

The House Committee on Rules offers the following substitute to SB 358:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to
2 government transparency and campaign finance, so as to provide that campaign and personal
3 finance disclosure reports for local elected officials shall be filed with the commission
4 instead of locally; to provide uniform reporting dates for campaigns for all levels of office;
5 to provide for registration of certain political action committees; to require certain political
6 action committees to maintain bank accounts; to provide disclosure reporting requirements
7 for certain political action committees; to revise and make more uniform reporting dates for
8 personal financial disclosure statements for office holders and candidates; to revise
9 provisions related to reporting income on personal financial disclosure statements for office
10 holders; to provide that the commission shall not publicly release home address information
11 in its possession; to revise lobbyist reporting requirements to make the reporting dates for
12 such requirements more uniform; to provide for related matters; to provide an effective date;
13 to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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SECTION 1.

Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to government, is amended by revising Code Section 21-5-34, relating to campaign disclosure reports, as follows:

"21-5-34.

(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 offices 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

42 campaign committee has received contributions which total more than \$500.00 or if
43 such campaign committee has made expenditures which total more than \$500.00. All
44 advertising pertaining to referendums shall identify the principal officer of such
45 campaign committee by listing or stating the name and title of the principal officer.

46 (B) If a campaign committee is required to file a report with the commission under
47 subparagraph (A) of this paragraph, such report shall be electronically filed. Any such
48 report shall be filed 15 days prior to the date of the election; and a final report shall be
49 filed prior to December 31 of the election year.

50 ~~(3) A candidate for a public office listed in subparagraph (F) of paragraph (22) of Code~~
51 ~~Section 21-5-3 or the chairperson or treasurer of such candidate's campaign committee~~
52 ~~shall sign and file the required disclosure reports with the election superintendent in the~~
53 ~~county of election. Upon receipt of any such report, the election superintendent shall~~
54 ~~cause such report to be available for inspection and copying in accordance with Article~~
55 ~~4 of Chapter 18 of Title 50. The election superintendent shall transmit a copy of each~~
56 ~~such report to the commission, electronically by eFiling or eFax, not later than 30 days~~
57 ~~after the end of the grace period. No fine, fee, or sanction, including but not limited to~~
58 ~~identifying a candidate as having filed late or failed to file, shall be imposed by the~~
59 ~~commission on a candidate for the failure of the election superintendent to timely transmit~~
60 ~~a copy of such report. The commission is authorized to impose civil penalties pursuant~~
61 ~~to subparagraph (b)(14)(C) of Code Section 21-5-6 against an election superintendent~~
62 ~~who fails to properly transmit a copy of each such report, upon finding that said~~
63 ~~superintendent willfully failed to comply with the provisions of this chapter.~~

64 ~~(4) A candidate for a public office listed in subparagraph (G) of paragraph (22) of Code~~
65 ~~Section 21-5-3 or the chairperson or treasurer of such candidate's campaign committee~~
66 ~~shall sign and file the required disclosure reports with the municipal clerk in the~~
67 ~~municipality of election or, if there is no clerk, with the chief executive officer of the~~
68 ~~municipality, provided, however, that a municipality and a county may enter into an~~

69 ~~agreement whereby such candidates, chairpersons, or treasurers shall file the required~~
70 ~~disclosure reports with the county election superintendent instead. Upon receipt of any~~
71 ~~such report, the municipal clerk, chief executive officer of the municipality, or county~~
72 ~~election superintendent, as applicable, shall cause such report to be available for~~
73 ~~inspection and copying in accordance with Article 4 of Chapter 18 of Title 50. The~~
74 ~~municipal clerk, chief executive officer of the municipality, or county election~~
75 ~~superintendent, as applicable, shall transmit a copy of each such report to the commission,~~
76 ~~electronically by eFiling or eFax, not later than 30 days after the end of the grace period.~~
77 ~~No fine, fee, or sanction, including but not limited to identifying a candidate as having~~
78 ~~filed late or failed to file, shall be imposed by the commission on a candidate for the~~
79 ~~failure of the municipal clerk, chief executive officer of the county, or county election~~
80 ~~superintendent to timely transmit a copy of such report. The commission is authorized~~
81 ~~to impose civil penalties pursuant to subparagraph (b)(14)(C) of Code Section 21-5-6~~
82 ~~against a municipal clerk, chief executive officer of the county, or county election~~
83 ~~superintendent who fails to properly transmit a copy of each such report, upon finding~~
84 ~~that said municipal clerk, chief executive officer of the county, or county election~~
85 ~~superintendent willfully failed to comply with the provisions of this chapter.~~

86 (a.1)(1) Notwithstanding the provisions of subsections (a) and (d.1) of this Code section
87 providing for signing and filing with the commission to the contrary, public offices listed
88 in subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3 shall be subject to
89 the following signing and filing requirements until December 31, 2025:

90 (A) A candidate for a public office listed in subparagraph (F) of paragraph (22) of Code
91 Section 21-5-3 or the chairperson or treasurer of such candidate's campaign committee
92 shall sign and file the required disclosure reports with the election superintendent in the
93 county of election. Upon receipt of any such report, the election superintendent shall
94 cause such report to be available for inspection and copying in accordance with Article
95 4 of Chapter 18 of Title 50. The election superintendent shall transmit a copy of each

96 such report to the commission, electronically by eFiling or eFax, not later than 30 days
97 after the end of the grace period. No fine, fee, or sanction, including but not limited to
98 identifying a candidate as having filed late or failed to file, shall be imposed by the
99 commission on a candidate for the failure of the election superintendent to timely
100 transmit a copy of such report. The commission is authorized to impose civil penalties
101 pursuant to subparagraph (b)(14)(C) of Code Section 21-5-6 against an election
102 superintendent who fails to properly transmit a copy of each such report, upon finding
103 that said superintendent willfully failed to comply with the provisions of this chapter;
104 or

105 (B) A candidate for a public office listed in subparagraph (G) of paragraph (22) of
106 Code Section 21-5-3 or the chairperson or treasurer of such candidate's campaign
107 committee shall sign and file the required disclosure reports with the municipal clerk
108 in the municipality of election or, if there is no clerk, with the chief executive officer
109 of the municipality; provided, however, that a municipality and a county may enter into
110 an agreement whereby such candidates, chairpersons, or treasurers shall file the required
111 disclosure reports with the county election superintendent instead. Upon receipt of any
112 such report, the municipal clerk, chief executive officer of the municipality, or county
113 election superintendent, as applicable, shall cause such report to be available for
114 inspection and copying in accordance with Article 4 of Chapter 18 of Title 50. The
115 municipal clerk, chief executive officer of the municipality, or county election
116 superintendent, as applicable, shall transmit a copy of each such report to the
117 commission, electronically by eFiling or eFax, not later than 30 days after the end of the
118 grace period. No fine, fee, or sanction, including but not limited to identifying a
119 candidate as having filed late or failed to file, shall be imposed by the commission on
120 a candidate for the failure of the municipal clerk, chief executive officer of the county,
121 or county election superintendent to timely transmit a copy of such report. The
122 commission is authorized to impose civil penalties pursuant to subparagraph (b)(14)(C)

123 of Code Section 21-5-6 against a municipal clerk, chief executive officer of the county,
124 or county election superintendent who fails to properly transmit a copy of each such
125 report, upon finding that said municipal clerk, chief executive officer of the county, or
126 county election superintendent willfully failed to comply with the provisions of this
127 chapter.

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

142 (B) If such candidate or campaign committee exceeds the \$2,500.00 limit for either
143 accepting contributions or making expenditures for such campaign during such election
144 cycle as specified in paragraph (1) of this subsection but does not accept a combined
145 total of contributions exceeding \$5,000.00 in such election cycle nor make expenditures
146 exceeding \$5,000.00 in such election cycle, then such candidate or campaign committee
147 shall be required to file only the July 31 and October 15 reports required by
148 paragraph (2) of subsection (c) of this Code section. The first such report shall include

149 all contributions received and expenditures made beginning January 1 of such calendar
150 year.

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

156 (3) This subsection shall stand repealed on December 31, 2025.

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

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

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

169 (C) When a contribution consists of a loan, advance, or other extension of credit, the
170 report shall also contain the name of the lending institution or party making the advance
171 or extension of credit and the names, mailing addresses, occupations, and places of
172 employment of all persons having any liability for repayment of the loan, advance, or
173 extension of credit; and, if any such persons shall have a fiduciary relationship to the
174 lending institution or party making the advance or extension of credit, the report shall
175 specify such relationship;

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

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

181 (ii) Subsequent reports shall list the total contributions received during the period
182 covered by the report and the cumulative total of contributions received during the
183 election cycle;

184 (iii) The first report filed after an election year shall list the total expenditures made
185 during the period covered by the report;

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

189 (v) If a public officer seeks reelection to the same public office, or if the public
190 officer is a member of the General Assembly seeking reelection in another district as
191 a result of redistricting, the net balance on hand at the end of the current election cycle
192 shall be carried forward to the first report filed after the election year;

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

195 (F) Any investment made with funds of a campaign committee, independent
196 committee, or political action committee and held outside such committee's official
197 depository account during each reporting period for which an investment exists or a
198 transaction applying to an identifiable investment is made. The report shall identify the
199 name of the entity or person with whom such investment was made, the initial and any
200 subsequent amount of such investment if such investment was made during the
201 reporting period, and any profit or loss from the sale of such investment which occurred
202 during such reporting period; and

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

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

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

214 (1) In each nonelection year on January 31, April 30, July 31, and October 15;

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

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

221 (2) In each election year:

222 (A) On January 31, April 30, July 31, and October 15 ~~June 30, September 30, October~~
 223 ~~25, and December 31;~~

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

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

230 disclosure report; provided, however, that this subparagraph shall only apply to
231 contributions of \$1,000.00 or more that are designated for the same actual election as
232 the one for which the individual is currently a candidate. Nothing in this Code section
233 shall be construed to require a contribution of \$1,000.00 or more that is designated as
234 a general election contribution to be reported during the two business day report period
235 of a primary election;

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

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

240 All persons or entities required to file reports shall have a ~~five-day~~ 15 day grace period in
241 filing the required reports, except that the grace period shall be two days for required
242 reports prior to run-off primaries or run-off elections, and no grace period shall apply to
243 contributions required to be reported within two business days. Reports required to be filed
244 within two business days of a contribution shall be reported by facsimile or electronic
245 transmission. Any facsimile filing shall also have an identical electronic filing within five
246 business days following the transmission of such facsimile filing. Each report required in
247 the election year shall contain cumulative totals of all contributions which have been
248 received and all expenditures which have been made in support of the campaign in question
249 and which are required, or previously have been required, to be reported.

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

253 (d.1)(1) In the event a candidate for nomination or election to a public office listed in
254 subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3 or the chairperson or
255 treasurer of a campaign committee organized to bring about the nomination or election
256 of such candidate signs and files with the ~~appropriate official specified by paragraph (3)~~

257 ~~or (4) of subsection (a) of this Code section commission a written notice that such~~
258 ~~candidate or campaign committee does not intend to accept during such election cycle a~~
259 ~~combined total of contributions exceeding \$2,500.00 for the campaign nor make a~~
260 ~~combined total of expenditures exceeding \$2,500.00 for the campaign in such election~~
261 ~~cycle, then such candidate or campaign committee shall not be required to file a report~~
262 ~~under this Code section. The appropriate official shall transmit an electronic copy of the~~
263 ~~written notice by eFiling or eFax to the commission within ten days of receipt of such~~
264 ~~notice. The failure of the appropriate official to timely transmit such copy of the written~~
265 ~~notice to the commission shall not disqualify the candidate or campaign committee from~~
266 ~~the exemption from report filing provided by this paragraph.~~

267 (2) If such candidate or campaign committee exceeds the \$2,500.00 limit for either
268 accepting contributions or making expenditures for such campaign during such election
269 cycle as specified in paragraph (1) of this subsection but does not accept a combined total
270 of contributions exceeding \$5,000.00 in such election cycle nor make expenditures
271 exceeding \$5,000.00 in such election cycle, then such candidate or campaign committee
272 shall be required to file only the ~~June 30~~ July 31 and ~~December 31~~ October 15 reports
273 required by paragraph (2) of subsection (c) of this Code section. The first such report
274 shall include all contributions received and expenditures made beginning January 1 of
275 such calendar year.

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

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

284 or making contributions or expenditures. Such persons, other than independent
285 committees, shall also file campaign contribution disclosure reports at the same times as
286 required of the candidates they are supporting and a December 31 campaign contribution
287 disclosure report regardless of whether the candidate they are supporting has a
288 December 31 campaign contribution disclosure report due. The following persons shall be
289 exempt from the foregoing registration and reporting requirements:

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

292 (2) Persons other than individuals making aggregate contributions and expenditures to
293 or on behalf of candidates of \$25,000.00 or less in one calendar year; and

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

295 (e.1) Any political action committee which makes contributions to, accepts contributions
296 for, or makes expenditures on behalf of candidates shall file a registration in the same
297 manner as is required of campaign committees prior to accepting or making contributions
298 or expenditures. Prior to such registration, such political action committee shall open a
299 bank account in the name of such committee. Such political action committee shall
300 maintain such bank account until the political action committee is terminated. Such
301 political action committee shall also file campaign contribution disclosure reports on
302 January 31, April 30, July 31, and October 15 until the bank account required by this
303 subsection has been zeroed out and the political action committee has been terminated.

304 (f)(1) Any independent committee which accepts contributions or makes expenditures
305 for the purpose of affecting the outcome of an election or advocates the election or defeat
306 of any candidate shall register with the commission prior to accepting contributions or
307 making expenditures and shall file disclosure reports as follows:

308 (A) On the first day of each of the two calendar months preceding any such election;

309 (B) Two weeks prior to the date of such election; and

310 (C) Within the two-week period prior to the date of such election the independent
311 committee shall report within two business days any contributions or expenditure of
312 more than \$1,000.00.

313 The independent committee shall file a final report prior to December 31 of the election
314 year and shall file supplemental reports on June 30 and December 31 of each year that
315 such independent committee continues to accept contributions or make expenditures.

316 (2) Reports filed by independent committees shall list the following:

317 (A) The amount and date of receipt, along with the name, mailing address, occupation,
318 and employer of any person making a contribution of more than \$100.00;

319 (B) The name, mailing address, occupation, and employer of any person to whom an
320 expenditure or provision of goods or services of the value of more than \$100.00 is made
321 and the amount, date, and general purpose thereof, including the name of the candidate
322 or candidates, if any, on behalf of whom, or in support of or in opposition to whom, the
323 expenditure or provision was made;

324 (C) Total expenditures made as follows:

325 (i) Expenditures shall be reported for the applicable reporting year;

326 (ii) The first report of a reporting year shall list the total expenditures made during
327 the period covered by the report; and

328 (iii) Subsequent reports shall list the total expenditures made during the period
329 covered by the report, the cumulative total of expenditures made during the reporting
330 year, and net balance on hand; and

331 (D) The corporate, labor union, or other affiliation of any political action committee,
332 candidate, campaign committee, or independent committee making a contribution of the
333 value of more than \$100.00.

334 (3) Whenever any independent committee makes an expenditure for the purpose of
335 financing any communication intended to affect the outcome of an election, such

336 communication shall clearly state that it has been financed by such independent
337 committee.

338 (g) Any campaign committee which accepts contributions or makes expenditures designed
339 to bring about the recall of a public officer or to oppose the recall of a public officer shall
340 file campaign contribution disclosure reports as follows:

341 (1) An initial report shall be filed within 15 days after the date when the official recall
342 petition forms were issued to the sponsors;

343 (2) A second report shall be filed 45 days after the filing of the initial report;

344 (3) A third report shall be filed within 20 days after the election superintendent certifies
345 legal sufficiency or insufficiency of a recall petition; and

346 (4) A final report shall be filed prior to December 31 of the year in which the recall
347 election is held or, in any case where such recall election is not held, a final report shall
348 be filed prior to December 31 of any year in which such campaign committee accepts
349 such contributions or makes such expenditures.

350 (h) Any campaign committee which accepts contributions or makes expenditures designed
351 to bring about the approval or rejection by the voters of a proposed constitutional
352 amendment or a state-wide referendum shall file a campaign contribution disclosure
353 report 75, 45, and 15 days prior to the date of the election and shall file a final report prior
354 to December 31 of the election year.

355 (i)(1) Any person elected to a public office who is required to file campaign contribution
356 disclosure reports pursuant to this article shall, upon leaving public office with excess
357 contributions, be required to file supplemental campaign contribution disclosure reports
358 on ~~June 30 and December 31~~ January 31, April 30, July 31, and October 15 of each year
359 until such contributions are expended in a campaign for elective office or used as
360 provided in subsection (b) of Code Section 21-5-33.

361 (2) Any person who is an unsuccessful candidate in an election and who is required to
362 file campaign contribution disclosure reports pursuant to this article shall for the

363 remainder of the election cycle file such reports at the same times as a successful
364 candidate and thereafter, upon having excess contributions from such campaign, be
365 required to file a supplemental campaign contribution disclosure report ~~no later than~~
366 ~~December 31~~ on January 31, April 30, July 31, and October 15 of each year until such
367 contributions are expended in a campaign for elective office or used as provided in
368 subsection (b) of Code Section 21-5-33. Any unsuccessful candidate in an election who
369 is required to file campaign contribution disclosure reports pursuant to this article and
370 who receives contributions following such election to retire debts incurred in such
371 campaign for elective office shall be required to file a supplemental campaign
372 contribution disclosure report ~~no later than December 31~~ on January 31, April 30, July
373 31, and October 15 of each year until such unpaid expenditures from such campaign are
374 satisfied.

375 (j) Notwithstanding any other provision of this chapter to the contrary, soil and water
376 conservation district supervisors elected pursuant to Article 2 of Chapter 6 of Title 2, the
377 'Soil and Water Conservation Districts Law,' shall not be required to file campaign
378 contribution disclosure reports under this Code section.

379 (k)(1) In addition to other penalties provided under this chapter, a late fee of \$125.00
380 shall be imposed by the person or entity with which filing is required for each report that
381 is filed late, and notice of such late fee shall be sent to the candidate and the candidate's
382 committee in the same manner by which the penalized report was filed with the
383 commission. However, if the report in question was not filed or was filed with the
384 commission in a manner other than electronic filing or certified mail, return receipt
385 requested, the commission shall utilize certified mail, return receipt requested, to notify
386 the candidate and the candidate's committee of the late fee due. The notice shall include
387 the schedule of increasing late fees for late filings and the dates upon which such late fees
388 shall be increased. In addition, a late fee of \$250.00 shall be imposed on the fifteenth day
389 after the due date for such report if the report has not been filed by such date. A late fee

390 of \$1,000.00 shall be imposed on the forty-fifth day after the due date for such report if
 391 such report has not been filed. Notice by electronic means does not satisfy the
 392 requirements of this paragraph; and any increased late fees shall be stayed until at least
 393 ten days after proper notice has been given as specified in this paragraph.

394 (2) The commission shall retain \$25.00 of the first late fee received by the commission
 395 for processing pursuant to the provisions of Code Section 45-12-92.1.

396 (l) It shall be the duty of the commission ~~or other official~~ when it receives for filing any
 397 disclosure report or statement or other document that may be filed by mail to maintain with
 398 the filed document a copy of the postal markings or statutory overnight delivery service
 399 markings of any envelope, package, or wrapping in which the document was delivered for
 400 filing if mailed or sent after the date such filing was due.

401 (m) Any person or entity which is required to be registered under this Code section shall
 402 file a termination statement together with its final campaign contribution disclosure report
 403 as required by this Code section within ten days of the dissolution of a campaign or
 404 committee. The termination statement shall identify the person responsible for maintaining
 405 campaign records as required by this chapter."

406 SECTION 2.

407 Said chapter is further amended in Code Section 21-5-50, relating to filing by public officers,
 408 filing by candidates for public office, filing by elected officials and members of the General
 409 Assembly, and electronic filing, by revising subsections (a) and (c) as follows:

410 "(a)(1) Except as modified in subsection (c) of this Code section with respect to
 411 candidates for state-wide elected public office;

412 (A) Each ~~each~~ public officer, as defined in subparagraphs (A) through (D) of paragraph
 413 (22) of Code Section 21-5-3, and each person who qualifies as a candidate for election
 414 to any such public office shall file with the commission ~~not before the first day of~~
 415 ~~January nor~~ no later than ~~July~~ April 1 of each year in which such public officer holds

416 office ~~other than an election year~~ a financial disclosure statement for the preceding
417 calendar year; and

418 (B) Each ~~each~~ person who qualifies in a special election as a candidate for election as
419 a public officer, as defined in subparagraphs (A) through (D) of paragraph (22) of Code
420 Section 21-5-3, shall file with the commission, no later than the fifteenth day following
421 the date of qualifying as a candidate, a financial disclosure statement for the preceding
422 calendar year.

423 (2) Except as set forth in paragraph (3) of this subsection, a public officer, as defined in
424 subparagraph (E) of paragraph (22) of Code Section 21-5-3, shall not be required to file
425 a financial disclosure statement pursuant to this Code section. Each such public officer
426 shall, however, be deemed to be a public official for purposes of Code Section 45-10-26
427 and shall be subject to the disclosure requirements set forth in Code Section 45-10-26.
428 In addition, each such public officer shall file with the commission, prior to January 31
429 each year, an affidavit confirming that such public officer took no official action in the
430 previous calendar year that had a material effect on such public officer's private financial
431 or business interests; provided, however, that, if a public officer as defined in
432 subparagraph (E) of paragraph (22) of Code Section 21-5-3 has previously filed or is
433 subject to filing a financial disclosure statement with the commission pursuant to this
434 paragraph, and said financial disclosure statement covers the same calendar year as would
435 be covered by the affidavit required by this Code section, the public officer shall be
436 exempted from filing an affidavit. No retired judge or senior judge of any court of this
437 state shall be required to file an affidavit pursuant to this Code section.

438 (3) A public officer, as defined in subparagraph (E) of paragraph (22) of Code
439 Section 21-5-3, who serves as a member of the commission shall be subject to the
440 requirements for filing financial disclosure statements set forth in paragraph (1) of this
441 subsection. In addition, each such public officer shall file with the commission, together
442 with the financial disclosure statement, an affidavit confirming that such public officer

443 took no official action in the previous calendar year that had a material effect on such
444 public officer's private financial or business interests.

445 (3.1) Until December 31, 2025, a ~~A~~ public officer and candidates for election as a public
446 officer, as defined in subparagraphs (F) and (G) of paragraph (22) of Code Section
447 21-5-3, shall make filings of the same kind and in the same manner as provided in
448 paragraph (1) of this subsection for other public officers and candidates for election as a
449 public officer except that filings under this paragraph shall be made with the election
450 superintendent of the county in the case of public officers and candidates for election as
451 a public officer as defined in said subparagraph (F) and shall be made with the municipal
452 clerk in the municipality of election or, if there is no clerk, with the chief executive officer
453 of the municipality in the case of public officers as defined in said subparagraph (G). The
454 election superintendent, municipal clerk, or chief executive officer, as applicable, shall
455 transmit, electronically by eFiling or eFax, a copy of each such report to the commission
456 not later than 30 days after the close of the reporting period. No fine, fee, or sanction,
457 including but not limited to identifying a public officer or candidate for election as a
458 public officer as having filed late or failed to file, shall be imposed by the commission on
459 the public officer or candidate for election as a public officer for the failure of the election
460 superintendent, municipal clerk, or chief executive officer to timely transmit a copy of
461 such report. As of January 1, 2026, such public officers and candidates shall file
462 disclosure statements with the commission in the same manner provided for in paragraph
463 (1) of this subsection.

464 (4) Each member of the State Transportation Board shall file a financial disclosure
465 statement for the preceding calendar year no later than the sixtieth day following such
466 member's election to the State Transportation Board. Thereafter, each board member
467 shall file by ~~January 31~~ April 1 of each year a financial disclosure statement for the
468 preceding year. In addition, each board member shall file with the commission, prior to
469 ~~January 31~~ April 1 of each year, an affidavit confirming that such board member took no

470 official action in the previous calendar year that had a material effect on such board
471 member's private financial or business interests.

472 (5) The commission or the applicable official under paragraph (3.1) of this subsection
473 shall review each financial disclosure statement to determine that such statement is in
474 compliance with the requirements of this chapter.

475 (6) A public officer shall not, however, be required to file such a financial disclosure
476 statement for the preceding calendar year in an election year if such public officer does
477 not qualify for nomination for election to succeed himself or herself or for election to any
478 other public office subject to this chapter. For purposes of this paragraph, a public officer
479 shall not be deemed to hold office in a year in which the public officer holds office for
480 fewer than 15 days."

481 "(c)(1) Each person who qualifies with a political party as a candidate for party
482 nomination to a public office elected state wide, (including an incumbent public officer
483 elected state wide qualifying to succeed himself or herself), shall file with the
484 commission, not later than ~~seven days after so qualifying~~ April 1 of such election year,
485 a financial disclosure statement. Each person who qualifies as a candidate for election
486 to a public office elected state wide through a nomination petition or convention shall
487 likewise file a financial disclosure statement not later than ~~seven days after filing his or~~
488 ~~her notice of candidacy~~ April 1 of such election year. Such financial disclosure statement
489 shall comply with the requirements of subsections (a) and (b) of this Code section and
490 shall in addition identify, for the preceding five calendar years:

491 (A) Each transaction or transactions which aggregate \$9,000.00 or more in a calendar
492 year in which the candidate (whether for himself or herself or on behalf of any business)
493 or any business in which such candidate or any member of his or her family has a
494 substantial interest or is an officer of such business has transacted business with the
495 government of the State of Georgia, the government of any political subdivision of the
496 State of Georgia, or any agency of any such government; and

497 (B) Each transaction or transactions which aggregate \$9,000.00 or more in a calendar
498 year in which the candidate or any business in which such candidate or any member of
499 his or her family has a substantial interest or is an officer of such business received any
500 income of any nature from any person who was at the time of such receipt of income
501 represented by a lobbyist registered with the commission pursuant to Article 4 of this
502 chapter.

503 (2) The financial disclosure statement required by paragraph (1) of this subsection shall
504 include an itemized list of the transactions required to be reported, including the date of,
505 dollar amount of, and parties to each such transaction. However, with respect to any
506 transactions of a privileged nature only the total amount of such transactions shall be
507 required to be reported, and names, dates, amounts of individual transactions, and other
508 identifying data may be omitted; and for this purpose 'transactions of a privileged nature'
509 shall include transactions between attorney and client, transactions between psychiatrist
510 and patient, transactions between physician and patient, and any other transactions which
511 are by law of a similar privileged and confidential nature.

512 (3) The financial disclosure statement required by paragraph (1) of this subsection shall
513 be accompanied by a financial statement of the candidate's financial affairs for the five
514 calendar years prior to the year in which the election is held and the first quarter of the
515 calendar year in which the election is held.

516 (3.1) The financial disclosure statement required by paragraph (1) of this subsection shall
517 include the source or sources of the candidate's income for the five calendar years prior
518 to the year in which the election is held ~~and the first quarter of the calendar year in which~~
519 ~~the election is held.~~

520 (4) As used in this subsection, the term:

521 (A) 'Agency' means any agency, authority, department, board, bureau, commission,
522 committee, office, or instrumentality of the State of Georgia or any political subdivision
523 of the State of Georgia.

524 (B) 'Financial statement' means a statement of a candidate's financial affairs ~~in a form~~
 525 ~~substantially equivalent to the short form financial statement required for bank directors~~
 526 ~~under the rules of the Department of Banking and Finance which details the source and~~
 527 ~~type of income with an indication of which of the following categories the amount or~~
 528 ~~value of such item of income is within:~~

529 (i) Not more than \$1,000.00;

530 (ii) Greater than \$1,000.00 but not more than \$2,500.00;

531 (iii) Greater than \$2,500.00 but not more than \$5,000.00;

532 (iv) Greater than \$5,000.00 but not more than \$15,000.00;

533 (v) Greater than \$15,000.00 but not more than \$50,000.00;

534 (vi) Greater than \$50,000.00 but not more than \$100,000.00;

535 (vii) Greater than \$100,000.00 but not more than \$1 million;

536 (viii) Greater than \$1 million but not more than \$5 million; or

537 (ix) Greater than \$5 million.

538 (C) 'Person' and 'transact business' shall have the meanings specified in Code
 539 Section 45-10-20.

540 (D) 'Substantial interest' means the direct or indirect ownership of 10 percent or more
 541 of the assets or stock of any business.

542 (5) Notwithstanding any other provisions of this subsection, if, due to a special election
 543 or otherwise, a person does not qualify as a candidate for nomination or election to public
 544 office until after the filing date otherwise applicable, such person shall make the filings
 545 required by this subsection within seven days after so qualifying."

546 SECTION 3.

547 Said chapter is further amended by revising Code Section 21-5-51, relating to inspection and
 548 copying of financial disclosure statements, as follows:

549 "21-5-51.

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

553 (b) Notwithstanding subsection (a) of this Code section or any provision of Chapter 18 of
 554 Title 50 to the contrary, the commission shall redact any identifiable home addresses from
 555 any records the commission discloses, posts, or releases to the public."

556 **SECTION 4.**

557 Said chapter is further amended in Code Section 21-5-73, relating to lobbyist disclosure
 558 reports, by revising subsections (b), (c), and (d) as follows:

559 "(b) A person who is required to register under this article and:

560 (1) Lobbies ~~lobbies~~ to promote or oppose the passage of any legislation by the General
 561 Assembly, or any committee of either chamber or a joint committee thereof, or the
 562 approval or veto of legislation by the Governor; ~~shall file a semimonthly disclosure report~~
 563 ~~on the first and fifteenth day of each month, current through the end of the preceding~~
 564 ~~report, beginning January 15 and continuing throughout the period that the General~~
 565 ~~Assembly is in session.~~

566 (2) Lobbies to promote or oppose the passage of any ordinance or resolution by a public
 567 officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3,
 568 or any committee of such public officers, or the approval or veto of any such ordinance
 569 or resolution;

570 (3) Lobbies to promote or oppose the passage of any legislation by the General
 571 Assembly, or any committee of either chamber or a joint committee thereof, or the
 572 approval or veto of legislation by the Governor;

573 (4) As an employee of the executive branch or judicial branch of local government,
 574 lobbies to promote or oppose the passage of any ordinance or resolution by a public

575 officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3,
576 or any committee of such public officers, or the approval or veto of any such ordinance
577 or resolution;

578 (5) Lobbies to influence a public officer or state agency in the selection of a vendor to
579 supply any goods or services to any state agency; or

580 (6) Lobbies to promote or oppose any matter before the State Transportation Board
581 shall file a monthly disclosure report, current through the end of the preceding period, on
582 or before the fifth day of each month.

583 (c) In addition to the requirements of subsection (b) of this Code section, a A person who
584 is required to register under this article and lobbies to promote or oppose the passage of any
585 ordinance or resolution by a public officer specified under subparagraph (F) or (G) of
586 paragraph (22) of Code Section 21-5-3, or any committee of such public officers, or the
587 approval or veto of any such ordinance or resolution shall: file a disclosure report on or
588 before the fifth day of each month, provided that all persons or entities required to file such
589 reports shall have a five-day grace period in filing the required reports.

590 ~~(1) File a disclosure report, current through the end of the preceding month, on or before~~
591 ~~the fifth day of May, September, and January of each year instead of the reports required~~
592 ~~by subsections (b) and (d) of this Code section; and~~

593 ~~(2) File such report with the commission, file a copy of such with the election~~
594 ~~superintendent of each county involved if the report contains any lobbying expenditures~~
595 ~~relating to county or county school district affairs, and file a copy of such report with the~~
596 ~~municipal clerk (or if there is no municipal clerk, with the chief executive officer of the~~
597 ~~municipality) of each municipality involved if the report contains any lobbying~~
598 ~~expenditures relating to municipal affairs or independent school district affairs.~~

599 ~~(d) A person who is required to register under this article and:~~

- 600 ~~(1) Lobbies to promote or oppose the passage of any legislation by the General~~
601 ~~Assembly, or any committee of either chamber or a joint committee thereof, or the~~
602 ~~approval or veto of legislation by the Governor;~~
- 603 ~~(2) As an employee of the executive branch or judicial branch of local government,~~
604 ~~lobbies to promote or oppose the passage of any ordinance or resolution by a public~~
605 ~~officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3,~~
606 ~~or any committee of such public officers, or the approval or veto of any such ordinance~~
607 ~~or resolution;~~
- 608 ~~(3) Lobbies to influence a public officer or state agency in the selection of a vendor to~~
609 ~~supply any goods or services to any state agency; or~~
- 610 ~~(4) Lobbies to promote or oppose any matter before the State Transportation Board~~
611 ~~shall file a monthly disclosure report, current through the end of the preceding period, on~~
612 ~~or before the fifth day of each month; provided, however, that such monthly reports shall~~
613 ~~not be filed during any period that the lobbyist files a semimonthly report pursuant to~~
614 ~~subsection (b) of this Code section.~~
- 615 (d) Reserved."

616 **SECTION 5.**

617 This Act shall become effective on January 1, 2025.

618 **SECTION 6.**

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