



Summary of Recommended Amendments for HB 142 & 143 Substitutes

HB 142

- 1) Cap “lobbying expenditures” for groups of legislators to \$100 per legislator per day.
- 2) Cap travel related expenses for “official duties” to \$750 and allow for approval exceeding this amount in advance by a joint committee.
- 3) Prevent staff and family members of legislators from accepting “expenditures” and prevent family members from accepting certain “lobbyist expenditures”.
- 4) Expand the purpose the of expenditure listing on lobbyist reports to increase transparency and reflect the purpose of the meeting.
- 5) Prevent lobbyists from paying secondary market value for tickets while the legislator reimburses the lobbyist for only face value.
- 6) Amend the proposed section that removes lobbyist reporting requirements for state government employees to require reporting only if lobbying expenditures are made.
- 7) Make the law effective upon the Governor’s signature.

HB 143

- 1) Require local filing officers to electronically transmit all disclosure reports to the Campaign Finance Commission within 30 days of receipt.
- 2) Require local filing officers to electronically transmit the list of candidates who provide written notice that they do not intend to collect contributions or make expenditures exceeding \$2500 to the commission for posting on the commission website.
- 3) Keep enforcement of fines at the local level with the commission in order to prevent local filing officers from having to impose fines on the people they work for, or in cases of small municipalities, imposing fines on themselves.
- 4) Continue using the commission’s system where online filing already exists and do not place the burden of such technology on local offices, even as an option.



Recommended Amendments for HB 142 & 143 Substitutes

HB 142

1) Cap “lobbying expenditures” for groups of legislators to \$100 per legislator per day.

Suggested language – add to line 75, “... of each political subdivision of this state as long as the item on which the expenditure is made does not exceed \$100.00 per legislator. Each lobbyist is limited an aggregate total of \$100 per day per legislator;”. And add after line 371, “(3) No public officer or family member of a public officer or staff member of a public officer shall with actual knowledge accept lobbying expenditures in excess of \$100 per day from the same person who is a registered lobbyist under Code Section 21-5-71.”

Purpose – allowing the gift ban to be lifted for an unlimited amount for groups of legislators defeats the purpose of the ban and will not restore public trust on this issue. However, if such expenditures are limited to \$100, it meets the criteria that 1.2 million Georgians supported in July, and limiting it to \$100 per day per lobbyist exceeds the criteria supported by voters and gets closer to Speaker Ralston’s “full ban” promise.

2) Cap travel related expenses for “official duties” to \$750 and allow for approval exceeding this amount in advance by a joint committee.

Suggested language – add to line 84, “Reimbursement or payment of actual and reasonable expenses not to exceed \$750 in aggregate for the travel period provided...” and add after “conferences” at the end of line 91, “There is created a Joint Accountability Review Committee within the General Assembly consisting of five members of the House of Representatives to be appointed by the Speaker of the House of Representatives and five members of the Senate to be appointed by the Lieutenant Governor. The Speaker of the House of Representatives and the Lieutenant Governor shall each select from the members appointed a person to serve as co-chairperson of the committee. The purpose of the committee shall be to review requests by public officers for reimbursement or payment of actual expenses provided to a public officer or staff member of a public officer for transportation, travel, lodging, registration, food and beverages where such expenses exceed \$750.00. Such reimbursements or payments shall only be approved if the attendance at such meeting or conference is related to attending educational, informational, or civic meetings, functions, or conferences that directly relate to the official duties of that public officer and his or her necessary public employee staff members. Approval shall be given by majority vote of the members of the committee.”

Purpose – again, allowing unlimited travel for undefined “official duties” will not restore public trust, limiting such travel, and giving it oversight for occasional needs would help. While this language would exceed the \$100 cap that received overwhelming support, it is a point we will compromise on if there is a reasonable limit and oversight.

HB 142 (continued)**3) Prevent staff and family members of legislators from accepting “expenditures” and prevent family members from accepting certain “lobbyist expenditures”.**

Suggested language – add the underlined text to lines 370 to 371 “No public officer, family member of a public officer or staff member of a public officer shall with actual knowledge accept any expenditures from a person who is a registered as a lobbyist under Code Section 21-5-71. No family member of a public officer shall with actual knowledge accept any lobbying expenditures described in parts C, D, E, E.1 or G of subsection 4.1 of section 2 from a person who is registered as a lobbyist under Code Section 21-5-71”.

Purpose – in its current form, the bill would allow staff and family members to accept “expenditures” such as those that may influence the public officer, including travel, tickets to sporting events and concerts, etc. The current bill would also allow family members to accept “lobbying expenditures” such as working for a lobbyist, meals and registration for group events, honorariums, travel and college sporting events. This language would close these loopholes.

4) Expand the purpose the of expenditure listing on lobbyist reports to increase transparency and reflect the purpose of the meeting.

Suggested language - amend lines 441 to 443 to read:

(D) ~~If applicable,~~ The number of the bill, resolution, ordinance or regulation pending before the governmental entity in support of or opposition to which the lobbying expenditure was made or the general topic(s) of discussion for which the lobbying expenditure was made.

(E) ~~If applicable,~~ The rule or regulation number or description of the rule or regulation pending before the governmental entity in support of or opposition to which the lobbying expenditure was made or the general topic(s) of discussion for which the lobbying expenditure was made.

Purpose – currently, about 95% of lobbyist reports contain “N/A”, “none” or something similar under the section dedicated for bill numbers. Many lobbyists also claim to make expenditures in order to “build relationships” and that specific legislation is never discussed. Adding this language would increase transparency about topics discussed, even if the stated purpose is “relationship building”.

5) Prevent lobbyists from paying secondary market value for tickets while the legislator reimburses the lobbyist for only face value.

Suggested language - strike “than face” from line 42.

Purpose – current language would allow a legislator to pay face value for a ticket that a lobbyist could have purchased for more than face value. For example, SEC Championship tickets sold as high as \$1,500 in the secondary market, while their face value was only \$125. If such expenditures are not meant to influence legislators, then legislators should pay the amount the lobbyist paid for the ticket, not its face value.

6) Amend the proposed section that removes lobbyist reporting requirements for state government employees to require reporting only if lobbying expenditures are made.

HB 142 (continued)

Suggested language - add the underlined text to line 470, "... reporting requirements of this Code section if no lobbying expenditures are made during the reporting period". And add the underlined text to line 474, "...remains in effect if no lobbying expenditures are made during the reporting period".

Purpose: as currently written, this section would exempt one of the largest lobbyist gift giving entities – the University System of Georgia. Adding this language would maintain transparency if lobbying expenditures are made by USG lobbyists or any other government lobbyist, but would not require reports from those government lobbyists who do not make expenditures.

7) Make the law effective upon the Governor’s signature.

Suggested language – add the underlined text to line 492, “This Act shall become effective on ~~January 1 next following the date this Act is approved~~ upon approval by the Governor or becomes law without such approval.

Purpose – improve Georgia’s ethics law right away instead of waiting until next year.

HB 143

1) Require local filing officers to electronically transmit all disclosure reports to the Campaign Finance Commission within 30 days of receipt.

Suggested language – add a new subsection after line 63, “(5) The election superintendent of each county and each municipal clerk or chief executive officer of the municipality where there is no clerk shall electronically file all reports within 30 days of receipt with the commission.”

Purpose – maintain Georgia’s 7th in the nation ranking on transparency laws by continuing to make all public officer reports available online. We want all Georgians to continue to be a mouse click away from this information.

2) Require local filing officers to electronically transmit the list of candidates who provide written notice that they do not intend to collect contributions or make expenditures exceeding \$2500 to the commission for posting on the commission website.

Suggested language – add a new sentence after line 162, “Such notice shall be sent from the elections supervisor of each county and each municipal clerk or chief executive officer of the municipality where there is no clerk to the commission for posting of such notification on the commission’s website.”

Purpose – to alleviate any confusion by Georgians seeking this information as to why their local official does not have disclosure reports available on the commission’s website, and to maintain the current level of transparency.

3) Keep enforcement of fines at the local level with the commission in order to prevent local filing officers from having to impose fines on the people they work for, or in cases of small municipalities, imposing fines on themselves.

HB 143 (continued)

Suggested language – in line 267, strike “by the person or entity with which filing is required” and replace with “by the commission”.

Purpose – those who work for county commissions or municipalities should not be in charge of enforcing fines on those they work for, or if they are the top elected official in a town that has no municipal clerk, it is not practical for them to enforce fines on themselves should they violate the law. Enforcement should be left with the state commission.

4) Continue using the commission’s system where online filing already exists and do not place the burden of such technology on local offices, even as an option.

Suggested language – strike “if such method is made available” several times in lines 304-311 and 474 and restore “with the commission” where appropriate and add “with the commission” to line 474.

Purpose – do not waste the investment in the commission’s system to include these filings over the last three years and maintain the level of transparency Georgians have grown accustomed to.