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## A Guide for

- ◆ PACs
- ◆ Political Parties
- ◆ Corporations
- ◆ Individuals
- ◆ Independent
- ◆ Ballot
- ◆ Statewide Referendum/  
Constitutional Amendment
- ◆ Recall

This guide is intended only as a summary to aid in understanding the Act. For the law's complete requirements, consult the Act itself, codified at Title 21 Chapter 5 of the Official Code of Georgia Annotated.

**A non-candidate committee** is a group of people who perform a function on behalf of a larger group. This committee is not formed or directed by a candidate but that the committee supports various candidates and/or other issues.

The Campaign Finance Act speaks of different types of non-candidate committees including independent committees, political action committees, corporation, recall committees, ballot committees, and constitutional amendment or statewide referendum committees.

A Campaign Contribution Disclosure Report (CCDR) and a Registration Form for a Committee Other Than Candidates (RO) shall be filed once the reporting requirements have been met.

Campaign Contribution Disclosure Report (CCDR) is a report filed with the appropriate filing office disclosing all expenditures and contributions in a reporting period of contributions more than \$100.00 and including an aggregate total of expenditures and contributions \$100.00 or less.

Registration form for a committee other than candidates (Form RO) is a form that is filed with the Commission to register the above committees. This is an annual registration and will expire on December 31 of each year.

Pin Application for e-filing CCDR (other than Candidate Committee) is a form that is filed to obtain log-in information for a non-candidate committee. Log In information does not expire.

All reports and registrations are mandatory by the Act once the requirements for each committee have been met. It is a violation of the Act if the committee fails to comply with the law and could result in fines and/or penalties by the Commission.

We have provided you with a definition and the reporting requirements for each committee.

## Maximum Allowable Contribution Limits

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The maximum campaign contribution amount that **candidates for Governor, Attorney General, Commissioner of Agriculture, Commissioner of Insurance, Commissioner of Labor, Lieutenant Governor, Public Service Commission, Secretary of State, State School Superintendent (all state-wide elected offices)** can receive for any election cycle (in the aggregate):

Primary = Six thousand three hundred dollars (\$6,300)

Primary run-off election = Three thousand seven hundred dollars (\$3,700)

General election = Six thousand three hundred dollars (\$6,300)

General run-off election = Three thousand seven hundred dollars (\$3,700)

The maximum campaign contribution amount that **Candidates for General Assembly, County offices, Municipal offices, District officials and all other elected positions (public office other than state-wide)** can receive for any election cycle (in the aggregate):

Primary election = Two thousand five hundred dollars (\$2,500)

Primary run-off election = One thousand three hundred dollars (\$1,300)

General election = Two thousand five hundred dollars (\$2,500)

General run-off election = One thousand three hundred dollars (\$1,300)

No business entity shall make any election contributions to any candidate which when aggregated with contributions to the same candidate for the same election from any affiliated corporations exceed the per election maximum allowable contribution limits for such candidate

*"Affiliated corporation" means with respect to any business entity any other business entity related thereto: as a parent business entity; as a subsidiary business entity; as a sister business entity; by common ownership or control; or by control of one business entity by the other.*

*The ACT does not speak to committee to committee limits*

## Recall Committee

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### **O.C.G.A. § 21-5-30**

Accepts contributions or makes expenditures to bring about or to oppose the recall of a public official.

### **O.C.G.A. § 21-5-34 (g)**

Recall committees shall file CCDR's with the Commission if any contributions have been received or any expenditures have been made.

The reporting requirements are as follows:

Initial report filed within 15 days after recall petition forms were issued to the sponsors.

Second report filed 45 days after the filing of the initial report.

Third report filed within 20 days after the election superintendent declares legal sufficiency or insufficiency of a recall petition.

Final report filed prior to December 31 in which the recall election is held or not held.

Prior to December 31 of any year in which such campaign committee accepts such contributions or makes expenditures.

The CCDR must be completed by the chairperson or treasurer of the committee and is electronically filed with the Commission.

## Political Action Committee

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### **O.C.G.A. § 21-5-3 (20)**

A Political Action Committee receives donations from members and contributes to one or more candidates. A Political Action Committee, just as an independent committee, could consist of any committee, club, association, partnership, corporation, labor union or other group of persons.

### **O.C.G.A. § 21-5-12(a)**

Connected organizations: The name of each Political Action Committee shall include the name of its connected organization.

### **O.C.G.A. §21-5-34 (e)**

PACs need to register on an annual basis, but are not required to register until the PAC has made \$25,000 of contributions and/or expenditures (in the aggregate) in a calendar year to Georgia candidates.

Once \$25,000 threshold is exceeded, PAC (also political party and/or individual donors) must file a registration and file reports at the same times as the candidates it supports.

Political Action Committees making aggregate contributions and/or expenditures to or on behalf of candidates of \$25,000.00 or less in one calendar year are exempt from the foregoing registration and reporting requirements.

Required reports may be due at different times depending on the status of the candidate that the committee supports. See the filing schedule available at [www.ethics.ga.gov](http://www.ethics.ga.gov)

## Political Party

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### **O.C.G.A. § 21-5-40 (6.1)**

Political party\* means any political party as that term is defined in paragraph (25) of Code Section 21-2-2\*, as amended; provided, however, that for purposes of this article, local, state, and national committee shall be separate political parties.

*\*(O.C.G.A. § 21-2-2 (25) 'Political party' or 'party' means any political organization which at the preceding: (A) Gubernatorial election nominated a candidate for Governor and whose candidate for Governor at such election polled at least 20 percent of the total vote cast in the state for Governor; or (B) Presidential election nominated a candidate for President of the United States and whose candidates for presidential electors at such election polled at least 20 percent of the total vote cast in the nation for that office.)*

### **O.C.G.A. § 21-5-34 (e)**

Required to register with the Commission and report at the same time and the same place as the candidates they are supporting once they have crossed the threshold of making aggregate contributions and/or expenditures to or on behalf of candidates\* of more than \$25,000.00 in one calendar year.

Once the threshold of more than \$25,000.00 has been crossed a Political Party would be required to register with the Commission and report from the first penny raised or spent in the calendar year.

A Political Party making aggregate contributions and/or expenditures to or on behalf of candidates of \$25,000.00 or less in one calendar year is exempt from the foregoing registration and reporting requirements.

Required reports may be due at different times depending on the status of the candidate that the committee supports. See the filing schedule available at [www.ethics.ga.gov](http://www.ethics.ga.gov).

## Ballot Committee

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### **O.C.G.A. § 21-5-30**

A ballot committee accepts contributions or makes expenditures to bring about the approval or rejection of any proposed questions to appear on the ballot in this state, county, or a municipal election in this state. A ballot committee is only required to register and report upon having raised or spent \$500.00 or more.

In the case of any proposed question which is to appear on the ballot in a county or municipal election, the committee shall register and file campaign disclosure reports with the same officials just as candidates for county or municipal offices do.

### **O.C.G.A. § 21-5-30 (2) (A)**

Ballot committees shall file a CCDR with the appropriate filing entity as follows once the threshold has been crossed:

1. 15 days before date of election.
2. December 31 of the year which the election is held.

## Constitutional Amendment or Statewide Referendum

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### **O.C.G.A. § 21-5-30**

Accepts contributions or makes expenditures to bring about the approval or rejection of a proposed constitutional amendment and statewide referendums.

### **O.C.G.A. § 21-5-30 (h)**

Constitutional amendments or statewide referendum committees shall file CCDR's, with the Commission if any contributions have been received or any expenditures have been made.

The reporting requirements are as follows:

75 days before the date of the election.

45 days before the date of the election.

15 days before the date of the election.

December 31 of the year which the election is held.

The above reporting requirements, for each committee, are per calendar year and would start over each January 1 of every year unless the committee continues to accept contributions or make expenditures then supplemental reports are required as stated in the above information.

All advertising pertaining to referendums shall identify the principal officer of such campaign committee by listing or stating the name and title of the principal officer.

## Corporation

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### **O.C.G.A. §21-5-3 (1)**

"Business entity" means any corporation, sole proprietorship, partnership, limited partnership, limited liability company, limited liability partnership, professional corporation, enterprise, franchise, association, trust, joint venture, or other entity, whether for profit or nonprofit.

### **O.C.G.A. §21-5-34 (e)**

Required to report at the same time and same place as the candidates they are supporting once they have crossed the threshold of making aggregate contributions and/or expenditures to or on behalf of candidates of more than \$25,000.00 in one calendar year.

Once the threshold of more than \$25,000.00 has been crossed a corporation would be required to register with the Commission and report from the first penny raised or spent in the calendar year.

Corporations making aggregate contributions and expenditures to or on behalf of candidates of \$25,000.00 or less in one calendar year; are exempt from the foregoing registration and reporting requirements.

Required reports may be due at different times depending on the status of the candidate that the committee supports. See the filing schedule available at [www.ethics.ga.gov](http://www.ethics.ga.gov)

## Individual

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### **O.C.G.A. § 21-5-34 (e)**

Any person \* who makes contributions to, accepts contributions for, or makes expenditures on behalf of candidates, and any independent committee, shall file a registration with the commission in the same manner as is required of campaign committees prior to accepting or making contributions or expenditures.

*\*O.C.G.A. § 21-5-3 (19) Person" means an individual, partnership, committee, association, corporation, limited liability company, limited liability partnership, trust, professional corporation, or other business entity recognized in the State of Georgia, labor organization, or any other organization or group of persons.*

Required to report at the same time and same place as the candidates they are supporting once they have crossed the threshold of making aggregate contributions and/or expenditures to or on behalf of candidates of more than \$25,000.00 in one calendar year.

Once the threshold of more than \$25,000.00 has been crossed an individual would be required to register with the Commission and report from the first penny raised or spent in the calendar year.

An individual making aggregate contributions of \$25,000.00 or less directly to candidates or the candidates' campaign committees in one calendar year is exempt from the foregoing registration and reporting requirements.

Required reports may be due at different times depending on the status of the candidate that the committee supports. See the filing schedule available at [www.ethics.ga.gov](http://www.ethics.ga.gov)

## Independent Committee

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### **O.C.G.A. § 21-5-3 (15)**

An independent committee accepts contributions or makes expenditures to affect the outcome of an election or to advocate the election or defeat of any candidate. An independent committee could consist of any committee, club, association, partnership, corporation, labor union or other group of persons.

### **O.C.G.A. § 21-5-34 (f)**

An independent committee shall register with the commission prior to accepting contributions or making expenditures and shall file disclosure reports as follows:

The first day of each of the two calendar months preceding any such election.

Two weeks prior to the date of such election.

Final report prior to December 31 of the year in which the election is held.

Supplemental reports shall be filed on June 30 and December 31 of each year the committee continues to accept contributions or makes expenditures.

If contributions or expenditure of more than \$1,000.00 are made or collected within the two-week period prior to the date of such election it shall be reported within two business days by submitting a Two Business Day Report.

### **O.C.G.A. § 21-5-34 (f) (3)**

Whenever any independent committee makes expenditure for the purpose of financing any communication intended to affect the outcome of an election, such communication shall clearly state that it has been financed by such independent committee.