

House Bill 1130

By: Representatives Seabaugh of the 34<sup>th</sup>, Gambill of the 15<sup>th</sup>, Rice of the 139<sup>th</sup>, DeLoach of the 167<sup>th</sup>, Burchett of the 176<sup>th</sup>, 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  
2 government transparency and campaign finance, so as to specify the time period for a  
3 candidate's or campaign committee treasurer's failure to comply with requests for inspection  
4 of accounts; provide for penalties for failure to comply with such requests; to provide that  
5 certain expenses related to security equipment and services constitute expenses of a  
6 campaign; to provide a definition; to provide for the leasing of security equipment; to provide  
7 for additional reporting requirements for such expenses; to provide a short title; to provide  
8 for related matters; to provide for an effective date; to repeal conflicting laws; and for other  
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 This Act shall be known and may be cited as the "Safeguarding Election Candidates Using  
13 Reasonable Expenditures (SECURE) Act."

14 **SECTION 2.**

15 Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to government  
16 transparency and campaign finance, is amended in Code Section 21-5-3, relating to  
17 definitions, by adding a new paragraph to read as follows:

18 "(24.1) 'Security expenditures' means reasonable costs for security equipment and  
19 monitoring services, including but not limited to installation costs by licensed providers  
20 of security services."

21 **SECTION 3.**

22 Said chapter is further amended in Code Section 21-5-32, relating to accounts to be kept by  
23 candidate or campaign committee treasurer, by adding a new subsection to read as follows:

24 "(d) Any request to inspect accounts issued under this article shall allow the candidate or  
25 treasurer of a campaign committee up to 30 days to comply with such request. Failure to  
26 allow or facilitate such inspection shall constitute a violation of this article and be subject  
27 to civil penalties as provided for in Code Section 21-5-6 or criminal penalties as provided  
28 for in Code Section 21-5-9."

29 **SECTION 4.**

30 Said chapter is further amended in Code Section 21-5-33, relating to disposition of  
31 contributions, by revising subsection (a) as follows:

32 "(a)(1) Contributions to a candidate, a campaign committee, or a public officer holding  
33 elective office and any proceeds from investing such contributions shall be utilized only  
34 to defray ordinary and necessary expenses, which may include any loan of money from  
35 a candidate or public officer holding elective office to the campaign committee of such  
36 candidate or such public officer, incurred in connection with such candidate's campaign  
37 for elective office or such public officer's fulfillment or retention of such office.

38 (2)(A) In addition to defraying ordinary and necessary expenses pursuant to  
39 paragraph (1) of this subsection, contributions to a candidate, a campaign committee,  
40 or a public officer holding elective office and any proceeds from investing such  
41 contributions may be utilized to defray expenditures incurred by a candidate or public  
42 officer holding elective office to provide for his or her security during an ongoing  
43 campaign or for the term of such elective office; provided, however, that no  
44 expenditures pursuant to this paragraph shall:

45 (i) Be used for structural or physical improvements to property that is not directly  
46 related to the installation of security equipment;  
47 (ii) Be used for the purchase of any firearms, ammunition, or other weapons; or  
48 (iii) Be used to pay a member of the family or campaign staff member of the  
49 candidate or public officer holding elective office for the installation of security  
50 equipment or the provision of monitoring services.

51 (B) Any security equipment acquired by an expenditure pursuant to this paragraph  
52 shall be returned upon the conclusion of a candidate's active campaign or, in the case  
53 of a public officer, upon the expiration of the term of office. Such equipment may be  
54 retained only if the candidate or public officer reimburses the campaign, from personal  
55 funds, an amount equal to the full cost of the equipment. Absent such reimbursement,  
56 the equipment shall not remain in the possession of the candidate or public officer.

57 (C) In addition to any other reporting that may be required by this chapter, a candidate,  
58 chairperson or treasurer of a campaign committee, or public officer holding elective  
59 office shall provide an itemized report to the commission on each expenditure made  
60 pursuant to this paragraph. Such report shall include invoice documentation of the  
61 security equipment and security services acquired and, if such equipment or services  
62 were obtained from a licensed provider of security services, the licensing information  
63 of such provider."

64

**SECTION 5.**

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