

House Bill 142

By: Representatives Ralston of the 7th, O'Neal of the 146th, Smyre of the 135th, Jones of the 47th, Lindsey of the 54th, and others

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 change certain provisions relating to powers and duties of the
3 Georgia Government Transparency and Campaign Finance Commission; to change certain
4 provisions relating to definitions relative to public officers' conduct and lobbyist disclosure;
5 to change certain provisions relating to lobbyist registration requirements, application for
6 registration, supplemental registration, expiration, docket, fees, identification cards, public
7 rosters, and exemptions; to regulate certain contact between lobbyists and members of the
8 General Assembly and the making or acceptance of certain expenditures; to change certain
9 provisions relating to lobbyist disclosure reports; to amend Code Section 45-10-91 of the
10 Official Code of Georgia Annotated, relating to a method for addressing improper conduct
11 by members of the General Assembly, so as to change certain provisions relating to filing of
12 complaints; to provide an effective date; to repeal conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 style="text-align:center">**SECTION 1.**

15 Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in
16 government, is amended in Code Section 21-5-6, relating to powers and duties of the Georgia
17 Government Transparency and Campaign Finance Commission, by revising paragraph (7)
18 of subsection (a) as follows:

19 "(7) To adopt in accordance with Chapter 13 of Title 50, the 'Georgia Administrative
20 Procedure Act,' such any rules and regulations as are specifically authorized in necessary
21 and appropriate for carrying out the purposes of this chapter; provided, however, that the
22 commission shall not require the reporting or disclosure of more information on any
23 report than is required by this chapter; and"

24 **SECTION 2.**

25 Said chapter is further amended in Code Section 21-5-70, relating to definitions relative to
 26 public officers' conduct and lobbyist disclosure, by revising paragraphs (1) and (5) as
 27 follows:

28 "(1) 'Expenditure':

29 (A) Means a purchase, payment, distribution, loan, advance, deposit, or conveyance
 30 of money or anything of value made for the purpose of influencing the actions of any
 31 public officer, specifically including any such transaction which is made on behalf of
 32 or for the benefit of a public employee for the purpose of influencing a public officer;

33 (B) Includes any other form of payment when such can be reasonably construed as
 34 designed to encourage or influence a public officer;

35 (B.1) Includes reimbursement or payment of actual and reasonable expenses provided
 36 to a public officer for transportation, travel, lodging, registration, food, and beverages;
 37 ~~and other activities related to attending a meeting or conference so as to permit such~~
 38 ~~public officer's participation in such meeting or conference;~~

39 (C) Includes any gratuitous transfer, payment, subscription, advance, or deposit of
 40 money, services, tickets for admission to athletic, sporting, recreational, musical
 41 concert, or other entertainment events, or anything of value, unless consideration of
 42 equal or greater than face value is received;

43 (D) ~~Notwithstanding division (x) of subparagraph (E) of this paragraph, includes food~~
 44 ~~or beverage consumed at a single meal or event by a public officer or public employee~~
 45 ~~or a member of the family of such public officer or public employee~~ Includes
 46 reimbursement or payment of expenses for recreational or leisure activities; and

47 (E) ~~The term shall~~ Does not include: anything defined in paragraph (4.1) of this Code
 48 section as a lobbying expenditure, the provisions of subparagraphs (A) through (D) of
 49 this paragraph notwithstanding."

50 "(4.1) 'Lobbying expenditure' means:

51 (i) ~~The value of personal services performed by persons who serve voluntarily~~
 52 ~~without compensation from any source;~~

53 (ii) ~~A gift received from a member of the public officer's family;~~

54 (iii) ~~Legal compensation or expense reimbursement provided to public employees~~
 55 ~~and to public officers in the performance of their duties;~~

56 (iv) ~~(A)~~ (A) Promotional items generally distributed to the general public or to public
 57 officers and food and beverages produced in Georgia;

58 (v) ~~(B)~~ (B) An award, plaque, certificate, memento, or similar item given in recognition of
 59 the recipient's civic, charitable, political, professional, or public service;

- 60 ~~(vi)~~(C) Legitimate salary, benefits, fees, commissions, or expenses associated with a
 61 recipient's nonpublic business, employment, trade, or profession;
- 62 ~~(vii)~~ (D) Food, beverages, and registration at group events to which all members of an
 63 agency, as defined in paragraph (1) of subsection (a) of Code Section 21-5-30.2, are
 64 invited. ~~An~~ For purposes of this subparagraph, an agency shall also include the Georgia
 65 House of Representatives, the Georgia Senate, standing committees of such bodies and
 66 subcommittees of such bodies standing committees, caucuses of members of the
 67 majority or minority political parties of the House or Senate, and the governing body
 68 of each political subdivision of this state;
- 69 ~~(viii)~~ (E) Campaign contributions or expenditures as defined by Code Section 21-5-3
 70 and reported as required by Article 2 of this chapter;
- 71 ~~(ix)~~ A commercially reasonable loan made in the ordinary course of business;
 72 ~~(x)~~ Food, beverage, or expenses afforded public officers, members of their immediate
 73 families, or others that are associated with normal and customary business or social
 74 functions or activities; or
- 75 ~~(xi)~~ Transportation unless a lobbyist arranges for or participates in such
 76 transportation:
- 77 (E.1) Monetary fees and honorariums paid to a public officer for speaking
 78 engagements or participation in seminars, discussion panels, or other activities which
 79 directly relate to the official duties of that public officer or the office of that public
 80 officer to the extent not prohibited by Code Section 21-5-11 and which are disclosed
 81 as required by Article 3 of this chapter;
- 82 (F) Reimbursement or payment of actual and reasonable expenses provided to a public
 83 officer for such public officer's individual transportation, travel, lodging, registration,
 84 food, and beverages for attending meetings that directly relate to the official duties of
 85 that public officer or the office of that public officer;
- 86 (G) Admission provided to members of the General Assembly to any collegiate athletic
 87 event in which a student athletic team from a branch of the University System of
 88 Georgia participates, if admission to such event is offered to all members of the General
 89 Assembly; or
- 90 (H) Reimbursement or payment of actual and reasonable expenses for activities
 91 sponsored by or on behalf of a government agency or authority, postsecondary or
 92 secondary educational institution, nonprofit organization, community organization,
 93 civic group, or religious organization if such activities are for informational and
 94 educational purposes only and the public officer is participating as an official duty of
 95 his or her office."
- 96 ~~(5)~~ 'Lobbyist' means, ~~subject to the qualifications at the end of this paragraph:~~

97 (A) Any natural person who receives compensation or provides services pro bono
 98 publico for advocating a position or agenda for the purpose of influencing the decision
 99 making of a public officer and who is neither subject to nor expressly exempted by any
 100 other provision of this paragraph;

101 ~~(A)~~(A.1) Any natural person who, either individually or as an employee of another
 102 person, is compensated specifically for undertaking to promote or oppose the passage
 103 of any legislation by the General Assembly, or any committee thereof, or the approval
 104 or veto of legislation by the Governor;

105 ~~(B) Any natural person who makes a total expenditure of more than \$1,000.00 in a~~
 106 ~~calendar year, not including the person's own travel, food, lodging expenses, or~~
 107 ~~informational material, to promote or oppose the passage of any legislation by the~~
 108 ~~General Assembly, or any committee thereof, or the approval or veto of legislation by~~
 109 ~~the Governor~~ Reserved;

110 (C) Any natural person who as an employee of the executive branch or judicial branch
 111 of state government engages in any activity covered under subparagraph (A) of this
 112 paragraph;

113 (D) Any natural person who, either individually or as an employee of another person,
 114 is compensated specifically for undertaking to promote or oppose the passage of any
 115 ordinance or resolution by a public officer specified under subparagraph (F) or (G) of
 116 paragraph (22) of Code Section 21-5-3, or any committee of such public officers, or the
 117 approval or veto of any such ordinance or resolution;

118 ~~(E) Any natural person who makes a total expenditure of more than \$1,000.00 in a~~
 119 ~~calendar year, not including the person's own travel, food, lodging expenses, or~~
 120 ~~informational material, to promote or oppose the passage of any ordinance or resolution~~
 121 ~~by a public officer specified under subparagraph (F) or (G) of paragraph (22) of Code~~
 122 ~~Section 21-5-3, or any committee of such public officers, or the approval or veto of any~~
 123 ~~such ordinance or resolution~~ Reserved;

124 (F) Any natural person who as an employee of the executive branch or judicial branch
 125 of local government engages in any activity covered under subparagraph (D) of this
 126 paragraph;

127 (G) Any natural person who, for compensation, either individually or as an employee
 128 of another person, is hired specifically to undertake influencing a public officer or state
 129 agency in the selection of a vendor to supply any goods or services to any state agency
 130 but does not include any employee or independent contractor of the vendor solely on
 131 the basis that such employee or independent contractor participates in soliciting a bid
 132 or in preparing a written bid, written proposal, or other document relating to a potential
 133 sale to a state agency and shall not include a bona fide salesperson who sells to or

134 contracts with a state agency for goods or services and who does not otherwise engage
 135 in activities described in subparagraphs (A) through (F) or (H) through ~~(J)~~(I) of this
 136 paragraph;

137 (H) Any natural person who, either individually or as an employee of another person,
 138 is compensated specifically for undertaking to promote or oppose the passage of any
 139 rule or regulation of any state agency; or

140 (I) Any natural person who, either individually or as an employee of another person,
 141 is compensated specifically for undertaking to promote or oppose any matter before the
 142 State Transportation Board; ~~or,~~

143 ~~(J) Any natural person who makes a total expenditure of more than \$1,000.00 in a~~
 144 ~~calendar year, not including the person's own travel, food, lodging expenses, or~~
 145 ~~informational material, to promote or oppose any matter before the State Transportation~~
 146 ~~Board.~~

147 ~~The provisions of subparagraphs (A), (C), (D), (F), (G), (H), and (I) of this paragraph~~
 148 ~~shall apply only where the person in question spends more than 10 percent of his or her~~
 149 ~~working hours engaged in the activities described in one or more of those subparagraphs.~~
 150 ~~In the case of a person who is employed by a single employer, the 10 percent test shall~~
 151 ~~be applied to all time worked for that employer. In the case of a person who is employed~~
 152 ~~by more than one employer or retained by more than one client, the 10 percent test shall~~
 153 ~~be applied separately with respect to time spent working for each employer and each~~
 154 ~~client. A person who spends less than 10 percent of his or her time working for an~~
 155 ~~employer or client engaged in such activities shall not be required to register as or be~~
 156 ~~subject to regulation as a lobbyist for that employer or client. In applying the 10 percent~~
 157 ~~test, time spent in planning, researching, or preparing for activities described in~~
 158 ~~subparagraphs (A), (C), (D), (F), (G), (H), and (I) of this paragraph shall be counted as~~
 159 ~~time engaged in such activities. When registration is required, the time of registration~~
 160 ~~shall be as provided in Code Section 21-5-71."~~

161 **SECTION 3.**

162 Said chapter is further amended by revising Code Section 21-5-71, relating to lobbyist
 163 registration requirements, application for registration, supplemental registration, expiration,
 164 docket, fees, identification cards, public rosters, and exemptions, as follows:

165 "21-5-71.

166 (a)(1) Subject to ~~paragraphs (2) and (3)~~ paragraph (2) of this subsection and except as
 167 otherwise provided by subsection (i) of this Code section, no person shall engage in
 168 lobbying as defined by this article unless such person is registered with the commission
 169 as a lobbyist. The commission shall not allow a person who has been convicted of a

170 felony involving moral turpitude in the courts of this state or an offense that, had it
 171 occurred in this state, would constitute a felony involving moral turpitude under the laws
 172 of this state to become a registered lobbyist unless ten years or more have elapsed since
 173 the completion of the person's sentence. The administration of this article is vested in the
 174 commission.

175 (2) When a person is hired or retained as an employee or agent or independent contractor
 176 and under the agreement of the parties the primary duties, or a substantial part of the
 177 duties, of the person will involve lobbying activities, the person shall register as a
 178 lobbyist before commencing lobbying activities.

179 ~~(3) When paragraph (2) does not apply there shall be a lookback period of each calendar~~
 180 ~~month for determining whether the 10 percent test of paragraph (5) of Code Section~~
 181 ~~21-5-70 has been met. If at the end of any month the 10 percent test has been met during~~
 182 ~~that month, the person shall register as a lobbyist within five days after the last day of that~~
 183 ~~month and shall in his or her initial disclosure report include all prior lobbying~~
 184 ~~expenditures in that calendar year.~~

185 (b) Each lobbyist shall file an application for registration with the commission. The
 186 application shall be verified by the applicant and shall contain:

187 (1) The applicant's name, address, and telephone number;

188 (2) The name, address, and telephone number of the person or agency that employs,
 189 appoints, or authorizes the applicant to lobby on its behalf;

190 (3) A statement of the general business or purpose of each person, firm, corporation,
 191 association, or agency the applicant represents;

192 (4) If the applicant represents a membership group other than an agency or corporation,
 193 the general purpose and approximate number of members of the organization;

194 (5) A statement signed by the person or agency employing, appointing, or authorizing
 195 the applicant to lobby on its behalf;

196 (6) If the applicant is a lobbyist ~~within the meaning of subparagraph (G) or (H) of~~
 197 ~~paragraph (5) of Code Section 21-5-70 attempting to influence rule making or purchasing~~
 198 ~~by a state agency or agencies~~, the name of the state agency or agencies before which the
 199 applicant engages in lobbying;

200 (7) A statement disclosing each individual or entity on whose behalf the applicant is
 201 registering if such individual or entity has agreed to pay him or her an amount exceeding
 202 \$10,000.00 in a calendar year for lobbying activities; and

203 (8) A statement verifying that the applicant has not been convicted of a felony involving
 204 moral turpitude in the courts of this state or an offense that, had it occurred in this state,
 205 would constitute a felony involving moral turpitude under the laws of this state or, if the
 206 applicant has been so convicted, a statement identifying such conviction, the date thereof,

207 a copy of the person's sentence, and a statement that more than ten years have elapsed
208 since the completion of his or her sentence.

209 (c) The lobbyist shall, within seven days of any substantial or material change or addition,
210 file a supplemental registration indicating such substantial or material change or addition
211 to the registration prior to its expiration. Previously filed information may be incorporated
212 by reference. Substantial or material changes or additions shall include, but are not limited
213 to, the pertinent information concerning changes or additions to client and employment
214 information required by paragraphs (2), (3), (4), (6), and (7) and conviction status required
215 by paragraph (8) of subsection (b) of this Code section.

216 (d) Each registration under this Code section shall expire on December 31 of each year.
217 The commission may establish renewal procedures for those applicants desiring continuous
218 registrations. Previously filed information may be incorporated by reference.

219 (e) The commission shall provide a suitable public docket for registration under this Code
220 section with appropriate indices and shall enter promptly therein the names of the lobbyists
221 and the organizations they represent.

222 (f)(1) Each person registering under this Code section shall pay the registration fees set
223 forth in paragraph (2) of this subsection; provided, however, that a person who represents
224 any state, county, municipal, or public agency, department, commission, or authority
225 shall be exempted from payment of such registration fees.

226 (2) The commission shall collect the following fees:

227 (A) Annual lobbyist registration or renewal filed pursuant to this	
228 Code section	\$300.00
229 (B) Lobbyist supplemental registration filed pursuant to this Code	
230 section	10.00
231 (C) Each copy of a lobbyist identification card issued pursuant to this	
232 Code section	20.00

233 (D)(i) For reports filed when the General Assembly is not in
234 session, in addition to other penalties provided under this chapter,
235 a late fee of \$275.00 shall be imposed for each report that is filed
236 late. In addition, a late fee of \$1,000.00 shall be imposed on the
237 fifteenth day after the due date for such report if the report has not
238 been filed. A late fee of \$10,000.00 shall be imposed on the
239 forty-fifth day after the due date for such report if the report has not
240 been filed.

241 (ii) The commission shall retain \$25.00 of the first late fee received
242 for processing pursuant to the provisions of Code Section

243 45-12-92.1.

244 (E)(i) For reports filed when the General Assembly is in session, in
 245 addition to other penalties provided under this chapter, a late fee of
 246 \$275.00 shall be imposed for each report that is filed late. In
 247 addition, a late fee of \$1,000.00 shall be imposed on the seventh day
 248 after the due date for such report if the report has not been filed. A
 249 late fee of \$10,000.00 shall be imposed on the twenty-first day after
 250 the due date for such report if the report has not been filed.

251 (ii) The commission shall retain \$25.00 of the first late fee received
 252 for processing pursuant to the provisions of Code Section
 253 45-12-92.1.

254 (g) As soon as practicable after registering any such person, the commission shall issue to
 255 such person an identification card which shall have printed thereon the name of the
 256 lobbyist, a color photograph of the lobbyist, and the person or agency such lobbyist
 257 represents, provided that, when any such person represents more than one entity, such
 258 identification card shall have printed thereon the name of the registered person and the
 259 word 'LOBBYIST.' Each lobbyist while engaged in lobbying at the capitol or in a
 260 government facility shall display said identification in a readily visible manner.

261 (h) The commission shall regularly publish in print or electronically public rosters of
 262 lobbyists along with the respective persons, firms, corporations, associations, agencies, or
 263 governmental entities they represent. During sessions of the General Assembly, the
 264 commission shall weekly report to the Clerk of the House of Representatives, the Secretary
 265 of the Senate, and the Governor those persons who have registered as lobbyists since the
 266 convening of the General Assembly. The commission shall be authorized to charge a
 267 reasonable fee for providing copies of the roster to the public.

268 (i) The registration provisions of this Code section shall not apply to:

269 (1) Any individual who expresses personal views, on that individual's own behalf, to any
 270 public officer other than a public officer who is elected state wide by the voters;

271 (1.1) A natural person providing services pro bono publico in an attempt to influence the
 272 decision of a public officer elected by the people if such natural person resides in the
 273 district or territory from which such public officer is elected;

274 (1.2) An employee or independent contractor of a vendor who merely participates in
 275 soliciting a bid or in preparing a written bid, written proposal, or other document relating
 276 to a potential sale to a state or local government agency or a bona fide salesperson who
 277 sells to or contracts with a state or local government agency for goods or services, is not
 278 hired specifically to undertake influencing a public officer or state agency in the selection

279 of a vendor to supply any goods or services to any state agency, and does not engage in
 280 other activities which would make such person a lobbyist;

281 (2) Any person who appears before a public agency or governmental entity committee
 282 or hearing, including but not limited to a committee of the General Assembly, for the
 283 purpose of giving testimony but only when such person is ~~not otherwise required to~~
 284 ~~comply with the registration provisions of this Code section~~ appears at the specific
 285 request of the governmental entity and clearly identifies himself or herself and the
 286 interested party on whose behalf he or she is testifying;

287 (3) ~~Any public employee of an agency appearing before a governmental entity~~
 288 ~~committee or hearing at the request of the governmental entity or any person who~~
 289 ~~furnishes information upon the specific request of to a governmental entity,~~ including but
 290 not limited to a committee of the General Assembly, but only when such person furnishes
 291 such information at the specific request of the governmental entity and clearly identifies
 292 himself or herself and the interested party on whose behalf he or she furnishes such
 293 information;

294 (4) Any licensed attorney when representing a client in administrative proceedings or in
 295 civil litigation or criminal proceedings or appearing on behalf of a client in any
 296 adversarial proceeding before an agency of this state or any political subdivision of this
 297 state;

298 (5) Any person employed or appointed by a lobbyist registered pursuant to this Code
 299 section whose duties and activities do not include lobbying;

300 (6) Elected public officers or appointed public officials performing the official duties of
 301 their public office; and

302 (7) Any public employee who performs services at the direction of a member of the
 303 General Assembly including, but not limited to, drafting petitions, bills, or resolutions;
 304 attending the taking of testimony; collating facts; preparing arguments and memorials and
 305 submitting them orally or in writing to a committee or member of the General Assembly;
 306 and other services of like character intended to reach the reason of the legislators."

307 **SECTION 4.**

308 Said chapter is further amended by adding a new Code section to read as follows:

309 "21-5-72.1.

310 (a)(1) No person who is required by the law of this state to register as a lobbyist shall
 311 meet at the state capitol or Coverdell Legislative Office Building with any member of
 312 the General Assembly to discuss the promotion or opposition of the passage of any
 313 legislation by the General Assembly or any committee thereof or the override of a veto

314 unless such person either is wearing his or her valid official registered lobbyist badge
 315 or is a resident of the House or Senate district which such member represents.

316 (2) No member of the General Assembly shall knowingly meet at the state capitol or
 317 Coverdell Legislative Office Building with any person who is required by the law of
 318 this state to register as a lobbyist to discuss the promotion or opposition of the passage
 319 of any legislation by the General Assembly or any committee thereof or the override
 320 of a veto unless such person either is wearing his or her valid official registered lobbyist
 321 badge or is a resident of the House or Senate district which such member represents.

322 (b)(1) No person who is registered or required to be registered as a lobbyist under Code
 323 Section 21-5-71 shall make any expenditure.

324 (2) No public officer shall with actual knowledge accept any expenditure from a person
 325 who is registered as a lobbyist under Code Section 21-5-71."

326 **SECTION 5.**

327 Said chapter is further amended by revising Code Section 21-5-73, relating to lobbyist
 328 disclosure reports, as follows:

329 "21-5-73.

330 (a) Each lobbyist registered under this article shall file disclosure reports as provided for
 331 in this Code section in the electronic format specified by the commission, except as
 332 otherwise provided by subsection (j) of this Code section.

333 ~~(b) A person who is a lobbyist pursuant to subparagraph (A), (B), or (C) of paragraph (5)~~
 334 ~~of Code Section 21-5-70 required to register under this article and lobbies to promote or~~
 335 ~~oppose the passage of any legislation by the General Assembly, or any committee thereof,~~
 336 ~~or the approval or veto of legislation by the Governor shall file a semimonthly disclosure~~
 337 ~~report on the first and fifteenth day of each month, current through the end of the preceding~~
 338 ~~report, beginning January 15 and continuing throughout the period that the General~~
 339 ~~Assembly is in session.~~

340 ~~(c) A person who is a lobbyist pursuant to subparagraph (D) or (E) of paragraph (5) of~~
 341 ~~Code Section 21-5-70 required to register under this article and lobbies to promote or~~
 342 ~~oppose the passage of any ordinance or resolution by a public officer specified under~~
 343 ~~subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3, or any committee of~~
 344 ~~such public officers, or the approval or veto of any such ordinance or resolution shall:~~

345 (1) File a disclosure report, current through the end of the preceding month, on or before
 346 the fifth day of May, September, and January of each year instead of the reports required
 347 by subsections (b) and (d) of this Code section; and

348 (2) File such report with the commission, file a copy of such report with the election
 349 superintendent of each county involved if the report contains any lobbying expenditures

350 relating to county or county school district affairs, and file a copy of such report with the
 351 municipal clerk (or if there is no municipal clerk, with the chief executive officer of the
 352 municipality) of each municipality involved if the report contains any lobbying
 353 expenditures relating to municipal affairs or independent school district affairs.

354 (d) A person who is a lobbyist pursuant to ~~subparagraph (A), (B), (C), (F), (G), (H), (I),~~
 355 ~~or (J) of paragraph (5) of Code Section 21-5-70~~ required to register under this article and:

356 (1) Lobbies to promote or oppose the passage of any legislation by the General
 357 Assembly, or any committee thereof, or the approval or veto of legislation by the
 358 Governor;

359 (2) As an employee of the executive branch or judicial branch of local government,
 360 lobbies to promote or oppose the passage of any ordinance or resolution by a public
 361 officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3,
 362 or any committee of such public officers, or the approval or veto of any such ordinance
 363 or resolution;

364 (3) Lobbies to influence a public officer or state agency in the selection of a vendor to
 365 supply any goods or services to any state agency; or

366 (4) Lobbies to promote or oppose any matter before the State Transportation Board

367 shall file a monthly disclosure report, current through the end of the preceding period, on
 368 or before the fifth day of each month; provided, however, that such monthly reports shall
 369 not be filed during any period that the lobbyist files a semimonthly report pursuant to
 370 subsection (b) of this Code section.

371 (e) Reports filed by lobbyists shall be verified and shall include:

372 (1) A description of all lobbying expenditures, ~~as defined in~~ described in subparagraphs
 373 (D), (F), and (G) of paragraph (4.1) of Code Section 21-5-70, or the value thereof made
 374 on behalf of or for the benefit of a public officer or on behalf of or for the benefit of a
 375 public employee for the purpose of influencing a public officer by the lobbyist or
 376 employees of the lobbyist or by any person on whose behalf the lobbyist is registered if
 377 the lobbyist has actual knowledge of such lobbying expenditure. The description of each
 378 reported lobbying expenditure shall include:

379 (A) The name and title of the public officer or public employee or, if the lobbying
 380 expenditure is simultaneously incurred for an identifiable group of public officers or
 381 public employees the individual identification of whom would be impractical, a general
 382 description of that identifiable group;

383 (B) The amount, date, and description of the lobbying expenditure and a summary of
 384 all spending classified by category. Such categories shall include ~~gifts,~~ meals,
 385 ~~entertainment,~~ lodging, ~~equipment,~~ advertising, travel, and ~~postage~~ tickets;

- 386 (C) The ~~provisions of Code Section 21-5-70 notwithstanding~~, aggregate lobbying
 387 expenditures described in divisions (1)(E)(vii) and (1)(E)(x) subparagraphs (D) and (F)
 388 of paragraph (4.1) of Code Section 21-5-70 incurred during the reporting period;
 389 provided, however, expenses for travel and for food, beverage, and lodging in
 390 connection therewith afforded a public officer or public employee shall be reported in
 391 the same manner as under subparagraphs (A), (B), and (D) of this paragraph;
- 392 (D) If applicable, the number of the bill, resolution, ordinance, or regulation pending
 393 before the governmental entity in support of or opposition to which the lobbying
 394 expenditure was made; and
- 395 (E) If applicable, the rule or regulation number or description of the rule or regulation
 396 pending before the state agency in support of or opposition to which the lobbying
 397 expenditure was made;
- 398 (2) For those who are ~~lobbyists within the meaning of subparagraph (G) of paragraph (5)~~
 399 ~~of Code Section 21-5-70~~ required to register under this article and lobby to influence a
 400 public officer or state agency in the selection of a vendor to supply any goods or services
 401 to any state agency, the name of any vendor or vendors for which the lobbyist undertook
 402 to influence the awarding of a contract or contracts by any state agency together with a
 403 description of the contract or contracts and the monetary amount of the contract or
 404 contracts; and
- 405 (3) For those who are ~~lobbyists within the meaning of subparagraph (H) of paragraph (5)~~
 406 ~~of Code Section 21-5-70~~ required to register under this article and lobby to promote or
 407 oppose the passage of any rule or regulation of any state agency, the name of the
 408 individual or entity for which the lobbyist undertook to influence the rule or regulation
 409 of a state agency.
- 410 (f) The reports required by this article shall be in addition to any reports required under
 411 Code Section 45-1-6, relating to required reports by state vendors of gifts to public
 412 employees. Compliance with this Code section shall not excuse noncompliance with that
 413 Code section, and compliance with that Code section shall not excuse noncompliance with
 414 this Code section, notwithstanding the fact that in some cases the same information may
 415 be required to be disclosed under both Code sections.
- 416 (g) The electronic filing of any disclosure report required by this article shall constitute an
 417 affirmation that such report is true, complete, and correct.
- 418 (h) The commission shall not require the reporting of any more information in a lobbyist
 419 disclosure report than is expressly required to be disclosed by this Code section.
- 420 (i) All lobbyists shall have a grace period of three business days in filing all disclosure
 421 reports.

422 (j) Any employee of a branch, department, commission, agency, or authority of state
423 government who is required to register under this article shall not be subject to the
424 reporting requirements of this Code section."

425 **SECTION 6.**

426 Code Section 45-10-91 of the Official Code of Georgia Annotated, relating to a method for
427 addressing improper conduct by members of the General Assembly, is amended by revising
428 subsection (a) as follows:

429 "(a) Any person may file a complaint with the clerical officer of the appropriate chamber
430 alleging improper conduct involving a member of the General Assembly. Any employee
431 may file a complaint with the clerical officer of the appropriate chamber alleging sexual
432 harassment by a member of the General Assembly. The clerical officer shall designate the
433 place where such complaints may be filed, provide instruction necessary to properly submit
434 a complaint, and prescribe forms for such complainants. Complaints shall be submitted in
435 writing and verified under oath to the best information, knowledge, and belief of such
436 person. The complaint shall include a statement by the complainant as to whether or not
437 in filing the complaint he or she is acting as an agent, paid or otherwise, for any other
438 person. Any person who knowingly provides false information in executing a complaint
439 under this Code section commits the offense of false swearing within the meaning of Code
440 Section 16-10-71."

441 **SECTION 7.**

442 This Act shall become effective on January 1 next following the date this Act is approved by
443 the Governor or becomes law without such approval.

444 **SECTION 8.**

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