

Senate Bill 297

By: Senators Miller of the 49th, Staton of the 18th, Carter of the 1st, Jeffares of the 17th,
Ginn of the 47th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated,
2 relating to campaign contributions, so as to provide for the filing of notices of intention to
3 accept campaign contributions by county and municipal candidates; to provide that certain
4 candidates may file notice of intent not to accept more than \$2,500.00 or expend more than
5 \$2,500.00 in the election and be relieved of filing campaign finance disclosure reports; to
6 provide that the acceptance or expenditure of more than those amounts will require the filing
7 of certain reports; to provide for related matters; to provide an effective date; to repeal
8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Article 2 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to
12 campaign contributions, is amended by revising subsection (g) of Code Section 21-5-30,
13 relating to contributions made to candidate or campaign committee or for recall of a public
14 officer, as follows:

15 "(g) Neither a candidate who is not a public officer nor his or her campaign committee may
16 lawfully accept a campaign contribution until the candidate has filed with the commission
17 a declaration of intention to accept campaign contributions which shall include the name
18 and address of the candidate and the names and addresses of his or her campaign
19 committee officers, if any; provided, however, that a public officer, as defined in
20 subparagraphs (F) and (G) of paragraph (22) of Code Section 21-5-3, shall make filings of
21 the same kind and in the same manner as provided in this subsection for other public
22 officers except that filings under this subsection shall be made with the election
23 superintendent of the county in the case of public officers as defined in subparagraph (F)
24 of paragraph (22) of Code Section 21-5-3 and shall be made with the municipal clerk in the
25 municipality of election or, if there is no clerk, with the chief executive officer of the
26 municipality in the case of public officers as defined in subparagraph (G) of paragraph (22)

27 of Code Section 21-5-3. The election superintendent, municipal clerk, or chief executive
 28 officer, as applicable, shall transmit electronically by eFiling or eFax a copy of each such
 29 report to the commission not later than ten days after the close of the reporting period."

30

SECTION 2.

31 Said article is further amended by revising subsection (d.1) of Code Section 21-5-34, relating
 32 to campaign finance disclosure reports, as follows:

33 "(d.1)(1) In the event a candidate for nomination or election to a public office listed in
 34 subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3 or the chairperson or
 35 treasurer of a campaign committee organized to bring about the nomination or election
 36 of such candidate signs and files with the appropriate official specified by paragraph (3)
 37 or (4) of subsection (a) of this Code section a written notice ~~on the date of such~~
 38 ~~candidate's qualifying~~ that such candidate or campaign committee does not intend to
 39 accept during ~~the calendar year of such qualifying~~ such election cycle a combined total
 40 of contributions exceeding \$2,500.00 for the campaign nor make a combined total of
 41 expenditures exceeding \$2,500.00 for the campaign in such ~~calendar year~~ election cycle,
 42 then such candidate or campaign committee shall not be required to file a report under
 43 this Code section. The appropriate official shall transmit an electronic copy of the written
 44 notice by eFiling or eFax to the commission ~~not later than ten days after the close of~~
 45 ~~qualifying~~ within ten days of receipt of such notice. The failure of the appropriate official
 46 to timely transmit such copy of the written notice to the commission shall not disqualify
 47 the candidate or campaign committee from the exemption from report filing provided by
 48 this paragraph.

49 (2) If such candidate or campaign committee exceeds the \$2,500.00 limit for either
 50 accepting contributions or making expenditures for such campaign during ~~the calendar~~
 51 ~~year of such qualifying~~ such election cycle as specified in paragraph (1) of this subsection
 52 but does not accept a combined total of contributions exceeding \$5,000.00 in such
 53 ~~calendar year~~ election cycle nor ~~makes~~ make expenditures exceeding \$5,000.00 in such
 54 ~~calendar year~~ election cycle, then such candidate or campaign committee shall be
 55 required to file only the June 30 and October 25 reports required by paragraph (2) of
 56 subsection (c) of this Code section. The first such report shall include all contributions
 57 received and expenditures made beginning January 1 of such calendar year.

58 (3) If such candidate or campaign committee accepts a combined total of contributions
 59 exceeding \$5,000.00 or makes expenditures exceeding \$5,000.00 for such campaign
 60 during ~~the calendar year of qualifying~~ any such election cycle, then such candidate or
 61 campaign committee chairperson or treasurer shall thereupon be subject to the reporting

62 requirements of this Code section the same as if the written notice authorized by this
63 subsection had not been filed ~~on the date of qualifying.~~"

64 **SECTION 3.**

65 This Act shall become effective upon its approval by the Governor or upon its becoming law
66 without such approval.

67 **SECTION 4.**

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