

The Senate Ethics Committee offered the following substitute to SB 163:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 21 of the Official Code of Georgia Annotated, relating to elections, so as to
2 provide certain requirements for the identification of campaign communications, advertising,
3 and literature; to provide for penalties; to provide for related matters; to repeal conflicting
4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

6 Title 21 of the Official Code of Georgia Annotated, relating to elections, is amended by
7 revising Code Section 21-5-31, which was previously reserved, as follows:

8 "21-5-31.

9 (a) Persons who make expenditures for the purpose of financing any communication
10 through any broadcasting station, newspaper, magazine, outdoor advertising facility,
11 website, mailing, or any other type of general public political advertising or literature for
12 the purpose of expressly advocating the election or defeat of a clearly identified candidate
13 shall:

14 (1) If paid for and authorized by a candidate or the campaign committee of a candidate,
15 or the agent of either, clearly state that the communication has been paid for by such
16 candidate or campaign committee;

17 (2) If paid for by other persons or entities but authorized by a candidate or the campaign
18 committee of a candidate, or the agent of either, clearly state that the communication has
19 been paid for by such other persons and is authorized by such candidate or campaign
20 committee; or

21 (3) If not authorized by a candidate or the campaign committee of a candidate, or the
22 agent of either, clearly state the name and the permanent street address or telephone
23 number of the person who paid for the communication and state that the communication
24 is not authorized by any candidate or candidate's campaign committee.
25

26 (b) No person shall use the name or any colorable imitation of the name of an existing
27 person or organization for the purpose of endorsing, circulating, or publishing campaign
28 material without the authorization of such person or organization. As used in this
29 subsection, the term 'any colorable imitation' means any name purposefully used so that a
30 person reading such name will be misled into believing that such campaign material is
31 being endorsed, circulated, or published by a person or organization other than the true
32 endorser, circulator, or publisher.
33 (c) Any person who violates this Code section shall be guilty of a misdemeanor Reserved."

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SECTION 2.

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