor.

18 (2) 'Contribution' means a gift, subscription, membership, loan, forgiveness of debt,
19 advance or deposit of money, or anything of value conveyed or transferred for the
20 purpose of influencing the nomination for election or election of an individual to the
21 office of Governor or encouraging the holder of such office to seek reelection. The term
22 'contribution' shall include the payment of a qualifying fee for and on behalf of a
23 candidate for the office of Governor and any other payment or purchase made for and on
24 behalf of the Governor or for or on behalf of a candidate for that office when such
25 payment or purchase is made for the purpose of influencing the nomination for election
26 or election of the candidate and is made pursuant to the request or authority of the holder

1 of such office, the candidate, the campaign committee of the candidate, or any other agent
2 of the holder of such office or the candidate. The term 'contribution' shall not include the
3 value of personal services performed by persons who serve on a voluntary basis without
4 compensation from any source.

5 (3) 'Political action committee' means any committee, club, association, partnership,
6 corporation, labor union, or other group of persons which receives donations aggregating
7 in excess of \$1,000.00 during a calendar year from persons who are members or
8 supporters of the committee and which distributes these funds as contributions to the
9 campaign committee of a candidate for the office of Governor. Such term does not mean
10 a campaign committee.

11 (b) In the event a person, a political action committee acting on behalf of such person, a
12 member of the immediate family of such person, or a member of the business, firm, or
13 partnership of such person makes a contribution to or on behalf of the Governor or on
14 behalf of a candidate for such office or to or on behalf of a campaign committee of any
15 such candidate, such person shall not be qualified for consideration by the Judicial
16 Nominating Commission for appointment to a judgeship by the Governor until a period of
17 12 months, beginning on the date such contribution was made, has elapsed.

18 (c) This Code section is enacted pursuant to Article VI, Section VII, Paragraph II(e) of the
19 Constitution."

20 **SECTION 2.**

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

23 **SECTION 3.**

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