

Senate Bill 163

By: Senators Butterworth of the 50th, Rogers of the 21st, Gooch of the 51st, Heath of the 31st, Cowsert of the 46th and others

**AS PASSED SENATE**

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:

6 **SECTION 1.**

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

9 "21-5-31.

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

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

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

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

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."

34 **SECTION 2.**

35 All laws and parts of laws in conflict with this Act are repealed.