

Senate Bill 82

By: Senators Thompson of the 33rd, Meyer von Bremen of the 12th, Hooks of the 14th, Brown of the 26th, Starr of the 44th and Dean of the 31st

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 21-5-33 of the Official Code of Georgia Annotated, relating to
2 disposition of campaign contributions, so as to provide that a candidate or public officer may
3 donate excess campaign contributions to the state or a political subdivision of the state to
4 defray all or part of the cost of conducting an election for the office for which such campaign
5 funds were donated; to provide an effective date; to repeal conflicting laws; and for other
6 purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Code Section 21-5-33 of the Official Code of Georgia Annotated, relating to disposition of
10 campaign contributions, is amended by striking paragraph (1) of subsection (b) and inserting
11 in lieu thereof a new paragraph (1) to read as follows:

12 "(b)(1) All contributions received by a candidate or such candidate's campaign
13 committee or a public officer holding elective office in excess of those necessary to
14 defray expenses pursuant to subsection (a) of this Code section and as determined by such
15 candidate or such public officer may only be used as follows:

16 (A) As contributions to any charitable organization described in 26 U.S.C. 170(c) as
17 said federal statute exists on March 1, 1986, and which additionally shall include
18 educational, eleemosynary, and nonprofit organizations;

19 (B) Except as otherwise provided in subparagraph ~~(D)~~(E) of this paragraph, for
20 transferral without limitation to any national, state, or local committee of any political
21 party or to any candidate;

22 (C) For transferral without limitation to persons making such contributions, not to
23 exceed the total amount cumulatively contributed by each such transferee;

24 (D) For transferral without limitation to the state or a political subdivision of the state
25 to defray all or part of the cost of holding an election to fill the elective office which
26 such candidate sought or public officer holds or held;

