

STATE BUSINESS TRANSACTION REPORT - GENERAL OVERVIEW

O.C.G.A. § 45-10-26 requires that any public official or employee, whether for himself, herself, or on behalf of any business, or any business in which such public official or employee or any member of his or her family has a substantial interest who transacts business with the state or any agency thereof shall disclose such transactions. Such disclosure shall be submitted prior to January 31 each year to the Georgia Government Transparency and Campaign Finance Commission on such forms as it shall prescribe and shall include an itemized list of the previous year's transactions with the dollar amount of each transaction reported and totaled. Such disclosure statements shall be public records.

The requirement to disclose certain transactions shall not apply to any transaction when the amount of a single transaction does not exceed \$250.00 and when the aggregate of all transactions does not exceed \$9,000.00 per calendar 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.

O.C.G.A. § 45-10-20 DEFINITIONS

* **BUSINESS TRANSACTED:** 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.

* **EMPLOYEE:** means any person who, pursuant to a written or oral contract, is employed by an agency

* **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.

WHEN TO FILE

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

WHERE TO FILE

The original State Business Transaction report must be electronically filed with the Georgia Government Transparency and Campaign Finance Commission ("CFC"). See O.C.G.A. § 21-5-34.1 (a)

In order to make the filing, the public official or state employee must apply for a State Business Transaction Personal Identification Number (PIN) and Password to access the E-Filing system.

http://media.ethics.ga.gov/BT_PIN/Default.aspx

<http://www.ethics.state.ga.us/Efiling/default.aspx>

HOW TO FILE

1. Using the PIN (starts with the letter “B”) and password previously emailed to you, log into the e-filing system.
2. Select the covering calendar year and click “File a Report” (you will always select the previous calendar year).
3. On the Report Menu, under the Report Sections, Click on “Click here to enter/edit transactions”.
4. Enter information for each section:
 - i. Date of Transaction
 - ii. 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.)
 - iii. Address
 - iv. Suite
 - v. City
 - vi. State
 - vii. Zip
 - viii. Agency Phone
 - ix. Contact Person
 - x. Contact Person Title
 - xi. Transaction Type (personal, family business, non family business)
 - xii. Nature of Transaction (describe the transaction: ex sale of 1,500 cubic yards of concrete)
 - xiii. Company Involved
 - xiv. Address
 - xv. Address 2
 - xvi. City
 - xvii. State
 - xviii. Zip
 - xix. Company Contact Person
 - xx. Company Contact Title
 - xxi. Company Phone
 - xxii. Transaction Amount
 - xxiii. Exceptions, if any
 - xxiv. Explanation of Exceptions
5. Click “submit”
6. Review the information you just entered. If . . .
 - a. Incorrect - click “edit” to make changes.
 - b. You need to add another transaction - click on “Add Transaction” and repeat steps 4 & 5.
 - c. Are finished - click “section completed”
7. Click on “I Electronically Submit This Report”
8. Your report has been successfully filed
9. Click “send comments and view report” if you wish to view or print you report, otherwise you can log off.