

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

AS PASSED

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:**

12 **SECTION 1.**

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

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

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

32 SECTION 2.

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

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

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

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

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

66 **SECTION 3.**

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

69 **SECTION 4.**

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