

**BEFORE THE GEORGIA GOVERNMENT TRANSPARENCY AND
CAMPAIGN FINANCE COMMISSION
STATE OF GEORGIA**

IN THE MATTER OF:

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CASE NO.

DALE RUTLEDGE.

2012-0029

CONSENT ORDER

This matter comes before the Georgia Government Transparency and Campaign Finance Commission (hereinafter, "Commission") pursuant to a self-reported complaint filed by Dale Rutledge (hereinafter, "Respondent") on or about June 08, 2012. Now, prior to a preliminary hearing on this matter, Respondent and the Commission agree to resolve the above-styled matter by Consent Order under the terms and conditions described herein.

FINDINGS OF FACT

Respondent was a candidate for the Georgia House of Representatives, District 109, during the 2012 general election cycle. The Commission received a sworn and verified complaint from Respondent in which Respondent self-reported two violations of the Georgia Government Transparency and Campaign Finance Act, to wit:

1. Respondent accepted a self-funded campaign contribution in the amount of \$1,197.00 on January 30, 2012, prior to the filing of his Declaration of Intention to Accept Campaign Contributions on February 07, 2012, in violation of O.C.G.A. § 21-5-30(g).
2. Respondent accepted a self-funded campaign contribution in the amount of \$6050.00 on January 30, 2012, prior to the filing of his Declaration of Intention to Accept Campaign Contributions on February 07, 2012, in violation of O.C.G.A. § 21-5-30(g).

Upon further review of Respondent's campaign finance disclosures it was discovered that the following violations of the Georgia Government Transparency and Campaign Finance Act were also committed by Respondent:

1. Respondent failed to file a two day report related to the receipt of a contribution in the amount of \$1,000.00 from Weathington on July 10, 2012, in violation of O.C.G.A. § 21-5-34(c)(2)(C).
2. Respondent failed to file a two day report related to the receipt of a contribution in the amount of \$1,000.00 from David Troy on July 13, 2012, in violation of O.C.G.A. § 21-5-34(c)(2)(C).
3. Respondent failed to file a two day report related to the receipt of a contribution in the amount of \$1,000.00 from David Miles on July 13, 2012, in violation of O.C.G.A. § 21-5-34(c)(2)(C).

Respondent stipulates the following facts:

1. Respondent filed a Declaration of Intention to Accept Campaign Contributions on February 07, 2012.
2. Respondent received two contributions on January 30, 2012 totaling \$7,247.00 prior to the filing of his Declaration of Intention to Accept Campaign Contributions.
3. Respondent failed to file a two day business report for a \$1,000.00 contribution from Weathington on July 10, 2012.
4. Respondent failed to file a two day business report for a \$1,000.00 contribution from David Troy on July 13, 2012.
5. Respondent failed to file a two day business report for a \$1,000.00 contribution from David Miles on July 13, 2012.

CONCLUSIONS OF LAW

The Commission finds that Respondent violated the Georgia Government Transparency and Campaign Finance Act in that Respondent:

1. Accepted a self-funded campaign contribution in the amount of \$1,197.00 on January 30, 2012 prior to the filing of his Declaration of Intention to Accept Campaign Contributions on February 07, 2012, in violation of O.C.G.A. § 21-5-30(g).
2. Accepted a self-funded campaign contribution in the amount of \$6,050.00 on January 30, 2012 prior to the filing of his Declaration of Intention to Accept Campaign Contributions on February 07, 2012, in violation of O.C.G.A. § 21-5-30(g).
3. Failed to file a two day business report for a \$1,000.00 contribution from Weathington on July 10, 2012.
4. Failed to file a two day business report for a \$1,000.00 contribution from David Troy on July 13, 2012.
5. Failed to file a two day business report for a \$1,000.00 contribution from David Miles on July 13, 2012.

HOLDING

In resolving this matter, Respondent hereby agrees to the following:

Respondent will pay a \$975.00 civil penalty to the Commission for the above described violations of the Georgia Government Transparency and Campaign Finance Act.

Respondent further agrees to pay the \$975.00 in civil penalties detailed *supra* to the Commission within thirty days (30) from the date of this Order.

Respondent will file the above-referenced two day reports related to his receipt of contributions of \$1,000.00 or more with the Commission within thirty (30) days from the date of this Order.

Respondent further agrees not to commit any further violations of the Georgia Government Transparency and Campaign Finance Act and corresponding Commission Rules.

Respondent represents that the foregoing findings of facts are true, agrees with the conclusions of law, and further agrees to abide by all terms of this Order. By signing this Order, Respondent waives any right to appeal pursuant to the procedures outlined in the Administrative Procedures Act (APA), O.C.G.A.

§ 50-13-1 et. seq.

Failure to comply with the terms herein, absent a showing of good faith, will constitute a willful and knowing violation of said terms by Respondent. Respondent's failure to comply with said terms shall constitute a breach of this agreement and thereby authorize the Commission to seek enforcement of this order by subsequent contempt proceedings against the Respondent in the Superior Court for the State of Georgia. The parties agree that all costs and attorneys' fees incurred by the Commission in any enforcement action shall be assessed against Respondent pursuant to O.C.G.A. § 21-5-6(b)(14)(C)(iv).

The Commission adopts the foregoing findings of fact and conclusions of law and orders the implementation of the terms of this Consent Order.

Signature attested to on this 12th day
of March, 2015.

By: [Signature]
Public Notary

My Commission Expires: 03/08/2016



[Signature]

Dale Rutledge
Respondent

[Signature]

Robert S. Highsmith Jr., Esq.
Ga. State Bar No.:
Attorney for Respondent

Order Prepared and Presented by:
[Signature]
Robert S. Lane
Ga. State Bar No.: 178970
Staff Attorney to the Commission

SO ORDERED this 28th day of April, 2015.

Georgia Government Transparency and Campaign Finance Commission

BY:
[Signature]
Hillary S. Stringfellow, Chair