

The Senate Ethics Committee offered the following substitute to SB 297:

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 the assignment of the Georgia Government Transparency and  
3 Campaign Finance Commission for budgetary purposes from the Secretary of State to the  
4 State Accounting Office; to provide for the filing of notices of intention to accept campaign  
5 contributions by county and municipal candidates; to provide that certain candidates may file  
6 notice of intent not to accept more than \$2,500.00 or expend more than \$2,500.00 in the  
7 election and be relieved of filing campaign finance disclosure reports; to provide that the  
8 acceptance or expenditure of more than those amounts will require the filing of certain  
9 reports; to provide for related matters; to provide an effective date; to repeal conflicting laws;  
10 and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

12 Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in  
13 government, is amended by revising Code Section 21-5-5, relating to operating expenses, as  
14 follows:  
15

16 "21-5-5.

17 The funds necessary to carry out this chapter shall come from the funds appropriated to and  
18 available to the commission and from any other available funds. The commission shall be  
19 a budget unit as defined in Part 1 of Article 4 of Chapter 12 of Title 45, the 'Budget Act';  
20 provided, however, that the commission shall be assigned for administrative purposes only  
21 to the ~~Secretary of State~~ State Accounting Office."

**SECTION 2.**

22 Said chapter is further amended by revising subsection (g) of Code Section 21-5-30, relating  
23 to contributions made to candidate or campaign committee or for recall of a public officer,  
24 as follows:  
25

26 "(g) Neither a candidate who is not a public officer nor his or her campaign committee may  
 27 lawfully accept a campaign contribution until the candidate has filed with the commission  
 28 a declaration of intention to accept campaign contributions which shall include the name  
 29 and address of the candidate and the names and addresses of his or her campaign  
 30 committee officers, if any; provided, however, that a public officer, as defined in  
 31 subparagraphs (F) and (G) of paragraph (22) of Code Section 21-5-3, shall make filings of  
 32 the same kind and in the same manner as provided in this subsection for other public  
 33 officers except that filings under this subsection shall be made with the election  
 34 superintendent of the county in the case of public officers as defined in subparagraph (F)  
 35 of paragraph (22) of Code Section 21-5-3 and shall be made with the municipal clerk in the  
 36 municipality of election or, if there is no clerk, with the chief executive officer of the  
 37 municipality in the case of public officers as defined in subparagraph (G) of paragraph (22)  
 38 of Code Section 21-5-3. The election superintendent, municipal clerk, or chief executive  
 39 officer, as applicable, shall transmit electronically by eFiling or eFax a copy of each such  
 40 report to the commission not later than ten days after the close of the reporting period."

41 **SECTION 3.**

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

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

60 (2) If such candidate or campaign committee exceeds the \$2,500.00 limit for either  
 61 accepting contributions or making expenditures for such campaign during ~~the calendar~~

62 ~~year of such qualifying such election cycle~~ as specified in paragraph (1) of this subsection  
 63 but does not accept a combined total of contributions exceeding \$5,000.00 in such  
 64 ~~calendar year election cycle~~ nor ~~makes~~ make expenditures exceeding \$5,000.00 in such  
 65 ~~calendar year election cycle~~, then such candidate or campaign committee shall be  
 66 required to file only the June 30 and October 25 reports required by paragraph (2) of  
 67 subsection (c) of this Code section. The first such report shall include all contributions  
 68 received and expenditures made beginning January 1 of such calendar year.

69 (3) If such candidate or campaign committee accepts a combined total of contributions  
 70 exceeding \$5,000.00 or makes expenditures exceeding \$5,000.00 for such campaign  
 71 during ~~the calendar year of qualifying~~ any such election cycle, then such candidate or  
 72 campaign committee chairperson or treasurer shall thereupon be subject to the reporting  
 73 requirements of this Code section the same as if the written notice authorized by this  
 74 subsection had not been filed ~~on the date of qualifying.~~"

75 **SECTION 4.**

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

78 **SECTION 5.**

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