

The House Committee on Governmental Affairs offers the following substitute to SB 213:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated,
2 relating to campaign contributions, so as to revise the content of and certain reporting times
3 for certain campaign disclosure reports; to provide for related matters; to repeal conflicting
4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 2 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to
8 campaign contributions, is amended by revising subsections (b), (c), and (e) of Code
9 Section 21-5-34, relating to disclosure reports, as follows:

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

11 (A) As to any contribution of more than \$100.00, its amount and date of receipt, the
12 election for which the contribution has been accepted and allocated, along with the
13 name and mailing address of the contributor, and, if the contributor is an individual, that
14 individual's occupation and the name of his or her employer. Such contributions shall
15 include, but shall not be limited to, the purchase of tickets for events such as dinners,
16 luncheons, rallies, and similar fund-raising events coordinated for the purpose of raising
17 campaign contributions for the reporting person;

18 (B) As to any expenditure of more than \$100.00, its amount and date of expenditure,
19 the name and mailing address of the recipient receiving the expenditure, and, if that
20 recipient is an individual, that individual's occupation and the name of his or her
21 employer and the general purpose of the expenditure;

22 (C) When a contribution consists of a loan, advance, or other extension of credit, the
23 report shall also contain the name of the lending institution or party making the advance
24 or extension of credit and the names, mailing addresses, occupations, and places of
25 employment of all persons having any liability for repayment of the loan, advance, or
26 extension of credit; and, if any such persons shall have a fiduciary relationship to the

27 lending institution or party making the advance or extension of credit, the report shall
 28 specify such relationship;

29 (D) Total contributions received and total expenditures shall be reported for an election
 30 cycle as follows:

31 (i) The first report ~~of~~ filed after an election ~~cycle~~ year shall list the cash on hand
 32 brought forward from the previous election cycle, if any, and the total contributions
 33 received during the period covered by the report;

34 (ii) Subsequent reports shall list the total contributions received during the period
 35 covered by the report and the cumulative total of contributions received during the
 36 election cycle;

37 (iii) The first report ~~of~~ filed after an election ~~cycle~~ year shall list the total
 38 expenditures made during the period covered by the report;

39 (iv) Subsequent reports shall list the total expenditures made during the period
 40 covered by the report, the cumulative total of expenditures made during the election
 41 cycle, and net balance on hand; and

42 (v) If a public officer seeks reelection to the same public office, or if the public
 43 officer is a member of the General Assembly seeking reelection in another district as
 44 a result of redistricting, the net balance on hand at the end of the current election cycle
 45 shall be carried forward to the first report ~~of~~ filed after the ~~applicable new~~ election
 46 ~~cycle~~ year;

47 (E) The corporate, labor union, or other affiliation of any political action committee or
 48 independent committee making a contribution of more than \$100.00;

49 (F) Any investment made with funds of a campaign committee, independent
 50 committee, or political action committee and held outside such committee's official
 51 depository account during each reporting period for which an investment exists or a
 52 transaction applying to an identifiable investment is made. The report shall identify the
 53 name of the entity or person with whom such investment was made, the initial and any
 54 subsequent amount of such investment if such investment was made during the
 55 reporting period, and any profit or loss from the sale of such investment which occurred
 56 during such reporting period; and

57 (G) Total debt owed on the last day of the reporting period.

58 (2) Each report shall be in such form as will allow for the separate identification of a
 59 contribution or contributions which are less than \$100.00 but which become reportable
 60 due to the receipt of an additional contribution or contributions which when combined
 61 with such previously received contribution or contributions cumulatively equal or
 62 exceed \$100.00.

63 (c) Candidates or campaign committees which accept contributions, make expenditures
 64 designed to bring about the nomination or election of a candidate, or have filed a
 65 declaration of intention to accept campaign contributions pursuant to subsection (g) of
 66 Code Section 21-5-30 shall file campaign contribution disclosure reports in compliance
 67 with the following schedule:

68 (1) In each nonelection year ~~on January 31 and June 30~~;

69 (A) Candidates for public office and public officers as defined in subparagraphs (A),
 70 (C), and (D) of paragraph 22 of Code Section 21-5-3 shall file on January 31 and June
 71 30.

72 (B) Candidates for public office and public officers as defined in subparagraphs (B),
 73 (F), and (G) of paragraph 22 of Code Section 21-5-3 shall file on June 30 and
 74 December 31;

75 (2) In each election year:

76 (A) On January 31, ~~March 31~~ April 30, June 30, September 30, October 25, and
 77 December 31;

78 (B) Six days before any run-off primary or election in which the candidate is listed on
 79 the ballot; and

80 (C) During the period of time between the last report due prior to the date of any
 81 election for which the candidate is qualified and the date of such election, all
 82 contributions of \$1,000.00 or more shall be reported within two business days of receipt
 83 and also reported on the next succeeding regularly scheduled campaign contribution
 84 disclosure report;

85 (3) If the candidate is a candidate in a special primary or special primary runoff, 15 days
 86 prior to the special primary and six days prior to the special primary runoff; and

87 (4) If the candidate is a candidate in a special election or special election runoff, 15 days
 88 prior to the special election and six days prior to the special election runoff.

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

100 "(e) Any person who makes contributions to, accepts contributions for, or makes
101 expenditures on behalf of candidates, and any independent committee, shall file a
102 registration in the same manner as is required of campaign committees prior to accepting
103 or making contributions or expenditures. Such persons, other than independent
104 committees, shall also file campaign contribution disclosure reports at the same times as
105 required of the candidates they are supporting and a December 31 campaign contribution
106 disclosure report regardless of whether the candidate they are supporting has a December
107 31 campaign contribution disclosure report due. The following persons shall be exempt
108 from the foregoing registration and reporting requirements:

- 109 (1) Individuals making aggregate contributions of \$25,000.00 or less directly to
110 candidates or the candidates' campaign committees in one calendar year;
- 111 (2) Persons other than individuals making aggregate contributions and expenditures to
112 or on behalf of candidates of \$25,000.00 or less in one calendar year; and
- 113 (3) Contributors who make contributions to only one candidate during one calendar
114 year."

115 **SECTION 2.**

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