

Georgia Pulls a Trifecta, Amending Its Campaign Finance, Lobbying and Ethics Laws

January 2011

In 2010, Georgia Governor Sonny Perdue signed into law S.B. 17, which dramatically alters Georgia's campaign finance, lobbying and ethics laws as well as the State Ethics Commission's (the Commission) authority. These changes became effective on January 10, 2011. Highlights of the new law are described in brief below.

Commission Authority. The new law increases penalties that the Commission may assess for repeated violations of campaign finance, lobbying and ethics laws and regulations. The Commission may impose fines of \$10,000 for a second violation of the same provision and \$25,000 for the third and any subsequent violation of the same provision.

In addition, the Commission may award attorneys' fees to a party if the Commission finds a complaint is frivolous or if a complaining party fails to appear, without good cause, at the preliminary hearing for a complaint.

Campaign Finance. The new law makes significant changes to Georgia's campaign finance laws. The new law increases the fines for late campaign finance reports. Late reports will be subject to a fine of \$125 in addition to fines of \$250 on the 15th day after and \$1,000 on the 45th day after the report's due date. Campaign committee funds may no longer be used to pay these penalties. Also, candidates and campaign committees are now required to file reports electronically.

Lobbying. The new law also amends Georgia's lobbying laws. Among other things, lobbyists are now subject to a \$300 annual registration fee. Further, local procurement lobbying, local executive

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branch lobbying and lobbying the State Transportation Board are now explicitly regulated by state law.

The new law also expands the frequency of lobbyist reporting. Reports must be filed semimonthly; monthly; or by May 5, September 5 and January 5 of each year depending upon the type of lobbyist. Lobbyist reports must now be submitted electronically. Fees for late lobbyist reports have also increased to as high as \$10,000 for a lobbyist report that is 21 days late if the legislature is in session or 45 days late if the legislature is not in session.

Finally, the new law expands the prohibition on contingent fee lobbying for legislative and executive branch lobbying.

Other Notable Changes . The new law in Georgia makes two other important changes. First, any individual who must file a report or disclosure statement with the Commission must provide a current email address and advise the Commission of any changes to the email address within 10 days. Second, the name of the Georgia State Ethics Commission is changed to the Georgia Government Transparency and Campaign Finance Commission.