

STATE BUSINESS TRANSACTION DISCLOSURE REPORT

Form and Instructions

I. OVERVIEW

O.C.G.A. § 45-10-26 requires that all public officials and employees disclose all business transactions with the State of Georgia and any agency of the State or Georgia occurring during the previous calendar year. This includes transactions between the State and either public official or employee himself, or on behalf of any business in which such public official or employee or any member of his family holds a substantial interest. This disclosure form is called a “State Business Transaction Report” and, should it be required, this report should be filed prior to January 31 of each year.

Failure to disclose such business transactions will subject the public officer or employee or business to a civil fine not to exceed \$10,000.00, restitution to the State of any pecuniary benefit received as a result of such violation, and, in the case of appointed public officials and employees, removal from office or employment.

However, the public officer or employee is not required to file the State Business Transaction form if no such transactions take place.

II. WHO MUST REPORT & WHAT MUST BE REPORTED

Generally, *all business transacted with the State of Georgia or any agency of the State of Georgia by any public official or any employee* (whether for himself OR on behalf of any business, OR any business in which such public official or employee or any member of his family has a substantial interest) *must be disclosed*.

HOWEVER:

- ★ *Transactions do not have to be reported when the amount of each transaction is less than \$250.00 and the aggregate of all such transactions does not exceed \$9,000.00 per calendar year.*
- ★ *In addition, no report needs to be filed if there are no transactions to report.*

For the purposes of this section,

- **BUSINESS TRANACTED:** means the sale or leasing of any personal property, real property, or services on behalf of oneself or on behalf of any third party as an agent, broker, dealer, or representative and means the purchase of surplus real or personal property on behalf of oneself or on behalf of any third party as an agency, broker, dealer or representative.
- **PUBLIC OFFICIAL:** means any person elected to a State office and/or any person appointed to a State office where in the conduct of such office he/she has administrative or discretionary authority to receive and expend public funds to perform certain functions concerning the public which are assigned to him/her by law.

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- **EMPLOYEE:** means any person who, pursuant to a written or oral contract, is employed either on a full-time¹ or part-time basis by an agency, authority, department, board, bureau, commission, committee, office, or instrumentality of the State of Georgia. Employee does not include persons employed by a local political subdivision of the State of Georgia.
- **ANY BUSINESS:** means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, trust, or other legal entity.
- **FAMILY:** means spouse and dependents.
- **SUBSTANTIAL INTEREST:** means the direct or indirect ownership of more than 25 percent of the assets or stock of any business.

*For the exact legal requirements of items to be reported,
please refer to O.C.G.A. §45-10-20, et.seq.*

III. WHEN TO FILE

All persons required to file a State Business Transaction report must do so prior to January 31 of each year.

IV. WHERE TO FILE

The original State Business Transaction report must be electronically filed with the Georgia Government Transparency and Campaign Finance Commission (“CFC”). In order to make the filing, the public official or state employee must access the E-Filing system located on our website at www.ethics.ga.gov/EFiling/Default

If filing the State Business Transaction Report for the first time, the public official or state employee must complete a PIN application for e-filing a State Business Transaction Report, located on the Commission’s website at www.ethics.ga.gov/references/publications

After the public official or state employee obtains a filer ID and password, he/she can then access the Commission’s E-Filing system to file his/her State Business Transaction Report.

¹ A full-time employee is one who performs more than 30 hours of work per week for more than 26 weeks per year. A part time employee is not a full time employee

V. HOW TO FILE

A. Obtain a State Business Transaction Report PIN

1. Apply for a Personal Identification Number (PIN) with the CFC by filling out a PIN application which can be found under the Forms & Publications section of our website under PIN applications or by clicking on the following link:
www.ethics.ga.gov/references/2011Forms/businesstransaction.pdf.
2. You will then receive a filer id and password by email. You may then use the filer id and password to gain access to the Commission electronic filing system in order to file the State Business Transaction Report.

B. File the State Business Transaction Report:

1. See Section IV re: information contained in State Business Transaction Report
2. Fill out the online form
 - a. Each transaction must be disclosed separately.
 - b. Amounts may be rounded to the nearest dollar.
 - c. For each heading, list the following information for each transaction:

Date of Transaction:	Date of the transaction
Agency Involved:	The name of the agency, authority, department, board, bureau, commission, committee, office, or instrumentality of the State of Georgia with whom the business was transacted.
Nature of Transaction:	Describe the transaction, such as: <ul style="list-style-type: none"> • sale of 1,500 cubic yards of concrete • 30 hours of security work • Lease of house • Et cetera
Type of Transaction:	<ul style="list-style-type: none"> • If the transaction was personal or for oneself, list “personal” • If the transaction was on behalf of business, list “business” and name of the business • If the transaction was for a business in which you or your spouse or dependents have a substantial interest, list “family” and name the business
Amount of Transaction:	The amount of the transaction in dollars

VI. OVERVIEW OF REPORT CONTENTS

PART 1 OF 4: INITIAL INFORMATION

Date of this report:	
First Name	
Middle Name	
Last Name	
Maiden Name	
Telephone Number – Home	() -
Telephone Number – Work	() - Ext.
Telephone Number – Cell	() -

PART 2 OF 4: TYPE OF FILING

Elected Official: Office Held: _____

Appointed Official:
 Name of State Agency: _____
 Position Held: _____

Employee: [] Full-time [] Part-time
 Name of State Agency: _____
 Position Held: _____

PART 3 OF 4: CERTIFICATION

This is what the form states:

I hereby certify that the attached _____ page(s) is/are a true and accurate report of all business transacted by me with the State of Georgia for myself, on behalf of any business, and for any business in which I or any member of my family has a substantial interest.

 Signature

PART 4 OF 4: BUSINESS TRANSACTIONS WITH THE STATE OF GEORGIA FOR CALENDAR YEAR 20__ __

****ALL FIELDS ARE REQUIRED****

Transaction No.:		
1. Date of Transaction:		<i>MM/DD/YYYY</i>
2.1 Name of Agency Involved:		
2.2 Street Address of Agency Involved:	Street Address: Suite: City: State: Zip	

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2.3	Phone number of Agency Involved:	() - Ext.
2.4	Agency Involved Contact Person:	Name: Title:
3.	Nature of Transaction	
4.	Type of Transaction:	<input type="checkbox"/> Business transacted <input type="checkbox"/> Any business <input type="checkbox"/> Family <input type="checkbox"/> Substantial interest
5.1	Name of Company Involved:	
5.2	Address of Company Involved:	Address: Suite: City: State: Zip: County:
5.3	Company Involved Contact Person:	Name: Title:
5.4	Phone number of Company Involved:	() - Ext.
5.	Amount of Transaction	\$