

House Bill 142 (AS PASSED HOUSE AND SENATE)

By: Representatives Ralston of the 7th, O'Neal of the 146th, Smyre of the 135th, Jones of the 47th, Lindsey of the 54th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics
2 in government, so as to change certain provisions relating to powers and duties of the
3 Georgia Government Transparency and Campaign Finance Commission; to change certain
4 provisions relating to definitions relative to public officers' conduct and lobbyist disclosure;
5 to change certain provisions relating to campaign disclosure reports; to change certain
6 provisions relating to filing by public officers, filing by candidates for public office, filing
7 by elected officials and members of the General Assembly, electronic filing, and transfer of
8 filings from the Secretary of State to the commission; to change certain provisions relating
9 to lobbyist registration requirements, application for registration, supplemental registration,
10 expiration, docket, fees, identification cards, public rosters, and exemptions; to regulate
11 certain contact between lobbyists and members of the General Assembly and the making or
12 acceptance of certain expenditures; to change certain provisions relating to lobbyist
13 disclosure reports; to amend Code Section 45-10-91 of the Official Code of Georgia
14 Annotated, relating to a method for addressing improper conduct by members of the General
15 Assembly, so as to change certain provisions relating to filing of complaints; to provide an
16 effective date; to repeal conflicting laws; and for other purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

18 **SECTION 1.**

19 Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in
20 government, is amended in Code Section 21-5-6, relating to powers and duties of the Georgia
21 Government Transparency and Campaign Finance Commission, by revising paragraph (7)
22 of subsection (a) as follows:

23 "(7) To adopt in accordance with Chapter 13 of Title 50, the 'Georgia Administrative
24 Procedure Act,' such any rules and regulations as are specifically authorized in necessary
25 and appropriate for carrying out the purposes of this chapter; provided, however, that the
26 commission shall not require the reporting or disclosure of more information on any

27 report than is expressly required to be reported or disclosed by this chapter, unless such
 28 information was required to be reported or disclosed by rules and regulations of the
 29 commission which were in effect as of January 1, 2013, so long as such rules and
 30 regulations do not conflict with this chapter; and"

31 **SECTION 2.**

32 Said chapter is further amended in Code Section 21-5-70, relating to definitions relative to
 33 public officers' conduct and lobbyist disclosure, by revising paragraphs (1) and (5) as
 34 follows:

35 "(1) 'Expenditure':

36 (A) Means a purchase, payment, distribution, loan, advance, deposit, or conveyance
 37 of money or anything of value made for the purpose of influencing the actions of any
 38 public officer, specifically including any such transaction which is made on behalf of
 39 or for the benefit of a public employee for the purpose of influencing a public officer;

40 (B) Includes any other form of payment when such can be reasonably construed as
 41 designed to encourage or influence a public officer;

42 (B.1) Includes reimbursement or payment of ~~actual and reasonable~~ expenses exceeding
 43 \$75.00 provided to a public officer from any individual lobbyist for transportation,
 44 travel, lodging, registration, food, and beverages, ~~and other activities related to~~
 45 ~~attending a meeting or conference so as to permit such public officer's participation in~~
 46 ~~such meeting or conference;~~

47 (C) Includes any gratuitous transfer, payment, subscription, advance, or deposit of
 48 money, services, tickets for admission to athletic, sporting, recreational, musical
 49 concert, or other entertainment events, or anything of value, unless consideration of
 50 equal or greater than face value is received;

51 (D) ~~Notwithstanding division (x) of subparagraph (E) of this paragraph, includes food~~
 52 ~~or beverage consumed at a single meal or event by a public officer or public employee~~
 53 ~~or a member of the family of such public officer or public employee~~ Includes
 54 reimbursement or payment of expenses for recreational or leisure activities; and

55 (E) ~~The term shall~~ Does not include: anything defined in paragraph (4.1) of this Code
 56 section as a lobbying expenditure, the provisions of subparagraphs (A) through (D) of
 57 this paragraph notwithstanding."

58 "(4.1) 'Lobbying expenditure' means:

59 (i) ~~The value of personal services performed by persons who serve voluntarily~~
 60 ~~without compensation from any source;~~

61 (ii) ~~A gift received from a member of the public officer's family;~~

- 62 ~~(iii) Legal compensation or expense reimbursement provided to public employees~~
 63 ~~and to public officers in the performance of their duties;~~
- 64 ~~(iv)(A) Promotional items generally distributed to the general public or to public~~
 65 ~~officers and food and beverages produced in Georgia;~~
- 66 ~~(v)(B) An award, plaque, certificate, memento, or similar item given in recognition of~~
 67 ~~the recipient's civic, charitable, political, professional, or public service;~~
- 68 ~~(vi)(C) Legitimate salary, benefits, fees, commissions, or expenses associated with a~~
 69 ~~recipient's nonpublic business, employment, trade, or profession Discounts, upgrades,~~
 70 ~~memberships, or other accommodations extended by a business to a bona fide~~
 71 ~~customer; or legitimate salary, benefits, fees, commissions, or expenses associated with~~
 72 ~~a recipient's nonpublic business, employment, trade, or profession;~~
- 73 ~~(vii) (D) Food, beverages, and registration at group events to which all members of an~~
 74 ~~agency, as defined in paragraph (1) of subsection (a) of Code Section 21-5-30.2, are~~
 75 ~~invited. For purposes of this subparagraph, an agency shall also include the Georgia~~
 76 ~~House of Representatives, the Georgia Senate, standing committees of such bodies and~~
 77 ~~subcommittees of such bodies but not for more than one of such group events per~~
 78 ~~committee per calendar year, caucuses of members of the majority or minority political~~
 79 ~~parties of the House or Senate, other caucuses of the House or Senate as approved by~~
 80 ~~the House Committee on Ethics or the Senate Ethics Committee, and the governing~~
 81 ~~body of each political subdivision of this state;~~
- 82 ~~(viii) (E) Campaign contributions or expenditures as defined by Code Section 21-5-3~~
 83 ~~and reported as required by Article 2 of this chapter;~~
- 84 ~~(ix) A commercially reasonable loan made in the ordinary course of business;~~
- 85 ~~(x) Food, beverage, or expenses afforded public officers, members of their immediate~~
 86 ~~families, or others that are associated with normal and customary business or social~~
 87 ~~functions or activities; or~~
- 88 ~~(xi) Transportation unless a lobbyist arranges for or participates in such~~
 89 ~~transportation.~~
- 90 (F) Reimbursement or payment of actual and reasonable expenses provided to a public
 91 officer and his or her necessary public employee staff members for such public officer's
 92 and staff members' individual transportation, lodging, travel, and registration for
 93 attending educational, informational, charitable, or civic meetings or conferences that
 94 are held at locations within the United States and directly relate to the official duties of
 95 that public officer or the office of that public officer, plus food and beverages for such
 96 public officer, his or her necessary public employee staff members, and spouse while
 97 attending such educational, informational, charitable, or civic meetings or conferences;
- 98 (G) Anything which:

99 (i) Does not qualify as a lobbying expenditure under subparagraphs (A) through (F)
 100 of this paragraph; and

101 (ii) Would qualify as an expenditure under subparagraph (B.1) of paragraph (1) of
 102 this Code section except that it does not exceed an amount or value of \$75.00.

103 (5) 'Lobbyist' means, ~~subject to the qualifications at the end of this paragraph:~~

104 (A) Any natural person who, either individually or as an employee of another person,
 105 ~~is compensated~~ receives or anticipates receiving more than \$250.00 per calendar year
 106 in compensation or reimbursement or payment of expenses specifically for undertaking
 107 to promote or oppose the passage of any legislation by the General Assembly, or any
 108 committee of either chamber or a joint committee thereof, or the approval or veto of
 109 legislation by the Governor;

110 (B) Any natural person who makes a ~~total~~ lobbying expenditure of more than
 111 \$1,000.00 in a calendar year, not including the person's own travel, food, lodging
 112 expenses, or informational material, to promote or oppose the passage of any legislation
 113 by the General Assembly, or any committee of either chamber or a joint committee
 114 thereof, or the approval or veto of legislation by the Governor;

115 ~~(C) Any natural person who as an employee of the executive branch or judicial branch~~
 116 ~~of state government engages in any activity covered under subparagraph (A) of this~~
 117 ~~paragraph~~ Reserved;

118 (D) Any natural person who, either individually or as an employee of another person,
 119 is compensated specifically for undertaking to promote or oppose the passage of any
 120 ordinance or resolution by a public officer specified under subparagraph (F) or (G) of
 121 paragraph (22) of Code Section 21-5-3, or any committee of such public officers, or the
 122 approval or veto of any such ordinance or resolution;

123 (E) Any natural person who makes a ~~total~~ lobbying expenditure of more than
 124 \$1,000.00 in a calendar year, not including the person's own travel, food, lodging
 125 expenses, or informational material, to promote or oppose the passage of any ordinance
 126 or resolution by a public officer specified under subparagraph (F) or (G) of paragraph
 127 (22) of Code Section 21-5-3, or any committee of such public officers, or the approval
 128 or veto of any such ordinance or resolution;

129 (F) Any natural person who as an employee of the executive branch or judicial branch
 130 of local government engages in any activity covered under subparagraph (D) of this
 131 paragraph;

132 (G) Any natural person who, for compensation, either individually or as an employee
 133 of another person, is hired specifically to undertake influencing a public officer or state
 134 agency in the selection of a vendor to supply any goods or services to any state agency
 135 but does not include any employee or independent contractor of the vendor solely on

136 the basis that such employee or independent contractor participates in soliciting a bid
 137 or in preparing a written bid, written proposal, or other document relating to a potential
 138 sale to a state agency and shall not include a bona fide salesperson who sells to or
 139 contracts with a state agency for goods or services and who does not otherwise engage
 140 in activities described in subparagraphs (A) through (F) or (H) through ~~(J)~~(I) of this
 141 paragraph;

142 (H) Any natural person who, either individually or as an employee of another person,
 143 is compensated specifically for undertaking to promote or oppose the passage of any
 144 rule or regulation of any state agency;

145 (I) Any natural person who, either individually or as an employee of another person,
 146 is compensated specifically for undertaking to promote or oppose any matter before the
 147 State Transportation Board; or

148 (J) Any natural person who makes a total lobbying expenditure of more than \$1,000.00
 149 in a calendar year, not including the person's own travel, food, lodging expenses, or
 150 informational material, to promote or oppose any matter before the State Transportation
 151 Board.

152 ~~The provisions of subparagraphs (A), (C), (D), (F), (G), (H), and (I) of this paragraph~~
 153 ~~shall apply only where the person in question spends more than 10 percent of his or her~~
 154 ~~working hours engaged in the activities described in one or more of those subparagraphs.~~
 155 ~~In the case of a person who is employed by a single employer, the 10 percent test shall~~
 156 ~~be applied to all time worked for that employer. In the case of a person who is employed~~
 157 ~~by more than one employer or retained by more than one client, the 10 percent test shall~~
 158 ~~be applied separately with respect to time spent working for each employer and each~~
 159 ~~client. A person who spends less than 10 percent of his or her time working for an~~
 160 ~~employer or client engaged in such activities shall not be required to register as or be~~
 161 ~~subject to regulation as a lobbyist for that employer or client. In applying the 10 percent~~
 162 ~~test, time spent in planning, researching, or preparing for activities described in~~
 163 ~~subparagraphs (A), (C), (D), (F), (G), (H), and (I) of this paragraph shall be counted as~~
 164 ~~time engaged in such activities. When registration is required, the time of registration~~
 165 ~~shall be as provided in Code Section 21-5-71."~~

166 SECTION 3.

167 Said chapter is further amended by revising subsection (n) of Code Section 21-5-34, relating
 168 to campaign disclosure reports, as follows:

169 "(n) ~~The commission shall not require the reporting of any more information in a campaign~~
 170 ~~contribution disclosure report than is expressly required to be disclosed by this Code~~
 171 ~~section Reserved."~~

172 **SECTION 4.**

173 Said chapter is further amended by revising subsection (g) of Code Section 21-5-50, relating
 174 to filing by public officers, filing by candidates for public office, filing by elected officials
 175 and members of the General Assembly, electronic filing, and transfer of filings from the
 176 Secretary of State to the commission, as follows:

177 "~~(g) The commission shall not require the reporting of any more information in a financial~~
 178 ~~disclosure statement than is expressly required to be disclosed by this Code section~~
 179 Reserved."

180 **SECTION 5.**

181 Said chapter is further amended by revising Code Section 21-5-71, relating to lobbyist
 182 registration requirements, application for registration, supplemental registration, expiration,
 183 docket, fees, identification cards, public rosters, and exemptions, as follows:

184 "21-5-71.

185 (a)(1) Subject to ~~paragraphs (2) and (3)~~ paragraph (2) of this subsection and except as
 186 otherwise provided by subsection (i) of this Code section, no person shall engage in
 187 lobbying as defined by this article unless such person is registered with the commission
 188 as a lobbyist. The commission shall not allow a person who has been convicted of a
 189 felony involving moral turpitude in the courts of this state or an offense that, had it
 190 occurred in this state, would constitute a felony involving moral turpitude under the laws
 191 of this state to become a registered lobbyist unless ten years or more have elapsed since
 192 the completion of the person's sentence. The administration of this article is vested in the
 193 commission.

194 (2) When a person is hired or retained as an employee or agent or independent contractor
 195 and under the agreement of the parties the primary duties, or a substantial part of the
 196 duties, of the person will involve lobbying activities, the person shall register as a
 197 lobbyist before commencing lobbying activities.

198 ~~(3) When paragraph (2) does not apply there shall be a lookback period of each calendar~~
 199 ~~month for determining whether the 10 percent test of paragraph (5) of Code Section~~
 200 ~~21-5-70 has been met. If at the end of any month the 10 percent test has been met during~~
 201 ~~that month, the person shall register as a lobbyist within five days after the last day of that~~
 202 ~~month and shall in his or her initial disclosure report include all prior lobbying~~
 203 ~~expenditures in that calendar year.~~

204 (b) Each lobbyist who is required to register under this article shall file an application for
 205 registration with the commission. The application shall be verified by the applicant and
 206 shall contain:

207 (1) The applicant's name, address, and telephone number;

- 208 (2) The name, address, and telephone number of the person or agency that employs,
 209 appoints, or authorizes the applicant to lobby on its behalf;
- 210 (3) A statement of the general business or purpose of each person, firm, corporation,
 211 association, or agency the applicant represents;
- 212 (4) If the applicant represents a membership group other than an agency or corporation,
 213 the general purpose and approximate number of members of the organization;
- 214 (5) A statement signed by the person or agency employing, appointing, or authorizing
 215 the applicant to lobby on its behalf;
- 216 (6) If the applicant is a lobbyist ~~within the meaning of subparagraph (G) or (H) of~~
 217 ~~paragraph (5) of Code Section 21-5-70~~ attempting to influence rule making or purchasing
 218 by a state agency or agencies, the name of the state agency or agencies before which the
 219 applicant engages in lobbying;
- 220 (7) A statement disclosing each individual or entity on whose behalf the applicant is
 221 registering if such individual or entity has agreed to pay him or her an amount exceeding
 222 \$10,000.00 in a calendar year for lobbying activities; and
- 223 (8) A statement verifying that the applicant has not been convicted of a felony involving
 224 moral turpitude in the courts of this state or an offense that, had it occurred in this state,
 225 would constitute a felony involving moral turpitude under the laws of this state or, if the
 226 applicant has been so convicted, a statement identifying such conviction, the date thereof,
 227 a copy of the person's sentence, and a statement that more than ten years have elapsed
 228 since the completion of his or her sentence.
- 229 (c) The lobbyist shall, ~~within seven days of~~ prior to any substantial or material change or
 230 addition, file a supplemental registration indicating such substantial or material change or
 231 addition to the registration prior to its expiration. Previously filed information may be
 232 incorporated by reference. Substantial or material changes or additions shall include, but
 233 are not limited to, the pertinent information concerning changes or additions to client and
 234 employment information required by paragraphs (2), (3), (4), (6), and (7) and conviction
 235 status required by paragraph (8) of subsection (b) of this Code section.
- 236 (d) Each registration under this Code section shall expire on December 31 of each year.
 237 The commission may establish renewal procedures for those applicants desiring continuous
 238 registrations. Previously filed information may be incorporated by reference.
- 239 (e) The commission shall provide a suitable public docket for registration under this Code
 240 section with appropriate indices and shall enter promptly therein the names of the lobbyists
 241 and the organizations they represent.
- 242 (f)(1) Each person registering under this Code section shall pay the registration fees set
 243 forth in paragraph (2) of this subsection; provided, however, that a person who represents

244 any state, county, municipal, or public agency, department, commission, or authority
245 shall be exempted from payment of such registration fees.

246 (2)(A) ~~The~~ There shall be no charge for annual lobbyist registration or renewal filed
247 pursuant to this Code section; provided, however, that the commission shall set, collect,
248 and retain the following fees for the following items:

249 (A)(i) ~~Annual lobbyist registration or renewal filed pursuant to this~~
250 ~~Code section~~ Lobbyist identification card issued pursuant to this
251 Code section;..... \$300.00

252 (B)(ii) ~~Lobbyist supplemental registration filed pursuant to this~~
253 ~~Code section; and.....~~ 10.00

254 (C)(iii) ~~Each copy replacement~~ of a lobbyist identification card
255 issued pursuant to this Code section..... 20.00

256 (B)(i) For reports filed when the General Assembly is not in
257 session, in addition to other penalties provided under this chapter,
258 a late fee of \$275.00 shall be imposed for each report that is filed
259 late. In addition, a late fee of \$1,000.00 shall be imposed on the
260 fifteenth day after the due date for such report if the report has not
261 been filed. A late fee of \$10,000.00 shall be imposed on the
262 forty-fifth day after the due date for such report if the report has not
263 been filed.

264 (ii) The commission shall retain \$25.00 of the first late fee received
265 for processing pursuant to the provisions of Code Section
266 45-12-92.1.

267 (C)(i) For reports filed when the General Assembly is in
268 session, in addition to other penalties provided under this chapter,
269 a late fee of \$275.00 shall be imposed for each report that is filed
270 late. In addition, a late fee of \$1,000.00 shall be imposed on the
271 seventh day after the due date for such report if the report has not
272 been filed. A late fee of \$10,000.00 shall be imposed on the
273 twenty-first day after the due date for such report if the report has
274 not been filed.

275 (ii) The commission shall retain \$25.00 of the first late fee received
276 for processing pursuant to the provisions of Code Section
277 45-12-92.1.

278 (g) As soon as practicable after registering any such person, the commission shall issue to
279 such person an identification card which shall have printed thereon the name of the

280 lobbyist, a color photograph of the lobbyist, and the person or agency such lobbyist
 281 represents, provided that, when any such person represents more than one entity, such
 282 identification card shall have printed thereon the name of the registered person and the
 283 word 'LOBBYIST.' Each lobbyist while engaged in lobbying at the capitol or in a
 284 government facility shall display said identification in a readily visible manner.

285 (h) The commission shall regularly publish in print or electronically public rosters of
 286 lobbyists along with the respective persons, firms, corporations, associations, agencies, or
 287 governmental entities they represent. During sessions of the General Assembly, the
 288 commission shall weekly report to the Clerk of the House of Representatives, the Secretary
 289 of the Senate, and the Governor those persons who have registered as lobbyists since the
 290 convening of the General Assembly. The commission shall be authorized to charge a
 291 reasonable fee for providing copies of the roster to the public.

292 (i) The registration provisions of this Code section shall not apply to:

293 (1) Any individual who ~~expresses~~ communicates personal views, interests, or
 294 professional opinions on that individual's own behalf; to any public officer;

295 (1.1) An employee or independent contractor of a vendor who solely participates in
 296 soliciting a bid or in preparing a written bid, written proposal, or other document relating
 297 to a potential contract with a state or local government agency or a bona fide salesperson
 298 who sells to or contracts with a state or local government agency for goods or services,
 299 is not hired specifically to undertake influencing a public officer or state agency in the
 300 selection of a vendor to supply any goods or services to any state agency, and does not
 301 engage in other activities which would make such person a lobbyist;

302 (2) Any person who ~~appears before~~ is invited by a public agency or governmental entity
 303 to appear before a committee or at a hearing of such agency or entity, including but not
 304 limited to a committee of either chamber of the General Assembly or a joint committee
 305 thereof, for the purpose of giving testimony when so long as such person is not otherwise
 306 required to comply with the registration provisions of this Code section clearly identifies
 307 himself or herself and the interested party on whose behalf he or she is testifying;

308 (3) Any ~~public employee of an agency appearing before a governmental entity~~
 309 ~~committee or hearing at the request of the governmental entity or any person who~~
 310 ~~furnishes~~ is invited to furnish information upon the specific request of a public agency
 311 or governmental entity, including but not limited to a committee of either chamber of the
 312 General Assembly or a joint committee thereof, so long as such person clearly identifies
 313 himself or herself and the interested party on whose behalf he or she furnishes such
 314 information;

315 (3.1) Any individual who is not compensated for the specific purpose of lobbying, does
 316 not incur more than \$250.00 per calendar year in reimbursable lobbying expenditures.

317 and is a member, director, trustee, officer, or committee member of a business, trade,
 318 labor, farm, professional, religious, educational, or charitable association, foundation, or
 319 organization which employs or contracts with a registered lobbyist for the purpose of
 320 lobbying;

321 (4) Any licensed attorney appearing on behalf of or representing a client ~~in any~~
 322 ~~adversarial proceeding before an agency of this state or any political subdivision of this~~
 323 ~~state, and any staff employed by such attorney, when such attorney is not compensated~~
 324 for the specific purpose of lobbying;

325 (5) Any person employed or appointed by a lobbyist registered pursuant to this Code
 326 section whose duties and activities do not include lobbying;

327 (6) Elected public officers or appointed public officials performing the official duties of
 328 their public office or position; ~~and~~

329 (7) Any public employee, aide, or intern who performs services at the direction of a
 330 member of the General Assembly including, but not limited to, drafting petitions, bills,
 331 or resolutions; attending the taking of testimony; collating facts; preparing arguments and
 332 memorials and submitting them orally or in writing to a committee or member of the
 333 General Assembly; and other services of like character intended to reach the reason of the
 334 legislators.

335 SECTION 6.

336 Said chapter is further amended by adding a new Code section to read as follows:

337 "21-5-72.1.

338 (a) No person who is required by the law of this state to register as a lobbyist shall meet
 339 at the state capitol, Coverdell Legislative Office Building, or other state government
 340 facility with any member of the General Assembly to discuss the promotion or opposition
 341 of the passage of any legislation by the General Assembly, or any committee of either
 342 chamber or a joint committee thereof, or the override of a veto unless such person either
 343 is wearing his or her valid official registered lobbyist badge or is a resident of the House
 344 or Senate district which such member represents.

345 (b)(1) No person who is registered as a lobbyist under Code Section 21-5-71 shall make
 346 any expenditure.

347 (2) No public officer shall with actual knowledge accept any expenditure from a person
 348 who is registered as a lobbyist under Code Section 21-5-71."

349 SECTION 7.

350 Said chapter is further amended by revising Code Section 21-5-73, relating to lobbyist
 351 disclosure reports, as follows:

352 "21-5-73.

353 (a) Each lobbyist registered under this article shall file disclosure reports as provided for
354 in this Code section in the electronic format specified by the commission.

355 (b) A person who is a lobbyist pursuant to subparagraph (A), (B), or (C) of paragraph (5)
356 of Code Section 21-5-70 required to register under this article and lobbies to promote or
357 oppose the passage of any legislation by the General Assembly, or any committee of either
358 chamber or a joint committee thereof, or the approval or veto of legislation by the
359 Governor shall file a semimonthly disclosure report on the first and fifteenth day of each
360 month, current through the end of the preceding report, beginning January 15 and
361 continuing throughout the period that the General Assembly is in session.

362 (c) A person who is a lobbyist pursuant to subparagraph (D) or (E) of paragraph (5) of
363 Code Section 21-5-70 required to register under this article and lobbies to promote or
364 oppose the passage of any ordinance or resolution by a public officer specified under
365 subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3, or any committee of
366 such public officers, or the approval or veto of any such ordinance or resolution shall:

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

370 (2) File such report with the commission, file a copy of such report with the election
371 superintendent of each county involved if the report contains any lobbying expenditures
372 relating to county or county school district affairs, and file a copy of such report with the
373 municipal clerk (or if there is no municipal clerk, with the chief executive officer of the
374 municipality) of each municipality involved if the report contains any lobbying
375 expenditures relating to municipal affairs or independent school district affairs.

376 (d) A person who is a lobbyist pursuant to subparagraph (A), (B), (C), (F), (G), (H), (I),
377 or (J) of paragraph (5) of Code Section 21-5-70 required to register under this article and:

378 (1) Lobbies to promote or oppose the passage of any legislation by the General
379 Assembly, or any committee of either chamber or a joint committee thereof, or the
380 approval or veto of legislation by the Governor;

381 (2) As an employee of the executive branch or judicial branch of local government,
382 lobbies to promote or oppose the passage of any ordinance or resolution by a public
383 officer specified under subparagraph (F) or (G) of paragraph (22) of Code Section 21-5-3,
384 or any committee of such public officers, or the approval or veto of any such ordinance
385 or resolution;

386 (3) Lobbies to influence a public officer or state agency in the selection of a vendor to
387 supply any goods or services to any state agency; or

388 (4) Lobbies to promote or oppose any matter before the State Transportation Board

389 shall file a monthly disclosure report, current through the end of the preceding period, on
 390 or before the fifth day of each month; provided, however, that such monthly reports shall
 391 not be filed during any period that the lobbyist files a semimonthly report pursuant to
 392 subsection (b) of this Code section.

393 (e) Reports filed by lobbyists shall be verified and shall include:

394 (1) A description of all lobbying expenditures, ~~as defined in~~ described in subparagraphs
 395 (D), (F), and (G) of paragraph (4.1) of Code Section 21-5-70, or the value thereof made
 396 on behalf of or for the benefit of a public officer or on behalf of or for the benefit of a
 397 public employee for the purpose of influencing a public officer by the lobbyist or
 398 employees of the lobbyist or by any person on whose behalf the lobbyist is registered if
 399 the lobbyist has actual knowledge of such lobbying expenditure. The description of each
 400 reported lobbying expenditure shall include:

401 (A) The name and title of the public officer or public employee or, if the lobbying
 402 expenditure is simultaneously incurred for an identifiable group of public officers or
 403 public employees the individual identification of whom would be impractical, a general
 404 description of that identifiable group;

405 (B) The amount, date, and description of the lobbying expenditure and a summary of
 406 all spending classified by category. Such categories shall include ~~gifts, meals,~~
 407 ~~entertainment,~~ lodging, ~~equipment,~~ advertising, travel, and ~~postage tickets~~;

408 (C) ~~The provisions of Code Section 21-5-70 notwithstanding,~~ aggregate lobbying
 409 expenditures described in ~~divisions (1)(E)(vii) and (1)(E)(x) subparagraph (D) of~~
 410 paragraph (4.1) of Code Section 21-5-70 incurred during the reporting period; provided,
 411 however, that expenses for travel and for food, beverage, and lodging in connection
 412 therewith afforded a public officer or public employee shall be reported in the same
 413 manner as under subparagraphs (A), (B), and (D) of this paragraph;

414 (D) If applicable, the number of the bill, resolution, ordinance, or regulation pending
 415 before the governmental entity in support of or opposition to which the lobbying
 416 expenditure was made; and

417 (E) If applicable, the rule or regulation number or description of the rule or regulation
 418 pending before the state agency in support of or opposition to which the lobbying
 419 expenditure was made;

420 (1.1) In any case where lobbying expenditures are reported pursuant to subparagraph (A)
 421 of paragraph (1) of this Code section for an identifiable group not listed in subparagraph
 422 (D) of paragraph (1) of Code Section 21-5-70, the lobbyist shall certify on the disclosure
 423 report that no lobbying expenditure made on behalf of or for the benefit of any individual
 424 public officer exceeded \$75.00.

425 (2) For those who are ~~lobbyists within the meaning of subparagraph (G) of paragraph (5)~~
 426 ~~of Code Section 21-5-70~~ required to register under this article and lobby to influence a
 427 public officer or state agency in the selection of a vendor to supply any goods or services
 428 to any state agency, the name of any vendor or vendors for which the lobbyist undertook
 429 to influence the awarding of a contract or contracts by any state agency together with a
 430 description of the contract or contracts and the monetary amount of the contract or
 431 contracts; and

432 (3) For those who are ~~lobbyists within the meaning of subparagraph (H) of paragraph (5)~~
 433 ~~of Code Section 21-5-70~~ required to register under this article and lobby to promote or
 434 oppose the passage of any rule or regulation of any state agency, the name of the
 435 individual or entity for which the lobbyist undertook to influence the rule or regulation
 436 of a state agency.

437 (f) The reports required by this article shall be in addition to any reports required under
 438 Code Section 45-1-6, relating to required reports by state vendors of gifts to public
 439 employees. Compliance with this Code section shall not excuse noncompliance with that
 440 Code section, and compliance with that Code section shall not excuse noncompliance with
 441 this Code section, notwithstanding the fact that in some cases the same information may
 442 be required to be disclosed under both Code sections.

443 (g) The electronic filing of any disclosure report required by this article shall constitute an
 444 affirmation that such report is true, complete, and correct.

445 (h) ~~The commission shall not require the reporting of any more information in a lobbyist~~
 446 ~~disclosure report than is expressly required to be disclosed by this Code section~~ Reserved.

447 (i) All lobbyists shall have a grace period of three business days in filing all disclosure
 448 reports."

449 **SECTION 8.**

450 Code Section 45-10-91 of the Official Code of Georgia Annotated, relating to a method for
 451 addressing improper conduct by members of the General Assembly, is amended by revising
 452 subsection (a) as follows:

453 "(a) Any person may file a complaint with the clerical officer of the appropriate chamber
 454 alleging improper conduct involving a member of the General Assembly. Any employee
 455 may file a complaint with the clerical officer of the appropriate chamber alleging sexual
 456 harassment by a member of the General Assembly. The clerical officer shall designate the
 457 place where such complaints may be filed, provide instruction necessary to properly submit
 458 a complaint, and prescribe forms for such complainants. Complaints shall be submitted in
 459 writing and verified under oath to the best information, knowledge, and belief of such
 460 person. The complaint shall include a statement by the complainant as to whether or not

461 in filing the complaint he or she is acting as an agent, paid or otherwise, for any other
462 person. Any person who knowingly provides false information in executing a complaint
463 under this Code section commits the offense of false swearing within the meaning of Code
464 Section 16-10-71."

465 **SECTION 9.**

466 This Act shall become effective on January 1 next following the date this Act is approved by
467 the Governor or becomes law without such approval.

468 **SECTION 10.**

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