

HB 143 Bill Summary

This legislation changes the requirements for filing campaign disclosure reports by mandating that candidates for county office file their reports with the election superintendent in the county of election.

This legislation also eliminates the filing requirement for candidates for county office who raise less than \$2,500 in a calendar year and file a written notice of intent not to accept contributions in excess of \$2,500. For candidates who raise between \$2,500-\$5,000, they will only be required to file the June 30th and October 25th reports. Candidates who raise more than \$5,000 in a calendar year are subject to the full filing requirements of O.C.G.A S21-5-34.

This election superintendent has 30 days from the grace period to transmit a copy of the report to the Ethics Commission by eFiling or eFax. No fine, fee, or sanction, shall be imposed by the commission on a candidate for failure of the election superintendent to timely transmit a copy of the report. The Ethics Commission will post the transmitted reports to their website.

The election superintendent will be responsible for notifying the candidate of a late filing and subsequently fining, and collecting the fine from the candidate. The fine amounts and distribution of the fines have remained as is under current law.

Notice of late filing to be sent to a candidate shall be done so in the same manner in which the penalized report was filed with the election superintendent. Candidates who file by paper or in person shall be notified of late filing by certified mail, return receipt requested. This provision came from HB 310 and was incorporated into this legislation.

The changes to local filing that were made in this legislation are consistent with the manner of filing prior to 2011 except that there will be fewer reports filed by those who raise less than \$5000 in a calendar year.

Comparison of HB 143 to the filing requirements prior to 2011

This legislation (HB 143) changes the requirements for filing campaign disclosure reports and financial disclosures by requiring candidates for county office and campaign committees to file these reports with the county election superintendent instead of the Georgia Government Transparency and Campaign Finance Commission (formerly known as the Ethics Commission).

After being filed with the election superintendent, the superintendent will have to submit these reports to the Commission. Late fees of \$125 and escalating to \$250 and then \$1,000 will be assessed by the county superintendent if the report is submitted past the deadline. The election superintendent will also be responsible for reviewing the financial disclosure reports to ensure they comply with the law.

While this is a change from current law, election superintendents were required to collect and review these reports prior to 2011. Because there will be costs associated with implementing these new procedures, please discuss this with your election superintendents.

Also note that while there may be new costs to the county, this legislation eliminates the filing requirement for candidates for county office who raise less than \$2,500 in a calendar year and file a written notice of intent not to accept contributions in excess of \$2,500. For candidates who raise between \$2,500-\$5,000, they will only be required to file the June 30th and October 25th reports. This should cut down on some of the costs and provide some convenience to county officials and candidates.