



# Georgia Government Transparency & Campaign Finance Commission

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CANDIDATES: HOW TO GET STARTED

2015

# Commission

The Commission consists of five appointed members. These members volunteer their time and expertise to the State of Georgia and its residents. They are appointed as follows:

- The Governor appoints three members, not more than two of whom shall be from the same political party, two for terms of three years and one for a term of two years.
- The Senate Committee on Assignments appoints one member for a term of four years.
- The Speaker of the House of Representatives appoints one member for a term of four years.



[Hillary Stringfellow, Esq., Chair](#)



[R. Lawton Jordan III, Esq., Vice Chair](#)



[Heath Garrett, Esq., Member](#)



[Dennis T. Cathey, Esq., Member](#)



[Mary Paige Adams, Esq., Member](#)

# Mission of the Commission:

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By legislative mandate (O.C.G.A. §21-5-2), the Commission is established to protect the integrity of the democratic process and to ensure fair elections. It is the duty of the Commission to disclose both the private interests of public officers and to disclose those private interests that might influence public officers. The Commission educates the public on the requirements of the Act (including filing requirements for candidates, public officers and lobbyists) by teaching classes as well as responding to filer questions on a daily basis. The Commission is also charged with prosecuting violations under the Act as well as issuing advisory opinions interpreting the Act.



Getting  
**Started**

# You May Already Be A Candidate If...

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- You file a Declaration of Intention to Accept Campaign Contributions-Form DOI;
- You or your committee accepts a contribution;
- You or your committee makes an expenditure; and
- You formally qualify.

*An appointed official has no filing requirements until they meet one of the above criteria.*

# FORMS

- Declaration of Intent to Accept Contribution (DOI)
  - Registration Form for a Campaign Committee (RC)
  - Choosing Option of Separate Accounting (COOSA)
-

# Declaration of Intention to Accept Contributions (Form DOI)

Reference: O.C.G.A. § 21-5-30(g)

- Anyone who is not already a public officer and who plans to run for public office must file a Declaration of Intention to Accept Campaign Contributions BEFORE accepting such contributions.
- No such declaration is required of persons who are public officers and who plan to run for the same public office they currently hold.
- Statewide/State candidate file a Form DOI with the Commission.

OCFC Form DOI Rev 1/14

Georgia Government Transparency & Campaign Finance Commission  
DECLARATION OF INTENTION TO ACCEPT CAMPAIGN CONTRIBUTIONS  
FORM DOI

INCOMPLETE FORMS WILL NOT BE PROCESSED - If there is a handwritten "X" next to a field, it must be legible.

1 Today's Date: \_\_\_\_\_

2 Candidate (Full name): \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ Email: \_\_\_\_\_  
Telephone (optional): \_\_\_\_\_

3 Select Office Type:  State  County  Municipal Party Affiliation (optional):  
 Democratic  Republican  Other  
Name of Office Sought or Held: \_\_\_\_\_ (Include district, zone, or judicial circuit if applicable) Next Election Year: \_\_\_\_\_

4 Incumbent: \_\_\_\_\_  
Complete sections 5 and 6 ONLY if you have a campaign committee.  
This information does not register a campaign committee. (Please use Form RC to register.)

5 Campaign Committee  
Chairperson (Full name): \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Email: \_\_\_\_\_

6 Treasurer (Full name): \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Email: \_\_\_\_\_

I CERTIFY THAT THIS STATEMENT IS COMPLETE, TRUE AND ACCURATE

\_\_\_\_\_  
Date

Signature of Candidate

COMMERCIAL PRINTING AND DESIGN, LLC  
300 Peachtree Street, N.E., Suite 1000 - 10th Floor, Atlanta, Georgia 30309  
WWW.OCFC.GA.GOV

# CCDR & PFD Electronic Filing Access Code

Reference: O.C.G.A. § 21-5-34.1(a)

- Only State/Statewide candidates file this form with the Commission.
- Allows access to the Commissions online e-Filing system for Campaign Contribution Disclosure Reports and Personal Financial Disclosure Statements.

*O.C.G.A. § 21-5-14 Each statewide and state officials shall provide the commission, in writing, with a current e-mail address and shall advise the commission, in writing, of any change to such address within ten days of any change to such address. Such information shall be provided to the commission prior to January 31 each year*

CCDR & PFD Electronic Filing Access Code  
CANDIDATE/PUBLIC OFFICIALS OR OFFICERS ONLY  
Georgia Government Transparency and Campaign Finance Commission  
200 Piedmont Ave. S.E.  
Suite 1402 - West Tower  
Atlanta, GA 30334

PERSONAL IDENTIFICATION NUMBER APPLICATION  
PERSONAL FINANCIAL DISCLOSURE STATEMENT AND CAMPAIGN CONTRIBUTION DISCLOSURE REPORT

Candidate/Office Holder's Identification - Please Print  
Selected Form Type:  Original  Amended Next Year of Election: \_\_\_\_\_  
Name of Public Official or Candidate: \_\_\_\_\_  
Office Sought or Held: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_  
Contact Phone: \_\_\_\_\_  
Email Address: \_\_\_\_\_

I understand that with the filing of this application a password (PIN) for both the Personal Financial Disclosure Statement (PFD) and the Campaign Contribution Disclosure Report (CCDR) will be sent to my above email address.

I understand that my PIN will be assigned to the above Candidate/Office Holder and only the Commission staff and the Voter File will have access to this password.

Verification - Must Be Executed  
State of \_\_\_\_\_ County of \_\_\_\_\_  
FILE: I, the undersigned Candidate/Public Official do hereby swear or affirm that the information in this application is complete, true, and correct to the best of my knowledge and belief. I acknowledge that any report I submit electronically in the future I shall verify as complete, true, and correct to the best of my knowledge and belief.

SIGNATURE OF PUBLIC OFFICIAL/CANDIDATE: \_\_\_\_\_  
NOTARY PUBLIC (PRINT NAME): \_\_\_\_\_  
PRINT NOTARY'S NAME: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
This document was sworn to or affirmed and subscribed before me on \_\_\_\_\_ 20\_\_\_\_

FOR OFFICE USE ONLY  
CCDR Filer ID: \_\_\_\_\_ PFD Filer ID: \_\_\_\_\_  
Approved By: \_\_\_\_\_ Date: \_\_\_\_\_



# Registration Form for a Campaign Committee (Form RC)

Reference: O.C.G.A. § 21-5-3(2) &  
O.C.G.A. § 21-5-30 (b)

Georgia Government Transparency & Campaign Finance Commission  
REGISTRATION FORM FOR A CANDIDATES CAMPAIGN COMMITTEE  
FORM RC  
An electronic change to the registration information of a committee must be done with a business day.  
Select Form Type:  Original  Amended

1 Today's Date: \_\_\_\_\_

2 Committee (full name): \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ Email: \_\_\_\_\_  
Telephone Number (optional): \_\_\_\_\_

3 Campaign Committee Chairperson (full name): \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ Email: \_\_\_\_\_

4 Treasurer (full name): \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ Email: \_\_\_\_\_

5 Candidate (full name): \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ Email: \_\_\_\_\_

6 Select Office Type:  State  County  Municipal  
Party Affiliation (optional):  
 Democrat  Rep/Partisan  
 Republican  Other

Name of Office Sought or Held: \_\_\_\_\_ (include district, post, or judicial circuit if applicable)  
Year Election Year: \_\_\_\_\_

7 I CERTIFY THAT THIS STATEMENT IS COMPLETE, TRUE AND ACCURATE.  
Signature of Person Registering Committee: \_\_\_\_\_ Date: \_\_\_\_\_

- If a candidate has a campaign committee, the name and address of the committee, its chairman, treasurer and the candidate must be registered with the Commission prior to accepting any contributions.
- No contributions may be accepted at any time there is a vacancy in either the position of chairman or treasurer.
- “Registration Form for a “Campaign Committee” are filed with the Commission.
- When a candidate is elected to office, the candidate’s campaign committee registration will remain in effect as long as the candidate remains in office until and unless the registration is canceled by the campaign committee or the candidate.
- Any substantive changes to registration information of a committee must be updated with the Commission within 7 business day.

# Choosing Option of Separate Accounting (Form COOSA)

Reference: O.C.G.A. §21-5-43(a)(2) &  
O.C.G.A. § 21-5-30 (c)

- A candidate who wishes to accept contributions for more than one election at a time shall separately account for such campaign contributions and shall file an “Option to Choose Separate Accounting” form with the Commission prior to accepting contributions for any election other than the candidate’s next upcoming election.
- A candidate is only required to file one Form COOSA which shall be utilized for all subsequent elections to the same office, regardless of whether an election occurs in a new election cycle.

GEORGIA GOVERNMENT TRANSPARENCY AND CAMPAIGN FINANCE COMMISSION  
FORM COOSA (Rev. 11/11)

**CHOOSING OPTION OF SEPARATE ACCOUNTING**

Candidate or Candidate's Committee (Full Name): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number(s): ( ) \_\_\_\_\_

Signature of Person choosing separate accounting system: \_\_\_\_\_

Printed Name of Person choosing separate accounting system: \_\_\_\_\_

Authority of Signer (Candidate, Treasurer, Chairman): \_\_\_\_\_

Date this form is filed: \_\_\_\_\_

Name of Office Sought: \_\_\_\_\_

Year Office Election will be held: \_\_\_\_\_

NOTICE: CANDIDATES MUST FILE THIS FORM BEFORE ACCEPTING CONTRIBUTIONS AND TO BE ACCEPTED FOR THESE CONTRIBUTIONS TO BE DEPOSITED FOR THEM, THE CANDIDATE MUST FILE THIS FORM BEFORE ACCEPTING CONTRIBUTIONS IN EITHER A SEPARATE BANK ACCOUNT OR SEPARATE ELECTION ACCOUNT.

MAIL TO:  
GEORGIA GOVERNMENT TRANSPARENCY  
AND CAMPAIGN FINANCE COMMISSION  
200 PIEDMONT AVE  
STE 1402 - WEST TOWER  
ATLANTA, GEORGIA 30334

# REPORTS

- Affidavit of Candidate's Intent Not To Exceed \$2,500.00  
In Contributions and/or Expenditures
  - Campaign Contribution Disclosure Report
  - Personal Financial Disclosure
  - Two Business Day Report
- 
- Final Report and Termination Statement

# Affidavit of a Candidate's Intent Not to Exceed \$2,500.00 in Contributions and/or Expenditures

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*Reference O.C.G.A. § 21-5-34 (d.1)(1)*

A candidate for nomination or election to a public office or the chairperson or treasurer of a campaign committee organized to bring about the nomination or election of such candidate signs and files with the appropriate official. A written notice that such candidate or campaign committee does not intend to accept during such election cycle\* a combined total of contributions exceeding \$2,500.00 for the campaign nor make a combined total of expenditures exceeding \$2,500.00 for the campaign in such election cycle.

*\*Election cycle means the period from the day following the date of an election or appointment of a person to elective public office through and including the date of the next such election of a person to the same public office and shall be construed and applied separately for each elective office.*

- Campaign Contribution Disclosure Report is a report filed with the appropriate filing entity by a candidate or the chairperson or treasurer of a campaign committee setting forth all expenditures and contributions.
- It discloses itemized contributions and expenditures more than \$100.00; An aggregate total of all contributions and expenditures \$100.00 or less; Loans to the campaign; Debt Incurred by the campaign; and Investments of Campaign Funds by the Candidate or Candidates Committee.
- Technical Defect: an incorrect date or failure to include a date, an incorrect contributor's occupation or a failure to include a contributor's occupation, an incorrect address or e-mail address or a failure to include an address or e-mail address, an incorrect employer or a failure to include an employer, accounting errors, or any other similar defects.

## Campaign Contribution Disclosure Report

*Reference: O.C.G.A § 21-5-34*

# When to File a CCDR

Reference: O.C.G.A. § 21-5-34 (c)

<u>Election Year</u>	<u>Non-Election Year</u>	<u>Run-Off</u>	<u>Special Election</u>
January 31 March 31 June 30 September 30 October 25 December 31	January 31 June 30	6 days prior to Primary and/or General Run-Off  6 days prior to Special Primary Run-Off  6 days prior to Special Run-Off	15 days prior to Special Primary  15 days prior to Special Election  December 31
5 day grace period	5 day grace period	2 day grace period	5 day grace period

A candidate who **files a Declaration of Intention to Accept Campaign Contributions but does not qualify** to run for office is required to file the following campaign contribution disclosure:

- Persons who would have been in a primary election must file: the June 30 report, and the December 31 final report of the year in which the election referred to in the declaration occurs.
- Persons who would have been in a general election must file: the October 25 report and December 31 report, and;
- Persons who would have been in a special election must file: fifteen days before special election report and December 31 report.

In the event any candidate covered by this chapter has no opposition in either a primary or a general election and receives no contribution more than \$100.00, such candidate shall only be required to make the initial and final report as required.

## Campaign Contribution Disclosure Report

Reference: O.C.G.A § 21-5-34

# Win, Lose, Withdraw

*Reference: O.C.G.A. § 21-5-34 (i)(1) & (2)*

- Any elected public officer, upon leaving public office with excess contributions, is required to file supplemental campaign contribution disclosure reports on June 30 and December 31 of each year until such contributions are expended.
- Any unsuccessful candidate in an election is required to file campaign contribution disclosure reports for the remainder of the election cycle, at the same times as a successful candidate.
- Any unsuccessful candidate in an election who receives contributions following such election to retire debts incurred in such campaign for elective office shall file a supplemental campaign contribution disclosure report no later than December 31 of each year until such unpaid expenditures from such campaign are satisfied.

## Campaign Contribution Disclosure Report

*Reference: O.C.G.A § 21-5-34*

- Every public officer and every candidate for election as a public officer must file a financial disclosure statement covering the period of the preceding calendar year.
- Only one financial disclosure statement is required per calendar year.
- The Personal Financial Disclosure Statement shall identify: each monetary fee received; all fiduciary positions; direct ownership interests in business entity which is more than 5 percent of the total interests in such business, or has a net fair market value of \$5,000.00 or more; direct ownership interests in real property which is more than 5 percent of the total interests in such business, or has a net fair market value of \$5,000.00 or more; spouse's direct ownership interest in real property which is more than 5 percent of the total interests in such business, or has a net fair market value of \$5,000.00 or more; the filer's employment and family members information; filer's investment interests; known business or investment interests of spouse and dependent children, and annual payments received by a public officer or business entity from the State of Georgia in excess of \$10,000.00 per calendar year.

Reference O.C.G.A. § 21-5-50 (b)

## Personal Financial Disclosure Statement

*Reference O.C.G.A. § 21-5-50*



# When to File a PFD

- All Public Officers shall file a financial disclosure statement not before January 1 and not later than July 1 of each year in office (except the year in which the office holder is a candidate.)
- A Candidate for state or local office must file no later than the fifteenth day following the date of qualifying as a candidate.
- There is no grace period for the Personal Financial Disclosure Statement.
- If a public officer chooses not to run for re-election, no financial disclosure statement needs be filed in the year qualifying for re-election.
- All state-wide elected officials and members of the General Assembly are required to file electronically with the Commission
- There is no grace period for the Personal Financial Disclosure Statement

Personal Financial Disclosure Statement

*Reference O.C.G.A. § 21-5-50*

- The TBD is used to report contributions (including loans) of \$1,000.00 or more, if received between the last report due prior to the date of any election for which the candidate is qualified and the date of such election and must be reported within two business days of receipt to the location where the original disclosure report for such candidate or committee was filed.
- This contribution must also be reported on the next succeeding regularly scheduled Campaign Contribution Disclosure Report.
- It is required to be sent by facsimile or electronic transmission within two business days of receipt of contribution. Faxed TBDs must be also electronically file within five business days following the transmission of the fax.
- There is no grace period for the TBD report.

## Two Business Day Report

*Reference: O.C.G.A. § 21-5-34 (c)(2)(C)*

- All campaigns and committees must file a termination statement within ten days of the dissolution of a campaign or committee.
- The termination shall identify the person responsible for maintaining campaign records as required by the Act.
- The termination shall be submitted with a final Campaign Contribution Disclosure Report which identifies a zero balance and zero indebtedness.

## Termination Statement

*Reference: O.C.G.A. § 21-5-34 (m)*



# Anonymous Contribution

*Reference: O.C.G.A. § 21-5-30(e)*

- Anonymous contributions are prohibited.
- Any cash contribution received by a candidate who fails to record the name and address of the contributor and the amount of the contribution is an anonymous contribution.
- If an anonymous contribution is received it must be transmitted to the State Treasury and Fiscal Services 200 Piedmont Avenue, Suite 1202 West Towers, Atlanta, GA. 30334. Telephone number (404) 656-2168.
- The recipient must also notify the Commission of the receipt of the contribution and its subsequent transmittal to the State Treasury.

# Prohibited Contribution

Previous Campaigns for Different Office

*Reference A.O. 2008-03*

Regulated Entities (Executive Officers)

*Reference O.C.G.A. § 21-5-30.1 (b)*

During Legislative Session (State and Statewide Officers)

*Reference O.C.G.A. § 21-5-35*

Foreign Nationals

[www.fec.gov](http://www.fec.gov)

# Maximum Allowable Contribution Limits

*Reference: O.C.G.A. § 21-5-41*

No person, corporation, political committee, or political party shall make, and no candidate or campaign committee shall receive from any such entity, contributions to any candidate which in the aggregate for an election cycle exceed:

## Candidates for State-Wide Offices

- Six thousand three hundred dollars (\$6,300.00) for a primary election;
- Three thousand seven hundred dollars (\$3,700.00) for a primary run-off election;
- Six thousand three hundred dollars (\$6,300.00) for a general election; and
- Three thousand seven hundred dollars (\$3,700.00) for a general election run-off

## Candidates for All Other Offices

- Two thousand five hundred dollars (\$2,500.00) for a primary election;
- One thousand three hundred dollars (\$1,300.00) for a primary run-off election;
- Two thousand five hundred dollars (\$2,500.00) for a general election; and
- One thousand three hundred dollars (1,300.00) for a general election run-off

The contribution limitations shall not apply to a loan or other contribution made to a campaign committee or candidate by the candidate or a member of the family of the candidate.

Note: Each year the Commission shall raise or lower the maximum contribution limits in \$100 increments or maintain the contribution limits at their existing level after a review of the inflation or deflation rate as determined by the Consumer Price Index. Reference Rule 189-1-.07 See website for current limits [www.ethics.ga.gov](http://www.ethics.ga.gov)

# Use of Candidate's Personal Funds/ Millionaires Clause

*Reference: O.C.G.A. § 21-5-41(h)*

- A candidate may use his/her personal money or resources without limitation to finance a campaign or to supplement contributions received from others.
- Such use of personal funds by a candidate is a campaign contribution, and all such contributions must be reported.
- “Millionaires Clause” provides that a candidate who loans money to his/her campaign will not be able to use campaign funds to repay that loan after an election to the extent that the loan exceeds \$250,000.00.



# Use of Campaign Funds

## Ordinary and Necessary

*Reference: O.C.G.A. § 21-5-3(18)*

Shall include, but shall not be limited to rent, equipment, travel, advertising, postage, staff salaries, consultants, files storage, polling, special events, volunteers, reimbursements to volunteers, repayment of any loans received except as restricted under Code Section 21-5-41

## Disposition of contributions

*Reference: O.C.G.A. § 21-5-33*

- Shall be utilized only to defray ordinary and necessary expenses, fulfillment or retention of such office, contributions to any charitable organizations;
- Transferal without limitation to any national, state, or local committee of any political party or to any candidate;
- Pro rata repayment to persons making such contribution;
- For use of future campaign for the same office;
- For repayment of any prior campaign debt;
- For use in future campaigns for only that elective office for which the contribution were received.

# Record Keeping

*Reference: O.C.G.A. § 21-5-32 & O.C.G.A. § 21-5-3 (c)*

- Contributions of money (in any form) received are to be deposited in a **separate campaign depository account** (separate from the personal banking account of the candidate) opened and maintained by the candidate or the candidate's campaign committee.
- The account may be an interest-bearing account and any interest earned on such account shall be reported and may only be used for the purposes allowed for contributions.
- The candidate or treasurer of each campaign committee shall keep detailed accounts, current within not more than five (5) business days after the date of receiving a contribution or making an expenditure.
- Accounts kept by the candidate or treasurer of a campaign committee pursuant to this Code section may be inspected under reasonable circumstances before, during, or after the election to which the accounts refer by any authorized representative of the commission. The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.
- Records of such accounts kept by the candidate or campaign committee shall be preserved for three years from the termination date of the campaign for elective office conducted by the candidate or of the campaign committee.



# CCDR & PFD Late Fees

*Reference: O.C.G.A. § 21-5-34 (k) & O.C.G.A. § 21-5-50(f)(1)*

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- A \$125.00 filing fee is imposed on the first day a report is late.
- In addition, a late fee of \$250.00 shall be imposed on the fifteenth day after the due date for such report.
- A late fee of \$1,000.00 shall be imposed on the forty-fifth day after the due date for such report.
  
- Late filing fees for the CCDR can be paid out of campaign funds, but cannot be paid for PFDs.

# Civil Penalties

*Reference: O.C.G.A. § 21-5-6 (b)(14)(C)(i) & O.C.G.A. § 21-5-9*

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A civil penalty can be assessed by the Commission and can not be paid with campaign funds.

- Not to exceed \$1,000.00 for each violation
- Not to exceed \$10,000.00 may be imposed for a second occurrence of a violation
- Not to exceed \$25,000.00 may be imposed for each third or subsequent occurrence of a violation

# Questions



# Thank You

For your participation in this “Candidates: How to get Started” training. We hope it has provided you with a better understanding of the Act and how it applies to Candidates & Public Officials.

If you have questions or comments for the Compliance, Information, and Training Division please email Maria Bazile, Compliance, Information and Training Manager at [mbazile@ethics.ga.gov](mailto:mbazile@ethics.ga.gov).



**Georgia Government Transparency & Campaign Finance Commission**

**200 Piedmont Ave SE**

**Suite 1402-West Tower**

**Atlanta, GA 30334**

**Website: [www.ethics.ga.gov](http://www.ethics.ga.gov)**

**Main Line: (404) 463-1980**