

Senate Bill 34

By: Senator Buckner of the 44th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics  
2 in government, so as to prohibit certain public officials, their employees, and agencies from  
3 expending public funds to make, publish, or distribute certain publications immediately  
4 preceding an election; to provide for related matters; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in  
9 government, is amended in Code Section 21-5-11, relating to acceptance by public officers  
10 of monetary fees or honoraria, by adding a new subsection to read as follows:

11 "(d) No elected public official or his or her employee shall expend public funds for the  
12 purpose of publishing, making, or distributing a newsletter during the 45 days preceding  
13 an election in which such elected public official appears on the ballot of such election."

14 **SECTION 2.**

15 Said chapter is further amended in subsection (b) of Code Section 21-5-30.2, relating to  
16 contributions by public agencies, as follows:

17 "(b) No agency and no person acting on behalf of an agency shall make, directly or  
18 indirectly, any contribution to any campaign committee, political action committee, or  
19 political organization or to any candidate; but nothing in this Code section shall prohibit  
20 the furnishing of office space, facilities, equipment, goods, or services to a public officer  
21 for use by the public officer in such officer's fulfillment of such office. An agency shall  
22 be prohibited from expending public funds to make, publish, or distribute a publication,  
23 including a newsletter, memorandum, e-mail, or other similar material, for the purpose of  
24 criticizing or endorsing a political candidate."

25

**SECTION 3.**

26 All laws and parts of laws in conflict with this Act are repealed.