

Senate Bill 396

By: Senators Cheeks of the 23rd, Jackson of the 50th, Meyer von Bremen of the 12th, Lee of the 29th, Hall of the 22nd 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 finance and disclosure under the "Ethics in Government Act," so as to
3 provide that electronic filing of disclosure reports shall be permitted but not required; to
4 provide for the verification of disclosure reports filed electronically; to provide for related
5 matters; to provide for an effective date and applicability; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to
10 campaign finance and disclosure under the "Ethics in Government Act," is amended by
11 striking Code Section 21-5-34.1, relating to electronic filing, and inserting in its place a new
12 Code section to read as follows:

13 "21-5-34.1.

14 (a) Beginning February 1, 2001, candidates seeking election to constitutional offices, the
15 Supreme Court, the Court of Appeals, and the Public Service Commission ~~shall~~ may use
16 electronic means to file their campaign contribution disclosure reports with the Secretary
17 of State ~~upon having raised or spent a minimum of \$20,000.00 in an election cycle. Under~~
18 ~~that threshold, electronic filing is permitted and encouraged but not required.~~

19 (b) Beginning January 1, 2003, candidates seeking election to the General Assembly,
20 superior courts, and the office of district attorney ~~shall~~ may use electronic means to file
21 their campaign contribution disclosure reports with the Secretary of State, as specified in
22 Code Section 21-5-34, ~~upon having raised or spent a minimum of \$10,000.00 in an election~~
23 ~~cycle, but contributions and expenditures received or made prior to reaching such threshold~~
24 ~~need not be electronically filed if previously reported, except as cumulative totals. Under~~
25 ~~that threshold, electronic filing is permitted and encouraged but not required.~~

1 (c) Beginning January 1, 2003, candidates seeking election to county or municipal offices
 2 ~~shall~~ may use electronic means to file their campaign contribution disclosure reports with
 3 the election superintendent of their county or the municipal clerk or chief executive officer
 4 of their municipality, as specified in Code Section 21-5-34, ~~upon having raised or spent a~~
 5 ~~minimum of \$10,000.00 in an election cycle, but contributions and expenditures received~~
 6 ~~or made prior to reaching such threshold need not be electronically filed if previously~~
 7 ~~reported, except as cumulative totals. Under that threshold, electronic filing is permitted~~
 8 ~~and encouraged but not required.~~

9 (d) Beginning January 1, 2003, political action committees, independent committees, and
 10 any persons otherwise required by this article to file campaign contribution disclosure
 11 reports ~~shall~~ may use electronic means to file such reports with the Secretary of State ~~upon~~
 12 ~~having raised or spent \$5,000.00 in a calendar year. Under that threshold, electronic filing~~
 13 ~~is permitted and encouraged but not required.~~

14 (e) When campaign contribution disclosure reports are filed electronically as provided in
 15 subsections (a) through (d) of this Code section, ~~the original report shall be filed at the~~
 16 ~~same location~~ a documentary filing shall not be required but the individual filing such
 17 report or statement shall maintain in his or her records a verification by oath or affirmation
 18 taken before an officer authorized to administer oaths.

19 (f) ~~No funds raised or spent prior to the implementation date of electronic filing shall be~~
 20 ~~counted toward the appropriate threshold.~~

21 (g) The commission is authorized to promulgate rules and regulations to implement this
 22 Code section."

23 SECTION 2.

24 This Act shall become effective upon its approval by the Governor or upon its becoming law
 25 without such approval and shall apply with respect to filings due on or after that effective
 26 date.

27 SECTION 3.

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