

House Bill 61

By: Representative Kidd of the 145<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 4 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated,  
2 relating to registration of lobbyists, lobbyist reporting, and regulation of lobbying activities,  
3 so as to provide that lobbyist expenditures for the benefit of elected state officials and  
4 members of the General Assembly shall not be subject to lobbyist reporting; to provide that  
5 elected state officials and members of the General Assembly shall be required to report  
6 lobbyist expenditures for their benefit; to provide for jurisdiction of the Georgia Government  
7 Transparency and Campaign Finance Commission and punishment for violations; to provide  
8 for related matters; to provide for an effective date and applicability; to repeal conflicting  
9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 4 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to  
13 registration of lobbyists, lobbyist reporting, and regulation of lobbying activities, is amended  
14 in Code Section 21-5-73, relating to lobbyist disclosure reports, by revising the introductory  
15 portion of paragraph (1) of subsection (e), not including the subparagraphs of paragraph (1),  
16 as follows:

17 "(1) A description of all expenditures, as defined in Code Section 21-5-70, or the value  
18 thereof made on behalf of or for the benefit of a public officer other than an elected state  
19 official or a member of the General Assembly or on behalf of or for the benefit of a  
20 public employee for the purpose of influencing a public officer other than an elected state  
21 official or a member of the General Assembly by the lobbyist or employees of the  
22 lobbyist or by any person on whose behalf the lobbyist is registered if the lobbyist has  
23 actual knowledge of such expenditure. Expenditures on behalf of elected state officials  
24 and members of the General Assembly shall not be subject to reporting under this Code  
25 section but shall be subject to reporting under Code Section 21-5-73.1. The description  
26 of each reported expenditure shall include:"

**SECTION 2.**

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Said article is further amended by adding a new Code Section 21-5-73.1 as follows:

"21-5-73.1.

(a) Each elected state official and each member and member-elect of the General Assembly shall file disclosure reports as provided for in this Code section.

(b) Each elected state official and member and member-elect of the General Assembly shall file a quarterly disclosure report, current through the end of the preceding calendar quarter, on or before the tenth day of each calendar quarter on forms provided by the commission.

(c) Reports filed by elected state officials and members and members-elect of the General Assembly shall be verified and shall include a description of each expenditure, as defined in Code Section 21-5-70, made by a lobbyist, an employee of a lobbyist, or any other person on behalf of or for the benefit of the reporting member of the General Assembly.

The description of each reported expenditure shall include:

(1) The name and address of the person making the expenditure;

(2) The name and address of the employer of the person making the expenditure or, if such person is not an employee, the name and address of any business or other organization with which such person is affiliated or has an ownership interest; and

(3) The date and description of the expenditure.

(d) The commission shall have jurisdiction to enforce the provisions of this Code section.

For failure to report an expenditure as required by this Code section, the commission shall impose:

(1) For a first offense, a civil penalty equal to the amount of the unreported expenditure or expenditures;

(2) For a second offense, a civil penalty equal to twice the amount of the unreported expenditure or expenditures; and

(3) For a third or subsequent offense, a civil penalty equal to three times the amount of the unreported expenditure or expenditures.

Any penalty imposed under this subsection shall be paid from personal funds of the offender.

(e) In addition to the penalties provided in subsection (d) of this Code section, for members of the General Assembly the commission shall report a third or subsequent offense to the presiding officer of the General Assembly chamber to which the member belongs, and the member shall be subject to punishment by the body by expulsion, censure, or other penalty under Article III, Section IV, Paragraph VII of the Constitution."

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**SECTION 3.**

63 This Act shall become effective on the convening date of the 2014 session of the General  
64 Assembly and shall apply with respect to expenditures made on or after that date.  
65 Expenditures made prior to that date shall remain subject to reporting as formerly provided  
66 by law.

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**SECTION 4.**

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