



State Ethics Commission of Georgia

ADVISORY OPINION NO. 2004-34

May 10, 2004

REAL OR HYPOTHETICAL SET OF CIRCUMSTANCES

An individual who must file Campaign Contribution Disclosure Reports because he filed a Declaration of Intention to Accept Campaign Contributions (See O.C.G.A. § 21-5-34(c)) decides not to run for the office intended. He asks whether he must file all the Campaign Contribution Disclosure Reports required of a candidate in an election year now that he is no longer running for office.

ADVISORY OPINION

Generally, any individual who is required by O.C.G.A. § 21-5-34(c) to file Campaign Contribution Disclosure Reports, must file all the election year reports called for by O.C.G.A. § 21-5-34(c) (2) even though the individual may have withdrawn, been disqualified, or been defeated. However, if an individual who has filed a Declaration of Intention To Accept Campaign Contributions during an election year never qualifies and never accepts even one contribution of \$101 or more, then that individual may file only an initial report and a final (December 31) report pursuant to O.C.G.A. § 21-5-34(d). Additionally, if an individual files a Declaration of Intention to Accept Campaign Contributions in a year prior to the year of election and such individual decides against running for office and lawfully expends all campaign funds by the end of such year, then no election year reports are required and the individual shall file only for the periods ending June 30 and December 31 for the year or years involved.