



SANDY SPRINGS

GEORGIA

To: Municipal Office Candidates

From: Raquel D. González, City Clerk/Municipal Election Qualifying Officer

Date: July 28, 2021

Subject: City of Sandy Springs 2021 Municipal General Election Qualifying

Thank you for your interest in public service with the City of Sandy Springs. As the City Clerk I serve as the Sandy Springs Municipal Election Qualifying Officer/Election Superintendent.

This November, municipal voters will elect six (6) councilmembers, one for each of the City's six districts, and a mayor.

About the Sandy Springs City Council

Per the City Charter, the mayor and members of the council shall serve for terms of four years and until their respective successors are elected and qualified. Qualifications include:

- A resident of the City of Sandy Springs for a continuous period of at least 12 months immediately prior to the date of the election for mayor or council member;
- Shall continue to reside therein during that person's period of service;
- Continue to be registered and qualified to vote in municipal election of the City of Sandy Springs;
- Residing in the council district the person seeks to represent for a continuous period of at least six months immediately prior to the date of the election; and
- Continues to reside in such district during the person's period of service.

The City Council meets regularly in the Studio Theatre at Sandy Springs City Hall (1 Galambos Way, Sandy Springs, Georgia 30328) on the first and third Tuesday of each month. Special called meetings are occasionally scheduled throughout the year.

About Qualifying for Elected Office at the City of Sandy Springs

The qualifying period for the 2021 municipal election is August 16-20, 2021. Qualifying will take place in the Office of the City Clerk at Sandy Springs City Hall, 1 Galambos Way, Sandy Springs, Georgia 30328, between the hours of 8:30 a.m. and 4:30 p.m., on Monday, August 16, 2021, through Thursday, August 19, 2021, and between the hours of 8:30 a.m. and 12:00 p.m. on Friday, August 20, 2021.

The qualifying fee for the office of councilmember is \$540, which is 3% of the total gross council member salary of the preceding year. The qualifying fee for the office of mayor is \$1,200, which is 3% of the total gross mayor salary for the preceding year.

Candidates can qualify for only one office.

Candidates must bring a photo ID and submit the following during the qualifying period:

1. Notice of Candidacy and Affidavit (including a confirmation of name on ballot and official documents)

2. Payment of qualifying fee (cash or check). Bring exact change if paying in cash. Checks should be payable to “The City of Sandy Springs”.

In the event that a candidate pays his or her qualifying fee with a check that is subsequently returned for insufficient funds, the superintendent shall automatically find that such candidate has not met the qualifications for holding the office being sought, unless the bank, credit union, or other financial institution returning the check certifies in writing by an officer's or director's oath that the bank, credit union, or financial institution erred in returning the check. O.C.G.A. § 21-2-6 (d)

Once the qualifying period closes, the names of all qualified candidates will be posted on the City’s website. Be aware that newspapers will generally request this information and publish it as well. Please provide email address information and advise us whether this information is permitted to be listed on our website so that voters may also contact you directly.

Georgia Government Transparency & Campaign Finance Commission

The Georgia Government Transparency & Campaign Finance Commission, or GGTCFC (formerly known as the State Ethics Commission), administers and enforces the provisions of the Georgia Government Transparency and Campaign Finance Act. The Commission collects all campaign finance reports and financial disclosure reports filed by Public Officials, Candidates for Public Office, Campaign and Non Campaign Committees and Lobbyists in the State of Georgia. Commission staff review filings and inform filers of the appropriate methods to disclose expenditures and collect campaign funds, among other items. The Commission assesses late fees against those filers who statutorily are required to file with the Commission and who fail to timely file the required disclosure reports, pursuant to statute.

The City Clerk is the local filing officer for the Commission. The following forms are required to be filed with the Sandy Springs City Clerk’s Office:

1. Personal Financial Disclosure Statement (Form PFDS)
2. Declaration of Intention to Accept Campaign Contributions (Form DOI)
3. Affidavit Not to Exceed \$2,500 in Contributions and/or Expenditures
4. Campaign Contribution Disclosure Report (Form CDDR)
5. Two Day Business Report of Contributions Received (Form TBDR)
6. Campaign Contribution Disclosure Final Report and Termination Statement (Form FRTS)

The GGTCFC collects certain information directly, such as:

1. Registration Form for a Candidate’s Campaign Committee (Form RC)

Candidates should familiarize themselves with all forms, publications and requirements of candidacy for public office. For more information please visit www.ethics.ga.gov or contact the Georgia Government Transparency and Campaign Finance Commission directly at (404) 463-1980. The Commission is located at 200 Piedmont Avenue SE, Suite 1416, West Tower, Atlanta, Georgia 30334. I am also available to provide general information and assistance.

Documents Included in the Qualifications Packet

- Notice of Candidacy and Affidavit Form
- Information on the Placement of Signs
- City of Sandy Springs Council District Map (2018)
- City of Sandy Springs Code of Ordinances, Ethics
- 2022 Newly Elected Officials Training Information
- State Elections Calendar – Georgia Secretary of State

- How to Order a Voters List – Fulton County

Georgia Government Transparency & Campaign Finance Commission Information & Forms

- About Candidate Forms and Disclosures
- Georgia Government Transparency and Campaign Finance Act -2018
- Personal Financial Disclosure Statement (Form PFDS)
- Declaration of Intention to Accept Campaign Contributions (Form DOI)
- Affidavit Not to Exceed \$2,500 in Contributions and/or Expenditures
- Campaign Contribution Disclosure Report (Form CDR)
 - CDR Filing Schedule
- Two Day Business Report of Contributions Received (Form TBDR)
- Campaign Contribution Disclosure Final Report and Termination Statement (Form FRTS)

Other Resources

- **Sandy Springs Municipal Code and Charter** – https://library.municode.com/ga/sandy_springs
- **Secretary of State** – www.sos.ga.gov/elections
- **Georgia Government Transparency and Campaign Finance Commission** – www.ethics.ga.gov
- **Georgia Municipal Association** – www.gacities.com

For additional information about qualifying for City of Sandy Springs elected office contact City Clerk Raquel González at (770) 206-1406 or rgonzalez@sandyspringsga.gov.

TO: _____
Superintendent of Elections
of _____ County/Municipality
State of Georgia

**NOTICE OF CANDIDACY AND AFFIDAVIT
(COUNTY/MUNICIPALITY)**

I, the undersigned, being first duly sworn on oath, do depose and say: my name is _____
_____;

my residence address is _____
(Street Number) (Street)

(City) (County) (State) (Zip Code)

my post office address is _____;

my telephone number is _____
(Business) (Home)

my profession, business, or occupation (if any) is _____;

the name of my precinct is _____; I am an elector of the county/municipality of my
residence eligible to vote in the election in which I am a candidate; the name of the office I am seeking is

(Circuit, District, or Post if Applicable); my date of birth is _____; I have been a legal resident

of the State of Georgia for _____ consecutive years; I have been a legal resident of _____ county for
_____ consecutive years; I have been a legal resident of my district (if applicable) for _____ consecutive years;

I have been a legal resident of my circuit (if applicable) for _____ consecutive years; I am a citizen of the United States;

I am eligible to hold such office; that I am a candidate for such office in the _____ to be held on the
(Election)
_____ day of _____, 20_____;

I have never been convicted and sentenced in any court of competent jurisdiction for fraudulent violation of primary or election laws, malfeasance in office, or felony involving moral turpitude or conviction of domestic violence under the laws of this State, any other State, or of the United States, or, if so convicted that my civil rights have been restored; and at least ten years have elapsed from the date of completion of the sentence without subsequent conviction of another felony involving moral turpitude; I am not a defaulter for any federal, state, county, municipal, or school system taxes required of such officeholder or candidate if such person has been finally adjudicated by a court of competent jurisdiction to owe those taxes, but such ineligibility may be removed at any time by full payment thereof, or by making payments to the tax authority pursuant to a payment plan, or under such other conditions as the General Assembly may provide by general law (pursuant to Ga. Const. Art. II, Sec. II, paragraph III); I will not knowingly violate any provisions of the Georgia Election Code (O.C.G.A. § 21-2) or of the rules or regulations adopted thereunder.

I understand that any false statement knowingly made by me in this Notice of Candidacy and Affidavit will subject me to criminal penalties as provided by law and I hereby request you to cause my name to be placed on the ballots to be used in such election as a candidate for the office I am seeking.

(Signature of Candidate)

Sworn to and subscribed before me this _____ day of _____, 20_____.

(Notary Public)

My Commission Expires _____

(Required by Ga. Election Code O.C.G.A. § 21.2.132.)

I desire that my name appear on the ballot as follows
(the surname of the candidate shall be as it appears
on the candidate's voter registration card) :

Should I be elected, I desire that my name appear on official
documents as follows:

(Please Print)

(Please Print)

(over)

Check only one

1. I am running in a special election for a partisan office and my party affiliation is _____.

I am running as a nonpartisan candidate.

I am running as an independent candidate.

I am the nominee of the _____ Party (Body) nominated by:

Convention (Certified copy of the minutes of the convention attested by the Chairman and Secretary of the convention is being filed herewith);

Other (Specify method of nomination and statute and party rule governing and allowing such method of nomination):

2. I am required to file the above Notice followed by a nomination petition containing at least _____ valid signatures due _____.

I am not required to submit a nomination petition pursuant to O.C.G.A. § 21-2-132, because I am:

Running as a nonpartisan candidate.

Running as an incumbent.

Running in a special election.

Running for a state-wide office nominated by a duly constituted political body convention.

3. I hereby tender check/money order in the amount of \$ _____.

NAME OF BANK: _____

CHECK NUMBER: _____

In the event that a candidate pays his or her qualifying fee with a check that is subsequently returned for insufficient funds, the superintendent shall automatically find that such candidate has not met the qualifications for holding the office being sought, unless the bank, credit union, or other financial institution returning the check certifies in writing by an officer's or director's oath that the bank, credit union, or financial institution erred in returning the check as prescribed in O.C.G.A. § 21-2-6(d).

I hereby file a Pauper's Affidavit, accompanied by a qualifying petition as prescribed in O.C.G.A. § 21-2-132(g), in lieu of paying the qualifying fee.

NOTE: CANDIDATES FOR THE FOLLOWING OFFICES MUST FILE AN ADDITIONAL AFFIDAVIT IN ACCORDANCE WITH THE LISTED CODE SECTION AND MAY HAVE OTHER REQUIREMENTS IN ORDER TO BE QUALIFIED TO SEEK OFFICE. CANDIDATES SHOULD REVIEW THE QUALIFICATIONS FOR THE OFFICE FOR WHICH THEY OFFER FOR ELECTION CAREFULLY.

CLERK OF SUPERIOR COURT	O.C.G.A. § 15-6-50(b)(2)
JUDGE OF THE PROBATE COURT	O.C.G.A. § 15-9-2(a)(2)
SHERIFF	O.C.G.A. § 15-16-1(c)(2)
CORONER	O.C.G.A. § 45-16-1(b)(2)
TAX RECEIVER	O.C.G.A. § 48-5-210(b)(2)
TAX COLLECTOR	O.C.G.A. § 48-5-210(b)(2)
TAX COMMISSIONER	O.C.G.A. § 48-5-210(b)(2)

Information on the Placement of Signs

Election Signs

The City of Sandy Springs has various sign ordinances which govern the type and number of signs that can be displayed on private property during an election. In order to help you understand how these ordinances apply to the signage on your property, the City has created this guide:

Single & Multifamily Residential Properties

During a political election, between the date of qualification and final determination on each ballot issue or candidate, each lot may display an unlimited number of Standard Informational Signs, however, only one may be an Expanded Informational Sign or a Cantilever Sign.

Properties in Commercial, Office and Mixed-Use Districts

During a political election, between the date of qualification and final determination on each ballot issue or candidate, each lot may display an unlimited number of Standard Informational Signs.

-Sign Types

Standard Informational Signs

- 4 square feet maximum
- A maximum height of 3 feet
- Sign face made for short-term use, containing no reflecting elements, flags or projections
- Mounted on a stake or metal frame with a thickness or diameter not greater than 1 ½"
- No time limit

Expanded Informational Signs

- 6 square feet maximum
- A maximum height of 5 feet
- No time limit

Cantilever Signs

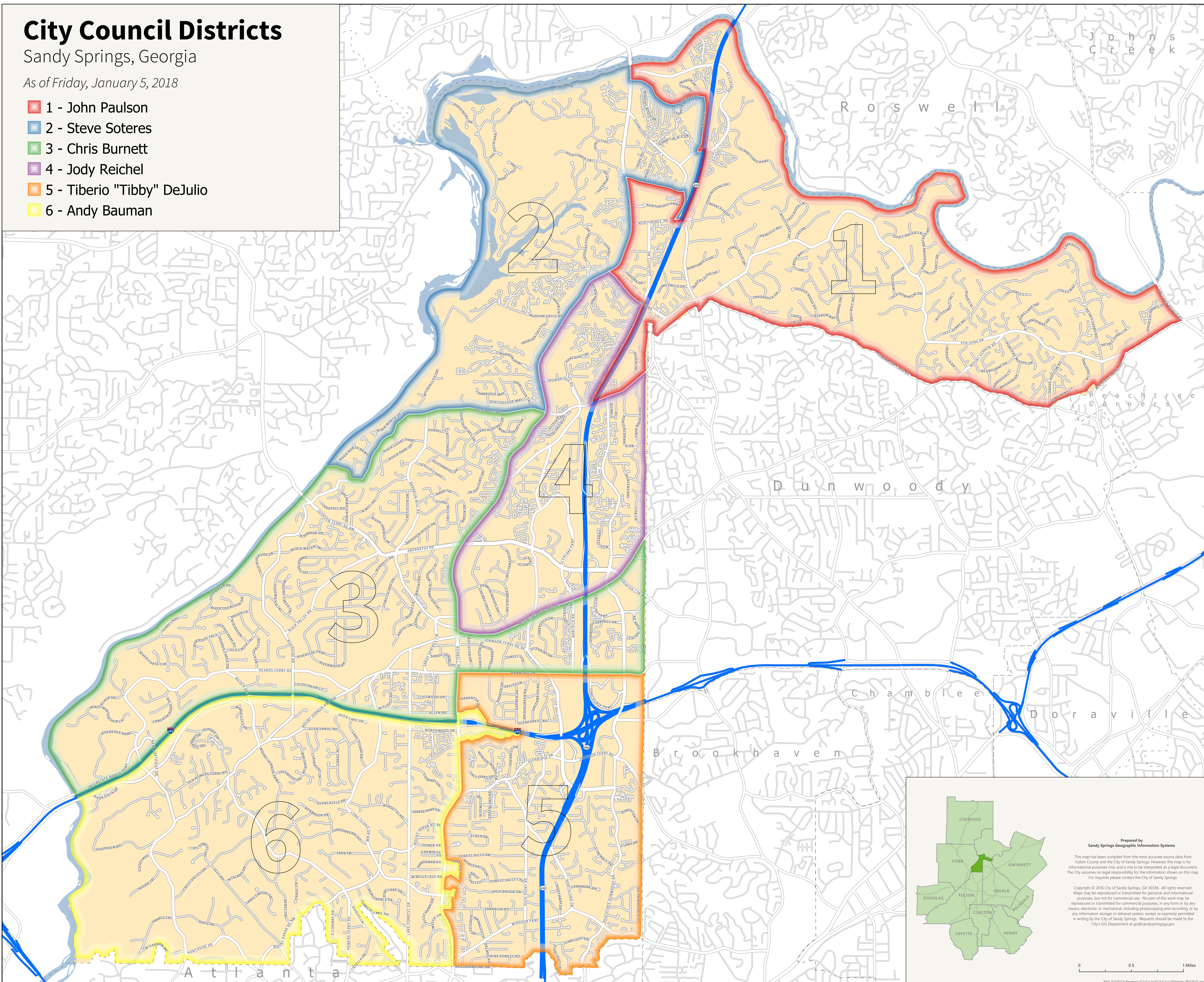
- 6 square feet maximum
- Cantilever
- A maximum height of 6 feet
- No time limit
- No permit required
- Sign face made for short-term use, containing no reflecting elements, flags or projections
- Sign hanging or suspended below a rigid horizontal support which is not more than 4 inches by 4 inches, with one end of the horizontal support attached to a vertical support which is not more than 4 inches by 4 inches

City Council Districts

Sandy Springs, Georgia

As of Friday, January 5, 2018

- 1 - John Paulson
- 2 - Steve Soteres
- 3 - Chris Burnett
- 4 - Jody Reichel
- 5 - Tiberio "Tibby" DeJulio
- 6 - Andy Bauman



Prepared by
Sandy Springs Geographic Information Systems

This map has been compiled from the most accurate source data from Fulton County and the City of Sandy Springs. However, this map is for informational purposes only and is not to be interpreted as a legal document. The City assumes no legal responsibility for the information shown on this map. For inquiries please contact the City of Sandy Springs.

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DIVISION 2. ETHICS¹

Subdivision I. In General

Sec. 2-104. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Associated, when used with reference to a business or an organization, includes any business or organization in which a public servant or a public servant's partner in interest is a director, officer or trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least five percent of the outstanding equity, or any business or organization in which a public servant or a partner in interest has a personal interest.

Benefit means:

- (1) Anything having a monetary value in excess of \$100.00;
- (2) Anything, regardless of its monetary value, perceived or intended by either the one who offers it or the one to whom it is offered to be sufficient in value to influence a public servant in the performance or nonperformance of an official action; or
- (3) Anything, regardless of its monetary value, which, under the circumstances, a reasonably prudent person in the position of the public servant to whom the thing is or may be offered, would recognize as being likely to be intended to influence the public servant in the performance or nonperformance of an official action.

The term "benefit" includes, but is not limited to, a valuable act, advance, award, contract, compensation, contribution, deposit, emolument, employment, favor, fee, forbearance, fringe benefit, gift, gratuity, honorarium, loan, offer, payment, perquisite, privilege, promise, reward, remuneration, service, subscription, or the promise that any of these things will be conferred in the future. The term "benefit" shall not include food and beverage.

Board means the board of ethics established by the city to operate under the provisions of this division, unless the context clearly indicates otherwise; used generically, the term "board" may mean any voting body:

- (1) Which is established to participate as a body in some manner in the conduct of the city government, including participation which is merely advisory, whether established by state law, city Charter, ordinance, contract, executive action or any other lawful means; and
- (2) Any part of which its membership is appointed by the mayor or city council acting on behalf of the city; but the term "board" does not include a board, commission or committee which is the governing body of a separate political subdivision of the state, or whose membership, after appointment, is not subject

¹Editor's note(s)—Ord. No. 2009-02-06, adopted Feb. 17, 2009, amended art. III, div. 2, subdivs. I and II, in their entirety as set out herein. The former art. III, div. 2, subdivs. I and II pertained to similar subject matter and derived from Ord. No. 2006-10-14, § 1(ch. 6, app., §§ 1—25), 10-17-2006.

Charter reference(s)—Ethics ordinances authorized, § 3.01(b)(9).

to any regulation by the city council; nor does it include any city administrative agency, bureau, department, division or office which is administered by individuals rather than by a body.

Business means an activity, association, commercial entity, corporation, enterprise, firm, franchise, holding company, joint stock company, organization, partnership, receivership, self-employed individual, sole proprietorship, trust or other legal entity established to earn or otherwise obtain money, whether for profit or nonprofit, excluding a municipal corporation or governmental entity.

Business with which a public servant is associated or associated business means a business in which any of the following applies:

- (1) The public servant is an owner, partner, director, officer, employee or independent contractor in relation to the business;
- (2) A public servant's partner in interest is an owner, partner, director or officer;
- (3) The public servant or a partner in interest is a stockholder of close corporation stock which is worth at least \$1,000.00 at fair market value or which represents more than a five percent equity interest;
- (4) The public servant or a partner in interest is a stockholder of publicly traded stock which is worth at least \$5,000.00 at fair market value or which represents more than five percent equity interest, other than publicly traded stock under a trading account if the public servant reports the name and address of the stockholder; or
- (5) Any business, regardless of ownership or value, by whom or for whose benefit a decision maker is influenced to act in the hope or expectation of obtaining a personal benefit for the public servant or for a partner in interest of the public servant.

Candidate means an individual who is a candidate for an elective office in the city, as defined in the city Charter, or an applicant for city employment or for an appointive city position.

Child means a son or daughter, whether or not the son or daughter is the biological offspring of the legal parent or parents and whether or not the son or daughter is financially dependent on the parent or parents.

Compensation means any benefit conferred upon or received by any person in return for services rendered or to be rendered.

Complainant means the person who has filed a written complaint, signed and sworn alleging a violation of the ethics ordinance.

Confidential information means information which has been obtained in the course of holding public office, employment, an independent contract or otherwise acting as a public servant, and which information is not available to members of the public under the Georgia Open Records Act or other law or regulation and which the public servant is not authorized to disclose, including:

- (1) Any written information that could lawfully be excepted from disclosure pursuant to state law, unless the public servant disclosing it is authorized to do so by state law, or pursuant to some other pertinent law, policy or procedure;
- (2) Any other information which, if it were written, could be excepted from disclosure under state law, unless the public servant disclosing it is authorized to do so by the state law, or pursuant to some other pertinent law, policy or procedure; and
- (3) Information which was obtained in the course of or by means of a record or oral report of a lawful executive or closed session, whether or not the disclosure of the information would violate state law, unless the public servant disclosing it is authorized by state law to do so, or unless the public servant disclosing it has been properly authorized to disclose it pursuant to an applicable law, policy or procedure; however, when such information is also available through channels which are open to the

public, this provision does not prohibit public servants from disclosing the availability of those channels.

Conflict of interest means not only a personal interest, as defined in this division, but also a professional or nonpecuniary interest, such as arises when the city attorney is precluded from representing one public servant because of the city attorney's preexisting attorney-client relationship with another public servant.

Decision maker means any public servant or group of public servants empowered to act in a discretionary manner on behalf of the city in any capacity whatsoever, including the making of recommendations. To the extent this division is applicable to them, any volunteer or independent contractor who is empowered to exercise any discretionary power which could influence a public servant in the performance or nonperformance of an official action. In this division, the term "decision maker" is used to represent any and every public servant who could take any discretionary action regarding a matter in which a public servant or a partner in interest has or may have a conflict of interest, or as a result of which a public servant might receive a personal benefit.

Decision making means the exercise of any discretionary public power in any capacity whatsoever, including the making of recommendations, by any public servant whose action pertains to a matter in which a public servant or a public servant's partner in interest has or may have a conflict of interest, or as a result of which a public servant might receive a personal benefit.

Disclose means, unless the context of this division indicates otherwise, to provide the city clerk with written notice of a conflict of interest or a potential conflict of interest, and any other pertinent information, including the nature and extent of the public servant's conflict of interest, the decision maker who may act on the matter, and the name and address of any person alleged to have a conflict of interest or a potential conflict of interest. Unless this division or a law which supersedes it requires or permits another procedure, information shall be deemed disclosed if any public servant within a reasonable time before any official action is to be taken by the decision maker provides the city clerk with written notice disclosing the conflict or potential conflict. For purposes of this provision, the phrase "within a reasonable time" means within adequate time to allow the city clerk, acting within the city's normal schedule and procedures for transmitting written documents, to forward the disclosure to the decision maker before whom the matter is pending or may be brought, and within adequate time to allow the decision maker to review the disclosure before taking any official action.

Employee means a person, other than an elected public officer, employed and paid a salary to work for the city, whether under civil service or not, whether full time, part-time, or on a contract basis, and including those officially selected but not yet serving.

Expenditure means a payment, distribution, loan, advance, deposit, or gift of money or anything of value.

Gift means any benefit or thing or act of monetary value which is conveyed to or performed for the benefit of a public servant or a partner in interest, including any advance, award, contract, contribution, deposit, employment, favor, forbearance, gift, gratuity, honorarium, loan, payment, service, subscription, or the promise that any of these things or acts of value will be conferred in the future, if such thing or act of value is conferred or performed without the lawful exchange of consideration which is at least equal in value to the thing or act conferred or performed.

Immediate family means:

- (1) A public servant's spouse, children, grandchildren, parents, parents-in-law, grandparents, grandparents-in-law, sisters, sisters-in-law, brothers, brothers-in-law, sons-in-law, daughters-in-law, nieces, nephews, aunts, or uncles (whether by marriage, lineal descent or adoption);
- (2) A public servant's relative by marriage, lineal descent or adoption who receives, directly or indirectly, more than one-half of his or her support from the public servant or from whom the public servant receives, directly or indirectly, more than one-half of his or her support; and

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- (3) An individual claimed by the public servant or the public servant's spouse as a dependent under the United States Internal Revenue Code.

Interest means any personal benefit accruing to a public servant or the public servant's partner in interest, whether in the public servant's own name or the name of any person or business from which the public servant is entitled to receive any personal benefit, as a result of a matter which is or which is expected to become the subject of an official action by or with the city.

Loan means a transfer of money, property or anything else of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part.

Matter means, unless the context of this division indicates otherwise, any act, action, agenda item, allegation, application, amendment, auction, bill, business, case, charge, claim, consideration, contract, controversy, decree, deed, deliberation, discussion, hearing, issue, lease, license, measure, offer, order, ordinance, permit, personnel action, petition, policy, presentation, procedure, privilege, proceeding, project, proposal, proposition, purchase, recommendation, regulation, rental, request, resolution, sale, subject, transaction, use, variance or other discretionary choice pending before a city decision maker when a public servant or a partner in interest has a personal interest in the outcome of the decision, or the decision may result in a personal benefit to a public servant or a partner in interest.

Ministerial action means a simple and definite action or function imposed by law where no exercise of discretion or judgment is required.

Negotiating concerning prospective employment means one or more discussions between a public servant and a potential employer other than the city concerning the possibility of the public servant or a partner in interest considering or accepting employment with the employer, in which discussion the public servant responds in a positive way.

Office means any of the following:

- (1) An elective position within the government of the city; or
- (2) An appointive city position that does not serve at the pleasure of the city council.

Officer means any person elected or appointed to hold an office, as defined in the Charter of the city.

Official action means any act, action, approval, decision, denial, directive, disapproval, inaction, order, performance, nonperformance, recommendation, vote, or other direct result of a public servant's exercise of discretionary authority in connection with the public servant's public position.

Official duty means any official action or ministerial action which a public servant is obligated or authorized to perform by virtue of being a public servant.

Organization means, unless the context indicates otherwise, any nonprofit business other than an individual or governmental agency.

Partner in interest means, when used in this division in connection with a public servant, as in the phrase "a public servant or a partner in interest," any and all of the following:

- (1) A member of the public servant's immediate family;
- (2) A business with which the public servant or a member of the public servant's immediate family is associated;
- (3) Any other person with whom the public servant or a member of his or her immediate family is in business, or is negotiating or has an agreement concerning future employment or the future conferring of any personal benefit, whether in the public servant's own name or the name of any business or person from whom the public servant is entitled, or expects to become entitled, to receive any personal benefit, as a result of a contract or transaction which is, or which is expected to become, the

subject of an official action by or with the city. The term partner in interest does not imply or require any form of legal partnership or formal agreement; or

- (4) When used in the phrase "a public servant or a partner in interest," the term "partner in interest" refers only to a partner in interest of the public servant to whom reference is being made, and not to any other person's partner in interest.

Personal benefit means any benefit which is offered or received, or perceived to be offered or received, primarily for the purpose of influencing the manner in which a public servant performs or refrains from performing an official action, so that an attempt is made to induce the public servant, or the public servant is induced to act in favor of some interest other than the public interest on the basis of an expectation or hope that the public servant or a partner in interest of the public servant will obtain some private gain by acting against the public interest; provided, however, that the term "personal benefit" within the meaning of this division does not include any of the following, which, although they may benefit individual public servants, are deemed to be primarily public benefits rather than personal benefits:

- (1) Payment by the city of salaries, compensation or employee benefits; or payment by an employer or business other than the city of salaries, compensation, employee benefits or pursuant to a contract, when the payment is unrelated to a public servant's status as a public servant and is not made for the purpose of influencing, directly or indirectly, the vote, official action or decision of a public servant;
- (2) Fees, expenses, or income, including those resulting from outside employment, which are permitted and reported in accordance with the policies of the city;
- (3) Authorized reimbursement of actual and necessary expenses;
- (4) Admission, regardless of value, to events to which public servants are invited in their official, representative capacity as public servants;
- (5) Campaign or political contributions which are made and reported in accordance with state law;
- (6) Reasonable hosting, including travel and expenses, entertainment, meals or refreshments furnished in connection with public events, appearances or ceremonies related to official city business, if furnished by the sponsor of such public event; or in connection with speaking engagements, teaching or rendering other public assistance to an organization or another governmental entity; this provision applies only if the city does not also pay the person for the same activity;
- (7) Awards publicly presented in recognition of public service, acts of heroism or for solving crimes;
- (8) Anything of value, regardless of the value, when the thing of value is offered to the city, is accepted on behalf of the city, and is to remain the property of the city;
- (9) Commercially reasonable loans made in the ordinary course of the lender's business in accordance with prevailing rates and terms, and which do not discriminate against or in favor of an individual who is a public servant because of such individual's status as a public servant;
- (10) Complimentary copies of trade publications;
- (11) Any unsolicited benefit conferred by any one person or business if the economic value totals less than \$250.00 per calendar year, and if there is no express or implied understanding or agreement that a vote, official action or decision of a public servant will be influenced;
- (12) Reasonable compensation for a published work which did not involve the use of the city's time, equipment, facilities, supplies, staff or other resources, if the payment is arranged or paid by the publisher of the work;

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- (13) Reasonable compensation for a published work which did involve the use of the city's time, equipment, facilities, supplies, staff or other resources, if the payment of the compensation to the public servant is lawfully authorized by a representative of the city who is empowered to authorize such compensation;
 - (14) Anything of value, if the payment, gift, or other transfer of value is unrelated to and does not arise from the recipient's holding or having held a public position, and if the activity or occasion for which it is given does not involve the use of the city's time, equipment, facilities, supplies, staff or other resources which is not available to the general public;
 - (15) Anything of value received as a devise, bequest or inheritance;
 - (16) A gift received from a relative within the third degree of consanguinity, under the civil law computation method, to the public servant, or the spouse of such a relative; or
 - (17) A gift received from a spouse of a public servant, or a spouse's relative within the third degree of consanguinity to the spouse, under the civil law computation method.

Personal interest means a direct or indirect interest having value peculiar to a particular individual or group, whether the value is pecuniary or nonpecuniary, which value may accrue to such individual or group or result in such individual or group deriving or potentially deriving a personal benefit as a result of the approval or denial of any ordinance, resolution, order or other official action, or the performance or nonperformance thereof, by a public servant, and which interest is not shared by the general public.

Public servant means the mayor, members of the city council, and municipal court judges. The term "public servant" includes all individuals appointed by the mayor and/or city council as appropriate to city authorities, commissions, committees, boards, task forces, or other bodies which can or may vote or take formal action or make official recommendations to the mayor and/or city council.

Reasonable means fair, proper, equitable and just under the circumstances.

Records means any minutes, papers, documents, completed forms, or other records maintained by a public agent for the purpose of fulfilling the disclosure requirements of this division.

Relative means a person who is related to an official or employee (whether by marriage, lineal descent or adoption) as spouse, parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, parents-in-law, son-in-law, daughter-in-law, brother-in-law or sister-in-law.

Respondent means the person against whom a complaint has been made alleging a violation of the ethics ordinance.

Volunteer means an individual who is permitted by the city, or by a person authorized to act on behalf of the city, to assist public servants in performing any kind of official duty or action without any expectation of receiving compensation.

Voting body means the city council and any other city authority, board, commission, committee, council or group, regardless of whether its function is legislative, administrative, quasi-administrative or quasi-judicial or any combination thereof, which must act as a body on the basis of a vote of some or all of its members.

(Ord. No. 2006-10-14, § 1(ch. 6, app.), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-105. Declaration of policy.

- (a) The city government is a representative democracy. Those who are elected, appointed, hired, volunteer or campaign to serve the public as representatives accept a public trust, which they share with those whom they elect, appoint, hire or otherwise enlist to help them serve the public. Public trust requires that acts which are contrary to the public interest be defined and prohibited; that there be an orderly procedure for raising and addressing ethical questions; that ethical behavior be encouraged and suitably rewarded; and

that unethical behavior be discouraged and suitably disciplined through a process which is fundamentally fair.

- (b) It is the responsibility of each public servant to act in a manner which contributes to cultivating public trust in the integrity of government and avoiding even lawful activity when the appearance of impropriety would lessen the public's confidence.
- (c) In adopting this division, the city recognizes that:
 - (1) Public servants are also members of society and, therefore, share the same general personal and economic interests in the decisions and policies of government as all members of the community.
 - (2) Public servants retain their rights to publicly express their views on matters of general public interest, and to express their opinions on the effect of public actions on their personal or economic interests or rights.
 - (3) It is sound public policy for standards of ethical conduct for public servants to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society, and those conflicts which are personal, material and avoidable.
 - (4) Public servants are entitled to engage in employment, professional or business activities, other than official duties, in order to support themselves and their families and to maintain a continuity of professional or business activity, and are entitled to maintain investments.
- (d) This division provides the minimum standards below which a public servant's conduct cannot fall without the risk of penalty. The principal policy which forms the foundation of this section is to encourage internal commitment by establishing and maintaining a work environment which supports integrity with pride and enthusiasm. A work environment which supports integrity includes public servants who:
 - (1) Recognize with gratitude that the primary reason they hold a public position is to serve the public;
 - (2) Are motivated and committed to pursue ethical ideals which always exceed minimum standards and often achieve the highest standards;
 - (3) Encourage ethical practices which protect, advance and promote the public interest;
 - (4) Recognize that the most effective way to eradicate unethical practices is to consistently act ethically themselves, and to consistently react appropriately with respect to the ethical decisions of others;
 - (5) When they observe serious unethical practices, promptly disclose them to appropriate authorities, and encourage others to do the same;
 - (6) Ensure that those for whom they are responsible are aware of minimum standards of ethics below which their conduct cannot fall without the risk of disciplinary consequences; and
 - (7) When circumstances warrant, appropriately discipline those who are proven to have engaged in unethical behavior.

(Ord. No. 2006-10-14, § 1(ch. 6, § 1), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-106. Purposes of division.

This section, including the definitions set forth in section 2-104, is adopted to:

- (1) Identify the minimum standards of ethical conduct which public servants must meet;
- (2) Adequately educate public servants in the principles of ethics;
- (3) Encourage public servants to pursue the highest ethical ideals which they can achieve;

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- (4) Provide a process by which public servants may identify and resolve ethical issues;
 - (5) Provide a process to ensure the prompt disclosure by public servants of serious unethical practices, and encourage others to do the same;
 - (6) Provide a fair and impartial process by which alleged violations of this division may be heard;
 - (7) Provide for a just and reasonable balance among the rights of all individuals who are directly affected by the operation of this division; and
 - (8) Establish penalties, as appropriate, for public servants who violate the public trust.

(Ord. No. 2006-10-14, § 1(ch. 6, § 2), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-107. Applicability of division.

This division applies to all public servants, as the term is defined in this division. It shall not apply to a municipal judge when the judge is acting in a judicial capacity.

(Ord. No. 2006-10-14, § 1(ch. 6, § 4), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-108. Exemptions.

- (a) This division does not prevent any public servant from accepting other employment or following any pursuit which in no way interferes with the full and faithful discharge of his or her public duties, provided that the public servant complies with all applicable city requirements, including any requirements imposed by this division.
- (b) No public servant shall be deemed to have a conflict of interest by virtue of carrying out any contract pursuant to which the public servant directly or indirectly received income or benefits in the form of compensation for the performance of official duties.
- (c) A former public servant is not prohibited from entering into a contract to represent the city in any matter.
- (d) No public servant shall be deemed to have a conflict of interest by virtue of sharing, directly or indirectly, in the benefit of a lawful city action when the benefit to the public servant is substantially the same as the benefit to the public at large or to a segment of the public to whom the benefit is provided in a nondiscriminatory manner.
- (e) This division does not prohibit any public servant from taking any action to approve the lawful payment of salaries, employee benefits, reimbursements of actual and necessary expenses, or other lawful payments which are authorized in accordance with city policies.
- (f) This division does not prohibit a public servant from taking any official action properly within the scope of his or her duties with respect to any proposal to enact or modify law or public policy.
- (g) This division does not prohibit an elected official or other public servant from raising campaign contributions in any manner which is otherwise permitted by law.
- (h) This division does not prohibit communication between an individual or organization and a candidate regarding the candidate's views, record or plans for future action regarding an issue or measure in an attempt to determine a candidate's viewpoints or how the candidate plans to act in the future, if such communication results in an endorsement of the candidate, a decision not to endorse the candidate, or a contribution or expenditure required to be recorded or reported under a state statute.

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- (i) Actions which might otherwise be alleged to constitute a conflict of interest shall be deemed to comply with this division and not to be a conflict of interest if:
 - (1) Before acting, the public servant requested and received a written opinion from the city attorney or a formal ethics opinion or a confidential advisory opinion from the board in accordance with the procedures established in this division;
 - (2) The material facts, as stated in the request for an opinion, are true and complete; and
 - (3) The actions taken were consistent with the opinion.

(Ord. No. 2006-10-14, § 1(ch. 6, § 3), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-109. Penalties.

Any violations of this division shall be punishable to the maximum extent permitted by law. Any disciplinary action shall be carried out in accordance with the provisions of this division, as well as any other laws, policies and procedures applicable to the position of the offender and the gravity of the offense. The board is permitted to take any action which it is otherwise lawfully permitted to take, including, but not limited to, any one or combination of the following which the board deems appropriate under the circumstances:

- (1) *Letter of notification.* The board may issue a letter of notification when it finds that a violation of this division was clearly unintentional or inadvertent. The letter may advise the respondent of any steps to be taken to avoid future violations.
- (2) *Letter of admonition.* The board may issue a letter of admonition when it finds that the violation of this division was minor and/or may have been unintentional or inadvertent.
- (3) *Letter of reprimand.* The board may issue a letter of reprimand when it finds that the respondent has intentionally or knowingly violated this division.
- (4) *Recommendations to city council.* When the board finds that the respondent has intentionally or knowingly violated this division, the board may make a recommendation to the mayor and city council, including, but not limited to, a recommendation for suspension, forfeiture of office or removal from office, and/or banning or temporarily suspending the respondent's (or respondent's associated businesses' or organizations') right to solicit, bid on or obtain a contract with or from the city, as allowed by applicable law.
- (5) *Referral to ethics training.* Upon finding of violation of this division, the board may require that the respondent undergo ethics training in addition to or in lieu of any other penalties imposed upon the respondent.

(Ord. No. 2006-10-14, § 1(ch. 6, § 23), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-110. Penalties cumulative.

The penalties prescribed in this division shall be cumulative and not exclusive of each other or of any other penalties which may be imposed pursuant to any other laws or policies.

(Ord. No. 2006-10-14, § 1(ch. 6, § 24), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-111. Liberal construction of division.

The provisions of this division are to be construed liberally, to the end that the public interest be fully protected, and shall be construed in a manner consistent with all applicable federal and state laws and applicable provisions of this City Charter.

(Ord. No. 2006-10-14, § 1(ch. 6, § 25), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-112. Duties of public servant.

- (a) No public servant or former public servant shall divulge any confidential information to any person who is not authorized to have it nor divulge to any unauthorized person confidential information acquired in the course of holding his or her position in advance of the time prescribed by the city council, administrators, or other applicable law for its release to the public.
- (b) All public servants shall respond fully and truthfully to any inquiries by the city attorney or the board in connection with the investigation of an alleged or potential violation of this division. All public servants shall cooperate fully in any investigation by the city attorney or the board, and shall locate, compile and produce for them such information as they may request, unless the information requested is exempt from disclosure under this division or other applicable law.
- (c) Except as set forth below in subsection (d), within a reasonable period of time, all public servants must report a violation of this division of which they have knowledge to the city clerk or the mayor, who shall forward such report to the board.
- (d) Public servants are not, however, required to report a violation that has already been reported.
- (e) In addition to being a violation of other laws, it is also a violation of this division for any public servant to:
 - (1) Be convicted of any felony or misdemeanor involving moral turpitude;
 - (2) Be found liable of violating any federal, state or city law prohibiting discrimination or sexual harassment;
 - (3) Be found liable of violating any federal, state or city laws prohibiting retaliation against public servants who assert a lawful claim of any nature or otherwise engage in lawfully protected activity; or
 - (4) Be found liable of violating any state laws governing lobbying activities or regulating political activity.

(Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-113. Conflict of interests and personal benefits prohibited.

- (a) Except as otherwise permitted under applicable federal, state and city laws and policies, including the city's procurement policies, no public servant shall have a personal interest in any official action.
- (b) No public servant shall accept or receive, directly or indirectly, from any person, including one whose identity is unknown to the public servant, any personal benefit under circumstances in which it can reasonably be inferred that the benefit is intended to influence the public servant or as a reward for any official action of the public servant.
- (c) No person, including any vendor, contractor, business, or board of the city, shall offer or give any personal benefit to any public servant or any partner-in-interest of the public servant.

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- (d) No public servant or partner in interest of that public servant shall solicit from any person, directly or indirectly, any personal benefit, regardless of value, or the promise of receiving a personal benefit in the future, for the public servant.
 - (e) No current or former public servant shall intentionally use or disclose information gained in the course of, or by reason of, his or her official position or activities in any way that could result in the receipt of any personal benefit for the public servant, for a partner in interest of that public servant, or for any other person. This provision shall not:
 - (1) Prohibit the disclosure of public information;
 - (2) Prohibit the disclosure of information the public servant has been authorized to disclose;
 - (3) Prohibit the disclosure of any such information to incumbent public servants to whom the information may be pertinent;
 - (4) Prevent the disclosure of violations of this division or other illegal acts to the proper authorities; or
 - (5) Prohibit the disclosure of any such information the disclosure of which is required by law.

(Ord. No. 2006-10-14, § 1(ch. 6, § 6), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-114. Duty to leave meeting.

- (a) To avoid the appearance of impropriety, after any public servant or a partner in interest is determined to have a conflict of interest or a potential conflict of interest in any matter, and once all questions relating to the conflict of interest have been answered to the satisfaction of the decision maker, the public servant shall immediately leave the meeting room, except that if the matter is being considered at a public meeting, the public servant may remain in the area of the room occupied by the general public.
- (b) Nothing herein shall require members of voting bodies to leave their seats while action is taken regarding any item contained on a consent agenda on which there is no deliberation, the public servant's conflict has been disclosed, and the public servant abstains from voting on the item.

(Ord. No. 2006-10-14, § 1(ch. 6, § 7), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-115. Public contracts.

- (a) The city is prohibited from entering into any contract with a business in which a public servant or a public servant's partner in interest has a controlling interest involving services or property of a value in excess of \$2,500.00.
- (b) Any public servant who has or may have a personal interest in any contract shall disclose such interest prior to the first of any of the following events:
 - (1) The solicitation of a contract;
 - (2) The bidding of a contract;
 - (3) The negotiation of a contract; or
 - (4) The approval of a contract by the city council.
- (c) Any contract entered into in violation of this section may be voided by the city in an action commenced within three years of the date on which the board, or the department or officer acting for the city in regard to the allocation of funds from which such payment is derived, knew or should have known that a violation of this section occurred. This section does not affect the application of any state statute.

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- (d) Mandatory provision in volunteer agreements. Volunteers share in receiving the public's trust and in the responsibility to contribute to creating and maintaining an ethical work environment. Volunteers serve without the expectation of receiving any compensation from the city, and it is improper for any volunteer to seek any compensation. Volunteers, unless expressly authorized by a public servant empowered to grant such authorization, are prohibited from acting as volunteers in any matter in which they have a conflict of interest or a potential or alleged conflict of interest; or in any matter in which they hope to receive any personal benefit.

(Ord. No. 2006-10-14, § 1(ch. 6, § 8), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-116. Disclosure of conflict of interest or potential conflict of interest.

- (a) A member of the city council who has or may have a conflict of interest in a matter which requires an official action by any decision maker shall, before the matter is decided, disclose the conflict of interest or the potential or alleged conflict of interest. If the member of the city council believes that no conflict of interest exists, or that despite any alleged or potential special interest, such city councilmember is nevertheless able to vote and otherwise participate fairly, objectively and in a manner consistent with the public interest, then the member shall so state in the written disclosure.
- (b) If any member of the board has or may have a conflict of interest in any matter before the board, such member shall not appear before the board, discuss, debate, deliberate about, act upon, vote upon or otherwise participate in or influence the decision-making process pertaining to the matter in which the member has a conflict of interest.
- (c) Any public servant who has or may have a conflict of interest shall disclose it. After receiving a disclosure, the city clerk shall:
- (1) Maintain a record of such disclosure; and
 - (2) Promptly forward copies of the disclosure to any person named in the disclosure, the board and the city attorney.
- (d) Any public servant who believes that any other public servant has a conflict of interest in any agenda item before a governmental body shall disclose such interest to the city clerk, and the city clerk shall forward copies of such disclosure to the person alleged to have a conflict of interest, the board and the city attorney.
- (e) A public servant, in addition to disqualifying himself from participation in any decision regarding the pecuniary or employment interest of a partner in interest, shall make known the existence of the relationship and the interest by filing with the city clerk a written disclosure of the relationship and the nature and extent of the conflict of interest involved.

(Ord. No. 2006-10-14, § 1(ch. 6, § 9), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-117. Unauthorized outside employment.

- (a) *Purpose of policy.* The purpose of the policy governing unauthorized outside employment is to prevent conflicts of interest and conflicts of loyalty; to prevent abuses regarding dual compensation, payment for work not done, or unlawful gifts of public funds; and to prevent excessive loss of efficiency in the performance of public service.
- (b) *Conflict of interest.* A public servant shall not accept any employment, nor enter into any contract, nor perform any service for compensation that results in a financial conflict of interest or a conflict of loyalties which would affect the performance of the public servant's official duties.

Sec. 2-118. Prohibited conduct, and other abuses or misuses of position.

- (a) Public servants of the city shall treat all citizens with courtesy, impartiality, fairness, and equality under the law, and shall avoid both actual and potential conflicts between their private self-interest and the public interest. Prohibited conduct of each such public servant shall include, but not be limited to, the following:
- (1) Granting or making available to any person any special consideration, treatment, advantage, or favor beyond that which it is the general practice to grant or make available to the public at large;
 - (2) Requesting, using or permitting the use of any publicly owned or publicly supported property, vehicle, equipment, labor, or service for the personal convenience or the private advantage of oneself or any other person, except as otherwise allowed by law;
 - (3) Participating in the deliberation of or voting on any matter involving personal financial or personal interest;
 - (4) Engaging in private employment with, or rendering services for, any private person who has business transactions with the city, unless the public servant has made full public disclosure of such employment;
 - (5) Accepting any gift, whether in the form of money, thing, favor, loan, or promise, that would not be offered or given to the public servant if the individual were not a public servant;
 - (6) Disclosing any confidential information concerning any public servant, or any other person, or any property or governmental affairs of the city, without prior formal authorization of the city council;
 - (7) Using or permitting the use of confidential information to advance the financial or personal interest of the public servant or any other person;
 - (8) Ordering any goods and services for the city without prior official authorization for such an expenditure;
 - (9) Use his or her superior position to request or require an employee to:
 - a. Do clerical work on behalf of the public servant's family, business, social, church or fraternal interest when such work is not furthering a city interest;
 - b. Perform any work outside the employee's normal course of municipal employment;
 - c. Purchase goods and services for personal, business, or political purposes; or
 - d. Work for him or her personally without offering just compensation.
 - (10) A public servant shall not draw per diem or expense monies from the city to attend a seminar, convention, or conference and then fail to attend the seminar, convention, or conference without refunding the pro-rata unused per diem or expense monies to the city.
- (b) No public servant shall hold any other office, elected or appointed, in any other governmental entity, when the duties of such office are incompatible with the proper discharge of the public servant's duties with the city. For purposes of this division, the holding of any office, elective or appointive, with any other governmental entity by any member of the city council or of a board is hereby prohibited in any one of the following circumstances:
- (1) Where one office is subordinate to the other;
 - (2) Where one office carries the power of removal of the other; or

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- (3) Where the occupancy of both offices is prohibited by the City Charter or other law.
- (c) No public servant shall falsely represent his or her personal opinion to be the official position of the city, and no public servant shall falsely represent his or her personal opinion to be the official position of any board. This subsection shall not apply to statements of elected officials made in the course of fulfilling the responsibilities of their offices or in running for election to office.
- (d) All public servants have a fiduciary duty to use city fiscal and human resources in a manner which advances the public interest, and to refrain from using city resources for their personal benefit; therefore, public servants are prohibited from using city resources in any manner which violates any applicable law or policy, and are expressly prohibited from using any city resource to obtain any personal benefit.
- (e) No public servant shall use his or her official authority or position to influence or interfere with or affect the results of any election, nor to solicit or receive contributions from city employees in connection with any city election.
- (f) No public servant shall suppress any public document, record, report or any other public information available to the general public because it might tend to unfavorably affect their private financial, personal, or political interest.
- (g) When a public servant, in the course of carrying out his or her duties, has been offered or is discussing future employment with a business that is presently dealing with the city concerning matters within the public servant's current official duties, that person shall disclose such possible future employment to the city clerk. The city clerk shall disclose such possible future employment to the city council.
- (h) No member of the city council having a personal interest in a matter shall represent himself or any other person before the city council in connection with that matter, nor in connection with any matter in which a partner in interest has a personal interest, except in cases where a legal right to self-representation exists.
- (i) No member of a board having a conflict of interest shall represent himself or any other person before that board in connection with that matter, nor in connection with any matter in which a member of his or her immediate family or a business with which he or she, or a member of his or her immediate family, is associated has a prohibited interest, except in cases where a legal right to self-representation exists.
- (j) No member of a board who is prohibited by this provision from representing himself before that board shall represent himself in the appeal of any decision of that board to any decision maker.

(Ord. No. 2006-10-14, § 1(ch. 6, § 11), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Secs. 2-119—2-149. Reserved.

Subdivision II. Board of Ethics

Sec. 2-150. Creation; membership; terms; compensation.

- (a) *Created; membership.* There is created a board of ethics consisting of five members and two alternates. Each board member and alternate shall have been a resident of the city for at least one year immediately preceding the date of taking office and shall remain a resident of the city while serving as a board member or alternate.
- (b) *Member restrictions.* Members of the board and alternates shall not be elected officials, persons appointed to elective office, full time appointed officials (whether exempt or nonexempt), or city employees, and shall hold no elected public office nor any other city office or employment.

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- (c) *Appointment.* Members of the board and alternates shall be appointed by the mayor and approved by the city council. An appointment to fill a vacancy on the board shall be made by the mayor and approved by the city council.
 - (d) *Chairperson.* The board shall elect one of its members to serve as chairperson of the board and one of its members to serve as vice-chairperson of the board. Alternates may not hold any office on the board.
 - (e) *Term of office.* Members of the board and alternates shall serve staggered terms of no more than three years. A board member shall hold office until that member's successor is appointed.
 - (f) *Limit of terms.* No board member may serve more than two consecutive terms as a board member. No alternate may serve more than two consecutive terms as an alternate.
 - (g) *Deliberations, actions open to public.* The board's deliberations and actions upon requests shall be open to the public.
 - (h) *Compensation.* Members of the board are volunteers and shall serve without compensation. The city council shall provide meeting space for the board of ethics. Subject to budgetary procedures and requirements of the city, the city shall provide the board of ethics with such supplies and equipment as may be reasonably necessary to perform its duties and responsibilities.
 - (i) *Staff support.* The city council shall provide such staff support for the board as the city council determines to be necessary for the board to fulfill its duties and responsibilities. The city attorney is designated to be the legal advisor for the board, except that the city attorney is not authorized to represent the board in any legal action if doing so would create a conflict which would prevent the city attorney from also representing the mayor, the city manager, or city council. The city clerk shall serve as recording secretary to the board.

(Ord. No. 2006-10-14, § 1(ch. 6, § 12), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-151. Duties and powers.

- (a) The board shall, in addition to its other duties:
 - (1) Develop and adopt written procedural rules, which rules shall be subject to the approval of the mayor and city council, and filed with the city clerk;
 - (2) Be authorized to administer oaths;
 - (3) Conduct hearings as needed to hear and decide specific cases in which a violation of this ordinance is alleged, whether such cases arise from a complaint or are brought on the board's own motion;
 - (4) No later than December 1 of each year, submit an annual report to the mayor and city council concerning its action, if any, in the preceding year, which shall contain a summary of its decisions and opinions; the board shall make any alterations in the summaries necessary to prevent disclosure of any confidential information pertaining to any individual or organization;
 - (5) Establish a process for evaluating all significant aspects of the administration and implementation of this division;
 - (6) Prescribe and make available necessary forms for use under this ordinance;
 - (7) When necessary, request assistance from the city attorney in compelling the production of documents and witnesses to assist in any investigation; and
 - (8) When necessary, retain outside legal counsel and other experts as needed after solicitation of recommendations from the city attorney (unless the need to retain outside counsel is caused by a conflict involving the city attorney's office), and upon approval by the city council of a contract for services approved as to form by the city attorney.

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- (b) The board may:
- (1) Conduct meetings and hearings as the board determines necessary or appropriate:
 - a. To ascertain public opinions and to gather information from the general public, public servants, or others regarding any aspect of the city's ethics policies or practices; and
 - b. For any other purpose for which the board is authorized to conduct hearings.
 - (2) Respond, as it deems appropriate, to requests for confidential advisory opinions; the board may decline to render an opinion in response to any request for an advisory opinion;
 - (3) Render and publish written formal opinions on any matter within the scope of the board's authority; the board may initiate opinions on its own motion or upon request;
 - (4) At the request of a person, the city attorney may render an informal opinion with respect to the prospective conduct of such person. Nothing in this division shall be construed to prohibit a request for an informal opinion by any public servant from the city attorney regarding a potential conflict of interest. If the city attorney elects to render an informal opinion, the city attorney shall, within a reasonable time, submit a written summary of the opinion to the board for the board's information; if the city attorney declines to render an informal opinion, nothing shall preclude the person requesting the opinion from requesting the board for an opinion;
 - (5) Prepare and publish special reports, technical studies, and recommendations to further the purposes of this division; and
 - (6) Make recommendations to the mayor and city council of legislative or administrative actions regarding the city's policies and practices which the board believes could enhance the ethical environment in which public servants work.
- (c) The duties and limitations of an alternate are as follows:
- (1) An alternate shall receive notice of and agenda for all meetings and hearings of the board;
 - (2) An alternate may be appointed by the chairperson of the board to serve on any committees of the board;
 - (3) An alternate may participate in discussions at all meetings and hearings of the board;
 - (4) An alternate may not vote at any board meeting or hearing, except as authorized in (c)(5) of this section; and
 - (5) In the absence of a board member at a board meeting or hearing, the chairperson (or vice-chairperson in the chairperson's absence) may appoint an alternate to take the place of the absent board member at said board meeting or hearing, and said appointed alternate shall have all rights, duties, and responsibilities attendant to board members, including without limitation, the right to motion the board for action and the right to vote on any item before the board. The alternate's service as a board member shall terminate at the close of the board meeting or hearing at which the alternate was appointed to serve.

(Ord. No. 2006-10-14, § 1(ch. 6, § 13), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-152. Custodian of records.

The city clerk shall serve as legal custodian of the board's records, and accept, file, maintain and administer, in accordance with all applicable laws, any information related to the purposes of this division.

(Ord. No. 2006-10-14, § 1(ch. 6, § 14), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-153. Requests for actions.

- (a) Any person may file a request for board action with the city clerk, either personally or on behalf of an organization or governmental body, and may request of the board an ethics opinion, whether a formal opinion or a confidential advisory opinion, regarding the propriety of any matter or matters to which the person is or may become a party; and any decision maker, with the consent of a prospective appointee, may request of the board an ethics opinion regarding the propriety of any matter to which the public servant, prospective public servant or former public servant is or may become a party.
- (b) Any request for board action shall be in writing, and shall be signed by the person making the request.
(Ord. No. 2006-10-14, § 1(ch. 6, § 15), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-154. Limitations of power.

The board does not have the authority to reverse or otherwise modify a prior action of a public servant of the city. If the board finds a prior action of a public servant to have been ethically improper, the board may advise the appropriate party or parties that the action should be reconsidered. Upon such advice by the board, the action may be reconsidered by the appropriate person or public body. If the board determines an existing city contract to be ethically improper, after such determination and advice from the board, the city may void or seek termination of the contract if legally permissible. The board may refer a matter to the city attorney for review and consideration for appropriate action. Upon completion of review and consideration, the city attorney's office shall report its findings to the board.

(Ord. No. 2006-10-14, § 1(ch. 6, § 16), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-155. Procedures for hearing complaints.

- (a) Any person may file a complaint with the city clerk where the person believes that a public servant may have violated this division.
- (b) A complaint shall be made in writing on a form that is created and prescribed by the board of ethics, shall be signed and sworn to by the complainant in the presence of a notary public, shall specify the provision(s) of this article alleged to have been violated and the facts alleged to constitute the violation, and shall identify all persons with knowledge of the facts alleged to constitute the violation, and shall attach all documentation or other evidence supporting the alleged violation.
- (c) Upon receipt of such a complaint, but in any event not later than five working days after receipt, the city clerk shall acknowledge receipt to the complainant, and forward the complaint simultaneously to the board, the respondent, and the city attorney.
- (d) The city attorney shall provide the board with a preliminary written analysis of the complaint no later than 30 calendar days from the date the complaint is filed with the city clerk.
- (e) During any investigation and during any hearing which is conducted to determine whether a violation of this division has occurred:
 - (1) The respondent may be represented by legal counsel, licensed in the State of Georgia of his or her own choosing; and
 - (2) The respondent or his or her counsel, if any, shall have an opportunity to:
 - a. Challenge the sufficiency of any complaint which has been filed against him or her;

-
- b. Examine all documents and records obtained or prepared by the board in connection with the matter heard;
 - c. Bring witnesses and/or request witnesses to be subpoenaed by the board;
 - d. Establish all pertinent facts and circumstances;
 - e. Question or refute testimony or evidence, including the opportunity to confront and cross-examine adverse witnesses; and
 - f. Exercise, to the extent the board, in its discretion, determines to be just and reasonable, any pretrial discovery procedure usually available in civil actions.
- (f) The following principles shall apply regarding evidence in connection with hearings conducted by the board:
- (1) The board shall not be bound to adhere to statutory rules of evidence, but shall be fundamentally fair and reasonable in its administration of evidence.
 - (2) All evidence including certified copies of records which the board considers shall be fully offered and made a part of the record in the proceedings.
 - (3) The respondent shall be afforded adequate opportunity to rebut or offer countervailing evidence.
 - (4) The board shall inform the respondent or his or her counsel of exculpatory evidence in its possession.
 - (5) The standard of evidence sufficient to prove a violation in hearings conducted under this article shall be by a preponderance of the evidence admitted at the hearing.
- (g) The board, in addition to its other duties and powers, may:
- (1) Appoint a hearing officer in the place of the chairperson to conduct hearings under this article;
 - (2) With the approval of the city council, retain outside legal counsel and other experts as needed with respect to hearings in accordance with its policies. The selection of outside counsel or other experts and any contract for such persons shall be made after solicitation of recommendations from the city attorney and upon approval by the city council of a contract for services approved as to form by the city attorney;
 - (3) Order testimony to be taken by deposition before any individual who is designated by the board and, in such instances, to compel testimony and the production of evidence to the extent it is otherwise lawfully authorized to do so;
 - (4) Require any person to submit in writing such reports and answers to questions relevant to the proceedings as the board may prescribe, such submission to be made within such period and under oath or otherwise as the board may determine; and
 - (5) Request and obtain copies of state income tax returns and access to other appropriate information as permitted under state law regarding all persons who are the subject of such investigation.
- (h) The respondent shall have 30 calendar days from the date of receipt of the complaint from the city clerk to submit a written response prior to the board deciding whether to hold a hearing.
- (i) Any person whose name is mentioned or who is otherwise identified and who, in the opinion of the board, may be adversely affected thereby may, upon request of the person or a representative of the person, or upon the request of any member of the board, appear at the hearing to testify on his own behalf or have a representative appear to so testify, and the board may permit any other person to appear and to testify at a hearing.
- (j) Upon request of the respondent, on its own motion, or upon request of the city attorney, the board shall be authorized to issue subpoenas to compel the attendance of necessary witnesses.

-
- (k) Within 30 calendar days following receipt of the city attorney's analysis, the board shall review and consider the complaint and the city attorney's analysis, and, if a hearing is to be held, shall set a date certain for the hearing to take place within 60 calendar days of said review by the board, unless the respondent petitions for and the board consents to a later date.
- (l) As soon as practicable after giving due consideration to a complaint, or, if a hearing was held, after the hearing, the board shall take any action or combination of actions which it deems appropriate and which it is lawfully empowered to take, including, but not limited to, the following:
- (1) Dismiss the complaint based on any of the following grounds;
 - a. The complaint is deemed frivolous, or was filed with knowledge of its falsity or with reckless disregard for its truth or falsity;
 - b. The complaint does not allege facts sufficient to constitute a violation of this division;
 - c. The board has no jurisdiction over the matter;
 - d. The complainant fails to cooperate in the board's review and consideration of the complaint;
 - e. The complaint, on its face, does not demonstrate that a violation of this division has occurred;
 - f. The board exercises its discretion to forego hearing an alleged violation of the ethics ordinance upon a determination that the respondent is already subject to appropriate proceedings that will adequately address the alleged violation; or
 - g. The complaint is defective in a manner which results in the board being unable to make any sound determination.
 - (2) Determine that the complaint alleges facts sufficient to constitute a violation of this division and that the board will conduct a hearing, in which case the board shall promptly send written notice of such determination to the respondent and complainant; or
 - (3) Determine that further information is required to determine whether the complaint alleges facts sufficient to constitute a violation of this division; and
 - a. Conduct its own investigation of any alleged violation;
 - b. Request the city attorney to investigate the complaint and report all findings back to the board;
 - c. Schedule the complaint for further review and consideration at a future time certain, in which case the board shall promptly send written notice of such determination to the respondent and to the complainant;
 - d. Refer the complaint for criminal investigation or prosecution; or
 - e. Refer the complaint, along with the board's findings and conclusions, to any appropriate administrative authority for disciplinary action or other suitable remedial action; the board, although it has no independent administrative authority, may make any recommendation to any city administrator at any level of supervision, if the board finds that the recommendation will advance the objectives of this division.
- (m) After it has made its final determination, the board shall issue its written findings of fact and conclusions and may issue any additional reports, opinions and recommendations as it deems necessary. All such reports shall be in compliance with all state and city laws governing confidentiality, open government, and torts. All such reports shall be reviewed by the city attorney prior to issuance.

(Ord. No. 2006-10-14, § 1(ch. 6, § 17), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-156. Elected officials.

If the board makes a finding that the conduct of an elected official constitutes a breach of the oath of office of that elected official, the matter shall be referred to the appropriate administrative authority for disciplinary action, prosecution or other suitable remedial action in accordance with applicable state or local laws.

(Ord. No. 2006-10-14, § 1(ch. 6, § 18), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-157. Ex parte communications.

After a complaint has been filed and during the pendency of a complaint before the board, no member of the board or alternate may communicate directly or indirectly with any party or other person about any issue of fact or law regarding the complaint, except that:

- (1) The members of the board may obtain legal advice from the city attorney and may discuss the complaint with their staff; and
- (2) The members of the board and alternates may discuss the complaint at a lawfully conducted meeting.

If any person attempts to communicate with a board member or alternate regarding the pending complaint, the board member or alternate shall report the substance of the communication to the board on the public record at the next meeting or hearing of the board.

(Ord. No. 2006-10-14, § 1(ch. 6, § 19), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-158. Confidentiality of board information.

No member of the board, alternate, or any public servant who has access to any confidential information related to the functions or activities of the board shall divulge that information to any person not authorized to have it. The identity of a person who requests a confidential advisory ethics opinion is confidential, as is information describing or pertaining to any organization mentioned, if the disclosure of the information could lead to the disclosure of the identity of the person requesting the confidential advisory opinion.

(Ord. No. 2006-10-14, § 1(ch. 6, § 20), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-159. Waiver of confidentiality.

A person who makes or purports to make public the substance of or any portion of an advisory opinion requested by or on behalf of that person is deemed to have waived the confidentiality of the request for an advisory opinion and of any records obtained or prepared by the board in connection with the request.

(Ord. No. 2006-10-14, § 1(ch. 6, § 21), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Sec. 2-160. Statute of limitations.

A complaint shall be filed within six months from the date that the complainant knew or should have known of the action that is alleged to be a violation of this division, and in no event shall the board of ethics consider a complaint which has been filed more than one year after a violation of this division is alleged to have occurred.

(Ord. No. 2006-10-14, § 1(ch. 6, § 22), 10-17-2006; Ord. No. 2009-02-06, 2-17-2009)

Secs. 2-161—2-188. Reserved.



SANDY SPRINGS

GEORGIA

To: Municipal Office Candidates

From: Raquel D. González, City Clerk

Date: July 28, 2021

Subject: 2022 Newly Elected Officials Institute Mandated Training – Save the Date

2022 Dates for Newly Elected Officials Institute:

- February 23 – 25, Athens, GA
- March 16 - 18, Tifton, GA

The Georgia General Assembly passed legislation (O.C.G.A. 36-45-1) requiring all persons elected as members of a municipal governing authority who were not serving as members of a municipal governing authority on July 1, 1990 to attend and satisfactorily complete a training program specifically designed for newly elected municipal officials. The Georgia Municipal Association and the University of Georgia's Carl Vinson Institute of Government are pleased to provide this required training to Georgia's newly elected municipal officials.

The Newly Elected Officials Institute provides an opportunity for mayors and councilmembers to increase their knowledge and understanding of city government, especially as it relates to the role and responsibility of the elected official. The training provides information designed to increase the awareness of the legal, financial and ethical responsibilities of city officials. Further, the course provides six hours of credit toward the voluntary training certificate program available through the Municipal Training Institute.

Municipal elected officials that have served before and have been reelected are required to take the Newly Elected Officials Institute training again only if they have been out of office for more than four years.

Registration for both of the 2022 classes will open in late 2021. Additional details, including a tentative agenda and lodging information, will be available at that time.

For more information visit: [https://www.gacities.com/What-We-Do/Training-Education/Harold-F-Holtz-Municipal-Training-Institute/Newly-Elected-Officials-Institute-\(1\).aspx](https://www.gacities.com/What-We-Do/Training-Education/Harold-F-Holtz-Municipal-Training-Institute/Newly-Elected-Officials-Institute-(1).aspx)

2021 State Elections & Voter Registration Calendar

Elections	Voter Registration Deadline	Election Date
General Election Runoff for Federal Offices	December 7, 2020	January 5, 2021
Special Election Date	February 15, 2021	March 16, 2021
Special Election Runoff Date	February 15, 2021	April 13, 2021
Special Election Date	May 17, 2021	June 15, 2021
Special Election Runoff Date	May 17, 2021	July 13, 2021
Special Election Date	August 23, 2021	September 21, 2021
Special Election Runoff Date	August 23, 2021	October 19, 2021
General Election/Special Election Date	October 4, 2021	November 2, 2021
General Election/Special Election Runoff Date	October 4, 2021	November 30, 2021

Key Dates

January 1, 2021	Deadline to mail or issue absentee ballots for Federal Runoff. O.C.G.A. § 21-2-384(a) (State Holiday - State is closed)
January 5, 2021	Date of Federal Runoff Election. O.C.G.A. § 21-2-501(a)(3)
January 18, 2021	Martin Luther King's Birthday Holiday (State is closed)
February 1, 2021	Last day to fix and publish qualifying fees for offices to be filled during the 2021 Election Cycle. O.C.G.A. § 21-2-131(a)(1)(A)
February 15, 2021	Last day for a person to register and be eligible to vote in the March Special Election and Runoff Election. O.C.G.A. § 21-2-224(b)(2) *February 15th is a Federal Holiday*
February 22, 2021	Earliest day for a registrar to mail an absentee ballot for the March Special Election. O.C.G.A. § 21-2-384(a)(2)
February 22, 2021	Advanced (Absentee In-Person) Voting begins for March the Special Election. O.C.G.A. § 21-2-385(d)(1)(A)
May 17, 2021	Last day for a person to register and be eligible to vote in the June Special Election and Runoff Election. O.C.G.A. § 21-2-224(b)(2)
May 24, 2021	Earliest day for a registrar to mail an absentee ballot for the June Special Election. O.C.G.A. § 21-2-384(a)(2)
May 24, 2021	Advanced (Absentee In-Person) Voting begins for the June Special Election. O.C.G.A. § 21-2-385(d)(1)(A)
May 31, 2021	Memorial Day Holiday (State is closed)

July 2, 2021	Last day to submit absentee ballot application for the July Special Election Runoff O.C.G.A. 21-2-381(a)(1)(A)
July 4, 2021	Independence Day Holiday (State is closed on July 5, 2021)
August 16, 2021	Earliest day to apply for an absentee ballot for the November General Election. O.C.G.A. § 21-2-381(a)(1)(A)
August 16th – 20th	Municipal Qualifying Period - No less than three days and no more than five days. O.C.G.A. § 21-2-132(c)(3)(A)
August 23, 2021	Last day for a person to register and be eligible to vote in the September Special Election and Runoff Election. O.C.G.A. § 21-2-224(b)(2)
August 30, 2021	Earliest day for a registrar to mail an absentee ballot for the September Special Election. O.C.G.A. § 21-2-384(a)(2)
August 30, 2021	Advanced (Absentee In-Person) Voting begins for the September Special Election. O.C.G.A. § 21-2-385(d)(1)(A)
September 4, 2021	Mandatory Saturday Voting for the September Special Election O.C.G.A. § 21-2-385(d)
September 5, 2021	Optional Sunday Voting for the September Special Election O.C.G.A. § 21-2-385(d)
September 6, 2021	Labor Day Holiday (State is closed)
September 10, 2021	Last day to submit absentee ballot application for the September Special Election O.C.G.A. 21-2-381(a)(1)(A)
September 11, 2021	Mandatory Saturday Voting for the September Special Election O.C.G.A. § 21-2-385(d)
September 12, 2021	Optional Sunday Voting for the September Special Election O.C.G.A. § 21-2-385(d)
October 4, 2021	Last day for a person to register and be eligible to vote in the November General Election and Runoff Election. O.C.G.A. § 21-2-224(a)
October 8, 2021	Last day to submit absentee ballot application for the October Special Election Runoff O.C.G.A. 21-2-381(a)(1)(A)
October 11, 2021	Columbus Day Holiday (State is closed)
October 11, 2021	Earliest day for a registrar to mail an absentee ballot for the November General/Special Election. O.C.G.A. § 21-2-384(a)(2)
October 12, 2021	Advanced (Absentee In-Person) Voting begins for the November General Election. O.C.G.A. § 21-2-385(d)(1)
October 16, 2021	Mandatory Saturday Voting for the November Municipal General/Special Election O.C.G.A. § 21-2-385(d)
October 17, 2021	Optional Sunday Voting for the November Municipal General/Special Election O.C.G.A. § 21-2-385(d)
October 22, 2021	Last day to submit absentee ballot application for the November General Election O.C.G.A. 21-2-381(a)(1)(A)
October 23, 2021	Mandatory Saturday Voting for the November Municipal General/Special Election O.C.G.A. § 21-2-385(d)
October 24, 2021	Optional Sunday Voting for the November Municipal General/Special Election O.C.G.A. § 21-2-385(d)
As soon as possible	Absentee ballots shall be mailed out as soon as possible prior to the General Election Runoff for Local and State Offices. O.C.G.A. § 21-2-384 (a) Advanced (In-Person) Voting begins for the General Election Runoff for Local and State Offices. O.C.G.A. § 21-2-385(d)(1)
November 11, 2021	Veteran's Day Holiday (State is closed)
November 19, 2021	Last day to submit absentee ballot application for the November General Election Runoff O.C.G.A. 21-2-381(a)(1)(A)

**O.C.G.A. § 21-2-14. When the last day for the exercise of any privilege or discharge of any duty prescribed or required by this chapter shall fall on a Saturday, Sunday, or legal holiday, the next succeeding business day shall be the last day for the exercise of such privilege or the discharge of such duty.*

ORDERING VOTERS LIST
Fulton County Registration & Elections Department
Voter Registration Division
130 Peachtree St. SW, Suite 2186, Atlanta, Georgia
30303 Telephone: 404-612-3816

Contact Person: **Sante Askin** (phone: 404-612-9152)
Alternate: **Pamela Coman** (phone: 404-612-7791) North
Annex: **Evelyn Goodloe** (phone: 404-612-9067) South
Annex: **Mallory Magwood** (phone: 404-612-3050)

By law, voter registration lists are available to the public and contain the following information: voter name, residential address, mailing address if different, race, gender, registration date and last voting date. The list **does not** include telephone numbers, date of birth, Social Security number or Driver's License number. The list includes Active and Inactive Voters. The pricing is set by the Secretary of State office. This data may not be used by any person for commercial purposes. **O.C.G.A. 21-2-225 (c)**In accordance with **O.C.G.A. 21-2-601**, any person who uses the list of electors provided for in **O.C.G.A. 21-2-225** for commercial purposes shall be guilty of a misdemeanor.

1. OUTPUT MEDIA:

Electronic files are available on CD ROM. The purchaser will need to have a database management software (ex. Access) or spreadsheet software (ex. Excel) available to read the files. A layout of the file is provided. Orders can be placed through the local county voter registration office or directly from the Secretary of State (<https://georgiasecretaryofstate.net/collections/voter-list-1>)

2. SELECTION CRITERIA, CURRENTLY REGISTERED VOTERS OR VOTERS FROM SPECIFIC ELECTIONS.

- A. Entire County
- B. Congressional Districts
- C. State Senate Districts
- D. State House Districts
- E. County Education District
- F. All Municipalities in Fulton
- G. County Commission Districts
- H. Municipal Council Districts
- I. Atlanta Education Districts
- J. Individual Precincts

3. SPECIAL SELECTION CRITERIA

(A) Sex (B) Age, (C) Race, (D) Voters who voted in only one specific Election, or a combination of elections (limit five), may also be requested. You must specify which elections you want to pull from, either by the name or date of the election (s). All requested files are \$50.00.

5. COST

A cost estimate will be provided at the time of ordering. When option requested is a combination of elections, it is not always possible to accurately estimate the number of voters that the request will generate. Costs of the lists are based on the total numbers of names. Each precinct or district is a separate order.

If you are planning a mailing to voters, it may be less expensive to use a mailing house (The postage

discounts may cover the cost). Visit yellowpages.com for a complete list of Direct Mail Advertising options.

6. PAYMENTS

FULL PAYMENT is required at the time of ordering; cash, check or money order. Payment for County information ordered and printed by the county are to be made payable to **Fulton County Finance**; if printed by the State, payments should be made payable to **Secretary of State**. In instances where the number of voters will not be known until the list is actually printed, we will accept payments based on anticipated output and hold the funds until the order is produced. When we notify you to pick up the order, we will let you know if the anticipated amount is correct (or if we need a new check).

Returned checks:

A \$35.00 fee in addition to the amount of the check must be paid prior to processing of any future orders by agent and or candidates. We will permit agent to order future list by complete cash payment for other candidates only. Orders not picked up or paid for in full will forfeit the right to place future orders until account is paid in full. The Georgia Secretary of State charges \$40.00 for returned checks.

7. APPROVAL OF ORDER

Approval of order is required at time of placing order. Agent's signature or Candidates signature is required on all orders. A signature indicates order has been verified as correct.

8. TURN AROUND TIME

- A. Files processed by Fulton County will be available for pickup after 12:00 p.m. on the third day after receipt of payment. If you request that the order be sent to one of the Service Centers or mailed to you, it will take an additional day(s).
- B. Files processed by Georgia Secretary of State are processed ONLY over the weekend and will be ready for pick up the following Monday or Tuesday.

9. PICKUP OF ORDER

We encourage you to plan ahead to ensure receipt of your order when you want it. Generally, lists are ordered and picked up from the downtown location (address above); however, you may transact business at the North or South Service Centers. You may do so with the understanding that receipt of your order may be delayed by a day. Once you take a list out of this office, you are responsible for it. By your signature, you release the County from all responsibility for your purchase.

NOTE: CD'S ORDERED FROM THE SECRETARY OF STATE MAY HAVE A TURN AROUND TIME OF APPROXIMATELY SEVEN BUSINESS DAYS. THE CONTACT INFORMATION FOR THE SECRETARY OF STATE IS LISTED BELOW.

SECRETARY OF STATE
Elections Division
2 Martin Luther King Jr. Drive, SE Suite 802, West Tower
Atlanta, Ga. 30334-1505
(404) 656-2871
www.sos.ga.gov



VOTER LIST ORDER FORM

Fulton County Registration & Elections Department
Voter Registration Division
130 Peachtree St. SW, Suite 2186, Atlanta, Georgia
30303 Telephone: 404-612-3816

Date _____

Purchaser: _____

Address: _____

(Please, No P.O. Boxes)

Email Address: _____

Contact Person (If different): _____

Contact Phone: _____ Ext: _____

Payment Amount: _____ **(payment must be received before request is processed)**

Check Number: _____ **Money Order Number:** _____

Electronic file only includes date last voted for each registered voter. There is approximately a three day processing period.

Description of Order

Receipt of a copy of the instructions for purchasing voter list is hereby acknowledged. Furthermore, it is understood and agreed to that the said list will be checked upon receipt for accuracy and correctness as to what was ordered. If the county is in the process of redistricting, I do understand that the information I receive, may not be the most up to date voter information.

The undersigned hereby agrees to hold Fulton County harmless from any and all claims by any person whatsoever arising out of the use or purchase of this order.

Signature of Purchaser/Representative

County Official

Warning: In accordance with §21-2-601 of the Georgia Elections Code, any person who uses the list of electors provided for in §21-2-225 for commercial purposes, shall be guilty of a misdemeanor

CANDIDATE FORMS & DISCLOSURES



Georgia Government Transparency
& Campaign Finance Commission

KNOW THE LINGO

DOI

Declaration of Intention
to Accept Contributions

RC

Registration Form for
a Candidate's Campaign
Committee

COOSA

Choosing the Option of
Separate Accounting

PIN APP

Electronic Filing Access
Code Application

CCDR

Campaign Contribution
Disclosure Statement

FR&TS

Final Report &
Termination Statement

PFDS

Personal Financial
Disclosure Statement

TBD

Two Business
Day Report

Local Filing Officer

Individual a candidate for a
county or municipal office files
with. Usually the city clerk or
elections superintendent.

FORMS

Declaration of Intention to Accept Campaign Contributions

Reference: O.C.G.A. § 21-5-30(g)

- Must be filed **PRIOR** to accepting contributions.
- A candidate's personal funds expended for their campaign, except for payment of a qualifying fee, are considered campaign contributions.
- A new form must be filed if there is a break in office or if accepting contributions for a different office.
- County and Municipal candidates file this form with their local filing officer. All other candidates file with the Commission.

Registration Form for a Campaign Committee

Reference: O.C.G.A. §§ 21-5-3(2); 21-5-30(b)

- This form registers a candidate's campaign committee.
- A committee is required only if a candidate designates someone to file reports, accept money, or expend money on behalf of the campaign.
- A Chairperson and Treasurer are required to form a committee; however, they can be the same person and can be the candidate. If either position is vacant, the committee cannot accept contributions.
- The committee registration will remain in effect until the registration is canceled by the committee or the candidate.
- Filed with the Commission

Choosing the Option of Separate Accounting

Reference: O.C.G.A. §§ 21-5-43(a)(2); 21-5-30 (c)

- Permits candidates to accept contributions for multiple elections within an election cycle. Thus, a candidate may accept contributions for the general election in an election cycle even if the primary election has not occurred.
- A candidate must designate what election the contribution is accepted for on the applicable CCDR.
- Contributions received for a future election cannot be expended until the current election has occurred.
- If a candidate does not qualify or participate in a future election in an election cycle, the contributions received for the future election must be returned to contributors pro-rata.
- Filed with the Commission

Electronic Filing Access Code Application

Reference: O.C.G.A. § 21-5-34.1(a)

- Used for identification purposes for local and state candidates.
- Filed with the Commission.

DISCLOSURES

Campaign Contribution Disclosure Report

Reference: O.C.G.A. § 21-5-34

- A CCDR is a report filed by a candidate or campaign committee that discloses all contributions received and expenditures made during a reporting period.
- Six reports are due in an election year and two reports are due in a nonelection year. Filing Schedule is found at O.C.G.A. § 21-5-34(c).
- \$125 late fee is assessed when a report is filed late. However, there is a five-day grace period.
- Local candidates may be exempt from filing CCDRs if they file an Affidavit of Exemption and meet certain criteria.
- Candidates for any state or state-wide office must file electronically with the Commission and candidates for county and municipal offices file with their local filing officer.

Final Report & Termination Statement

Reference: O.C.G.A. § 21-5-34 (m)

- A FR&TS is a statement submitted with the campaign's final CCDR.
- It is filed by all campaigns within 10 days of the dissolution of the campaign.
- The Statement must identify the termination date as well as the person responsible for maintaining campaign records as required by the Act.
- To qualify to file a FR&TS, the filer must have a zero net balance, zero debt, and not be seeking or holding the office.
- Candidates for any state or state-wide office must file electronically with the Commission and candidates for county and municipal offices file with their local filing officer.

Personal Financial Disclosure Statement

Reference: O.C.G.A. § 21-5-50

- A PFDS is a statement filed by a candidate or public official in which the filer discloses information about financial activity for the preceding calendar year.
- A statement must be filed each year, even if information does not change.
- If running for a state-wide position additional information is required to be reported.
- No grace period and a \$125 late fee is assessed when a statement is filed after the due date.
- Candidates for any state or state-wide office must file electronically with the Commission and candidates for county and municipal offices file with their local filing officer.

Two Business Day Report

Reference: O.C.G.A. § 21-5-34 (c)(2)(C)

- A TBD is a report used to report individual contributions (including loans) of \$1,000.00 or more received between the date of the last CCDR due prior to the date the election for which the candidate has qualified and the date of such election.
- These contributions must be reported within two business days of receipt.
- This contribution must also be reported on the next scheduled CCDR.
- Candidates for any state or state-wide office must file electronically with the Commission and candidates for county and municipal offices file with their local filing officer.
- No grace period and a \$125 late fee is assessed when a statement is filed after the due date.

Georgia Government Transparency & Campaign Finance Commission

200 Piedmont Ave. SE, Suite 1416-West Tower, Atlanta, GA 30334

Phone: 404 463 1980 Website: www.ethics.ga.gov

GEORGIA GOVERNMENT TRANSPARENCY AND CAMPAIGN FINANCE ACT

2018 EDITION



**GEORGIA GOVERNMENT TRANSPARENCY
AND CAMPAIGN FINANCE COMMISSION**
(formerly known as State Ethics Commission)
**200 Piedmont Avenue SE, Suite 1416 – West Tower
Atlanta, GA 30334**

WWW.ETHICS.GA.GOV

Table of Contents

ARTICLE 1. GENERAL PROVISIONS	1
§ 21-5-1. Short title.....	1
§ 21-5-2. Declaration of policy.....	1
§ 21-5-3. Definitions.....	1
§ 21-5-4. Ethics commission	4
§ 21-5-5. Operating expenses	5
§ 21-5-6. Powers and duties of the commission.....	5
§ 21-5-7. Initiation of complaints	8
§ 21-5-7.1. Technical defects in filings; determination; notice to the subject of the complaint and opportunity to correct the defect; administrative fee; dismissal of complaints where best efforts have been made to complete a filing.....	9
§ 21-5-8. Venue	9
§ 21-5-9. Penalties	9
§ 21-5-10. Chapter as continuation of laws; effect of enactment.....	10
§ 21-5-11. Acceptance by public officers of monetary fees or honoraria	10
§ 21-5-12. Connected organizations	10
§ 21-5-13. Limitation of actions	10
§ 21-5-14. E-mail address required by filer	11
§ 21-5-15. Notification	11
ARTICLE 2. CAMPAIGN CONTRIBUTIONS	12
§ 21-5-30. Contributions made to candidate or campaign committee or for recall of a public officer.....	12
§ 21-5-30.1. Contributions by regulated entities to elected executive officers or candidates.....	13
§ 21-5-30.2. Contributions by public agencies	14
§ 21-5-32. Accounts to be kept by candidate or campaign committee treasurer.....	15
§ 21-5-33. Disposition of contributions	16
§ 21-5-34. Disclosure reports.....	17
§ 21-5-34.1. Filing campaign contribution disclosure reports electronically.....	23
§ 21-5-35. Acceptance of contributions or pledges during legislative sessions	23
§ 21-5-36. Disposition of reports; handling of complaints and violations.....	23
§ 21-5-40. Definitions.....	24
§ 21-5-41. Maximum allowable contributions.....	24
§ 21-5-42. Contribution to campaign committee deemed contribution to candidate; rules for construction.....	26
§ 21-5-43. Accounting for and expenditure of campaign contributions	26

ARTICLE 3. FINANCIAL DISCLOSURE STATEMENTS.....	28
§ 21-5-50. Filing by public officers; filing by candidates for public office; filing by elected officials and members of the General Assembly; electronic filing; transfer of filings from the Secretary of State to the commission	28
§ 21-5-51. Inspection and copying of financial disclosure statements	31
ARTICLE 4. PUBLIC OFFICIALS CONDUCT AND LOBBYIST DISCLOSURE.....	32
§ 21-5-70. Definitions.....	32
§ 21-5-71. Registration required; application for registration; supplemental registration; expiration; docket; fees; identification cards; public rosters; exemptions.....	34
§ 21-5-72. Denial, suspension, or revocation of registration; reinstatement; civil penalty	37
§21-5-72.1.....	37
§ 21-5-73. Disclosure reports.....	38
§ 21-5-74. Postemployment restrictions on lobbyists	39
§ 21-5-75. Postemployment restrictions on public officers	40
§ 21-5-76. Contingent fees for lobbying prohibited; unauthorized persons on the floor while the General Assembly is in session	
40	

ARTICLE 1. GENERAL PROVISIONS

§ 21-5-1. Short title

This Act shall be known and may be cited as the "Georgia Government Transparency and Campaign Finance Act of 2010."

§ 21-5-2. Declaration of policy

It is declared to be the policy of this state, in furtherance of its responsibility to protect the integrity of the democratic process and to ensure fair elections for constitutional offices; state offices; district attorneys; members of the Georgia House of Representatives and Georgia Senate; all constitutional judicial officers; and all county and municipal elected officials, to institute and establish a requirement of public disclosure of campaign contributions and expenditures relative to the seeking of such offices, to the re-call of public officers holding elective office, and to the influencing of voter approval or rejection of a proposed constitutional amendment, a state-wide referendum, or a proposed question which is to appear on the ballot in any county or municipal election. Further, it is the policy of this state that the state's public affairs will be best served by disclosures of significant private interests of public officers and officials which may influence the discharge of their public duties and responsibilities. The General Assembly further finds that it is for the public to determine whether significant private interests of public officers have influenced the state's public officers to the detriment of their public duties and responsibilities and, in order to make that determination and hold the public officers accountable, the public must have reasonable access to the disclosure of the significant private interests of the public officers of this state.

§ 21-5-3. Definitions

As used in this chapter, the term:

- (1) "Business entity" means any corporation, sole proprietorship, partnership, limited partnership, limited liability company, limited liability partnership, professional corporation, enterprise, franchise, association, trust, joint venture, or other entity, whether for profit or nonprofit.
- (2) "Campaign committee" means the candidate, person, or committee which accepts contributions or makes expenditures designed to bring about the nomination or election of an individual to any elected office. The term "campaign committee" also means any person or committee which accepts contributions or makes expenditures designed to bring about the recall of a public officer holding elective office or to oppose the recall of a public officer holding elective office or any person or any committee which accepts contributions or makes expenditures designed to bring about the approval or rejection by the voters of any proposed constitutional amendment, a state-wide referendum, or a proposed question which is to appear on the ballot in this state or in a county or a municipal election in this state.
- (3) "Campaign contribution disclosure report" means a report filed with the commission by a candidate or the chairperson or treasurer of a campaign committee setting forth all expenditures of more than \$100.00 and all contributions of more than \$100.00, including contributions and expenditures of lesser amounts when the aggregate amount thereof by or to a person is more than \$100.00 for the calendar year in which the report is filed. Such report shall also include the total

amount of all individual contributions received or expenditures made of less than \$100.00 each. The first report required in the calendar year of the election shall contain all such expenditures made and all such contributions received by the candidate or the committee in prior years in support of the campaign in question.

- (4) "Candidate" means an individual who seeks nomination for election or election to any public office, whether or not such an individual is elected; and a person shall be deemed to seek nomination or election if such person has taken necessary action under the laws of this state to qualify such person for nomination for election or election or has received any contributions or made any expenditures in pursuit of such nomination or election or has given such person's consent for such person's campaign committee to receive contributions or make expenditures with a view to bringing about such person's nomination for election or election to such office.
- (5) "Commission" means the Georgia Government Transparency and Campaign Finance Commission created under Code Section 21-5-4.
- (6) "Connected organization" means any organization, including any business entity, labor organization, membership organization, or cooperative, which is not a political action committee as defined in this Code section, but which, directly or indirectly, establishes or administers a political action committee or which provides more than 40 percent of the funds of the political action committee for a calendar year.
- (7) "Contribution" means a gift, subscription, membership, loan, forgiveness of debt, advance or deposit of money or anything of value conveyed or transferred for the purpose of influencing the nomination for election or election of any person for office, bringing about the recall of a public officer holding elective office or opposing the recall of a public officer holding elective office, or the influencing of voter approval or rejection of a proposed constitutional amendment, a state-wide referendum, or a proposed question which is to appear on the ballot in this state or in a county or a municipal election in this state. The term specifically shall not include the value of personal services performed by persons who serve without compensation from any source and on a voluntary basis. The term "contribution" shall include other forms of payment made to candidates for office or who hold office when such fees and compensation made can be reasonably construed as a campaign contribution designed to encourage or influence a candidate or public officer holding elective office. The term "contribution" shall also encompass transactions wherein a qualifying fee required of the candidate is furnished or paid by anyone other than the candidate.
- (8) "Direct ownership interest" means the holding or possession of good legal or rightful title of property or the holding or enjoyment of real or beneficial use of the property by any person and includes any interest owned or held by a spouse of such person if such interest is held jointly or as tenants in common between the person and spouse.
- (9) "Election" means a primary election; run-off election, either primary or general; special election; or general election. The term "election" also means a recall election.
- (10) "Election cycle" means the period from the day following the date of an election or appointment of a person to elective public office through and including the date of the next such election of a person to the same public office and shall be construed and applied separately for each elective office.
- (11) "Election year" shall be construed and applied separately for each elective office and means for each elective office the calendar year during which a regular or special election to fill such office is held.
- (12) "Expenditure" means a purchase, payment, distribution, loan, advance, deposit, or any transfer of money or anything of value made for the purpose of influencing the nomination for election or election of any person, bringing about the recall of a public officer holding elective office or opposing the recall of a public officer holding elective office, or the influencing of voter approval or rejection of a proposed constitutional amendment, a state-wide referendum, or a proposed

question which is to appear on the ballot in this state or in a county or a municipal election in this state. The term specifically shall not include the value of personal services performed by persons who serve without compensation from any source and on a voluntary basis. The term

"expenditure" shall also include the payment of a qualifying fee for and on behalf of a candidate.

- (13) "Fiduciary position" means any position imposing a duty to act primarily for the benefit of another person as an officer, director, manager, partner, guardian, or other designation of general responsibility of a business entity.
- (14) "Gift" means any gratuitous transfer to a public officer or any member of the family of the public officer or a loan of property or services which is not a contribution as defined in paragraph (7) of this Code section and which is more than \$100.00.
- (15) "Independent committee" means any committee, club, association, partnership, corporation, labor union, or other group of persons, other than a campaign committee, political party, or political action committee, which receives donations during a calendar year from persons who are members or supporters of the committee and which expends such funds either for the purpose of affecting the outcome of an election for any elected office or to advocate the election or defeat of any particular candidate.
- (16) "Intangible property" means property which is not real property and which is held for profit and includes stocks, bonds, interest in partnerships, choses in action, and other investments but shall not include any ownership interest in any public or private retirement or pension fund, account, or system and shall not include any ownership interest in any public or private life insurance contract or any benefit, value, or proceeds of such life insurance contract.
- (16.1) "Investment" means the investment of money or capital to gain interest or income.
- (17) "Member of the family" means a spouse and all dependent children.
- (17.1) "Nonelection year" shall be construed and applied separately for each elective office and means for each elective office any calendar year during which there is no regular or special election to fill such office.
- (17.2) "Nonprofit organization" means a corporation, foundation, or other legal entity, no part of the net earnings of which inures to the benefit of any private shareholder or individual holding an interest in such entity.
- (18) "Ordinary and necessary expenses" shall include, but shall not be limited to, expenditures made during the reporting period for qualifying fees, office costs and rent, lodging, equipment, travel, advertising, postage, staff salaries, consultants, files storage, polling, special events, volunteers, reimbursements to volunteers, repayment of any loans received except as restricted under subsection (i) of Code Section 21-5-41, contributions to nonprofit organizations, flowers for special occasions, which shall include, but are not limited to, birthdays and funerals, attorney fees connected to and in the furtherance of the campaign, and all other expenditures contemplated in Code Section 21-5-33.
- (19) "Person" means an individual, partnership, committee, association, corporation, limited liability company, limited liability partnership, trust, professional corporation, or other business entity recognized in the State of Georgia, labor organization, or any other organization or group of persons.
- (20) "Political action committee" means:
 - (A) Any committee, club, association, partnership, corporation, labor union, or other group of persons which receives donations during a calendar year from persons who are members or supporters of the committee and which contributes funds to one or more candidates for public office or campaign committees of candidates for public office; and
 - (B) A "separate segregated fund" as defined in Code Section 21-5-40.
Such term does not include a candidate campaign committee.

- (21) "Public employee" means every person employed by the executive, legislative, or judicial branch of state government, or any department, board, bureau, agency, commission, or authority thereof.
- (22) "Public officer" means:
 - (A) Every constitutional officer;
 - (B) Every elected state official;
 - (C) The executive head of every state department or agency, whether elected or appointed;
 - (D) Each member of the General Assembly;
 - (E) The executive director of each state board, commission, council, or authority and the members thereof;
 - (F) Every elected county official and every elected member of a local board of education; and
 - (G) Every elected municipal official.
- (23) "Qualifying officer" means a person who qualifies a candidate for an election.
- (24) "Reporting period" means the period of time beginning the day after the last report due date, excluding any grace period, through the due date of the next report.

§ 21-5-4. Ethics commission

- (a) The Georgia Government Transparency and Campaign Finance Commission shall be a successor to the State Ethics Commission, with such duties and powers as are set forth in this chapter. As the successor commission, it shall have all the powers and duties granted to the State Ethics Commission in all matters pending before the State Ethics Commission and may continue to investigate, prosecute, and act upon all such matters.
- (b) The commission shall be governed by five members appointed as follows: three members, not more than two of whom shall be from the same political party, shall be appointed by the Governor, two for terms of three years and one for a term of two years; one member shall be appointed by the Senate Committee on Assignments for a term of four years; and one member shall be appointed by the Speaker of the House of Representatives for a term of four years. Upon the expiration of a member's term of office, a new member, appointed in the same manner as the member whose term of office expired as provided in this subsection, shall become a member of the commission and shall serve for a term of four years and until such member's successor is duly appointed and qualified. If a vacancy occurs in the membership of the commission, a new member shall be appointed to the unexpired term of office by the state official or the committee that appointed the vacating member. Members of the commission shall not serve for more than one complete term of office.
- (c) All members of the commission shall be residents of this state.
- (d) Any person who:
 - (1) Has qualified to run for any federal, state, or local public office within a period of five years prior to such person's appointment;
 - (2) Has held any federal, state, or local public office within a period of five years prior to such person's appointment; or
 - (3) Serves as an officer of any political party, whether such office is elective or appointive and whether such office exists on a local, state, or national level shall be ineligible to serve as a member of the commission.
- (e) The commission shall elect a chairperson, a vice chairperson, and other officers as it deems necessary. The members shall not be compensated for their services but they shall be reimbursed in an amount equal to the per diem received by the General Assembly for each day or portion thereof spent in serving as members of the commission. They shall be paid their necessary traveling expenses while engaged in the business of the commission.

- (f) A majority of the members of the commission constitutes a quorum for the transaction of business. The vote of at least a majority of the members present at any meeting at which a quorum is present is necessary for any action to be taken by the commission. No vacancy in the membership of the commission impairs the right of a quorum to exercise all rights and perform all duties of the commission.
- (g) Meetings of the members of the commission shall be held at the call of the chairperson or whenever any two members so request.

§ 21-5-5. Operating expenses

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

§ 21-5-6. Powers and duties of the commission

- (a) The commission is vested with the following powers:
 - (1) To meet at such times and places as it may deem necessary;
 - (2) To contract with other agencies, public or private, or persons as it deems necessary for the rendering and affording of such services, facilities, studies, and reports to the commission as will best assist it to carry out its duties and responsibilities;
 - (3) To cooperate with and secure the cooperation of every department, agency, or instrumentality in the state government or its political subdivisions in the furtherance of the purposes of this chapter;
 - (4) To employ an executive secretary and such additional staff as the commission deems necessary to carry out the powers delegated to the commission by this chapter;
 - (5) To issue subpoenas to compel any person to appear, give sworn testimony, or produce documentary or other evidence;
 - (6) To institute and prosecute actions in the superior courts, in its own name, seeking to enjoin or restrain any violation or threatened violation of this chapter;
 - (7) To adopt in accordance with Chapter 13 of Title 50, the "Georgia Administrative Procedure Act," any rules and regulations necessary and appropriate for carrying out the purposes of this chapter; provided, however, that the commission shall not require the reporting or disclosure of more information on any report than is expressly required to be reported or disclosed by this chapter, unless such information was required to be reported or disclosed by rules and regulations of the commission which were in effect as of January 1, 2013, so long as such rules and regulations do not conflict with this chapter; and
 - (8) To do any and all things necessary or convenient to enable it to perform wholly and adequately its duties and to exercise the powers specifically authorized to it in this chapter.
- (b) The commission shall have the following duties:
 - (1) To prescribe forms to be used in complying with this chapter;
 - (2) To prepare and publish in print or electronically a manual setting forth recommended uniform methods of accounting and reporting for use by persons required by this chapter to file statements and reports;
 - (3) To accept and file any information voluntarily supplied that exceeds the requirements of this chapter;

- (4) To develop a filing, coding, and cross-indexing system consonant with the purposes of this chapter;
- (5) To adopt a retention standard for records of the commission in accordance with Article 5 of Chapter 18 of Title 50, the "Georgia Records Act";
- (6) To prepare and publish in print or electronically such other reports and technical studies as in its judgment will tend to promote the purposes of this chapter;
- (7) To provide for public dissemination of such summaries and reports;
- (8) To determine whether the required statements and reports have been filed and, if so, whether they conform to the requirements of this chapter;
- (9) To make investigations, subject to the limitations contained in Code Section 21-5-7.1, with respect to the statements and reports filed under this chapter and with respect to alleged failure to file any statements or reports required under this chapter and upon receipt of the written complaint of any person, verified under oath to the best information, knowledge, and belief by the person making such complaint with respect to an alleged violation of any provision of this chapter, provided that nothing in this Code section shall be construed to limit or encumber the right of the commission to initiate on probable cause an investigation on its own cognizance as it deems necessary to fulfill its obligations under this chapter;
- (10) (A) To conduct a preliminary investigation, subject to the limitations contained in Code Section 21-5-7.1, of the merits of a written complaint by any person who believes that a violation of this chapter has occurred, verified under oath to the best information, knowledge, and belief by the person making such complaint. If there are found no reasonable grounds to believe that a violation has occurred, the complaint shall be dismissed, subject to being reopened upon discovery of additional evidence or relevant material. If the commission determines that there are such reasonable grounds to believe that a violation has occurred, it shall give notice by summoning the persons believed to have committed the violation to a hearing. The hearing shall be conducted in all respects in accordance with Chapter 13 of Title 50, the "Georgia Administrative Procedure Act." The commission may file a complaint charging violations of this chapter, and any person aggrieved by the final decision of the commission is entitled to judicial review in accordance with Chapter 13 of Title 50; provided, however, that nothing in this Code section shall be construed to limit or encumber the right of the commission to initiate on probable cause an investigation on its own cognizance as it deems necessary to fulfill its obligations under this chapter.
- (B) In any such preliminary investigation referenced in subparagraph (A) of this paragraph, until such time as the commission determines that there are reasonable grounds to believe that a violation has occurred, it shall not be necessary to give the notice by summons nor to conduct a hearing in accordance with Chapter 13 of Title 50, the Georgia Administrative Procedure Act";
- (11) To report suspected violations of law to the appropriate law enforcement authority;
- (12) To investigate upon a written complaint any illegal use of public employees in a political campaign by any candidate;
- (13) To issue, upon written request, and publish in print or electronically written advisory opinions on the requirements of this chapter, based on a real or hypothetical set of circumstances; and each such written advisory opinion shall be issued within 60 days of the written request for the advisory opinion. The commission shall make all advisory opinions that were issued after January 9, 2006, publicly available for review and shall post these and all future opinions on the commission's website, and the commission shall make all advisory opinions that were issued prior to January 9, 2006, publicly available for review and shall post these opinions on the commission's website. No liability shall be imposed under this chapter for any act or

omission made in conformity with a written advisory opinion issued by the commission that is valid at the time of the act or omission;

- (14) To issue orders, after the completion of appropriate proceedings, directing compliance with this chapter or prohibiting the actual or threatened commission of any conduct constituting a violation. Such order may include a provision requiring the violator:
- (A) To cease and desist from committing further violations;
 - (B) To make public complete statements, in corrected form, containing the information required by this chapter;
 - (C)
 - (i) Except as provided in paragraph (2) of Code Section 21-5-7.1, to pay a civil penalty not to exceed \$1,000.00 for each violation contained in any report required by this chapter or for each failure to comply with any other provision of this chapter or of any rule or regulation promulgated under this chapter; provided, however, that a civil penalty not to exceed \$10,000.00 may be imposed for a second occurrence of a violation of the same provision and a civil penalty not to exceed \$25,000.00 may be imposed for each third or subsequent occurrence of a violation of the same provision. In imposing a penalty or late filing fee under this chapter, the commission may waive or suspend such penalty or fee if the imposition of such penalty or fee would impose an undue hardship on the person required to pay such penalty or fee. The commission may also waive or suspend a penalty or fee in the case of failure to file or late filing of a report if there are no items to be included in the report. For the purposes of the penalties imposed by this division, the same error, act, omission, or inaccurate entry shall be considered a single violation if the error, act, omission, or inaccurate entry appears multiple times on the same report or causes further errors, omissions, or inaccurate entries in that report or in any future reports or further violations in that report or in any future reports.
 - (ii) A civil penalty shall not be assessed except after notice and hearing as provided by Chapter 13 of Title 50, the "Georgia Administrative Procedure Act." The amount of any civil penalty finally assessed shall be recoverable by a civil action brought in the name of the commission. All moneys recovered pursuant to this Code section shall be deposited in the state treasury.
 - (iii) The Attorney General of this state shall, upon complaint by the commission, or may, upon the Attorney General's own initiative if after examination of the complaint and evidence the Attorney General believes a violation has occurred, bring an action in the superior court in the name of the commission for a temporary restraining order or other injunctive relief or for civil penalties for a violation of any provision of this chapter or any rule or regulation duly issued by the commission.
 - (iv) Any action brought by the Attorney General to enforce civil penalties for a violation of the provisions of this chapter or of any rule or regulation duly issued by the commission or any order issued by the commission ordering compliance or to cease and desist from further violations shall be brought in the superior court of the county of the residence of the party against whom relief is sought. Service of process shall lie in any jurisdiction within the state. In such actions, the superior court inquiry shall be limited to whether notice was given by the commission to the violator in compliance with the Constitution and the rules of procedure of Chapter 13 of Title 50, the "Georgia Administrative Procedure Act." Upon satisfaction that notice was given and a hearing was held pursuant to Chapter 13 of Title 50, the "Georgia Administrative Procedure Act," the superior court shall enforce the orders of the commission and the civil penalties assessed under this chapter and the superior court shall not make independent inquiry as to whether the violations have occurred.

- (v) In any action brought by the Attorney General to enforce any of the provisions of this chapter or of any rule or regulation issued by the commission, the judgment, if in favor of the commission, shall provide that the defendant pay to the commission the costs, including reasonable attorneys' fees, incurred by the commission in the prosecution of such action. The commission shall make all such orders that were issued after January 9, 2006, publicly available for review and shall post these and all future orders on the commission's website, and the commission shall make all advisory orders that were issued prior to January 9, 2006, publicly available for review and shall post these orders on the commission's website. Such orders shall serve as precedent for all future orders and opinions of the commission;
- (15) To make public its conclusion that a violation has occurred and the nature of such violation;
- (16) To petition the superior court within the county where the hearing was or is being conducted for the enforcement of any order issued in connection with such hearing;
- (17) To report to the General Assembly and the Governor at the close of each fiscal year concerning the action taken during that time, the names, salaries, and duties of all individuals employed, and the funds disbursed and to make such further report on the matters within its jurisdiction as may appear desirable;
- (18) To carry out the procedures, duties, and obligations relative to the commission set forth in this chapter;
- (19) On a quarterly basis, to prepare, update, and publish in print or electronically a report and post such report on its website, listing the name of each filer required to file with the commission who has not filed the most recent campaign contribution disclosure report required by Code Sections 21-5-34 and 21-5-34.1, the financial disclosure statement required by Code Section 21-5-50, or the disclosure report required by Code Section 21-5-73 within 30 days of the date such report was due to be filed;
- (20) To publish in print or electronically overall lobbyist spending by category. Such categories shall include gifts, meals, entertainment, office supplies, lodging, equipment, advertising, travel, and postage;
- (21) To promulgate rules and regulations with respect to electronic filings;
- (22) To provide and conduct semiannual training on the mechanics of electronic filing and registration;
- (23) To award attorneys' fees to the party complained against if the commission deems the complaint to be frivolous, legally or factually, or if the complaining party fails, without good cause, to appear at the preliminary hearing on the complaint; and
- (24) To issue a warning letter to persons who have not filed any statement or report required by this chapter.

§ 21-5-7. Initiation of complaints

The commission shall not initiate any investigation or inquiry into any matter under its jurisdiction based upon the complaint of any person unless that person shall produce the same in writing and verify the same under oath to the best information, knowledge, and belief of such person, the falsification of which shall be punishable as false swearing under Code Section 16-10-71. The person against whom any complaint is made shall be furnished by hand delivery or statutory overnight delivery or mailed by certified mail, return receipt requested, a copy of the complaint by the commission within two business days of the commission's receipt of such complaint and prior to any other public dissemination of such complaint. Nothing in this Code section, however, shall be construed to limit or encumber the right of the commission to initiate on probable cause an investigation on its own cognizance as it deems necessary to fulfill its obligations under this chapter.

§ 21-5-7.1. Technical defects in filings; determination; notice to the subject of the complaint and opportunity to correct the defect; administrative fee; dismissal of complaints where best efforts have been made to complete a filing

The commission shall adopt rules which shall provide that:

- (1) Upon the commission's receipt of a complaint, a determination shall be made as to whether the complaint relates to a technical defect in a filing. For this purpose, a technical defect shall include, but not be limited to, a defect such as an incorrect date or a failure to include a date, an incorrect contributor's occupation or a failure to include a contributor's occupation, an incorrect address or e-mail address or a failure to include an address or e-mail address, an incorrect employer or a failure to include an employer, accounting errors, or any other similar defects;
- (2) When the commission determines that a complaint relates to a technical defect in a filing, the subject of the complaint shall be issued a notice of the technical defect by certified mail, return receipt requested, or statutory overnight delivery and shall be given a period of 30 calendar days from the receipt of the notice to correct the technical defect. During the 30 day period the complaint shall be considered as received by the commission but not yet filed with the commission and shall not be considered a violation of this chapter. If during the 30 day period the technical defect is cured by an amended filing or otherwise, or if during the 30 day period the subject of the complaint demonstrates that there is no technical defect as alleged, the complaint shall be disposed of without filing or further proceedings and no penalty shall be imposed. If the subject of the complaint fails to respond to the notice of a technical defect, make an amended filing, or demonstrate that there is no technical defect as alleged by the thirty-first day, the commission shall impose and collect an administrative fee not to exceed \$50.00 per technical defect. For the purposes of the penalties imposed by this paragraph, the same error or inaccurate entry shall be considered a single technical violation if the error or inaccurate entry appears multiple times on a single report or causes further errors or inaccurate entries in that report or in any future reports;
- (3) If the subject of the complaint does not pay the administrative fee required by paragraph (2) of this Code section, if any, and does not otherwise also comply with paragraph (2) of this Code section by the sixtieth day from the receipt of the notice of a technical defect, the commission shall conduct further investigation and the complaint may proceed further in accordance with the provisions of this chapter; and
- (4) When the commission determines in its discretion that best efforts have been made to complete a required filing, said filing shall be considered in compliance with this Code section and any complaint relative to said filing shall be dismissed.

§ 21-5-8. Venue

Venue for prosecution of civil violations of this chapter or for any other action by or on behalf of the commission shall be in the county of the residence of the candidate or public officer at the time of the alleged violation or action.

§ 21-5-9. Penalties

Except as otherwise provided in this chapter, any person who knowingly fails to comply with or who knowingly violates this chapter shall be guilty of a misdemeanor. The provisions of this Code section shall not preclude prosecution and punishment for the commission of any felony offense as otherwise provided by law.

§ 21-5-10. Chapter as continuation of laws; effect of enactment

The provisions of this chapter, so far as they are the same as those of existing laws, are intended as a continuation of such laws and not as new enactments. The repeal by this chapter of any Act of the General Assembly, or part thereof, shall not revive any Act, or part thereof, heretofore repealed or superseded. This chapter shall not affect any act done, liability or penalty incurred, or right accrued or vested prior to the taking effect of this chapter; nor shall this chapter affect any actions or prosecution then pending, or to be instituted, to enforce any right or penalty then accrued or to punish any offense thereto- fore committed.

§ 21-5-11. Acceptance by public officers of monetary fees or honoraria

- (a) No public officer other than a public officer elected state wide shall accept a monetary fee or honorarium in excess of \$100.00 for a speaking engagement, participation in a seminar, discussion panel, or other activity which directly relates to the official duties of that public officer or the office of that public officer.
- (b) No public officer elected state wide shall accept any monetary fee or honorarium for a speaking engagement, participation in a seminar, discussion panel, or other such activity.
- (c) For purposes of this chapter, actual and reasonable expenses for food, beverages, travel, lodging, and registration for a meeting which are provided to permit participation in a panel or speaking engagement at the meeting shall not be monetary fees or honoraria.

§ 21-5-12. Connected organizations

- (a) The name of each political action committee shall include the name of its connected organization.
- (b) The name of any separate segregated fund, as defined in Code Section 21-5-40, shall include the name of its connected organization.

§ 21-5-13. Limitation of actions

Any action alleging a violation of this chapter shall be commenced within three years after the date of filing of the first report containing the alleged violation; provided, however, that any action alleging a violation of this chapter shall be commenced within five years after the date of filing of the first report containing the alleged violation involving any person elected to serve for a term of four or more years or any candidate for an office with a term of four or more years. For purposes of this Code section, an action shall be deemed to have commenced against a person only when either:

- (1) A complaint has been accepted by the commission in compliance with Code Section 21-5-7; or
- (2) The commission or Attorney General serves on such person a notice of summons or hearing, in accordance with Chapter 13 of Title 50, the "Georgia Administrative Procedure Act," that alleges that such person has violated this chapter.

§ 21-5-14. E-mail address required by filer

- (a) Except as provided in subsection (b) of this Code section, each individual required by this chapter to file a report or disclosure statement with the commission shall provide the commission, in writing, with a current e-mail address and shall advise the commission, in writing, of any change to such address within ten days of any change to such address. Such information shall be provided to the commission prior to January 31 each year.
- (b) City, county, and school board officials are not required to provide an e-mail address to the commission.

§ 21-5-15. Notification

When the commission gives notice to a local official referred to in subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3 of any of the actions listed in this Code section, such notice shall be given by certified mail or statutory overnight delivery. This Code section shall apply with respect to any notice of: the filing of a complaint; a technical defect in a filing; a failure to make a timely filing; or a late fee or other penalty.

ARTICLE 2. CAMPAIGN CONTRIBUTIONS

§ 21-5-30. Contributions made to candidate or campaign committee or for recall of a public officer

- (a) Except as provided in subsection (e) of Code Section 21-5-34, no contributions to bring about the nomination or election of a candidate for any office shall be made or accepted except directly to or by a candidate or such candidate's campaign committee which is organized for the purpose of bringing about the nomination or election of any such candidate; and no contributions to bring about the recall of a public officer or to oppose the recall of a public officer or to bring about the approval or rejection by the voters of a proposed constitutional amendment, state-wide referendum, or proposed question at the state, municipal, or county level shall be made or accepted except directly to or by a campaign committee organized for that purpose.
- (b) Each candidate shall maintain records and file reports as required by this chapter or shall have a campaign committee for the purposes of maintaining records and filing reports as required by this chapter. Every campaign committee shall have a chairperson and a treasurer, except that the candidate may serve as the chairperson and treasurer. Before a campaign committee accepts contributions, the name and address of the chairperson and treasurer shall be filed with the commission. When a candidate has been elected to public office, the registration of that candidate's campaign committee with the commission shall remain in effect so long as the candidate remains in office until and unless the registration is canceled by the campaign committee or the candidate. The same person may serve as chairperson and treasurer. No contributions shall be accepted by or on behalf of the campaign committee at a time when there is a vacancy in the office of chairperson or treasurer of the campaign committee.
- (c) Contributions of money received pursuant to subsection (a) of this Code section shall be deposited in a campaign depository account opened and maintained by the candidate or the campaign committee. The account may be an interest-bearing account; provided, however, that any interest earned on such account shall be reported and may only be used for the purposes allowed for contributions under this chapter. Those who elect the separate accounting option as provided in Code Section 21-5-43 may also open, but are not required to open, a separate campaign depository account for each election for which contributions are accepted and allocated beyond their next upcoming election.
- (d) Unless otherwise reported individually, where separate contributions of less than \$100.00 are knowingly received from a common source, such contributions shall be aggregated for reporting purposes. For purposes of fulfilling such aggregation requirement, members of the family, members of the same firm or partnership, or employees of the same person, as defined in paragraph (19) of Code Section 21-5-3, shall be considered to be a common source; provided, however, that the purchase of tickets for not more than \$25.00 each and for or attendance at a fundraising event by members of the family, members of the same firm or partnership, or employees of the same person shall not be considered to be contributions from a common source except to the extent that tickets are purchased as a block.
- (e) The making and acceptance of anonymous contributions are prohibited. Any anonymous contributions received by a candidate or campaign committee shall be transmitted to the state treasurer for deposit in the state treasury, and the fact of such contribution and transmittal shall be reported to the commission.
- (f) (1) For the purposes of this subsection, the term:
 - (A) Public utility corporation regulated by the Public Service Commission' includes, but is

not limited to, an electric membership corporation.

(B) 'Electric membership corporation' means a public utility corporation regulated by the Public Service Commission operating as an electric membership corporation under the provisions of Article 4 of Chapter 3 of Title 46.

(2) Except as limited by Code Section 21-5-30.1 or this subsection a public utility corporation regulated by the Public Service Commission shall be allowed to make contributions to political campaigns. Any contributions made by a public utility corporation regulated by the Public Service Commission to a political campaign shall not be included as recoverable costs in any rate-making or rate-setting proceedings before the Public Service Commission.

Notwithstanding the provisions of this Code section or any other provision of law to the contrary, no electric membership corporation and no nonprofit corporation, group, or association, the membership of which consists of electric membership corporations, shall be authorized to make any contribution to a political campaign. Notwithstanding the foregoing, nothing in this Code section shall be construed to prohibit a nonprofit corporation, group, or association, the membership of which consists of electric membership corporations, from establishing, administering, and soliciting contributions for a political action committee from officers, directors, employees, agents, contractors, and members of such entities so long as such actions and contributions do not otherwise violate the provisions of this chapter."

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

§ 21-5-30.1. Contributions by regulated entities to elected executive officers or candidates

(a) Except as otherwise provided in this subsection, the definitions set forth in Code Section 21-5-3 shall be applicable to the provisions of this Code section. As used in this Code section, the term:

- (1) "Campaign committee" means the candidate, person, or committee which accepts contributions to bring about the nomination for election or election of an individual to the office of an elected executive officer.
- (2) "Contribution" means a gift, subscription, membership, loan, forgiveness of debt, advance or deposit of money, or anything of value conveyed or transferred for the purpose of influencing the nomination for election or election of an individual to the office of an elected executive officer or encouraging the holder of such office to seek reelection. The term "contribution" shall include the payment of a qualifying fee for and on behalf of a candidate for the office of an elected executive officer and any other payment or purchase made for and on behalf of the holder of the office of an elected executive officer or for or on behalf of a candidate for that office when such payment or purchase is made for the purpose of

influencing the nomination for election or election of the candidate and is made pursuant to the request or authority of the holder of such office, the candidate, the campaign committee of the candidate, or any other agent of the holder of such office or the candidate. The term "contribution" shall not include the value of personal services performed by persons who serve on a voluntary basis without compensation from any source.

- (3) "Elected executive officer" means the Secretary of State, Attorney General, State School Superintendent, Commissioner of Insurance, Commissioner of Agriculture, Commissioner of Labor, and members of the Public Service Commission.
 - (4) "Political action committee" means any committee, club, association, partnership, corporation, labor union, or other group of persons which receives donations aggregating in excess of: \$1,000.00 during a calendar year from persons who are members or supporters of the committee and which distributes these funds as contributions to one or more campaign committees of candidates for public office. Such term does not mean a campaign committee.
 - (5) "Regulated entity" means any person who is required by law to be licensed by an elected executive officer or a board under the jurisdiction of an elected executive officer, any person who leases property owned by or for a state department, any person who engages in a business or profession which is regulated by an elected executive officer or by a board under the jurisdiction of an elected executive officer or any public utility corporation regulated by the Public Service Commission. For purposes of this paragraph, public utility corporation regulated by the Public Service Commission shall have the same meaning as provided by subsection (f) of Code Section 21-5-30.
- (b) No regulated entity and no person or political action committee acting on behalf of a regulated entity shall make a contribution to or on behalf of a person holding office as an elected executive officer regulating such entity or to or on behalf of a candidate for the office of an elected executive officer regulating such entity or to or on behalf of a campaign committee of any such candidate.
 - (c) No person holding office as an elected executive officer and no candidate for the office of an elected executive officer and no campaign committee of a candidate for the office of an elected executive officer shall accept a contribution in violation of subsection (b) of this Code section.
 - (d) Nothing contained in this Code section shall be construed to prevent any person who may be employed by a regulated entity, including a person in whose name a license or lease is held, or who is an officer of a regulated entity from voluntarily making a campaign contribution from that person's personal funds to or on behalf of a person holding office as an elected executive officer regulating such entity or to or on behalf of a candidate for the office of an elected executive officer regulating such entity or to or on behalf of a campaign committee of any such candidate; provided, however, that:
 - (1) The elected executive officer or candidate receiving one or more campaign contributions described in this subsection shall in his or her disclosure report under Code Section 21-5-34 separately identify each contribution and the total of contributions which he or she knows or should have reason to know are described in this subsection;
 - (2) It shall be unlawful for any regulated entity or elected executive officer to require another by coercive action to make any such contribution.

§ 21-5-30.2. Contributions by public agencies

- (a) Except as otherwise provided in this subsection, the definitions set forth in Code Section 21-5-3 shall be applicable to the provisions of this Code section. As used in this Code section, the term:
 - (1) "Agency" means:
 - (A) Every state department, agency, board, bureau, commission, and authority;

- (B) Every county, municipal corporation, school district, or other political subdivision of this state;
 - (C) Every department, agency, board, bureau, commission, authority, or similar body of each such county, municipal corporation, or other political subdivision of this state; and
 - (D) Every city, county, regional, or other authority established pursuant to the laws of this state.
- (2) "Contribution" means a gift, subscription, membership, loan, forgiveness of debt, advance or deposit of money, or anything of value conveyed or transferred by or on behalf of an agency, without receipt of payment therefore, to any campaign committee, political action committee, or political organization or to any candidate for campaign purposes.
 - (3) "Elector" means any person who shall possess all of the qualifications for voting now or hereafter prescribed by the laws of this state and who shall have registered in accordance with Chapter 2 of this title.
 - (4) "Political action committee" means any committee, club, association, partnership, corporation, labor union, or other group of persons which receives donations aggregating in excess of \$1,000.00 during a calendar year from persons who are members or supporters of the committee and which distributes these funds as contributions to one or more campaign committees of candidates for public office. Such term does not mean a campaign committee.
 - (5) "Political organization" means an affiliation of electors organized for the purpose of influencing or controlling the policies and conduct of government through the nomination of candidates for public office and, if possible, the election of its candidates to public office.
 - (6) "Public meeting place" means any county, municipal, or other public building suitable and ordinarily used for public gatherings.
- (b) No agency and no person acting on behalf of an agency shall make, directly or indirectly, any contribution to any campaign committee, political action committee, or political organization or to any candidate; but nothing in this Code section shall prohibit the furnishing of office space, facilities, equipment, goods, or services to a public officer for use by the public officer in such officer's fulfillment of such office.
 - (c) No campaign committee, political action committee, or political organization or candidate shall accept a contribution in violation of subsection (b) of this Code section.
 - (d) Nothing contained in this Code section shall be construed to:
 - (1) Affect the authority of the State Personnel Board regarding the regulation of certain political activities of public employees in the classified service of the State Personnel Administration;
 - (2) Affect the authority of any agency regarding the regulation of the political activities of such agency's employees;
 - (3) Affect the use of the capitol building and grounds as specified in Code Section 50-16-4; or
 - (4) Prohibit the use of public meeting places by political organizations when such meeting places are made available to different political organizations on an equal basis; provided, however, this paragraph shall not be construed to create a right for a political organization to use a public meeting place.

§ 21-5-32. Accounts to be kept by candidate or campaign committee treasurer

- (a) The candidate or treasurer of each campaign committee shall keep detailed accounts, current within not more than five business days after the date of receiving a contribution or making an expenditure, of all contributions received and all expenditures made by or on behalf of the candidate or committee. The candidate or treasurer shall also keep detailed accounts of all

deposits and of all withdrawals made to the separate campaign depository and of all interest earned on any such deposits.

- (b) Accounts kept by the candidate or treasurer of a campaign committee pursuant to this Code section may be inspected under reasonable circumstances before, during, or after the election to which the accounts refer by any authorized representative of the commission. The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.
- (c) Records of such accounts kept by the candidate or campaign committee shall be preserved for three years from the termination date of the campaign for elective office conducted by the candidate or of the campaign committee for any candidate or for three years from the election to bring about the approval or rejection by the voters of any proposed constitutional amendment, referendum, or local issue or of any recall vote.

§ 21-5-33. Disposition of contributions

- (a) Contributions to a candidate, a campaign committee, or a public officer holding elective office and any proceeds from investing such contributions shall be utilized only to defray ordinary and necessary expenses, which may include any loan of money from a candidate or public officer holding elective office to the campaign committee of such candidate or such public officer, incurred in connection with such candidate's campaign for elective office or such public officer's fulfillment or retention of such office.
- (b)(1) All contributions received by a candidate or such candidate's campaign committee or a public officer holding elective office in excess of those necessary to defray expenses pursuant to subsection (a) of this Code section and as determined by such candidate or such public officer may only be used as follows:
 - (A) As contributions to any charitable organization described in 26 U.S.C. 170(c) as said federal statute exists on March 1, 1986, and which additionally shall include educational, eleemosynary, and nonprofit organizations;
 - (B) Except as otherwise provided in subparagraph (D) of this paragraph, for transferral without limitation to any national, state, or local committee of any political party or to any candidate;
 - (C) For transferral without limitation to persons making such contributions, not to exceed the total amount cumulatively contributed by each such transferee;
 - (D) For use in future campaigns for only that elective office for which those contributions were received. With respect to contributions held on January 1, 1992, or received thereafter, in the event the candidate, campaign committee, or public officer holding elective office has not designated, prior to receiving contributions to which this Code section is applicable, the office for which campaign contributions are received thereby, those contributions shall be deemed to have been received for the elective office which the candidate held at the time the contributions were received or, if the candidate did not then hold elective office, those contributions shall be deemed to have been received for that elective office for which that person was a candidate most recently following the receipt of such contributions; or
 - (E) For repayment of any prior campaign obligations incurred as a candidate.
- (2) Any candidate or public officer holding elective office may provide in the will of such candidate or such public officer that the contributions shall be spent in any of the authorized manners upon the death of such candidate or such public officer; and, in the absence of any such direction in the probated will of such candidate or such public officer, the contributions shall be paid to the treasury of the state party with which such candidate or such public officer was affiliated in such candidate's or such public officer's last election or elective office after the payment of any

expenses pursuant to subsection (a) of this Code section. Notwithstanding any other provisions of this paragraph, the personal representative or executor of the estate shall be allowed to use or pay out funds in the campaign account in any manner authorized in subparagraphs (A) through (E) of paragraph (1) of this subsection.

- (c) Contributions and interest thereon, if any, shall not constitute personal assets of such candidate or such public officer.
- (d)(1) Contributions received by a campaign committee designed to bring about the recall of a public officer holding elective office or to oppose the recall of a public officer holding elective office or any person or to bring about the approval or rejection by the voters of any proposed constitutional amendment, a state-wide referendum, or a proposed question which is to appear on the ballot in any county or municipal election and any proceeds derived from investing such contributions shall be utilized only to defray ordinary and necessary expenses associated with influencing the voters on such issue.
- (2) All contributions received by a campaign committee as provided in paragraph (1) of this subsection in excess of those necessary to defray expenses relative to the influencing of voters on such issue as determined by the campaign committee may only be used as follows:
 - (A) Contributions to any charitable organization described in 26 U.S.C. 170(c) as such federal statute exists on March 1, 1986, and which additionally shall include educational, eleemosynary, and nonprofit organizations; or
 - (B) For repayment on a pro rata basis to persons making such contributions.

§ 21-5-34. Disclosure reports

- (a) (1) (A) The candidate or the chairperson or treasurer of each campaign committee organized to bring about the nomination or election of a candidate for any office and the chairperson or treasurer of every campaign committee designed to bring about the recall of a public officer or to oppose the recall of a public officer or designed to bring about the approval or rejection by the voters of any proposed constitutional amendment, state-wide proposed question, or state-wide referendum shall electronically sign and file with the commission the required campaign contribution disclosure reports; provided, however, that public offices listed in subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3 shall be subject to signing and filing requirements as prescribed by paragraph (3) or (4) of this subsection, and recalls for such offices shall be subject to signing and filing requirements the same as required of candidates for such officers as prescribed by paragraph (3) or (4) of this subsection.
- (B) The chairperson or treasurer of each independent committee shall file the required disclosure reports with the commission.
- (2) (A) Any campaign committee which accepts contributions or makes expenditures designed to bring about the approval or rejection by the voters of any proposed question which is to appear on the ballot in this state shall register with the commission and file campaign contribution disclosure reports as prescribed by this chapter or, in the case of any proposed question which is to appear on the ballot in a county or municipal election, shall register and file campaign disclosure reports with the same officials as prescribed by paragraph (3) or (4) of this subsection for candidates for county or municipal offices; provided, however, that such reports shall only be required if such campaign committee has received contributions which total more than \$500.00 or if such campaign committee has made expenditures which total more than \$500.00. All advertising pertaining to referendums shall identify the principal officer of such campaign committee by listing or stating the name and title of the principal officer.
- (B) If a campaign committee is required to file a report with the commission under

subparagraph (A) of this paragraph, such report shall be electronically filed. Any such report shall be filed 15 days prior to the date of the election; and a final report shall be filed prior to December 31 of the election year.

(3) A candidate for a public office listed in subparagraph (F) of paragraph (22) of Code Section 21-5-3 or the chairperson or treasurer of such candidate's campaign committee shall sign and file the required disclosure reports with the election superintendent in the county of election. Upon receipt of any such report, the election superintendent shall cause such report to be available for inspection and copying in accordance with Article 4 of Chapter 18 of Title 50. The election superintendent shall transmit a copy of each such report to the commission, electronically by eFiling or eFax, not later than 30 days after the end of the grace period. No fine, fee or sanction, including but not limited to identifying a candidate as having filed late or failed to file, shall be imposed by the commission on a candidate for the failure of the election superintendent to timely transmit a copy of such report.

(4) A candidate for a public office listed in subparagraph (G) of paragraph (22) of Code Section 21-5-3 or the chairperson or treasurer of such candidate's campaign committee shall sign and file the required disclosure reports with the municipal clerk in the municipality of election or, if there is no clerk, with the chief executive officer of the municipality; provided, however, that a municipality and a county may enter into an agreement whereby such candidates, chairpersons, or treasurers shall file the required disclosure reports with the county election superintendent instead. Upon receipt of any such report, the municipal clerk, chief executive officer of the municipality, or county election superintendent, as applicable, shall cause such report to be available for inspection and copying in accordance with Article 4 of Chapter 18 of Title 50. The municipal clerk, chief executive officer of the municipality, or county election superintendent, as applicable, shall transmit a copy of each such report to the commission, electronically by eFiling or eFax, not later than 30 days after the end of the grace period. No fine, fee, or sanction, including but not limited to identifying a candidate as having filed late or failed to file, shall be imposed by the commission on a candidate for the failure of the municipal clerk, chief executive officer of the county, or county election superintendent to timely transmit a copy of such report.

(b) (1) All reports shall list the following:

- (A) As to any contribution of more than \$100.00, its amount and date of receipt, the election for which the contribution has been accepted and allocated, along with the name and mailing address of the contributor, and, if the contributor is an individual, that individual's occupation and the name of his or her employer. Such contributions shall include, but shall not be limited to, the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events coordinated for the purpose of raising campaign contributions for the reporting person;
- (B) As to any expenditure of more than \$100.00, its amount and date of expenditure, the name and mailing address of the recipient receiving the expenditure, and, if that recipient is an individual, that individual's occupation and the name of his or her employer and the general purpose of the expenditure;
- (C) When a contribution consists of a loan, advance, or other extension of credit, the report shall also contain the name of the lending institution or party making the advance or extension of credit and the names, mailing addresses, occupations, and places of employment of all persons having any liability for repayment of the loan, advance, or extension of credit; and, if any such persons shall have a fiduciary relationship to the lending institution or party making the advance or extension of credit, the report shall specify such relationship;

- (D) Total contributions received and total expenditures shall be reported for an election cycle as follows:
 - (i) The first report of an election cycle shall list the cash on hand brought forward from the previous election cycle, if any, and the total contributions received during the period covered by the report;
 - (ii) Subsequent reports shall list the total contributions received during the period covered by the report and the cumulative total of contributions received during the election cycle;
 - (iii) The first report of an election cycle shall list the total expenditures made during the period covered by the report;
 - (iv) Subsequent reports shall list the total expenditures made during the period covered by the report, the cumulative total of expenditures made during the election cycle, and net balance on hand; and
 - (v) If a public officer seeks reelection to the same public office, or if the public officer is a member of the General Assembly seeking reelection in another district as a result of redistricting, the net balance on hand at the end of the current election cycle shall be carried forward to the first report of the applicable new election cycle;
 - (E) The corporate, labor union, or other affiliation of any political action committee or independent committee making a contribution of more than \$100.00;
 - (F) Any investment made with funds of a campaign committee, independent committee, or political action committee and held outside such committee's official depository account during each reporting period for which an investment exists or a transaction applying to an identifiable investment is made. The report shall identify the name of the entity or person with whom such investment was made, the initial and any subsequent amount of such investment if such investment was made during the reporting period, and any profit or loss from the sale of such investment occurred during such reporting period; and
 - (G) Total debt owed on the last day of the reporting period.
- (2) Each report shall be in such form as will allow for the separate identification of a contribution or contributions which are less than \$100.00 but which become reportable due to the receipt of an additional contribution or contributions which when combined with such previously received contribution or contributions cumulatively equal or exceed \$100.00.
- (c) Candidates or campaign committees which accept contributions, make expenditures designed to bring about the nomination or election of a candidate, or have filed a declaration of intention to accept campaign contributions pursuant to subsection (g) of Code Section 21-5-30 shall file campaign contribution disclosure reports in compliance with the following schedule:
- (1) In each nonelection year on January 31 and June 30;
 - (2) In each election year:
 - (A) On January 31, March 31, June 30, September 30, October 25, and December 31;
 - (B) Six days before any run-off primary or election in which the candidate is listed on the ballot; and
 - (C) During the period of time between the last report due prior to the date of any election for which the candidate is qualified and the date of such election, all contributions of \$1,000.00 or more shall be reported within two business days of receipt and also reported on the next succeeding regularly scheduled campaign contribution disclosure report;
 - (3) If the candidate is a candidate in a special primary or special primary runoff, 15 days prior to the special primary and six days prior to the special primary runoff; and
 - (4) If the candidate is a candidate in a special election or special election runoff, 15 days prior to the special election and six days prior to the special election runoff.

All persons or entities required to file reports shall have a five-day grace period in filing the required reports, except that the grace period shall be two days for required reports prior to run-off primaries or run-off elections, and no grace period shall apply to contributions required to be reported within two business days. Reports required to be filed within two business days of a contribution shall be reported by facsimile or electronic transmission. Any facsimile filing shall also have an identical electronic filing within five business days following the transmission of such facsimile filing. Each report required in the election year shall contain cumulative totals of all contributions which have been received and all expenditures which have been made in support of the campaign in question and which are required, or previously have been required, to be reported.

(d) In the event any candidate covered by this chapter has no opposition in either a primary or a general election and receives no contribution of more than \$100.00, such candidate shall only be required to make the initial and final report as required under this chapter.

(d.1)

(1) In the event a candidate for nomination or election to a public office listed in subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3 or the chairperson or treasurer of a campaign committee organized to bring about the nomination or election of such candidate signs and files with the appropriate official specified by paragraph (3) or (4) of subsection (a) of this Code section a written notice that such candidate or campaign committee does not intend to accept during such election cycle a combined total of contributions exceeding \$2,500.00 for the campaign nor make a combined total of expenditures exceeding \$2,500.00 for the campaign in such election cycle, then such candidate or campaign committee shall not be required to file a report under this Code section. The appropriate official shall transmit an electronic copy of the written notice by eFiling or eFax to the commission within ten days of receipt of such notice. The failure of the appropriate official to timely transmit such copy of the written notice to the commission shall not disqualify the candidate or campaign committee from the exemption from report filing provided by this paragraph.

(2) If such candidate or campaign committee exceeds the \$2,500.00 limit for either accepting contributions or making expenditures for such campaign during such election cycle as specified in paragraph (1) of this subsection but does not accept a combined total of contributions exceeding \$5,000.00 in such election cycle nor make expenditures exceeding \$5,000.00 in such election cycle, then such candidate or campaign committee shall be required to file only the June 30 and December 31 reports required by paragraph (2) of subsection (c) of this Code section. The first such report shall include all contributions received and expenditures made beginning January 1 of such calendar year.

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

(e) Any person who makes contributions to, accepts contributions for, or makes expenditures on behalf of candidates, and any independent committee, shall file a registration in the same manner as is required of campaign committees prior to accepting or making contributions or expenditures.

Such persons, other than independent committees, shall also file campaign contribution disclosure reports at the same times as required of the candidates they are supporting. The following persons shall be exempt from the foregoing registration and reporting requirements:

(1) Individuals making aggregate contributions of \$25,000.00 or less directly to candidates or the candidates' campaign committees in one calendar year;

(2) Persons other than individuals making aggregate contributions and expenditures to or on

behalf of candidates of \$25,000.00 or less in one calendar year; and

(3) Contributors who make contributions to only one candidate during one calendar year.

- (f) (1) Any independent committee which accepts contributions or makes expenditures for the purpose of affecting the outcome of an election or advocates the election or defeat of any candidate shall register with the commission prior to accepting contributions or making expenditures and shall file disclosure reports as follows:
- (A) On the first day of each of the two calendar months preceding any such election;
 - (B) Two weeks prior to the date of such election; and
 - (C) Within the two-week period prior to the date of such election the independent committee shall report within two business days any contributions or expenditure of more than \$1,000.00. The independent committee shall file a final report prior to December 31 of the election year and shall file supplemental reports on June 30 and December 31 of each year that such independent committee continues to accept contributions or make expenditures.
- (2) Reports filed by independent committees shall list the following:
- (A) The amount and date of receipt, along with the name, mailing address, occupation, and employer of any person making a contribution of more than \$100.00;
 - (B) The name, mailing address, occupation, and employer of any person to whom an expenditure or provision of goods or services of the value of more than \$100.00 is made and the amount, date, and general purpose thereof, including the name of the candidate or candidates, if any, on behalf of whom, or in support of or in opposition to whom, the expenditure or provision was made;
 - (C) Total expenditures made as follows:
 - (i) Expenditures shall be reported for the applicable reporting year;
 - (ii) The first report of a reporting year shall list the total expenditures made during the period covered by the report; and
 - (iii) Subsequent reports shall list the total expenditures made during the period covered by the report, the cumulative total of expenditures made during the reporting year, and net balance on hand; and
 - (D) The corporate, labor union, or other affiliation of any political action committee, candidate, campaign committee, or independent committee making a contribution of the value of more than \$100.00.
- (3) Whenever any independent committee makes an expenditure for the purpose of financing any communication intended to affect the outcome of an election, such communication shall clearly state that it has been financed by such independent committee.
- (g) Any campaign committee which accepts contributions or makes expenditures designed to bring about the recall of a public officer or to oppose the recall of a public officer shall file campaign contribution disclosure reports as follows:
- (1) An initial report shall be filed within 15 days after the date when the official recall petition forms were issued to the sponsors;
 - (2) A second report shall be filed 45 days after the filing of the initial report;
 - (3) A third report shall be filed within 20 days after the election superintendent certifies legal sufficiency or insufficiency of a recall petition; and
 - (4) A final report shall be filed prior to December 31 of the year in which the recall election is held or, in any case where such recall election is not held, a final report shall be filed prior to December 31 of any year in which such campaign committee accepts such contributions or makes such expenditures.
- (h) Any campaign committee which accepts contributions or makes expenditures designed to bring about the approval or rejection by the voters of a proposed constitutional amendment or a state-wide referendum shall file a campaign contribution disclosure report 75, 45, and 15 days prior to the date of the election and shall file a final report prior to December 31 of the election year.

- (i) (1) Any person elected to a public office who is required to file campaign contribution disclosure reports pursuant to this article shall, upon leaving public office with excess contributions, be required to file supplemental campaign contribution disclosure reports on June 30 and December 31 of each year until such contributions are expended in a campaign for elective office or used as provided in subsection (b) of Code Section 21-5-33.
- (2) Any person who is an unsuccessful candidate in an election and who is required to file campaign contribution disclosure reports pursuant to this article shall for the remainder of the election cycle file such reports at the same times as a successful candidate and thereafter, upon having excess contributions from such campaign, be required to file a supplemental campaign contribution disclosure report no later than December 31 of each year until such contributions are expended in a campaign for elective office or used as provided in subsection (b) of Code Section 21-5-33. Any unsuccessful candidate in an election who is required to file campaign contribution disclosure reports pursuant to this article and who receives contributions following such election to retire debts incurred in such campaign for elective office shall be required to file a supplemental campaign contribution disclosure report no later than December 31 of each year until such unpaid expenditures from such campaign are satisfied.
- (j) Notwithstanding any other provision of this chapter to the contrary, soil and water conservation district supervisors elected pursuant to Article 2 of Chapter 6 of Title 2, the "Soil and Water Conservation Districts Law," shall not be required to file campaign contribution disclosure reports under this Code section.
- (k) (1) In addition to other penalties provided under this chapter, a late fee of \$125.00 shall be imposed by the person or entity with which filing is required for each report that is filed late, and notice of such late fee shall be sent to the candidate and the candidate's committee in the same manner by which the penalized report was filed with the commission. However, if the report in question was not filed or was filed with the commission in a manner other than electronic filing or certified mail, return receipt requested, the commission shall utilize certified mail, return receipt requested, to notify the candidate and the candidate's committee of the late fee due. The notice shall include the schedule of increasing late fees for late filings and the dates upon which such late fees shall be increased. In addition, a late fee of \$250.00 shall be imposed on the fifteenth day after the due date for such report if the report has not been filed by such date. A late fee of \$1,000.00 shall be imposed on the forty-fifth day after the due date for such report if such report has not been filed. Notice by electronic means does not satisfy the requirements of this paragraph; and any increased late fees shall be stayed until at least ten days after proper notice has been given as specified in this paragraph.
- (2) The commission shall retain \$25.00 of the first late fee received by the commission for processing pursuant to the provisions of Code Section 45-12-92.1.
- (l) It shall be the duty of the commission or other official when it receives for filing any disclosure report or statement or other document that may be filed by mail to maintain with the filed document a copy of the postal markings or statutory overnight delivery service markings of any envelope, package, or wrapping in which the document was delivered for filing if mailed or sent after the date such filing was due.
- (m) Except when electronic filing is required, the mailing of such reports by United States mail with adequate postage affixed within the required filing time as determined by the official United States postage date cancellation shall be prima-facie evidence of filing. Any person or entity which is required to be registered under this Code section shall file a termination statement together with its final campaign contribution disclosure report as required by this Code section within ten days of the dissolution of a campaign or committee. The termination statement shall identify the person responsible for maintaining campaign records as required by this chapter.
- (n) Neither the commission nor any other official shall require the reporting of any more information in a campaign contribution disclosure report than is expressly required to be disclosed by this

Code section.

§ 21-5-34.1. Filing campaign contribution disclosure reports electronically

- (a) Candidates, candidate committees, and public officers who are required to file campaign contribution disclosure reports with the commission shall use electronic means to file such reports with the commission using means prescribed by the commission to file such reports.
- (b) The filing of any campaign disclosure report required under this article shall constitute an affirmation that such report is true, complete, and correct.
- (c) Candidates seeking election to county or municipal offices may use electronic means to file their campaign contribution disclosure reports if such method is made available or may file by certified mail, statutory overnight delivery, or personal delivery.
- (d) Political action committees, independent committees, and any persons otherwise required by this article to file campaign contribution disclosure reports shall use electronic means to file such reports if such method is made available.
- (e) The filing of any campaign contribution disclosure report required under this article shall constitute an affirmation that the report is true, complete, and correct.

§ 21-5-35. Acceptance of contributions or pledges during legislative sessions

- (a) No member of the General Assembly or that member's campaign committee or public officer elected state wide or campaign committee of such public officer shall seek or accept a contribution or a pledge of a contribution to the member, the member's campaign committee, or public officer elected state wide, or campaign committee of such public officer during a legislative session.
- (b) Subsection (a) of this Code section shall not apply to:
 - (1) The receipt of a contribution which is returned with reasonable promptness to the donor or the donor's agent;
 - (2) The receipt and acceptance during a legislative session of a contribution consisting of proceeds from a dinner, luncheon, rally, or similar fundraising event held prior to the legislative session;
 - (3) The receipt of a contribution by a political party consisting of the proceeds from a dinner, luncheon, rally, or similar fundraising event in which a member of the General Assembly or a public officer elected state wide participates; or
 - (4) A judicial officer elected state wide, a candidate for a judicial office elected state wide, or a campaign committee of such judicial officer or candidate.

§ 21-5-36. Disposition of reports; handling of complaints and violations

- (a) (1) It shall be the duty of the commission to make the campaign contribution disclosure reports available for public inspection and copying during regular office hours commencing as soon as practicable after such reports are filed. The commission shall have the authority to charge a fee for copying such reports not to exceed the actual cost of such copying. The commission shall preserve such reports for a period of five years from the date upon which they are received.
- (2) A qualifying officer shall notify the commission in writing of the names and addresses of all candidates and offices sought in any election within ten days of the close of the qualification period.
- (b) After receiving original reports, the commission has the duty to inspect each report filed by

candidates or by a campaign committee for conformity with the law and to notify the candidate or campaign committee immediately if the report does not conform with the law or is in technical violation of filing requirements. Such notification shall be by electronic means and regular United States mail.

- (c) Within ten business days of the close of the qualification period, qualifying officers shall electronically report to the commission the names and addresses of all candidates and offices sought by each candidate in an election and the qualifying date for such candidate.

§ 21-5-40. Definitions

As used in this article, the term:

- (1) "Affiliated committees" means any two or more political committees (including a separate segregated fund) established, financed, maintained, or controlled by the same business entity, labor organization, person, or group of persons, including any parent, subsidiary, branch, division, department, or local unit thereof.
- (2) "Affiliated corporation" means with respect to any business entity any other business entity related thereto: as a parent business entity; as a subsidiary business entity; as a sister business entity; by common ownership or control; or by control of one business entity by the other.
- (3) "Business entity" shall have the same meaning as provided in Code Section 21-5-3.
- (4) Reserved.
- (5) "Person" means an individual.
- (6) "Political committee" means: (A) any partnership, committee, club, association, organization, party caucus of the House of Representatives or the Senate, or similar entity (other than a business entity) or any other group of persons or entities which makes a contribution; or (B) any separate segregated fund.
- (6.1) "Political party" means any political party as that term is defined in paragraph (25) of Code Section 21-2-2, as amended; provided, however, that for purposes of this article, local, state, and national committees shall be separate political parties.
- (6.2) "Public office" means the office of each elected public officer as specified in paragraph (22) of Code Section 21-5-3.
- (7) "Separate segregated fund" means a fund which is established, administered, and used for political purposes by a business entity, labor organization, membership organization, or cooperative and to which the business entity, labor organization, membership organization, or cooperative solicits contributions.

§ 21-5-41. Maximum allowable contributions

- (a) No person, corporation, political committee, or political party shall make, and no candidate or campaign committee shall receive from any such entity, contributions to any candidate for state-wide elected office which in the aggregate for an election cycle exceed:
 - (1) Five thousand dollars for a primary election;
 - (2) Three thousand dollars for a primary run-off election;
 - (3) Five thousand dollars for a general election; and
 - (4) Three thousand dollars for a general election runoff.
- (b) No person, corporation, political committee, or political party shall make, and no candidate or campaign committee shall receive from any such entity, contributions to any candidate for the General Assembly or public office other than state-wide elected office which in the aggregate for an election cycle exceed:
 - (1) Two thousand dollars for a primary election;
 - (2) One thousand dollars for a primary run-off election;

- (3) Two thousand dollars for a general election; and
- (4) One thousand dollars for a general election runoff.
- (c) No business entity shall make any election contributions to any candidate which when aggregated with contributions to the same candidate for the same election from any affiliated corporations exceed the per election maximum allowable contribution limits for such candidate as specified in subsection (a) of this Code section.
- (d) Candidates and campaign committees may separately account for contributions pursuant to Code Section 21-5-43. Candidates and campaign committees not separately accounting for contributions pursuant to such Code section shall not accept contributions for any election in an election cycle prior to the conclusion of the immediately preceding election in such cycle; provided, however, that contributions may be accepted for a primary election at any time in the election cycle prior to and including the date of such primary election. Upon conclusion of each election, contributions remaining unexpended may be expended on succeeding elections in the election cycle, and contributions not exceeding the contribution limits of this Code section may continue to be accepted for repayment of campaign obligations incurred as a candidate in that election except as provided in subsection (h) of this Code section.
- (e) Candidates and campaign committees shall designate on their disclosure reports the election for which a contribution has been accepted. Any contribution not so designated shall be presumed to have been accepted for the election on or first following the date of the contribution.
- (f) A contribution by a partnership shall be deemed to have been made pro rata by the partners as individuals for purposes of this Code section, as well as by the partnership in toto unless the partnership by proper action under its partnership agreement otherwise directs allocation of the contribution among the partners. At such direction of the partnership, the contribution may be allocated in any proportion among the partners, including to one or some but not all. Such allocation shall be indicated on the face of any instrument constituting the contribution or on an accompanying document referencing such instrument.
- (g) The contribution limitations established by this Code section shall not apply to a loan or other contribution made to a campaign committee or candidate by the candidate or a member of the family of the candidate.
- (h) Any candidate or campaign committee who incurs loans on or after January 9, 2006, in connection with the candidate's campaign for election shall not repay, directly or indirectly, such loans from any contributions made to such candidate or any authorized committee of such candidate after the date of the election for which the loan was made to the extent that such loans exceed \$250,000.00.
- (i) The contribution limits established by this Code section shall not apply to a bona fide loan made to a candidate or campaign committee by a state or federally chartered financial institution or a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation if:
 - (1) Such loan is made in the normal course of business with the expectation on the part of all parties that such loan shall be repaid; and
 - (2) Such loan is based on the credit worthiness of the candidate and the candidate is personally liable for the repayment of the loan.
- (j) The contribution limitations provided for in this Code section shall not include contributions or expenditures made by a political party in support of a party ticket or a group of named candidates.
- (k) At the end of the election cycle applicable to each public office as to which campaign contributions are limited by this Code section and every four years for all other elections to which this Code section is applicable, the contribution limitations in this Code section shall be raised or lowered in increments of \$100.00 by regulation of the commission pursuant to a

determination by the commission of inflation or deflation during such cycle or four-year period, as determined by the Consumer Price Index published by the Bureau of Labor Statistics of the United States Department of Labor, and such limitations shall apply until next revised by the commission. The commission shall adopt rules and regulations for the implementation of this subsection.

§ 21-5-42. Contribution to campaign committee deemed contribution to candidate; rules for construction

For purposes of this article, a contribution to a campaign committee of a candidate for any public office shall be deemed to be a contribution to such candidate. If during any calendar year there occur both a special election including a special primary, special primary runoff, and special election runoff as appropriate and a general election for the same public office and if the same person is a candidate for nomination or election at both such special election including a special primary, special primary runoff, and special election runoff as appropriate and such general election, then this Code section shall apply. Where this Code section applies, a person, corporation, political committee, or political party may contribute up to the maximum amount otherwise allowable under this article to such person or such person's campaign committee for the purpose of influencing such candidate's nomination or election at the special primary, special primary runoff, special election, or special election runoff; and the same person, corporation, political committee, or political party may contribute up to the maximum amount otherwise allowable under this article for the purpose of influencing such candidate's election at the general election or general election runoff. This Code section shall be construed according to the following rules:

- (1) It is the general intent of this Code section to allow a person who is a candidate for election at both a special election and a general election in the same calendar year to receive up to but no more than twice the amount of contributions which could otherwise be received from any one donor during the year; and
- (2) Seeking nomination at a special primary or general primary shall be considered as seeking election at the ensuing special election or general election for the purpose of determining whether a person is a candidate for election at both the special election and the general election and allowing the application of this Code section; but seeking election at only a single primary and its ensuing election shall not bring this Code section into effect.

§ 21-5-43. Accounting for and expenditure of campaign contributions

- (a) (1) A candidate or campaign committee may separately account for contributions for each election in an election cycle for which contributions are accepted. If no contributions are accepted for an election, no corresponding accounting shall be required. Subject to the contribution limits of this chapter, contributions so separately accounted for may be accepted at any time in the election cycle. Upon the conclusion of each election, contributions not exceeding such limits may continue to be accepted for repayment of campaign obligations incurred as a candidate in that election.
- (2) A candidate who wishes to accept contributions for more than one election at a time shall separately account for such campaign contributions and shall file an "Option to Choose Separate Accounting" form with the commission prior to accepting contributions for any election other than the candidate's next upcoming election; provided, however, that a candidate shall only be required to file one such form which shall be utilized for all subsequent elections to the same elective office, regardless of whether an election occurs in a new election cycle.
- (3) A candidate who accepts contributions for more than one election at a time may allocate contributions received from a single contributor to any election in the election cycle, provided

that the contributions shall not violate maximum allowable contribution limits for any election; provided, however, that in order to allocate contributions to a past election, the candidate shall have outstanding campaign debt from the previous election.

- (b) Contributions separately accounted for shall not be expended on a prior election except in conformance with this Code section. Contributions separately accounted for in a primary election may be expended at any time during the election cycle prior to and including the date of the primary.
- (c) Contributions remaining unexpended after the date of the election may be expended for any future election in the same election cycle without regard to the limitations of Code Section 21-5-41. If there are no further elections in the election cycle or if the candidate or the candidate of the campaign committee is not on the ballot of a further election in the election cycle, such contributions may be used only as provided in Code Section 21-5-33.
- (d) Contributions accepted and separately accounted for in an election which does not occur or for which the candidate does not qualify, if unexpended, shall be returned to the contributors thereof pro rata without interest. Any portion thereof which cannot be returned to the original contributor thereof shall be expended only as provided in Code Section 21-5-33.
- (e) The commission shall adopt such rules and regulations as are necessary to carry out the purposes of this Code section in accordance with Chapter 13 of Title 50, the "Georgia Administrative Procedure Act."

ARTICLE 3. FINANCIAL DISCLOSURE STATEMENTS

§ 21-5-50. Filing by public officers; filing by candidates for public office; filing by elected officials and members of the General Assembly; electronic filing; transfer of filings from the Secretary of State to the commission

- (a) (1) Except as modified in subsection (c) of this Code section with respect to candidates for state-wide elected public office, each public officer, as defined in subparagraphs (A) through (D) of paragraph (22) of Code Section 21-5-3, shall file with the commission not before the first day of January nor later than July 1 of each year in which such public officer holds office other than an election year a financial disclosure statement for the preceding calendar year; and each person who qualifies as a candidate for election as a public officer, as defined in subparagraphs (A) through (D) of paragraph (22) of Code Section 21-5-3, shall file with the commission, no later than the fifteenth day following the date of qualifying as a candidate, a financial disclosure statement for the preceding calendar year.
- (2) Except as set forth in paragraph (3) of this subsection, a public officer, as defined in subparagraph (E) of paragraph (22) of Code Section 21-5-3, shall not be required to file a financial disclosure statement pursuant to this Code section. Each such public officer shall, however, be deemed to be a public official for purposes of Code Section 45-10-26 and shall be subject to the disclosure requirements set forth in Code Section 45-10-26. In addition, each such public officer shall file with the commission, prior to January 31 each year, an affidavit confirming that such public officer took no official action in the previous calendar year that had a material effect on such public officer's private financial or business interests.
- (3) A public officer, as defined in subparagraph (E) of paragraph (22) of Code Section 21-5-3, who serves as a member of the commission shall be subject to the requirements for filing financial disclosure statements set forth in paragraph (1) of this subsection. In addition, each such public officer shall file with the commission, together with the financial disclosure statement, an affidavit confirming that such public officer took no official action in the previous calendar year that had a material effect on such public officer's private financial or business interests.
- (3.1) A public officer, as defined in subparagraphs (F) and (G) of paragraph (22) of Code Section 21-5-3, shall make filings of the same kind and in the same manner as provided in paragraph (1) of this subsection for other public officers except that filings under this paragraph shall be made with the election superintendent of the county in the case of public officers as defined in said subparagraph (F) and shall be made with the municipal clerk in the municipality of election or, if there is no clerk, with the chief executive officer of the municipality in the case of public officers as defined in said subparagraph (G). The election superintendent, municipal clerk, or chief executive officer, as applicable, shall transmit, electronically by eFiling or eFax, a copy of each such report to the commission not later than 30 days after the close of the reporting period. No fine, fee, or sanction, including but not limited to identifying a public officer as having filed late or failed to file, shall be imposed by the commission on the public officer for the failure of the election superintendent, municipal clerk, or chief executive officer to timely transmit a copy of such report.
- (4) Each member of the State Transportation Board shall file a financial disclosure statement for the preceding calendar year no later than the sixtieth day following such member's election to the State Transportation Board. Thereafter, each board member shall file by January 31 of each year a financial disclosure statement for the preceding year. In addition, each board member shall file with the commission, prior to January 31 of each year, an affidavit confirming that such board member took no official action in the previous calendar year that had a material effect on such board member's private financial or business interests.

- (5) The commission or the applicable official under paragraph (3.1) of this subsection shall review each financial disclosure statement to determine that such statement is in compliance with the requirements of this chapter.
 - (6) A public officer shall not, however, be required to file such a financial disclosure statement for the preceding calendar year in an election year if such public officer does not qualify for nomination for election to succeed himself or herself or for election to any other public office subject to this chapter. For purposes of this paragraph, a public officer shall not be deemed to hold office in a year in which the public officer holds office for fewer than 15 days.
- (b) A financial disclosure statement shall be in the form specified by the commission and shall identify:
- (1) Each monetary fee or honorarium which is accepted by a filer from speaking engagements, participation in seminars, discussion panels, or other activities which directly relate to the official duties of the filer or the office of the public officer, with a statement identifying the fee or honorarium accepted and the person from whom it was accepted;
 - (2) All fiduciary positions held by the candidate for public office or the filer, with a statement of the title of each such position, the name and address of the business entity, and the principal activity of the business entity;
 - (3) The name, address, and principal activity of any business entity or investment, exclusive of the names of individual stocks and bonds in mutual funds, and the office held by and the duties of the candidate for public office or filer within such business entity as of December 31 of the covered year in which such candidate or officer has a direct ownership interest which:
 - (A) Is more than 5 percent of the total interests in such business; or
 - (B) Has a net fair market value of \$5,000.00 or more;
 - (4) (A) Each tract of real property in which the candidate for public office or filer has a direct ownership interest as of December 31 of the covered year when that interest has a fair market value of \$5,000.00 or more. As used in this paragraph, the term "fair market" value means the appraised value of the property for ad valorem tax purposes. The disclosure shall contain the county and state, general description of the property, and whether the fair market value is between (i) \$5,000.00 and \$100,000.00; (ii) \$100,000.01 and \$200,000.00; or (iii) more than \$200,000.00.
 - (B) Each tract of real property in which the candidate for public office's spouse or filer's spouse has a direct ownership interest as of December 31 of the covered year when that interest has a fair market value of \$5,000.00 or more. The disclosure shall contain the county and state, general description of the property, and whether the fair market value is between (i) \$5,000.00 and \$100,000.00; (ii) \$100,000.01 to \$200,000.00; (iii) or more than \$200,000.00;
 - (5) The filer's occupation, employer, and the principal activity and address of such employer;
 - (6) The filer's spouse's name, occupation, employer, and the principal activity and address of such employer;
 - (7) If the filer has actual knowledge of such ownership interest, the name of any business or subsidiary thereof or investment, exclusive of the individual stocks, bonds, or mutual funds, as of December 31 of the covered year in which the filer's spouse or dependent children, jointly or severally, own a direct ownership interest which:
 - (A) Is more than 5 percent of the total interests in such business or investment, exclusive of the individual stocks and bonds in mutual funds; or
 - (B) Has a net fair market value of more than \$10,000.00 or in which the filer's spouse or any dependent child serves as an officer, director, equitable partner, or trustee; and

- (8)
- (A) As used in this paragraph, the term 'agency' has the meaning provided by Code Section 45-10-20.
 - (B) All annual payments in excess of \$10,000.00 received by the filer or any business entity identified in paragraph (3) of this subsection from the state, any agency, department, commission, or authority created by the state, and authorized and exempted from disclosure under Code Section 45-10-25, and the agency, department, commission, or authority making the payments, and the general nature of the consideration rendered for the source of the payments. This paragraph shall not require the disclosure of payments which have already been disclosed for purposes of any other provision of this chapter.
- (c) (1) Each person who qualifies with a political party as a candidate for party nomination to a public office elected state wide (including an incumbent public officer elected state wide qualifying to succeed himself or herself) shall file with the commission, not later than seven days after so qualifying, a financial disclosure statement. Each person who qualifies as a candidate for election to a public office elected state wide through a nomination petition or convention shall likewise file a financial disclosure statement not later than seven days after filing his or her notice of candidacy. Such financial disclosure statement shall comply with the requirements of subsections (a) and (b) of this Code section and shall in addition identify, for the pre- ceding five calendar years:
- (A) Each transaction or transactions which aggregate \$9,000.00 or more in a calendar year in which the candidate (whether for himself or herself or on behalf of any business) or any business in which such candidate or any member of his or her family has a substantial interest or is an officer of such business has transacted business with the government of the State of Georgia, the government of any political subdivision of the State of Georgia, or any agency of any such government; and
 - (B) Each transaction or transactions which aggregate \$9,000.00 or more in a calendar year in which the candidate or any business in which such candidate or any member of his or her family has a substantial interest or is an officer of such business received any income of any nature from any person who was at the time of such receipt of income represented by a lobbyist registered with the commission pursuant to Article 4 of this chapter.
- (2) The financial disclosure statement required by paragraph (1) of this subsection shall include an itemized list of the transactions required to be reported, including the date of, dollar amount of, and parties to each such transaction. However, with respect to any transactions of a privileged nature only the total amount of such transactions shall be required to be reported, and names, dates, amounts of individual transactions, and other identifying data may be omitted; and for this purpose "transactions of a privileged nature" shall include transactions between attorney and client, transactions between psychiatrist and patient, transactions between physician and patient, and any other transactions which are by law of a similar privileged and confidential nature.
- (3) The financial disclosure statement required by paragraph (1) of this subsection shall be accompanied by a financial statement of the candidate's financial affairs for the calendar year prior to the year in which the election is held and the first quarter of the calendar year in which the election is held.
- (4) As used in this subsection, the term:
- (A) "Agency" means any agency, authority, department, board, bureau, commission, committee, office, or instrumentality of the State of Georgia or any political subdivision of the State of Georgia.
 - (B) "Financial statement" means a statement of a candidate's financial affairs in a form substantially equivalent to the short form financial statement required for bank

directors under the rules of the Department of Banking and Finance.

- (C) "Person" and "transact business" shall have the meanings specified in Code Section 45-10-20.
- (D) "Substantial interest" means the direct or indirect ownership of 10 percent or more of the assets or stock of any business.
- (5) Notwithstanding any other provisions of this subsection, if, due to a special election or otherwise, a person does not qualify as a candidate for nomination or election to public office until after the filing date otherwise applicable, such person shall make the filings required by this subsection within seven days after so qualifying.
- (d) All state-wide elected officials and members of the General Assembly shall file financial disclosure statements electronically with the commission. Local officials referred to in subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3 may file electronically if such method is available or may file by certified mail, statutory overnight delivery, or personal delivery. Except when electronic filing is required, the mailing of the notarized financial disclosure statement by United States mail with adequate postage affixed within the required filing time as determined by the official United States postage date cancellation shall be prima-facie evidence of filing.
- (e) The filing of any financial disclosure statement required under this article shall constitute an affirmation that the statement is true, complete, and correct.
- (f)(1) In addition to other penalties provided in this chapter, a late fee of \$125.00 shall be imposed by the person or entity with which filing is required for each financial disclosure statement that is filed late, and notice of such late fee shall be sent to the board member, candidate, and the candidate's committee in the same manner by which the penalized report was filed with the commission. However, if the report in question was not filed or was filed with the commission in a manner other than electronic filing or certified mail, return receipt requested, the commission shall use certified mail, return receipt requested, to notify the candidate and the candidate's committee of the late fee due. The notice shall include the schedule of increasing late fees for late filings and the dates upon which such late fees shall be increased. In addition, a late fee of \$250.00 shall be imposed on the fifteenth day after the due date for such statement if such statement has not been filed. A late fee of \$1,000.00 shall be imposed on the forty-fifth day after the due date for such statement if the statement has not been filed. Campaign committee funds shall not be used to pay such penalty. Notice by electronic means shall not satisfy the requirements of this paragraph; and any increased late fees shall be stayed until at least ten days after proper notice has been given as specified in this paragraph."
- (2) The commission shall retain \$25.00 of the first late fee received by the commission for processing pursuant to the provisions of Code Section 45-12-92.1.
- (g) Neither the commission nor any other official shall require the reporting of any more information in a financial disclosure statement than is expressly required to be disclosed by this Code Section.

§ 21-5-51. Inspection and copying of financial disclosure statements

Financial disclosure statements filed pursuant to this article shall be public records and shall be subject to inspection and copying by any member of the public as provided by law for other public records.

ARTICLE 4. PUBLIC OFFICIALS CONDUCT AND LOBBYIST DISCLOSURE

§ 21-5-70. Definitions

As used in this article, the term:

- (l) "Expenditure":
 - (A) Means a purchase, payment, distribution, loan, advance, deposit, or conveyance of money or anything of value made for the purpose of influencing the actions of any public officer specifically including any such transaction which is made on behalf of or for the benefit of a public employee for the purpose of influencing a public officer;
 - (B) Includes any other form of payment when such can be reasonably construed as designed to encourage or influence a public officer;
 - (B.1) Includes reimbursement or payment of expenses exceeding \$75.00 provided to a public officer from any individual lobbyist for transportation, travel, lodging, registration, food, and beverages;
 - (C) Includes any gratuitous transfer, payment, subscription, advance, or deposit of money, services, tickets for admission to athletic, sporting, recreational, musical concert, or other entertainment events, or anything of value, unless consideration of equal or greater than face value is received;
 - (D) Includes reimbursement or payment of expenses for recreational or leisure activities; and
 - (E) Does not include anything defined in paragraph (4.1) of this Code section as a lobbying expenditure, the provisions of subparagraphs (A) through (D) of this paragraph notwithstanding.
- (4.1) 'Lobbying expenditure' means:
 - (A) Promotional items generally distributed to the general public or to public officers and food and beverages produced in Georgia;
 - (B) An award, plaque, certificate, memento, or similar item given in recognition of the recipient's civic, charitable, political, professional, or public service;
 - (C) Discounts, upgrades, memberships, or other accommodations extended by a business to a bona fide customer; or legitimate salary, benefits, fees, commissions, or expenses associated with a recipient's nonpublic business, employment, trade, or profession;
 - (D) Food, beverages, and registration at group events to which all members of an agency, as defined in paragraph (1) of subsection (a) of Code Section 21-5-30.2, are invited. For purposes of this subparagraph, an agency shall also include the House of Representatives, the Senate, standing committees of such bodies, but not for more than one of such group events per committee per calendar year, caucuses of members of the majority or minority political parties of the House or Senate, other caucuses of the House and Senate as approved by the House Committee on Ethics or the Senate Ethics Committee, and the governing body of each political subdivision of this state;
 - (E) Campaign contributions or expenditures as defined by Code Section 21-5-3 and reported as required by Article 2 of this chapter;
 - (F) Reimbursement or payment of actual and reasonable expenses provided to a public officer and his or her necessary public employee staff members for such public officer's and staff members' individual transportation, lodging, travel, and registration for attending educational, informational, charitable, or civic meetings or conferences that are held at locations within the United States and directly relate to the official duties of that public officer or the office of that public officer, plus food and beverages for such public officer, his or her necessary public employee staff members, and spouse while attending such

educational, informational, charitable, or civic meetings or conferences;

(G) Anything which:

- (i) Does not qualify as a lobbying expenditure under subparagraphs (A) through (F) of this paragraph; and
- (ii) Would qualify as an expenditure under subparagraph (B.1) of paragraph (1) of this Code section except that it does not exceed the amount or value of \$75.00 per person.

- (2) "Filed" means the delivery to the commission, as specified in this article, of a document that satisfies the requirements of this article. A document is considered delivered when it is electronically delivered to the commission or placed in the United States mail within the required filing time, properly addressed to the commission, as specified in this article, with adequate postage affixed.
- (3) "Identifiable group of public officers" means a description that is specifically determinable by available public records.
- (4) "Lobbying" means the activity of a lobbyist while acting in that capacity.
- (5) "Lobbyist" means:
 - (A) Any natural person who, either individually or as an employee of another person, receives or anticipates receiving more than \$250.00 per calendar year in compensation or reimbursement or payment of expenses specifically for undertaking to promote or oppose the passage of any legislation by the General Assembly, or any committee of either chamber or a joint committee thereof, or the approval or veto of legislation by the Governor;
 - (B) Any natural person who makes a lobbying expenditure of more than \$1,000.00 in a calendar year, not including the person's own travel, food, lodging expenses, or informational material, to promote or oppose the passage of any legislation by the General Assembly, or any committee of either chamber or a joint committee thereof, or the approval or veto of legislation by the Governor;
 - (C) Reserved;
 - (D) Any natural person who, either individually or as an employee of another person, is compensated specifically for undertaking to promote or oppose the passage of any ordinance or resolution by a public officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3, or any committee of such public officers, or the approval or veto of any such ordinance or resolution;
 - (E) Any natural person who makes a lobbying expenditure of more than \$1,000.00 in a calendar year, not including the person's own travel, food, lodging expenses, or informational material, to promote or oppose the passage of any ordinance or resolution by a public officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3, or any committee of such public officers, or the approval or veto of any such ordinance or resolution;
 - (F) Any natural person who as an employee of local government engages in any activity covered under subparagraph (D) of this paragraph;
 - (G) Any natural person who, for compensation, either individually or as an employee of another person is hired specifically to undertake influencing a public officer or state agency in the selection of a vendor to supply any goods or services to any state agency but does not include any employee or independent contractor of the vendor solely on the basis that such employee or independent contractor participates in soliciting a bid or in preparing a written bid, written proposal, or other document relating to a potential sale to a state agency and shall not include a bona fide salesperson who sells to or contracts with a state agency for goods or services and who does not otherwise engage in activities described in subparagraphs (A) through (F) or (H) through (I) of this paragraph;
 - (H) Any natural person who, either individually or as an employee of another person, is compensated specifically for undertaking to promote or oppose the passage of any rule or

regulation of any state agency;

- (I) Any natural person who, either individually or as an employee of another person is compensated specifically for undertaking to promote or oppose any matter before the State Transportation Board; or
 - (J) Any natural person who makes a lobbying expenditure of more than \$1,000.00 in a calendar year, not including the person's own travel, food, lodging expenses, or informational material, to promote or oppose any matter before the State Transportation Board.
- (6) "Public officer" means a member of the State Transportation Board and those public officers specified under paragraph (22) of Code Section 21-5-3, except as otherwise provided in this article and also includes any public officer or employee who has any discretionary authority over, or is a member of a public body which has any discretionary authority over, the selection of a vendor to supply any goods or services to any state agency.
- (7) "State agency" means any branch of state government or any agency, authority, department, board, bureau, commission, council, corporation, entity, or instrumentality of this state or of a local political subdivision of this state.
- (8) "Vendor" means any person who sells to or contracts with any state agency for the provision of any goods or services.

§ 21-5-71. Registration required; application for registration; supplemental registration; expiration; docket; fees; identification cards; public rosters; exemptions

- (a)(1) Subject to paragraph (2) of this subsection and except as otherwise provided by subsection (i) of this Code section, no person shall engage in lobbying as defined by this article unless such person is registered with the commission as a lobbyist. The commission shall not allow a person who has been convicted of a felony involving moral turpitude in the courts of this state or an offense that, had it occurred in this state, would constitute a felony involving moral turpitude under the laws of this state to become a registered lobbyist unless ten years or more have elapsed since the completion of the person's sentence. The administration of this article is vested in the commission.
- (2) When a person is hired or retained as an employee or agent or independent contractor and under the agreement of the parties the primary duties, or a substantial part of the duties, of the person will involve lobbying activities, the person shall register as a lobbyist before commencing lobbying activities.
- (b) Each lobbyist who is required to register under this article shall file an application for registration with the commission. The application shall be verified by the applicant and shall contain:
- (1) The applicant's name, address, and telephone number;
 - (2) The name, address, and telephone number of the person or agency that employs, appoints, or authorizes the applicant to lobby on its behalf;
 - (3) A statement of the general business or purpose of each person, firm, corporation, association, or agency the applicant represents;
 - (4) If the applicant represents a membership group other than an agency or corporation, the general purpose and approximate number of members of the organization;
 - (5) A statement signed by the person or agency employing, appointing, or authorizing the applicant to lobby on its behalf;
 - (6) If the applicant is a lobbyist attempting to influence rule making or purchasing by a state agency or agencies, the name of the state agency or agencies before which the applicant engages in lobbying;
 - (7) A statement disclosing each individual or entity on whose behalf the applicant is registering

if such individual or entity has agreed to pay him or her an amount exceeding \$10,000.00 in a calendar year for lobbying activities; and

- (8) A statement verifying that the applicant has not been convicted of a felony involving moral turpitude in the courts of this state or an offense that, had it occurred in this state, would constitute a felony involving moral turpitude under the laws of this state or, if the applicant has been so convicted, a statement identifying such conviction, the date thereof, a copy of the person's sentence, and a statement that more than ten years have elapsed since the completion of his or her sentence.
- (9) A statement by the applicant verifying that the applicant has received the Georgia General Assembly Employee Sexual Harassment Policy as set forth in the Georgia General Assembly Handbook, has read and understands the policy, and agrees to abide by the policy. The commission shall retain on file the statement required pursuant to paragraph (9) of this subsection and any renewal statements under subsection (d) of this Code section for the duration of the lobbyist's registration period. A copy of such statement shall be sent to the Legislative Fiscal Office.
- (c) The lobbyist shall, prior to any substantial or material change or addition, file a supplemental registration indicating such substantial or material change or addition to the registration prior to its expiration. Previously filed information may be incorporated by reference. Substantial or material changes or additions shall include, but are not limited to, the pertinent information concerning changes or additions to client and employment information required by paragraphs (2), (3), (4), (6), and (7) and conviction status required by paragraph (8) of subsection (b) of this Code section.
- (d) Each registration under this Code section shall expire on December 31 of each year. The commission may establish renewal procedures for those applicants desiring continuous registrations. Previously filed information may be incorporated by reference; provided, however, that the statement regarding the sexual harassment policy required under paragraph (9) of subsection (b) of this Code section shall be signed and filed each year as a part of the renewal process.
- (e) The commission shall provide a suitable public docket for registration under this Code section with appropriate indices and shall enter promptly therein the names of the lobbyists and the organizations they represent.
- (f) (1) Each person registering under this Code section shall pay the registration fees set forth in paragraph (2) of this subsection; provided, however, that a person who represents any state, county, municipal, or public agency, department, commission, or authority shall be exempted from payment of such registration fees.
- (2)(A) There shall be no charge for annual lobbyist registration or renewal filed pursuant to this Code section; provided, however, that the commission shall set, collect, and retain the fees for the following items:
 - (i) Lobbyist identification card issued pursuant to this Code section;
 - (ii) Lobbyist supplemental registration filed pursuant to this Code Section; and
 - (iii) Each replacement of a lobbyist identification card issued pursuant to this Code Section.
- (B) (i) For reports filed when the General Assembly is not in session, in addition to other penalties provided under this chapter, a late fee of \$275.00 shall be imposed for each report that is filed late. In addition, a late fee of \$1,000.00 shall be imposed on the fifteenth day after the due date for such report if the report has not been filed. A late fee of \$10,000.00 shall be imposed on the forty-fifth day after the due date for such report if the report has not been filed.
- (ii) The commission shall retain \$25.00 of the first late fee received for processing

pursuant to the provisions of Code Section 45-12-92.1.

- (C) (i) For reports filed when the General Assembly is in session, in addition to other penalties provided under this chapter, a late fee of \$275.00 shall be imposed for each report that is filed late. In addition, a late fee of \$1,000.00 shall be imposed on the seventh day after the due date for such report if the report has not been filed. A late fee of \$10,000.00 shall be imposed on the twenty-first day after the due date for such report if the report has not been filed.
- (ii) The commission shall retain \$25.00 of the first late fee received for processing pursuant to the provisions of Code Section 45-12-92.1.
- (g) As soon as practicable after registering any such person, the commission shall issue to such person an identification card which shall have printed thereon the name of the lobbyist, a color photograph of the lobbyist, and the person or agency such lobbyist represents, provided that, when any such person represents more than one entity, such identification card shall have printed thereon the name of the registered person and the word "LOBBYIST." Each lobbyist while engaged in lobbying at the capitol or in a government facility shall display said identification in a readily visible manner.
- (h) The commission shall regularly publish rosters of lobbyists along with the respective persons, firms, corporations, associations, agencies, or governmental entities they represent. During sessions of the General Assembly, the commission shall weekly report to the Clerk of the House of Representatives, the Secretary of the Senate, and the Governor those persons who have registered as lobbyists since the convening of the General Assembly. The commission shall be authorized to charge a reasonable fee for providing copies of the roster to the public.
- (i) The registration provisions of this Code section shall not apply to:
 - (1) Any individual who communicates personal views, interests, or professional opinions on that individual's own behalf, to any public officer;
 - (1.1) An employee or independent contractor of a vendor who solely participates in soliciting a bid or in preparing a written bid, written proposal, or other document relating to a potential contract with a state or local government agency or a bona fide salesperson who sells to or contracts with a state or local government agency for goods or services, is not hired specifically to undertake influencing a public officer or state agency in the selection of a vendor to supply any goods or services to any state agency, and does not engage in other activities which would make such person a lobbyist;
 - (2) Any person who is invited by a public agency or governmental entity to appear before a committee or at a hearing of such agency or entity, including but not limited to a committee of either chamber of the General Assembly or a joint committee thereof, for the purpose of giving testimony so long as such person clearly identifies himself or herself and the interested party on whose behalf he or she is testifying;
 - (3) Any person who is invited to furnish information upon the specific request of a public agency or governmental entity, including but not limited to a committee of either chamber of the General Assembly or a joint committee thereof, so long as such person clearly identifies himself or herself and the interested party on whose behalf he or she furnishes such information;
 - (3.1) Any individual who is not compensated for the specific purpose of lobbying, does not incur more than \$250.00 per calendar year in reimbursable lobbying expenditures, and is a member, director, trustee, officer, or committee member of a business, trade, labor, farm, professional, religious, educational, or charitable association, foundation, or organization which employs or contracts with a registered lobbyist for the purpose of lobbying;
 - (4) Any licensed attorney appearing on behalf of or representing a client, and any staff employed by such attorney, when such attorney is not compensated for the specific purpose of lobbying;
 - (5) Any person employed or appointed by a lobbyist registered pursuant to this Code section whose duties and activities do not include lobbying;
 - (6) Elected public officers or appointed public officials performing the official duties of their public

office or position;

- (6.1) Any employee of the executive or judicial branch of state government; provided, however, that when such an employee is acting on behalf of such government employer, meeting with or appearing before a public officer other than one from the same branch of government which employs such employee, and engaged in activity for which registration would otherwise be required under this Code section, such employee shall be required to display an identification card, issued by such employer, which shall have printed thereon the employee's name and the name of the employer; or
- (7) Any public employee, aide, or intern who performs services at the direction of a member of the General Assembly including, but not limited to, drafting petitions, bills, or resolutions; attending the taking of testimony; collating facts; preparing arguments and memorials and submitting them orally or in writing to a committee or member of the General Assembly; and other services of like character intended to reach the reason of the legislators.

§ 21-5-72. Denial, suspension, or revocation of registration; reinstatement; civil penalty

- (a) In addition to other penalties provided in this article, the commission may by order deny, suspend, or revoke for a period not to exceed one year the registration of a lobbyist if it finds that the lobbyist:
 - (1) Has filed an application for registration with the commission which was incomplete in a material respect or contained a statement that was, in light of the circumstances under which it was made, false or misleading with respect to a material fact;
 - (2) Has willfully violated or willfully failed to comply with this article or a rule promulgated by the commission under this article;
 - (3) Has failed to comply with the reporting requirements of this article; or
 - (4) Has engaged in lobbying practices in violation of this article.
- (b) Application may be made to the commission for reinstatement. Such reinstatement shall be conducted in the same manner as required for an initial registration under this article and shall be conditioned upon payment of the same registration fees applicable to an initial registration and also any outstanding penalty fees.
- (c) Any person failing to comply with or violating any of the provisions of this article shall be subject to a civil penalty not to exceed \$2,000.00 per violation.

§21-5-72.1.

- (a) No person who is required by the law of this state to register as a lobbyist shall meet at the state capitol, Coverdell Legislative Office Building, or other state government facility with any member of the General Assembly to discuss the promotion or opposition of the passage of any legislation by the General Assembly, or any committee of either chamber or joint committee thereof, or the override of a veto unless such person either is wearing his or her valid official registered lobbyist badge or is a resident of the House or Senate district which such member represents.
- (b)
 - (1) No person who is registered as a lobbyist under Code Section 21-5-71 shall make any expenditure.
 - (2) No public officer shall with actual knowledge accept any expenditure from a person who is registered as a lobbyist under Code Section 21-5-71.

§ 21-5-73. Disclosure reports

- (a) Each lobbyist registered under this article shall file disclosure reports as provided for in this Code section in the electronic format specified by the commission.
- (b) A person who is required to register under this article and lobbies to promote or oppose the passage of any legislation by the General Assembly, or any committee of either chamber or a joint committee thereof, or the approval or veto of legislation by the Governor shall file a semimonthly disclosure report on the first and fifteenth day of each month, current through the end of the preceding report, beginning January 15 and continuing throughout the period that the General Assembly is in session.
- (c) A person who is required to register under this article and lobbies to promote or oppose the passage of any ordinance or resolution by a public officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3, or any committee of such public officers, or the approval or veto of any such ordinance or resolution shall:
 - (1) File a disclosure report, current through the end of the preceding month, on or before the fifth day of May, September, and January of each year instead of the reports required by subsections (b) and (d) of this Code section; and
 - (2) File such report with the commission, file a copy of such report with the election superintendent of each county involved if the report contains any lobbying expenditures relating to county or county school district affairs, and file a copy of such report with the municipal clerk (or if there is no municipal clerk, with the chief executive officer of the municipality) of each municipality involved if the report contains any lobbying expenditures relating to municipal affairs or independent school district affairs.
- (d) A person who is required to register under this article and:
 - (1) Lobbies to promote or oppose the passage of any legislation by the General Assembly, or any committee of either chamber or a joint committee thereof, or the approval or veto of legislation by the Governor.
 - (2) As an employee of the executive branch or judicial branch of local government, lobbies to promote or oppose the passage of any ordinance or resolution by a public officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3, or any committee of such public officers, or the approval or veto of any such ordinance or resolution;
 - (3) Lobbies to influence a public officer or state agency in the selection of a vendor to supply any good or services to any state agency; or
 - (4) Lobbies to promote or oppose any matter before the State Transportation Board shall file a monthly disclosure report, current through the end of the preceding period, on or before the fifth day of each month; provided, however, that such monthly reports shall not be filed during any period that the lobbyist files a semimonthly report pursuant to subsection (b) of this Code section.
- (e) Reports filed by lobbyists shall be verified and shall include:
 - (1) A description of all lobbying expenditures described in subparagraphs (D), (F), and (G) of paragraph (4.1) of Code Section 21-5-70, or the value thereof made on behalf of or for the benefit of a public officer or on behalf of or for the benefit of a public employee for the purpose of influencing a public officer by the lobbyist or employees of the lobbyist or by any person on whose behalf the lobbyist is registered if the lobbyist has actual knowledge of such lobbying expenditure. The description of each reported lobbying expenditure shall include:
 - (A) The name and title of the public officer or public employee or, if the lobbying expenditure is simultaneously incurred for an identifiable group of public officers or public employees the individual identification of whom would be impractical, a general description of that identifiable group;

- (B) The amount, date, and description of the lobbying expenditure and a summary of all spending classified by category. Such categories shall include meals, lodging, travel, and tickets;
 - (C) The aggregate lobbying expenditures described in subparagraph (D) of paragraph (4.1) of Code Section 21-5-70 incurred during the reporting period; provided, however, expenses for travel and for food, beverage, and lodging in connection therewith afforded a public officer or public employee shall be reported in the same manner as under subparagraphs (A), (B), and (D) of this paragraph;
 - (D) If applicable, the number of the bill, resolution, ordinance, or regulation pending before the governmental entity in support of or opposition to which the lobbying expenditure was made; and
 - (E) If applicable, the rule or regulation number or description of the rule or regulation pending before the state agency in support of or opposition to which the lobbying expenditure was made;
- (1.1) In any case where lobbying expenditures are reported pursuant to subparagraph (A) of paragraph (1) of this Code section for an identifiable group not listed in subparagraph (D) of paragraph (1) of Code Section 21-5-70, the lobbyist shall certify on the disclosure report that no lobbying expenditure made on behalf of or for the benefit of any individual public officer exceeded \$75.00.
 - (2) For those who are required to register under this article and lobby to influence a public officer or state agency in the selection of a vendor to supply any goods or services to any state agency, the name of any vendor or vendors for which the lobbyist undertook to influence the awarding of a contract or contracts by any state agency together with a description of the contract or contracts and the monetary amount of the contract or contracts; and
 - (3) For those who are required to register under this article and lobby to promote or oppose the passage of any rule or regulation of any state agency, the name of the individual or entity for which the lobbyist undertook to influence the rule or regulation of a state agency.
- (f) The reports required by this article shall be in addition to any reports required under Code Section 45-1-6, relating to required reports by state vendors of gifts to public employees. Compliance with this Code section shall not excuse noncompliance with that Code section, and compliance with that Code section shall not excuse noncompliance with this Code section, notwithstanding the fact that in some cases the same information may be required to be disclosed under both Code sections.
 - (g) The electronic filing of any disclosure report required by this article shall constitute an affirmation that such report is true, complete, and correct.
 - (h) Reserved.
 - (i) All lobbyists shall have a grace period of three business days in filing all disclosure reports.

§ 21-5-74. Postemployment restrictions on lobbyists

A lobbyist shall not be eligible for executive appointment to any board, authority, commission, or bureau created and established by the laws of this state which regulates the activities of a business, firm, corporation, or agency that the lobbyist represented until one year after the expiration of the lobbyist's registration for that business, firm, corporation, or agency.

§ 21-5-75. Postemployment restrictions on public officers

- (a) Except as provided in subsection (b) of this Code section, on and after January 8, 2007, persons identified in subparagraphs (A) through (D) of paragraph (22) of Code Section 21-5-3 and the executive director of each state board, commission, or authority shall be prohibited from registering as a lobbyist or engaging in lobbying under this article for a period of one year after terminating such employment or leaving such office.
- (b) The lobbying prohibition contained in subsection (a) of this Code section shall not apply to persons who terminate such employment or leave such office but who remain employed in state government.

§ 21-5-76. Contingent fees for lobbying prohibited; unauthorized persons on the floor while the General Assembly is in session

- (a) No person, firm, corporation, or association shall retain or employ a lobbyist for compensation contingent, in whole or in part, upon the passage or defeat of any legislative measure, upon the adoption or decision not to adopt any state agency rule or regulation, or upon the granting or awarding of any state contract. No lobbyist shall be employed for compensation contingent, in whole or in part, upon the passage or defeat of any legislation, upon the adoption or decision not to adopt any state agency rule or regulation, or upon the granting or awarding of any state contract.
- (b) It shall be unlawful for any person registered pursuant to the requirements of this article or for any other person, except as authorized by the rules of the House of Representatives or Senate, to be on the floor of either chamber of the General Assembly while the same is in session.

STATE OF GEORGIA PERSONAL FINANCIAL DISCLOSURE STATEMENT

200 Piedmont Avenue S.E. | Suite 1402 West Tower | Atlanta, GA 30334
| 404-463-1980 | www.ethics.ga.gov

Use Earlier of Post Mark
or Hand Delivered Date

Original Amendment (Enter date of statement being amended) _____

Date of this Statement: _____ Covering Calendar Year: _____

Name of Public Officer or Candidate: _____
First Middle Last

Mailing Address: _____
Street or P.O. Box City County State Zip code

Telephone Number: (Office/Home) _____ (E-Mail) _____

Name of Public Office Held or Sought: _____ Filer ID: _____
(Filer ID that begins with the letter "F")

Check One:

- Elected City or County Officer Candidate for City or County Office

WHO FILES A FINANCIAL DISCLOSURE STATEMENT:

Each public officer holding office in Georgia, and each person who qualifies as a candidate for election as a public officer for one of the offices listed below, and all others on the following list.

- (A) Every constitutional officer;
- (B) Every elected state official;
- (C) The executive head of every state department or agency, whether elected or appointed;
- (D) Each member of the General Assembly;
- (E) Every elected county official, every elected county or area school superintendent, and every elected member of a county or area board of education; and
- (F) Every elected municipal officer.

WHEN TO FILE A FINANCIAL DISCLOSURE STATEMENT:

Public Officer: A Financial Disclosure Statement is filed not before January 1 and not later than July 1 of each year that a public officer holds office (except the year of election). The information to be provided shall be that from the preceding calendar year.

If the public officer chooses not to run for re-election or for another public office no Financial Disclosure Statement need be filed in the year qualifying to succeed him takes place. A public officer shall not be deemed to hold the office in a year in which the public officer holds office for less than 15 days.

Candidate for Public Office: A Financial Disclosure Statement covering the period of the preceding calendar year shall be filed no later than the fifteenth day following the date of qualifying as a candidate. Candidates for state wide office file not later than seven days after qualifying for office. Only one Financial Disclosure Statement is required per calendar year.

Special requirements for State Wide Candidates: Candidates for a public office elected state wide must file their Financial Disclosure Statements not later than seven days after qualifying or filing a notice of candidacy. State wide candidates must disclose more information than other candidates for public office and the additional disclosure sections required of state wide candidates must be completed in the year of election filing.

WHERE TO FILE A FINANCIAL DISCLOSURE STATEMENT:

State /Statewide Office: Georgia Government Transparency & Campaign Finance Commission

County: County Election Superintendent

Municipality: City Clerk or Chief Executive Officer

SECTION I MONETARY FEES

RECEIVED

(This section to be completed by Public Officers only)

Identify each monetary fee or honorarium accepted from speaking engagements, participation in seminars, discussion panels, or other activities that directly relate to the official duties of, or to the office of the public officer, with a statement identifying the fee or honorarium and the person from whom it was accepted. (You may attach additional sheets of paper if necessary.)

I received:

- No monetary fee or honorarium.
- Monetary fee(s) or honoraria as shown below.

**Identify Fee or Honorarium
And Amount Accepted**

Identifying Information of Person from Who Accepted

**SECTION II FIDUCIARY
POSITIONS**

Name all fiduciary positions held by the candidate for public office or the public officer at any time during the covered year. (You may expand this section if necessary to include all positions.) A **fiduciary position** is any position imposing a duty to act primarily for another’s benefit as officer, director, manager, partner, guardian, or other designations of general responsibility of a business entity. A fiduciary position may be a paid or unpaid position. A **business entity** is any corporation, sole proprietorship, partnership, limited partnership, limited liability company, limited liability partnership, professional corporation, enterprise, franchise, association, trust, joint venture, or other entity, whether profit or nonprofit. (You may attach additional sheets of paper if necessary.)

I held:

- No fiduciary positions in any business entity.
- Fiduciary positions in the following business entity(ies).

IDENTIFY:

1. Title of each position.
2. Name and address of business entity.
3. Principal activity of each business entity.

Business entity #1

Business entity #2

Business entity #3

Business entity #4

**SECTION III
DIRECT OWNERSHIP INTERESTS IN BUSINESS ENTITY**

Direct ownership interest is the holding or possession of good legal or rightful title of property or the holding or enjoyment of real or beneficial use of the property by any person and includes any interest owned **or** held by a spouse of the person if such interest is held jointly or as tenants in common between the person and spouse.

Identify the name, address and principal activity of any business entity and the office held by and the duties of the candidate for public office or public officer within a business entity any time during the covered year in which a direct ownership interest: (A) Is more than 5 percent of the total interest in the business; or (B) Has a net fair market value of more than \$5,000.00. (You may attach additional sheets of paper if necessary.)

I held:

- No direct ownership interests in any business entity.
- Direct ownership interests in the following business entity(ies).

IDENTIFY:

1. Name and address of business entity.
2. Principal activity of business entity.
3. The office held by the candidate or the public officer within the business entity.
4. The duties of the candidate or the public officer within such business entity.

Business entity #1

Ownership Interests

Check One or Both If Applicable

- Ownership interest is more than 5%
- Ownership interest has a net fair market value of more than \$5,000.00

Business entity #2

- Ownership interest is more than 5%
- Ownership interest has a net fair market value of more than \$5,000.00

Business entity #3

- Ownership interest is more than 5%
- Ownership interest has a net fair market value of more than \$5,000.00

Business entity #4

- Ownership interest is more than 5%
- Ownership interest has a net fair market value of more than \$5,000.00

Business entity #5

- Ownership interest is more than 5%
- Ownership interest has a net fair market value of more than \$5,000.00

SECTION IV
DIRECT OWNERSHIP INTERESTS IN REAL PROPERTY

Direct ownership interest is the holding or possession of good legal or rightful title of property or the holding or enjoyment of real or beneficial use of the property by any person and includes any interest owned **or** held by a spouse of the person if such interest is held jointly or as tenants in common between the person and spouse.

Identify each tract of real property in which the candidate for public office or public officer has a direct ownership interest as of December 31 of the covered year when that interest has a fair market value in excess of \$5,000.00. "Fair market" value means the appraised value of the property for ad valorem tax purposes. (You may attach additional sheets of paper if necessary.) Check one box to show the applicable valuation range for each tract.

I had:

- No ownership interests with a fair market value in excess of \$5,000.00
- Ownership interests with a fair market value in excess of \$5,000.00

IDENTIFY:

1. County where property is located.
2. State where property is located.
3. General description of property (give street address or location, size of tract, and nature or use of property).

Property #1

The Value of this tract is

- Between \$5,000 and \$100,000
- Between \$100,000.01 and \$200,000
- More than \$200,000

Property #2

The Value of this tract is

- Between \$5,000 and \$100,000
- Between \$100,000.01 and \$200,000
- More than \$200,000

Property #3

The Value of this tract is

- Between \$5,000 and \$100,000
- Between \$100,000.01 and \$200,000
- More than \$200,000

Property #4

The Value of this tract is

- Between \$5,000 and \$100,000
- Between \$100,000.01 and \$200,000
- More than \$200,000

Property #5

The Value of this tract is

- Between \$5,000 and \$100,000
- Between \$100,000.01 and \$200,000
- More than \$200,000

SECTION V
SPOUSE'S DIRECT OWNERSHIP INTERESTS IN REAL PROPERTY

Identify each tract of real property in which the filer's spouse has a direct ownership interest as of December 31 of the covered year when that interest has a fair market value in excess of \$5,000.00 (You may attach additional sheets of paper if necessary.) Check one box to show the applicable valuation range for each tract.

My spouse had:

- No ownership interests with a fair market value in excess of \$ 5,000.00
- Ownership in the following tracts with a fair market value in excess of 5,000.00

IDENTIFY:

1. County where property is located.
2. State where property is located.
3. General description of property (give street address or location, size of tract, and nature or use of property).

Property #1

The Value of this tract is

- Between \$5,000 and \$100,000
- Between \$100,000.01 and \$200,000
- More than \$200,000

Property #2

The Value of this tract is

- Between \$5,000 and \$100,000
- Between \$100,000.01 and \$200,000
- More than \$200,000

Property #3

The Value of this tract is

- Between \$5,000 and \$100,000
- Between \$100,000.01 and \$200,000
- More than \$200,000

Property #4

The Value of this tract is

- Between \$5,000 and \$100,000
- Between \$100,000.01 and \$200,000
- More than \$200,000

Property #5

The Value of this tract is

- Between \$5,000 and \$100,000
- Between \$100,000.01 and \$200,000
- More than \$200,000

**SECTION VI
EMPLOYMENT AND FAMILY MEMBERS**

Filer's Occupation _____
Filer's Employer _____
Employer's Address _____
Employer's Principal Activity _____

Filer's Spouse's Name _____
Spouse's Occupation _____
Spouse's Employer _____
Address of Spouse's Employer _____
Principal Activity of Spouse's Employer _____

**SECTION VII
INVESTMENT INTERESTS**

List the name of any investment (do not list individual stocks and bonds that are held by mutual funds), in which the filer (either individually or with any other legal or natural person or entity) owns a direct ownership interest that:

1. Is more than 5 percent of the total interests in such business or investment, or
2. Has a net fair market value of more than \$5,000.00.

Business or Investment Entity #1
Name _____

Business or Investment Entity #2
Name _____

Business or Investment Entity #3
Name _____

Business or Investment Entity #4
Name _____

**SECTION VIII
KNOWN BUSINESS OR INVESTMENT INTERESTS OF SPOUSE AND DEPENDENT CHILDREN**

Identify any business or investment known to the filer in which the filer's spouse or dependent children have a direct ownership interest (either individually or with any other legal or natural person or entity) which interest:

1. is more than 5 percent of the total interest in the business or investment,
2. has a net fair market value exceeding \$10,000.00, or
3. is one in an entity for which the filer's spouse or a dependent child serves as an officer, director, equitable partner, or trustee.

(Do not list individual stocks and bonds that are held by mutual funds.)

Business or Investment Entity #1
Name _____

Business or Investment Entity #2
Name _____

Business or Investment Entity #3
Name _____

Business or Investment Entity #4
Name _____

SECTION IX
ANNUAL PAYMENTS RECEIVED
FROM THE STATE OF GEORGIA
(This section to be completed by Public Officers only)

Identify all annual payments in excess of \$10,000.00 received by the public officer, or by any business entity identified in Section III above, from the State or any agency, department, commission or authority created by the State, and authorized and exempted from disclosure under O.C.G.A. § 45-10-25.

I received:

- No annual payments in excess of \$10,000.00 from any State entity.
- Annual payments in excess of \$10,000.00 from the below named State entity(ies).

IDENTIFY:

1. Name and address of State entity making the payments.
2. Amount of annual payment.
3. The general nature of the consideration rendered for the payment(s).

State entity source #1

State entity source #2

VERIFICATION BY OATH OR AFFIRMATION

State of Georgia _____ County of _____

I, the undersigned, being duly sworn (affirm), depose and say that the information in this statement is complete, true, and correct.

Sworn to and subscribed before me on
_____, 20____.

Signature of Notary Public

Signature of Candidate or Public Officer

PENALTIES: Any person who knowingly fails to comply with or who knowingly violates any of the provisions of the Ethics in Government Act shall be guilty of a misdemeanor.

My Commission expires _____.



Georgia Government Transparency & Campaign Finance Commission
 200 Piedmont Avenue S.E. | Suite 1416 - West Tower | Atlanta Georgia, 30334

DECLARATION OF INTENTION TO ACCEPT CAMPAIGN CONTRIBUTIONS (FORM DOI) – COUNTY/MUNICIPAL LEVEL FILERS

INCOMPLETE FORMS WILL NOT BE PROCESSED • If form is handwritten, it must be legible.

1 Today's Date: _____

2 Candidate (full name): _____
 Address: _____
 City, State, Zip: _____
 Telephone (optional): _____ Email: _____

<p>3 Name County/City: _____</p> <p>Name of Office Sought or Held: _____ (include office, district, post, or judicial seat)</p>	<p>Party Affiliation (optional):</p> <p><input type="checkbox"/> Democrat <input type="checkbox"/> Non-Partisan <input type="checkbox"/> Republican <input type="checkbox"/> Other</p>
---	---

4 Next Election Year: _____

Complete sections 5 and 6 ONLY if you have a campaign committee. This information does not register a campaign committee. (Please use Form RC to register.)

5 Campaign Committee Chairperson (full name): _____
 Address: _____
 City, State, Zip _____
 Email : _____

6 Treasurer (full name): _____
 Address: _____
 City, State, Zip _____
 Email : _____

I CERTIFY THAT THIS STATEMENT IS COMPLETE, TRUE AND ACCURATE.

 Signature of Candidate

 Date

STATE OF GEORGIA

Georgia Government Transparency and Campaign Finance Commission
200 Piedmont Ave SE, Suite 1402-West Tower, Atlanta, GA 30334

AFFIDAVIT OF A CANDIDATE'S INTENT NOT TO EXCEED \$2,500 IN CONTRIBUTIONS AND/OR EXPENDITURES

Per O.C.G.A. §21-5-34(d)(d.1)(1),

_____ is a candidate for /public officer of
(Full Name of Candidate)

_____ in _____
(Office Sought/or Held) (City or County)

By submitting this form I am affirming that I, the above named candidate, do not intend to accept during this election cycle* a combined total of contributions exceeding \$2,500.00 for the campaign nor make a combined total of expenditures exceeding \$2,500. If the above named candidate does not exceed \$2,500.00 in contributions or expenditures then the candidate SHALL not have to file a report under O.C.G.A. §21-5-34 (c).

I understand that if I, the above named candidate, exceed the \$2,500 limit for either accepting contributions or making expenditures for such campaign during the election cycle, but do not accept a combined total of contributions exceeding \$5,000.00 or make expenditures exceeding \$5,000.00 then I, the above named candidate, SHALL be required to file only the June 30 and December 31 reports required by O.C.G.A. §21-5-34 (c) (2). The first of such reports shall include all contributions received and expenditures made beginning January 1 of such calendar year.

Furthermore, I understand that if I, the above named candidate accepts a combined total of contributions exceeding \$5,000.00 or makes expenditures exceeding \$5,000.00 for such campaign during any such election cycle, then such candidate or campaign committee chairperson or treasurer shall thereupon be subject to the reporting requirements of this Code section the same as if the written notice authorized by this subsection had not been filed.

*"Election cycle" means the period from the day following the date of an election or appointment of a person to elective public office through and including the date of the next such election of a person to the same public office and shall be construed and applied separately for each elective office.

State of Georgia County of _____

I, the undersigned, being duly sworn, do swear or affirm, certify and say that this affidavit and the information hereinabove is true, complete and correct to the best of my knowledge and belief.

Sworn to and subscribed before me on _____, _____

Signature of Notary Public

Signature of Candidate/Chairman/Treasurer filing Affidavit

My Commission expires on _____, _____

Notary Seal

Campaign Contribution Disclosure Report

Georgia Government Transparency and Campaign Finance Commission

200 Piedmont Avenue S.E. | Suite 1416 West Tower | Atlanta, GA 30334 | 404-463-1980 | www.ethics.ga.gov

<p>1. Report Type <small>(Select One)</small></p> <p><input type="checkbox"/> Original</p> <p><input type="checkbox"/> Amendment</p> <p>Amendment # _____</p>	<p>2. Filing is being made on behalf of (Select One):</p> <p>Candidate or Public Official Office Held or Sought _____ <small>(Include county, municipality, district, post or judicial seat)</small></p> <p>Filer ID _____ <small>(Filer ID that begins with the letter "C")</small></p> <p>Organization or Person Other than Candidate's Campaign Committee Committee Name: _____</p> <p>Filer ID: _____ <small>(Filer ID that begins with the letter "NC")</small></p>	<p>Use Earlier of Post Mark or Hand-Delivered Date</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
--	---	--

3. Identifying and Contact Information

(1) _____ (2) _____
Full Name of Candidate or Other Than Candidate Campaign Committee Name Today's Date

(3) _____
Mailing Address City State Zip Code

(4) _____ and/ or _____
Primary Contact Phone Number E-Mail

(5) If a Candidate or Public Official is there a campaign committee (one or more persons) to make campaign transactions, keep financial records of the campaign or file the reports? Yes No

(6) If yes, is the committee registered with the Commission? Yes No

(7) If yes, complete the following: _____
Name of Committee Chairperson Name of Committee Treasurer

4. Period for which you are Reporting

You Must Check Only One Box

My Non-Election Year	My Election Year	Run-Offs <small>(Report required only if you are in a Run-Off Election)</small>	Special Election
<input type="checkbox"/> June 30, _____ (year) <input type="checkbox"/> December 31, _____ (year)	<input type="checkbox"/> January 31, _____ (year) <input type="checkbox"/> April 30, _____ (year) <input type="checkbox"/> June 30, _____ (year) <input type="checkbox"/> September 30, _____ (year) <input type="checkbox"/> October 25, _____ (year) <input type="checkbox"/> Dec. 31, _____ (year)	<input type="checkbox"/> 6 days before Primary Run-Off _____ (year) <input type="checkbox"/> 6 days before General Run-Off _____ (year) <input type="checkbox"/> 6 days before Special Primary Run-Off _____ (year) <input type="checkbox"/> 6 days before Special Run-Off _____ (year)	<input type="checkbox"/> 15 days before Special Primary, _____ (year) <input type="checkbox"/> 15 days before Special, _____ (year) <input type="checkbox"/> Dec. 31, _____ (year)
<p>Supplemental Reporting</p> <input type="checkbox"/> June 30, _____ (year) <input type="checkbox"/> December 31, _____ (year) <p><small>*Supplemental reports are required of candidates who have unsuccessfully campaigned for office or have resigned from office. See O.C.G.A. § 21-5-34i</small></p>			

State of _____ County of _____

I, _____, being duly sworn (affirm), depose and say that the information in this report form is complete, true, and correct. Further, I affirm that the contents in this report are the same as the contents in the electronic filing submitted, if also electronically filed.

Sworn to and subscribed before me on _____, 20_____

Signature of Notary Public

Commission Expiration

a. Signature of Candidate

b. Organization/Chairperson/Treasurer

State of Georgia
Campaign Contribution Disclosure Report
Summary Report

CONTRIBUTIONS RECEIVED

1	I have no contributions to report. I have the following contributions, including Common Source, to report:	In-Kind Estimated Value	Cash Amount
2	A. If this is the first time to file a disclosure report for the current office sought, ENTER 0 in both columns (one time only); or B. If this is the first report of this Election Cycle*, ENTER 0 in the in-kind column and list any net balance on hand brought forward from the previous election cycle in the cash amount column (Line 15 of previous report, or total funds left over at year end of previous cycle); or C. If this filing is the second or subsequent filing of this Election Cycle, list totals from Line 6 of previous report in both the in-kind and cash amount columns.		
3	Total amount of all itemized contributions received in this reporting period which is listed on the "Itemized Contributions" page.		
3a	All loans received this reporting period.		
3b	Interest earned on campaign account this reporting period.		
3c	Total amount of investments sold this reporting period.		
3d	Total amount of cash dividends and interest paid out this reporting period.		
4	Total amount of all separate contributions of \$100 or less received in this reporting period and not listed on the "Itemized Contributions" page. "Common Source" contributions must be aggregated on the "Itemized Contributions" page.		
5	Total contributions reported this period. (Line 3 + 3a + 3b + 3c + 3d + 4)		
6	Total contributions to date. Total to be carried forward to next report of this election cycle*. (Line 2 + 5)		

EXPENDITURES MADE

7	I have no expenditures to report. I have the following expenditures to report:		
8	Total expenditures made and reported prior to this reporting period. If this is the A. First report of this Election Cycle*, ENTER 0. B. Second or subsequent filing ENTER Line 12 of previous report.		
9	Total amount of all itemized expenditures made in this reporting period which are listed on the "Itemized Expenditures" page.		
10	Total amount of all separate expenditures of \$100.00 or less that were made in this reporting period and not listed on the "Itemized Expenditures" page		
11	Total expenditures reported this period. (Line 9 + 10)		
12	Total expenditures to date. Total to be carried forward to next report of this election cycle*. (Line 8 + 11)		

INVESTMENTS

13	Total value of investments held at the beginning of this reporting period.		
14	Total value of investments held at the end of this reporting period.		

TOTAL NET BALANCE ON HAND

15	Net balance on hand. (Line 6 - 12 + 14)		
----	--	--	--

* O.C.G.A. 21-5-3(10) : Election cycle means the period from the day following the date of an election or appointment of a person to elective public office through and of the next such election of a person to the same public office and shall be construed and applied separately for each elective office including the date.

CFC-CCDR 10/19

State of Georgia
Campaign Contribution Disclosure Report
Outstanding Indebtness

Election Cycle*: _____ Election Year: _____		<u>Amount</u>
1	Outstanding indebtedness at the beginning of this reporting period.	
2	Loans received this reporting period.	
3	Deferred payment of expenses this reporting period	
4	Payments made on loans this reporting period.	
5	Credits received on loans this reporting period	
6	Payments this reporting period on previously deferred expenses.	
7	Total indebtedness at the close of this reporting period. (Line 1 + 2 + 3 - 4 - 5 - 6)	
Election Cycle*: _____ Election Year: _____		<u>Amount</u>
1	Outstanding indebtedness at the beginning of this reporting period.	
2	Loans received this reporting period.	
3	Deferred payment of expenses this reporting period	
4	Payments made on loans this reporting period.	
5	Credits received on loans this reporting period	
6	Payments this reporting period on previously deferred expenses.	
7	Total indebtedness at the close of this reporting period. (Line 1 + 2 + 3 - 4 - 5 - 6)	
Election Cycle*: _____ Election Year: _____		<u>Amount</u>
1	Outstanding indebtedness at the beginning of this reporting period.	
2	Loans received this reporting period.	
3	Deferred payment of expenses this reporting period	
4	Payments made on loans this reporting period.	
5	Credits received on loans this reporting period	
6	Payments this reporting period on previously deferred expenses.	
7	Total indebtedness at the close of this reporting period. (Line 1 + 2 + 3 - 4 - 5 - 6)	

* Election Cycle (Primary, General, Special, Special Primary, Run-Off Primary, Run-Off General, Run-Off Special, Run-Off Special Primary)

Public Officer/Candidate/Other Than Candidate Committee Name

State of Georgia Campaign Contribution Disclosure Report Itemized Contributions

Must list contributions received by a single contributor for which the aggregate total more than \$100.00.
Note: Loans are no longer reported in "Itemized Contributions" section. See Loan Reporting section below.

Full Name of Contributor Mailing Address (Affiliation of Committee if any)	Contributor		Election Cycle**	Cash Amount	In-Kind Contributions
	Received Date	Occupation & Employer			Estimated Value
	Contribution Type*				Description
First Name or Business Name	Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Primary	Cash Amt.	Est. Value
Last Name					
Address					
Address2					
City	State	Zip	Aff. Comm.		
First Name or Business Name	Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Primary	Cash Amt.	Est. Value
Last Name					
Address					
Address2					
City	State	Zip	Aff. Comm.		
First Name or Business Name	Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Primary	Cash Amt.	Est. Value
Last Name					
Address					
Address2					
City	State	Zip	Aff. Comm.		

Itemized Contributions Page Total \$ _____ \$ _____

CFC-CCDR 10/19

First Name or Business Name		Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name						
Address						
Address2		<input type="checkbox"/> Monetary	Employer			Description
City		<input type="checkbox"/> In-Kind				
State	Zip	<input type="checkbox"/> Common Source				
Aff. Comm.		<input type="checkbox"/> Credit Received on Loan				
First Name or Business Name		Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name						
Address						
Address2		<input type="checkbox"/> Monetary	Employer			Description
City		<input type="checkbox"/> In-Kind				
State	Zip	<input type="checkbox"/> Common Source				
Aff. Comm.		<input type="checkbox"/> Credit Received on Loan				
First Name or Business Name		Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name						
Address						
Address2		<input type="checkbox"/> Monetary	Employer			Description
City		<input type="checkbox"/> In-Kind				
State	Zip	<input type="checkbox"/> Common Source				
Aff. Comm.		<input type="checkbox"/> Credit Received on Loan				
First Name or Business Name		Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name						
Address						
Address2		<input type="checkbox"/> Monetary	Employer			Description
City		<input type="checkbox"/> In-Kind				
State	Zip	<input type="checkbox"/> Common Source				
Aff. Comm.		<input type="checkbox"/> Credit Received on Loan				
Itemized Contributions Page Total \$ _____ \$ _____						

* Contribution Type (Monetary, In-Kind, Common Source, Credit Received on Loan)

** Election Cycle (Primary, General, Special, Special Primary, Run-Off Primary, Run-Off General, Run-Off Special, Run-Off Special Primary)

*** If any such person(s) shall have a fiduciary relationship to the lending institution or party making the advance or extension of credit

Loan Reporting

Name of Lender & Mailing Address	1. Date of Loan 2. Amount of Loan 3. Election Cycle**	Person(s) responsible for repayment of loan & Mailing Address	1. Occupation & 2. Place of Employment 3. Fiduciary Relationship***
Lender Name (First Name, Business, Inst.)	1.	First Name	1.
Lender Last Name	2.	Last Name	2.
Address	3. <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Address	<input type="checkbox"/> Public Officer <input type="checkbox"/> Candidate <input type="checkbox"/> Other Than Candidate Committee Name
Address2		Address2	
City		City	
State Zip		State Zip	
Lender Name (First Name, Business, Inst.)	1.	First Name	1.
Lender Last Name	2.	Last Name	2.
Address	3. <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Address	<input type="checkbox"/> Public Officer <input type="checkbox"/> Candidate <input type="checkbox"/> Other Than Candidate Committee Name
Address2		Address2	
City		City	
State Zip		State Zip	
Reference: OCGA § 21-5-34(b)(1)		Loan Page Total \$ _____	

* Contribution Type (Monetary, In-Kind, Common Source, Credit Received on Loan)

** Election Cycle (Primary, General, Special, Special Primary, Run-Off Primary, Run-Off General, Run-Off Special, Run-Off Special Primary)

*** If any such person(s) shall have a fiduciary relationship to the lending institution or party making the advance or extension of credit

State of Georgia Campaign Contribution Disclosure Report Itemized Expenditures

Must list expenditures made to a single recipient for which the aggregate total more than \$100.00.

List Name and Mailing Address of Recipient		Exp. Date Exp. Type*	Occupation & Employer	Expenditure Purpose	Amount Paid
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				

Page Total \$ _____

* Expenditure Type (Expenditure, In-Kind, Loan Repayment, Refund, Reimbursement, Credit Card, 3rd Party, Deferred Payment on Deferred Expense, Investment)
Public Officer/Candidate/Other Than Candidate Committee Name

CFC-CCDR 10/19

List Name and Mailing Address of Recipient		Exp. Date Exp. Type*	Occupation & Employer	Expenditure Purpose	Amount Paid
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				

* Expenditure Type (Expenditure, In-Kind, Loan Repayment, Refund, Reimbursement, Credit Card, 3rd Party, Deferred Payment on Deferred Expense, Investment)Public Officer/Candidate/Other Than Candidate Committee Name **Page Total \$ _____**

State of Georgia
Campaign Contribution Disclosure Report
Investments Statement

1. Investment Name _____	Account # _____
Institution/Person Holding Account _____ Mailing Address _____ Address2 _____ City _____ State _____ Zip _____	Value at beginning of reporting period \$ _____
	Value at end of reporting period \$ _____
	Difference in value \$ _____
	Interest Paid Out \$ _____
	Cash Dividends \$ _____

Investment Transactions

<u>Date</u>	<u>Person(s) Involved in Transaction</u>	<u>Value of investment purchased</u>	<u>Value of investment sold</u>	<u>Profit</u>	<u>Loss</u>

2. Investment Name _____	Account # _____
Institution/Person Holding Account _____ Mailing Address _____ Address2 _____ City _____ State _____ Zip _____	Value at beginning of reporting period \$ _____
	Value at end of reporting period \$ _____
	Difference in value \$ _____
	Interest Paid Out \$ _____
	Cash Dividends \$ _____

Investment Transactions

<u>Date</u>	<u>Person(s) Involved in Transaction</u>	<u>Value of investment purchased</u>	<u>Value of investment sold</u>	<u>Profit</u>	<u>Loss</u>

<u>Total value of investments at beginning of reporting period \$</u>	Page Total Cash Dividends: \$ _____
<u>Total value of investments at end of reporting period \$</u>	Page Total Interest Paid Out: \$ _____
<u>Total difference in value \$</u>	Page Total Profit: \$ _____
	Page Total Loss: \$ _____

State of Georgia
Campaign Contribution Disclosure Report
Addendum Statement

The Addendum Statement should be used for explanation of any additional information needed to complete an accurate filing of this report.
Information that is to be reported in the body of the report **should not** be listed on Addendum Statement.

Georgia Government Transparency & Campaign Finance Commission

Filing Schedule

County-level Elected Officials & Candidates

Election Year Filing Schedule	Due Date
	January 31 st
	April 30 th
	June 30 th
	September 30 th
	October 25 th
	December 31 st

*All candidates and elected officials required to file reports shall have a **5-day** grace period*

Non - Election Year Filing Schedule	Due Date
	June 30 th
	December 31 st

Municipal-level Elected Officials & Candidates

Election Year Filing Schedule	Due Date
	January 31 st
	April 30 th
	June 30 th
	September 30 th
	October 25 th
December 31 st	

*All candidates and elected officials required to file reports shall have a **5-day** grace period*

Non - Election Year Filing Schedule	Due Date
	June 30 th
	December 31 st

**County and Municipal level candidates and elected officials that file an Affidavit of Exemption, are not required to file CCDR's during their election cycle unless they cross the threshold of \$2,500 in contributions and/or expenditures.*

Special Election

Special Election	Due Date
	15 Days before the Election Date
	December 31 st

*All candidates and elected officials required to file reports shall have a **2-day** grace period*

*All grace periods include business days and **DO NOT** include weekends or State of Georgia holidays.*

Campaign Contribution Disclosure Final Report and Termination Statement
Georgia Government Transparency and Campaign Finance Commission
200 Piedmont Avenue SE, Suite 1402 West Tower | Atlanta, GA 30334 | 404-463-1980 |

<p>1. Report Type <small>(Select One)</small></p> <p><input type="checkbox"/> Original</p> <p><input type="checkbox"/> Amendment</p> <p>Amendment # _____</p>	<p>2. Filing is being made on behalf of (Select One): Candidate or Public Official Office Held or Sought _____ <small>(Include county, municipality, district, post or judicial circuit)</small></p> <p>Filer ID _____ <small>(Filer ID that begins with the letter "C")</small></p> <p>Organization or Person Other than Candidate's Campaign Committee Committee Name: _____</p> <p>Filer ID: _____ <small>(Filer ID that begins with the letter "NC")</small></p>	<p>Use Earlier of Post Mark or Hand Delivered Date</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
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3. Identifying and Contact Information

(1) _____ (2) _____
Full Name of Candidate or Other Than Candidate Campaign Committee Today's Date

(3) _____
Mailing Address City State Zip Code

(4) _____ and/ or _____
Primary Contact Phone Number E-Mail

(5) If a Candidate or Public Official is there a campaign committee (one or more persons) to make campaign transactions, keep financial records of the campaign, or file the reports? Yes No

(6) If yes, is the committee registered with the Commission? Yes No

(7) If yes, complete the following _____ | _____
Name of Committee Chairperson Name of Committee Treasurer

4. Person Responsible for Maintaining Campaign Records

(1) Full Name

(2) Mailing Address

(3) City State Zip Code

(4) _____ (5) _____
Primary Contact Phone Number Email Address

5. TERMINATION DATE: _____

State of _____ County of _____

I, _____, being duly sworn (affirm), depose and say that the information in this report form is complete, true, and correct. Further, I affirm that the contents in this report are the same as the contents in the electronic filing submitted, if also electronically filed.

Sworn to and subscribed before me on _____, 20_____

Signature of Notary Public Commission Expiration

a. Signature of Candidate

b. Organization/Chairperson/Treasurer

(Any person who knowingly fails to comply with or who knowingly violates any of the provisions of the Act shall be guilty of a misdemeanor.)

State of Georgia
Campaign Contribution Disclosure Report
Summary Report

CONTRIBUTIONS RECEIVED

1	<input type="checkbox"/> I have no contributions to report. <input type="checkbox"/> I have the following contributions, including Common Source, to report:	In-Kind Estimated Value	Cash Amount
2	A. If this is the first time to file a disclosure report for the current office sought, ENTER 0 in both columns (one time only); or B. If this is the first report of this Election Cycle*, ENTER 0 in the in-kind column and list any net balance on hand brought forward from the previous election cycle in the cash amount column (Line 15 of previous report, or total funds left over at year end of previous cycle); or C. If this filing is the second or subsequent filing of this Election Cycle, list totals from Line 6 of previous report in both the in-kind and cash amount columns.		
3	Total amount of all itemized contributions received in this reporting period which is listed on the "Itemized Contributions" page.		
3a	All loans received this reporting period.		
3b	Interest earned on campaign account this reporting period.		
3c	Total amount of investments sold this reporting period.		
3d	Total amount of cash dividends and interest paid out this reporting period.		
4	Total amount of all separate contributions of \$100 or less received in this reporting period and not listed on the "Itemized Contributions" page. "Common Source" contributions must be aggregated on the "Itemized Contributions" page.		
5	Total contributions reported this period. (Line 3 + 3a + 3b + 3c + 3d + 4)		
6	Total contributions to date. Total to be carried forward to next report of this election cycle*. (Line 2 + 5)		

EXPENDITURES MADE

7	<input type="checkbox"/> I have no expenditures to report. <input type="checkbox"/> I have the following expenditures to report:		
8	Total expenditures made and reported prior to this reporting period. If this is the A. First report of this Election Cycle*, ENTER 0. B. Second or subsequent filing ENTER Line 12 of previous report.		
9	Total amount of all itemized expenditures made in this reporting period which are listed on the "Itemized Expenditures" page.		
10	Total amount of all separate expenditures of \$100.00 or less that were made in this reporting period and not listed on the "Itemized Expenditures" page		
11	Total expenditures reported this period. (Line 9 + 10)		
12	Total expenditures to date. Total to be carried forward to next report of this election cycle*. (Line 8 + 11)		

INVESTMENTS

13	Total value of investments held at the beginning of this reporting period.		
14	Total value of investments held at the end of this reporting period.		

TOTAL NET BALANCE ON HAND

15	Net balance on hand. (Line 6 - 12 + 14)		
----	--	--	--

* O.C.G.A. 21-5-3(10) : Election cycle means the period from the day following the date of an election or appointment of a person to elective public office through and of the next such election of a person to the same public office and shall be construed and applied separately for each elective office including the date.

State of Georgia
Campaign Contribution Disclosure Report
Outstanding Indebtness

Election Cycle*: _____ Election Year: _____		<u>Amount</u>
1	Outstanding indebtedness at the beginning of this reporting period.	
2	Loans received this reporting period.	
3	Deferred payment of expenses this reporting period	
4	Payments made on loans this reporting period.	
5	Credits received on loans this reporting period	
6	Payments this reporting period on previously deferred expenses.	
7	Total indebtedness at the close of this reporting period. (Line 1 + 2 + 3 - 4 - 5 - 6)	
Election Cycle*: _____ Election Year: _____		<u>Amount</u>
1	Outstanding indebtedness at the beginning of this reporting period.	
2	Loans received this reporting period.	
3	Deferred payment of expenses this reporting period	
4	Payments made on loans this reporting period.	
5	Credits received on loans this reporting period	
6	Payments this reporting period on previously deferred expenses.	
7	Total indebtedness at the close of this reporting period. (Line 1 + 2 + 3 - 4 - 5 - 6)	
Election Cycle*: _____ Election Year: _____		<u>Amount</u>
1	Outstanding indebtedness at the beginning of this reporting period.	
2	Loans received this reporting period.	
3	Deferred payment of expenses this reporting period	
4	Payments made on loans this reporting period.	
5	Credits received on loans this reporting period	
6	Payments this reporting period on previously deferred expenses.	
7	Total indebtedness at the close of this reporting period. (Line 1 + 2 + 3 - 4 - 5 - 6)	

* Election Cycle (Primary, General, Special, Special Primary, Run-Off Primary, Run-Off General, Run-Off Special, Run-Off Special Primary)
Public Officer/Candidate/Other Than Candidate Committee Name

State of Georgia Campaign Contribution Disclosure Report Itemized Contributions

Must list contributions received by a single contributor for which the aggregate total more than \$100.00.

Note: Loans are no longer reported in "Itemized Contributions" section. See Loan Reporting section below.

Full Name of Contributor Mailing Address (Affiliation of Committee if any)	Contributor		Election Cycle**	Cash Amount	In-Kind Contributions
	Received Date	Occupation & Employer			Estimated Value
					Description
First Name / Business Name	Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name					
Address					
Address2	<input type="checkbox"/> Monetary	Employer			Description
City	<input type="checkbox"/> In-Kind				
State	<input type="checkbox"/> Common Source				
Zip	<input type="checkbox"/> Credit Received on Loan				
Aff. Comm.					
First Name / Business Name	Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name					
Address					
Address2	<input type="checkbox"/> Monetary	Employer			Description
City	<input type="checkbox"/> In-Kind				
State	<input type="checkbox"/> Common Source				
Zip	<input type="checkbox"/> Credit Received on Loan				
Aff. Comm.					
First Name / Business Name	Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name					
Address					
Address2	<input type="checkbox"/> Monetary	Employer			Description
City	<input type="checkbox"/> In-Kind				
State	<input type="checkbox"/> Common Source				
Zip	<input type="checkbox"/> Credit Received on Loan				
Aff. Comm.					

Itemized Contributions Page Total \$ _____ \$ _____

CFC-CCDR-FR&TS 1/14

First Name / Business Name		Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name						
Address						
Address2		<input type="checkbox"/> Monetary	Employer			Description
City		<input type="checkbox"/> In-Kind				
State	Zip	<input type="checkbox"/> Common Source				
Aff. Comm.		<input type="checkbox"/> Credit Received on Loan				
First Name / Business Name		Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name						
Address						
Address2		<input type="checkbox"/> Monetary	Employer			Description
City		<input type="checkbox"/> In-Kind				
State	Zip	<input type="checkbox"/> Common Source				
Aff. Comm.		<input type="checkbox"/> Credit Received on Loan				
First Name / Business Name		Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name						
Address						
Address2		<input type="checkbox"/> Monetary	Employer			Description
City		<input type="checkbox"/> In-Kind				
State	Zip	<input type="checkbox"/> Common Source				
Aff. Comm.		<input type="checkbox"/> Credit Received on Loan				
First Name / Business Name		Date	Occupation	<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Cash Amt.	Est. Value
Last Name						
Address						
Address2		<input type="checkbox"/> Monetary	Employer			Description
City		<input type="checkbox"/> In-Kind				
State	Zip	<input type="checkbox"/> Common Source				
Aff. Comm.		<input type="checkbox"/> Credit Received on Loan				
Itemized Contributions Page Total \$ _____ \$ _____						

* Contribution Type (Monetary, In-Kind, Common Source, Credit Received on Loan)

** Election Cycle (Primary, General, Special, Special Primary, Run-Off Primary, Run-Off General, Run-Off Special, Run-Off Special Primary)

*** If any such person(s) shall have a fiduciary relationship to the lending institution or party making the advance or extension of credit

Loan Reporting

Name of Lender & Mailing Address	1.Date of Loan 2.Amount of Loan 3.Election Cycle**	Person(s) responsible for repayment of loan & Mailing Address	1.Occupation & 2.Place of Employment
Lender Name (First Name, Business, Inst.)	1.	First Name	1.
Lender Last Name	2.	Last Name	2.
Address	3. <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Address	
Address2		Address2	
City		City	
State Zip		State Zip	
Lender Name (First Name, Business, Inst.)	1.	First Name	1.
Lender Last Name	2.	Last Name	2.
Address	3. <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Special <input type="checkbox"/> Special Primary <input type="checkbox"/> Run-Off Primary <input type="checkbox"/> Run-Off General <input type="checkbox"/> Run-Off Special <input type="checkbox"/> Run-Off Special Primary	Address	
Address2		Address2	
City		City	
State Zip		State Zip	
Reference: OCGA § 21-5-34(b)(1)		Loan Page Total \$ _____	

* Contribution Type (Monetary, In-Kind, Common Source, Credit Received on Loan)

** Election Cycle (Primary, General, Special, Special Primary, Run-Off Primary, Run-Off General, Run-Off Special, Run-Off Special Primary)

State of Georgia Campaign Contribution Disclosure Report Itemized Expenditures

Must list expenditures made to a single recipient for which the aggregate total more than \$100.00.

List Name and Mailing Address of Recipient		Exp. Date Exp. Type*	Occupation & Employer	Expenditure Purpose	Amount Paid
First Name		Date	Occupation		
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				
First Name			Date	Occupation	
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				
First Name			Date	Occupation	
Last Name					
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer		
Address2					
City					
State	Zip				

Page Total \$ _____

* Expenditure Type (Expenditure, In-Kind, Loan Repayment, Refund, Reimbursement, Credit Card, 3rd Party, Deferred Payment on Deferred Expense, Investment)
Public Officer/Candidate/Other Than Candidate Committee Name

CFC-CCDR-FR&TS 1/14

List Name and Mailing Address of Recipient		Exp. Date Exp. Type*	Occupation & Employer	Expenditure Purpose	Amount Paid	
First Name		Date	Occupation			
Last Name						
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer			
Address2						
City						
State	Zip					
First Name			Date	Occupation		
Last Name						
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer			
Address2						
City						
State	Zip					
First Name			Date	Occupation		
Last Name						
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer			
Address2						
City						
State	Zip					
First Name			Date	Occupation		
Last Name						
Address		<input type="checkbox"/> Expenditure <input type="checkbox"/> In-Kind <input type="checkbox"/> Loan Repayment <input type="checkbox"/> Refund <input type="checkbox"/> Reimbursement <input type="checkbox"/> Credit Card <input type="checkbox"/> 3rd Party <input type="checkbox"/> Deferred Payment <input type="checkbox"/> Payment on Deferred Expense <input type="checkbox"/> Investment	Employer			
Address2						
City						
State	Zip					

* Expenditure Type (Expenditure, In-Kind, Loan Repayment, Refund, Reimbursement, Credit Card, 3rd Party, Deferred Payment on Deferred Expense, Investment)Public Officer/Candidate/Other Than Candidate Committee Name Page Total \$ _____

State of Georgia Campaign Contribution Disclosure Report Investments Statement

1. Investment Name	Account #
Institution/Person Holding Account _____ Mailing Address _____ Address2 _____ City _____ State _____ Zip _____	Value at beginning of reporting period \$
	Value at end of reporting period \$
	Difference in value \$
	Interest Paid Out \$
	Cash Dividends \$

Investment Transactions					
Date	Person(s) Involved in Transaction	Value of investment purchased	Value of investment sold	Profit	Loss

2. Investment Name	Account #
Institution/Person Holding Account _____ Mailing Address _____ Address2 _____ City _____ State _____ Zip _____	Value at beginning of reporting period \$
	Value at end of reporting period \$
	Difference in value \$
	Interest Paid Out \$
	Cash Dividends \$

Investment Transactions					
Date	Person(s) Involved in Transaction	Value of investment purchased	Value of investment sold	Profit	Loss

<u>Total value of investments at beginning of reporting period \$</u> <u>Total value of investments at end of reporting period \$</u> <u>Total difference in value \$</u>	Page Total Cash Dividends: \$ _____ Page Total Interest Paid Out: \$ _____ Page Total Profit: \$ _____ Page Total Loss: \$ _____
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State of Georgia
Campaign Contribution Disclosure Report
Addendum Statement

The Addendum Statement should be used for explanation of any additional information needed to complete an accurate filing of this report.
Information that is to be reported in the body of the report **should not** be listed on Addendum Statement.