

House Bill 142 (COMMITTEE SUBSTITUTE)

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 campaign disclosure reports; to change certain
6 provisions relating to filing by public officers, filing by candidates for public office, filing
7 by elected officials and members of the General Assembly, electronic filing, and transfer of
8 filings from the Secretary of State to the commission; to change certain provisions relating
9 to lobbyist registration requirements, application for registration, supplemental registration,
10 expiration, docket, fees, identification cards, public rosters, and exemptions; to regulate
11 certain contact between lobbyists and members of the General Assembly and the making or
12 acceptance of certain expenditures; to change certain provisions relating to lobbyist
13 disclosure reports; to amend Code Section 45-10-91 of the Official Code of Georgia
14 Annotated, relating to a method for addressing improper conduct by members of the General
15 Assembly, so as to change certain provisions relating to filing of complaints; to provide an
16 effective date; to repeal conflicting laws; and for other purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

18 **SECTION 1.**

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

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

H. B. 142 (SUB)

27 report than is expressly required to be reported or disclosed by this chapter, unless such
 28 information was required to be reported or disclosed by rules and regulations of the
 29 commission which were in effect as of January 1, 2013, so long as such rules and
 30 regulations do not conflict with this chapter; and"

31 **SECTION 2.**

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

35 "(1) 'Expenditure':

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

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

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

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

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

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

57 "(4.1) 'Lobbying expenditure' means:

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

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

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

- 63 ~~(iv)~~(A) Promotional items generally distributed to the general public or to public
 64 officers and food and beverages produced in Georgia;
- 65 ~~(v)~~(B) An award, plaque, certificate, memento, or similar item given in recognition of
 66 the recipient's civic, charitable, political, professional, or public service;
- 67 ~~(vi)~~(C) Legitimate salary, benefits, fees, commissions, or expenses associated with a
 68 recipient's nonpublic business, employment, trade, or profession;
- 69 ~~(vii)~~ (D) Food, beverages, and registration at group events to which all members of an
 70 agency, as defined in paragraph (1) of subsection (a) of Code Section 21-5-30.2, are
 71 invited. ~~An~~ For purposes of this subparagraph, an agency shall also include the Georgia
 72 House of Representatives, the Georgia Senate, standing committees of such bodies and
 73 standing subcommittees of such bodies standing committees, local delegations of the
 74 House and Senate as defined by House and Senate rules, caucuses of members of the
 75 majority or minority political parties of the House or Senate, other caucuses of the
 76 House or Senate as approved by the House Committee on Ethics or the Senate Ethics
 77 Committee, and the governing body of each political subdivision of this state;
- 78 ~~(viii)~~ (E) Campaign contributions or expenditures as defined by Code Section 21-5-3
 79 and reported as required by Article 2 of this chapter;
- 80 ~~(ix)~~ ~~A commercially reasonable loan made in the ordinary course of business;~~
- 81 ~~(x)~~ ~~Food, beverage, or expenses afforded public officers, members of their immediate~~
 82 ~~families, or others that are associated with normal and customary business or social~~
 83 ~~functions or activities; or~~
- 84 ~~(xi)~~ ~~Transportation unless a lobbyist arranges for or participates in such~~
 85 ~~transportation.~~
- 86 (F) Reimbursement or payment of actual and reasonable expenses provided to a public
 87 officer and his or her necessary public employee staff members for such public officer's
 88 and staff members' individual transportation other than by air, lodging, travel, and
 89 registration for attending educational, informational, charitable, or civic meetings,
 90 functions, or conferences that directly relate to the official duties of that public officer
 91 or the office of that public officer, plus food and beverages for such public officer, his
 92 or her necessary public employee staff members, and spouse while attending such
 93 educational, informational, charitable, or civic meetings, functions, or conferences; or
- 94 (G) Admission provided to members of the General Assembly to any collegiate athletic
 95 event in which a student athletic team from a branch of the University System of
 96 Georgia or private university or college accredited in the State of Georgia participates,
 97 if admission to such event is offered to all members of the General Assembly.
- 98 (5) 'Lobbyist' means, ~~subject to the qualifications at the end of this paragraph:~~

99 (A) Any natural person who receives compensation or provides services pro bono
 100 publico for advocating to a public officer of the executive or legislative branch of state
 101 government as specified in subparagraphs (A) through (E) of paragraph (22) of Code
 102 Section 21-5-3, while at the state capitol, Coverdell Legislative Office Building, or
 103 other state government facility, a position or agenda on behalf of an organization or
 104 business entity for the purpose of influencing the decision making of such public
 105 officer, if such natural person is neither subject to nor expressly exempted by any other
 106 provision of this paragraph or subsection (i) of Code Section 21-5-71;

107 ~~(A)~~(A.1) Any natural person who, either individually or as an employee of another
 108 person, is compensated specifically for undertaking to promote or oppose the passage
 109 of any legislation by the General Assembly, or any committee of either chamber or a
 110 joint committee thereof, or the approval or veto of legislation by the Governor;

111 (B) Any natural person who makes a ~~total~~ lobbying expenditure ~~of more than~~
 112 ~~\$1,000.00 in a calendar year~~, not including the person's own travel, food, lodging
 113 expenses, or informational material, to promote or oppose the passage of any legislation
 114 by the General Assembly, or any committee of either chamber or a joint committee
 115 thereof, or the approval or veto of legislation by the Governor;

116 (C) Any natural person who as an employee of the executive branch or judicial branch
 117 of state government engages in any activity covered under subparagraph ~~(A)~~(A.1) of
 118 this paragraph;

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

124 (E) Any natural person who makes a ~~total~~ lobbying expenditure ~~of more than~~
 125 ~~\$1,000.00 in a calendar year~~, not including the person's own travel, food, lodging
 126 expenses, or informational material, to promote or oppose the passage of any ordinance
 127 or resolution by a public officer specified under subparagraph (F) or (G) of paragraph
 128 (22) of Code Section 21-5-3, or any committee of such public officers, or the approval
 129 or veto of any such ordinance or resolution;

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

133 (G) Any natural person who, for compensation, either individually or as an employee
 134 of another person, is hired specifically to undertake influencing a public officer or state
 135 agency in the selection of a vendor to supply any goods or services to any state agency

136 but does not include any employee or independent contractor of the vendor solely on
 137 the basis that such employee or independent contractor participates in soliciting a bid
 138 or in preparing a written bid, written proposal, or other document relating to a potential
 139 sale to a state agency and shall not include a bona fide salesperson who sells to or
 140 contracts with a state agency for goods or services and who does not otherwise engage
 141 in activities described in subparagraphs (A) through (F) or (H) through ~~(J)~~(I) of this
 142 paragraph;

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

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

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

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

167 **SECTION 3.**

168 Said chapter is further amended by revising subsection (n) of Code Section 21-5-34, relating
 169 to campaign disclosure reports, as follows:

170 ~~"(n) The commission shall not require the reporting of any more information in a campaign~~
 171 ~~contribution disclosure report than is expressly required to be disclosed by this Code~~
 172 ~~section Reserved."~~

173 **SECTION 4.**

174 Said chapter is further amended by revising subsection (g) of Code Section 21-5-50, relating
 175 to filing by public officers, filing by candidates for public office, filing by elected officials
 176 and members of the General Assembly, electronic filing, and transfer of filings from the
 177 Secretary of State to the commission, as follows:

178 ~~"(g) The commission shall not require the reporting of any more information in a financial~~
 179 ~~disclosure statement than is expressly required to be disclosed by this Code section~~
 180 ~~Reserved."~~

181 **SECTION 5.**

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

185 "21-5-71.

186 (a)(1) Subject to ~~paragraphs (2) and (3)~~ paragraph (2) of this subsection and except as
 187 otherwise provided by subsection (i) of this Code section, no person shall engage in
 188 lobbying as defined by this article unless such person is registered with the commission
 189 as a lobbyist. The commission shall not allow a person who has been convicted of a
 190 felony involving moral turpitude in the courts of this state or an offense that, had it
 191 occurred in this state, would constitute a felony involving moral turpitude under the laws
 192 of this state to become a registered lobbyist unless ten years or more have elapsed since
 193 the completion of the person's sentence. The administration of this article is vested in the
 194 commission.

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

199 ~~(3) When paragraph (2) does not apply there shall be a lookback period of each calendar~~
 200 ~~month for determining whether the 10 percent test of paragraph (5) of Code Section~~
 201 ~~21-5-70 has been met. If at the end of any month the 10 percent test has been met during~~
 202 ~~that month, the person shall register as a lobbyist within five days after the last day of that~~
 203 ~~month and shall in his or her initial disclosure report include all prior lobbying~~
 204 ~~expenditures in that calendar year.~~

- 205 (b) Each lobbyist shall file an application for registration with the commission. The
 206 application shall be verified by the applicant and shall contain:
- 207 (1) The applicant's name, address, and telephone number;
 - 208 (2) The name, address, and telephone number of the person or agency that employs,
 209 appoints, or authorizes the applicant to lobby on its behalf;
 - 210 (3) A statement of the general business or purpose of each person, firm, corporation,
 211 association, or agency the applicant represents;
 - 212 (4) If the applicant represents a membership group other than an agency or corporation,
 213 the general purpose and approximate number of members of the organization;
 - 214 (5) A statement signed by the person or agency employing, appointing, or authorizing
 215 the applicant to lobby on its behalf;
 - 216 (6) If the applicant is a lobbyist ~~within the meaning of subparagraph (G) or (H) of~~
 217 ~~paragraph (5) of Code Section 21-5-70~~ attempting to influence rule making or purchasing
 218 by a state agency or agencies, the name of the state agency or agencies before which the
 219 applicant engages in lobbying;
 - 220 (7) A statement disclosing each individual or entity on whose behalf the applicant is
 221 registering if such individual or entity has agreed to pay him or her an amount exceeding
 222 \$10,000.00 in a calendar year for lobbying activities; and
 - 223 (8) A statement verifying that the applicant has not been convicted of a felony involving
 224 moral turpitude in the courts of this state or an offense that, had it occurred in this state,
 225 would constitute a felony involving moral turpitude under the laws of this state or, if the
 226 applicant has been so convicted, a statement identifying such conviction, the date thereof,
 227 a copy of the person's sentence, and a statement that more than ten years have elapsed
 228 since the completion of his or her sentence.
- 229 (c) The lobbyist shall, ~~within seven days of~~ prior to any substantial or material change or
 230 addition, file a supplemental registration indicating such substantial or material change or
 231 addition to the registration prior to its expiration. Previously filed information may be
 232 incorporated by reference. Substantial or material changes or additions shall include, but
 233 are not limited to, the pertinent information concerning changes or additions to client and
 234 employment information required by paragraphs (2), (3), (4), (6), and (7) and conviction
 235 status required by paragraph (8) of subsection (b) of this Code section.
- 236 (d) Each registration under this Code section shall expire on December 31 of each year.
 237 The commission may establish renewal procedures for those applicants desiring continuous
 238 registrations. Previously filed information may be incorporated by reference.
- 239 (e) The commission shall provide a suitable public docket for registration under this Code
 240 section with appropriate indices and shall enter promptly therein the names of the lobbyists
 241 and the organizations they represent.

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

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

247 (A) Annual lobbyist registration or renewal filed pursuant to this
248 Code section, including a lobbyist identification card issued pursuant
249 to this Code section ~~\$300.00~~ \$25.00

250 (B) Lobbyist supplemental registration filed pursuant to this Code
251 section 10.00

252 (C) Each ~~copy~~ replacement of a lobbyist identification card issued
253 pursuant to this Code section 20.00

254 (D)(i) For reports filed when the General Assembly is not in
255 session, in addition to other penalties provided under this chapter,
256 a late fee of \$275.00 shall be imposed for each report that is filed
257 late. In addition, a late fee of \$1,000.00 shall be imposed on the
258 fifteenth day after the due date for such report if the report has not
259 been filed. A late fee of \$10,000.00 shall be imposed on the
260 forty-fifth day after the due date for such report if the report has not
261 been filed.

262 (ii) The commission shall retain \$25.00 of the first late fee received
263 for processing pursuant to the provisions of Code Section
264 45-12-92.1.

265 (E)(i) For reports filed when the General Assembly is in session, in
266 addition to other penalties provided under this chapter, a late fee of
267 \$275.00 shall be imposed for each report that is filed late. In
268 addition, a late fee of \$1,000.00 shall be imposed on the seventh day
269 after the due date for such report if the report has not been filed. A
270 late fee of \$10,000.00 shall be imposed on the twenty-first day after
271 the due date for such report if the report has not been filed.

272 (ii) The commission shall retain \$25.00 of the first late fee received
273 for processing pursuant to the provisions of Code Section
274 45-12-92.1.

275 (f.1) The provisions of subparagraphs (f)(2)(A), (f)(2)(B), (f)(2)(D), and (f)(2)(E) of this
276 Code section shall not apply to any lobbyist who is acting pro bono publico and does not
277 make lobbying expenditures. To qualify for the exemption provided by this subsection,

278 such lobbyist at the time of his or her registration or renewal of registration shall file an
 279 affidavit with the commission on such form as prescribed by the commission, stating that
 280 during the preceding 12 months he or she has not accepted compensation for lobbying,
 281 has not been fined by the commission, and has not made any lobbying expenditure and
 282 does not have a present intention to accept compensation for lobbying or make lobbying
 283 expenditures during the calendar year for which he or she is registering or renewing
 284 registration. Prior to accepting compensation or making any lobbying expenditure during
 285 the year for which registration is issued or renewed, he or she shall be required to notify
 286 the commission of such forthcoming change of status by filing a supplemental
 287 registration under subsection (c) of this Code section, pay all applicable fees otherwise
 288 required by subsection (f) of this Code section, and be subject to the applicable reporting
 289 requirements of Code Section 21-5-73; and the affidavit shall include a statement
 290 acknowledging such requirements.

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

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

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

306 (1) Any individual who ~~expresses~~ communicates personal views, interests, or
 307 professional opinions on that individual's own behalf; to any public officer of the
 308 executive or legislative branch of state government as specified in subparagraphs (A)
 309 through (E) of paragraph (22) of Code Section 21-5-3;

310 (1.1) Any person who is not a public officer or public employee and who engages in
 311 lobbying at the state capitol, Coverdell Legislative Office Building, or other state
 312 government facility a combined total of not more than five days in a calendar year,
 313 provided that such person is not compensated specifically for lobbying;

314 (1.2) An employee or independent contractor of a vendor who solely participates in
 315 soliciting a bid or in preparing a written bid, written proposal, or other document relating
 316 to a potential contract with a state or local government agency or a bona fide salesperson
 317 who sells to or contracts with a state or local government agency for goods or services,
 318 is not hired specifically to undertake influencing a public officer or state agency in the
 319 selection of a vendor to supply any goods or services to any state agency, and does not
 320 engage in other activities which would make such person a lobbyist;

321 (2) Any person who ~~appears before~~ is invited by a public agency or governmental entity
 322 to appear before a committee or at a hearing of such agency or entity, including but not
 323 limited to a committee of either chamber of the General Assembly or a joint committee
 324 thereof, for the purpose of giving testimony when so long as such person is not otherwise
 325 required to comply with the registration provisions of this Code section clearly identifies
 326 himself or herself and the interested party on whose behalf he or she is testifying;

327 ~~(3) Any public employee of an agency appearing before a governmental entity~~
 328 ~~committee or hearing at the request of the governmental entity or any person who~~
 329 ~~furnishes~~ is invited to furnish information upon the specific request of a public agency
 330 or governmental entity, including but not limited to a committee of either chamber of the
 331 General Assembly or a joint committee thereof, so long as such person clearly identifies
 332 himself or herself and the interested party on whose behalf he or she furnishes such
 333 information;

334 (3.1) Any industry, subject matter, or business expert appearing before a public agency
 335 or governmental entity committee, including but not limited to a committee of either
 336 chamber of the General Assembly or a joint committee thereof, for the purpose of giving
 337 testimony or furnishing information when accompanied by a registered lobbyist
 338 representing such industry or business or representing an association or trade group for
 339 such industry or business;

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

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

346 (6) Elected public officers or appointed public officials performing the official duties of
 347 their public office or position; and

348 (7) Any public employee who performs services at the direction of a member of the
 349 General Assembly including, but not limited to, drafting petitions, bills, or resolutions;
 350 attending the taking of testimony; collating facts; preparing arguments and memorials and

351 submitting them orally or in writing to a committee or member of the General Assembly;
 352 and other services of like character intended to reach the reason of the legislators."

353 **SECTION 6.**

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

355 "21-5-72.1.

356 (a)(1) No person who is required by the law of this state to register as a lobbyist shall
 357 meet at the state capitol, Coverdell Legislative Office Building, or other state
 358 government facility with any member of the General Assembly to discuss the
 359 promotion or opposition of the passage of any legislation by the General Assembly, or
 360 any committee of either chamber or a joint committee thereof, or the override of a veto
 361 unless such person either is wearing his or her valid official registered lobbyist badge
 362 or is a resident of the House or Senate district which such member represents.

363 (2) No member of the General Assembly shall with actual knowledge meet at the state
 364 capitol, Coverdell Legislative Office Building, or other state government facility with
 365 any person who is registered as a lobbyist to discuss the promotion or opposition of the
 366 passage of any legislation by the General Assembly, or any committee of either
 367 chamber or a joint committee thereof, or the override of a veto unless such person either
 368 is wearing his or her valid official registered lobbyist badge or is a resident of the
 369 House or Senate district which such member represents.

370 (b)(1) No person who is registered as a lobbyist under Code Section 21-5-71 shall
 371 make any expenditure.

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

374 **SECTION 7.**

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

377 "21-5-73.

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

381 (b) A person who is a lobbyist pursuant to subparagraph (A), (B), or (C) of paragraph (5)
 382 ~~of Code Section 21-5-70~~ required to register under this article and lobbies to promote or
 383 oppose the passage of any legislation by the General Assembly, or any committee of either
 384 chamber or a joint committee thereof, or the approval or veto of legislation by the
 385 Governor shall file a semimonthly disclosure report on the first and fifteenth day of each

386 month, current through the end of the preceding report, beginning January 15 and
 387 continuing throughout the period that the General Assembly is in session.

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

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

396 (2) File such report with the commission, file a copy of such report with the election
 397 superintendent of each county involved if the report contains any lobbying expenditures
 398 relating to county or county school district affairs, and file a copy of such report with the
 399 municipal clerk (or if there is no municipal clerk, with the chief executive officer of the
 400 municipality) of each municipality involved if the report contains any lobbying
 401 expenditures relating to municipal affairs or independent school district affairs.

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

404 (1) Lobbies to promote or oppose the passage of any legislation by the General
 405 Assembly, or any committee of either chamber or a joint committee thereof, or the
 406 approval or veto of legislation by the Governor;

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

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

414 (4) Lobbies to promote or oppose any matter before the State Transportation Board
 415 shall file a monthly disclosure report, current through the end of the preceding period, on
 416 or before the fifth day of each month; provided, however, that such monthly reports shall
 417 not be filed during any period that the lobbyist files a semimonthly report pursuant to
 418 subsection (b) of this Code section.

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

420 (1) A description of all lobbying expenditures, ~~as defined in~~ described in subparagraphs
 421 (D), (F), and (G) of paragraph (4.1) of Code Section 21-5-70, or the value thereof made
 422 on behalf of or for the benefit of a public officer or on behalf of or for the benefit of a

423 public employee for the purpose of influencing a public officer by the lobbyist or
 424 employees of the lobbyist or by any person on whose behalf the lobbyist is registered if
 425 the lobbyist has actual knowledge of such lobbying expenditure. The description of each
 426 reported lobbying expenditure shall include:

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

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

434 (C) ~~The provisions of Code Section 21-5-70 notwithstanding~~, aggregate lobbying
 435 expenditures described in ~~divisions (1)(E)(vii) and (1)(E)(x)~~ subparagraph (D) of
 436 paragraph (4.1) of Code Section 21-5-70 incurred during the reporting period; provided,
 437 however, expenses for travel and for food, beverage, and lodging in connection
 438 therewith afforded a public officer or public employee shall be reported in the same
 439 manner as under subparagraphs (A), (B), and (D) of this paragraph;

440 (D) If applicable, the number of the bill, resolution, ordinance, or regulation pending
 441 before the governmental entity in support of or opposition to which the lobbying
 442 expenditure was made; and

443 (E) If applicable, the rule or regulation number or description of the rule or regulation
 444 pending before the state agency in support of or opposition to which the lobbying
 445 expenditure was made;

446 (2) For those who are ~~lobbyists within the meaning of subparagraph (G) of paragraph (5)~~
 447 ~~of Code Section 21-5-70~~ required to register under this article and lobby to influence a
 448 public officer or state agency in the selection of a vendor to supply any goods or services
 449 to any state agency, the name of any vendor or vendors for which the lobbyist undertook
 450 to influence the awarding of a contract or contracts by any state agency together with a
 451 description of the contract or contracts and the monetary amount of the contract or
 452 contracts; and

453 (3) For those who are ~~lobbyists within the meaning of subparagraph (H) of paragraph (5)~~
 454 ~~of Code Section 21-5-70~~ required to register under this article and lobby to promote or
 455 oppose the passage of any rule or regulation of any state agency, the name of the
 456 individual or entity for which the lobbyist undertook to influence the rule or regulation
 457 of a state agency.

458 (f) The reports required by this article shall be in addition to any reports required under
 459 Code Section 45-1-6, relating to required reports by state vendors of gifts to public

460 employees. Compliance with this Code section shall not excuse noncompliance with that
 461 Code section, and compliance with that Code section shall not excuse noncompliance with
 462 this Code section, notwithstanding the fact that in some cases the same information may
 463 be required to be disclosed under both Code sections.

464 (g) The electronic filing of any disclosure report required by this article shall constitute an
 465 affirmation that such report is true, complete, and correct.

466 (h) ~~The commission shall not require the reporting of any more information in a lobbyist~~
 467 ~~disclosure report than is expressly required to be disclosed by this Code section~~ Reserved.

468 (i) All lobbyists shall have a grace period of three business days in filing all disclosure
 469 reports.

470 (j)(1) Any employee of a branch, department, commission, agency, or authority of state
 471 government who is required to register under this article shall not be subject to the
 472 reporting requirements of this Code section.

473 (2) Any registered lobbyist who is exempt from specified fee payment requirements
 474 pursuant to subsection (f.1) of Code Section 21-5-71 shall not be subject to the reporting
 475 requirements of this Code section during the period in which such exemption from fees
 476 remains in effect."

477

SECTION 8.

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

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

493

SECTION 9.

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

496

SECTION 10.

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