

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

STATE OF GEORGIA

IN THE MATTER OF: * **Ethics Case No. 2007-0011**
*
JAMES W. NEAL, JR. *
*

CONSENT ORDER

This matter came before the Georgia Government Transparency and Campaign Finance Commission, formerly the Georgia State Ethics Commission, ("Commission") pursuant to a probable cause investigation alleging violations of the Ethics in Government Act, O.C.G.A. § 21-5-et seq. (the "Act"). Respondent waived his preliminary hearing scheduled for December 4, 2008, and the Commission found reasonable grounds to set the matter down for an Administrative Procedure Act ("APA") hearing. Prior to a hearing, Respondent and the Commission hereby agree and consent to resolve this matter by entering into this Consent Order under the terms and conditions described herein.

FINDINGS AND CONCLUSIONS OF LAW

Respondent James W. Neal, Jr. (hereinafter, "Respondent") was a member of the General Assembly, or a candidate to reelection to such office at all times relevant to the matters asserted herein.

Respondent failed to timely file a Personal Financial Disclosure Statement (PFDS) for the 2006 calendar year as required under O.C.G.A. § 21-5-50(a)(1). The report has subsequently been filed. Respondent further failed to list a fiduciary position on the original PFDS for the 2007 calendar year in violation of O.C.G.A. § 21-5-50(b)(2). He filed an amendment disclosing this fiduciary position. In electronically filing, Respondent also failed to file notarized affidavits for five (5) 2006 Campaign Contribution Disclosure Reports (CCDRs) and further failed to file five (5) copies of CCDRs with the local filing officer pursuant to former O.C.G.A. §§ 21-5-34.1 and 21-5-34 (a)(1)(A). The filing of notarized affidavits and copies of CCDRs are no longer required under the current version of the Act.

In resolving this matter, Respondent hereby agrees to pay a civil penalty in the amount of \$400 and an additional \$500 in late and non-filing fees to the Commission within ninety (90) days from the date of this Order. The penalty will be paid out of Respondent's personal funds and not campaign funds, and the late and non-filing fees

may be paid out of campaign funds. Respondent further agrees to cease and desist from any violations of the Ethics in Government Act or any other laws, rules, or regulations of the Commission.

Respondent represents that the foregoing findings of fact are true, agrees to any conclusions of law, and further agrees to abide by all terms thereof. By signing this Consent Order Respondent waives any further findings of facts and conclusions of law, as well as any procedural requirements of the Administrative Procedure Act including an appeal pursuant to the procedures outlined in O.C.G.A. § 50-13-1 et seq. Respondent's failure to comply with the terms herein shall constitute a breach of this agreement and thereby authorizes the Commission to seek an enforcement action against the Respondent. All costs and attorney fees incurred by the Commission in such enforcement action shall be assessed against Respondent pursuant to O.C.G.A. § 21-5-6(b)(14)(C).

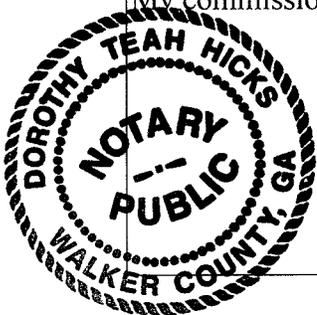
The Commission adopts the foregoing statements and conclusions as the Commission's findings of fact and conclusions of law, and orders the implementation of the terms of this Consent Order.

By: James W. Neal, Jr.
James W. Neal, Jr.
Respondent

Signature attested to on
this 5 day of May, 2011

Dorothy Teah Hicks
Notary Public
My commission expires: 5/1/15

Douglas Chalmers, Jr.
Douglas Chalmers, Jr.
Attorney for Respondent



SO ORDERED this 5th day August, 2011.

By: Patrick N. Millsaps
PATRICK N. MILLSAPS, Chairman
Government Transparency and Campaign Finance Commission