
STATE BUSINESS TRANSACTION DISCLOSURE REPORT

FORM AND INSTRUCTIONS

I. General Information

Section 45-10-26 of the Official Code of Georgia Annotated requires that all public officials and employees disclose prior to January 31 of each year all business transactions occurring during the previous calendar year which the public official or employee has transacted with the State of Georgia and any agency of the State of Georgia 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. 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 Georgia 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.

II. Who must file?

A. Public Officials - Any person elected to a State office and any person appointed to a State office where in the conduct of such office the person so appointed has administrative and discretionary authority to receive and expend public funds and to perform certain functions concerning the public which are assigned to him by law.

B. Employees - Any person who, pursuant to a written or oral contract, is employed either on a full-time or part-time basis by any agency, authority, department, board, bureau, commission, committee, office, or instrumentality of the State of Georgia. This does not include persons employed by a political subdivision of the State of Georgia. 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 any employee who is not a full-time employee.

III. When to file?

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

IV. Where to file?

If filed prior to January 10, 2011, file as follows:

Secretary of State, 1104 West Tower, 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334

If filed on or after January 10, 2011, file as follows:

Georgia Government Transparency and Campaign Finance Commission, 200 Piedmont Avenue, 1402-West Tower, Atlanta, Georgia, 30334

V. 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. "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 agent, broker, dealer, or representative. "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. This paragraph is not meant to be an exhaustive description of the items to be reported. For the precise requirements of what must be reported, please refer to O.C.G.A. § 45-10-20, et seq.

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 must be filed if there are no transactions to report.

VI. Transactions which must be reported but are exempted from further review.

Except as indicated in Section V, above, all transactions with the State of Georgia or any agency of the State of Georgia must be reported. However, where applicable, O.C.G.A. §§ 45-10-22(b), 45-10-24(b), and 45-10-25 provide that certain transactions with the State of Georgia or any of its agencies are not considered violations of the conflict of interest laws. These include, but are not limited to: transactions involving full-time officials, part-time officials, or part-time employees which are made pursuant to sealed competitive bids or involve a lease of real property approved by the State Properties Commission or the Space Management Division of the Department of Administrative Services and certain approved transactions involving employees of the University System of Georgia where the transaction is with another unit of the University System. Any of these transactions must be indicated in the appropriate space on the report form.

VII. Instructions

A. Complete the cover sheet by:

1. Filling in the date of the report and your name, address, and home and work telephone number;
2. Marking the box which describes your position with the State of Georgia and listing your agency and title; and
3. Completing and signing the certification.

B. Each transaction must be disclosed separately.

C. Amounts may be rounded to the nearest dollar.

D. For each heading, list the following information on each transaction:

1. Date of transaction - Date of the transaction;
2. 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;
3. Nature of transaction - Describe what the subject of the transaction was, e.g. "sale of 1500 cubic yards of concrete," "30 hours of security work," "lease of house," etc., and state any exception to the conflict of interest laws under which the transaction was undertaken;
4. Type of transaction -
 - (a) If the transaction was personal or for oneself, list "personal";
 - (b) If the transaction was behalf of a business, list "business" and name the business;
 - (c) 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;
5. Amount of transaction - The amount of the transaction in dollars;

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- 6. Exception, if any, which applies - The exception, if any, which applies to remove the transaction from coverage under the conflict of interest laws (include appropriate explanation and any supporting documentation).
 - E. Mail the original report to the Secretary of State, 1104 West Tower, 2 Martin Luther King, Jr., Drive, SE, Atlanta, Georgia 30334-1505.

TO: Secretary of State
1104 West Tower
2 Martin Luther King, Jr. Drive, SE
Atlanta, GA 30334-1505

STATE BUSINESS TRANSACTION DISCLOSURE REPORT

(Please type or print)

Date of this report: _____

Full Name: _____

(First) (Middle) (Maiden) (Last)

Address: _____

(Street) (City) (County) (State) (Zip)

Telephone Number: Home: (____) _____

Work: (____) _____

Type of Filing (Check and Complete):

Elected Official

Office Held: _____

Appointed Official

Name of State Agency: _____

Position Held: _____

Employee: Full Time
 Part Time

Name of State Agency: _____

Position Held: _____

CERTIFICATION

I hereby certify that the attached _____ pages(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.

Sworn to and subscribed before me this _____ day of _____, 19____.

(Notary Public)

**BUSINESS TRANSACTIONS WITH THE STATE OF GEORGIA
FOR CALENDAR YEAR _____**

Transaction No. _____ :

- 1. Date of transaction: _____
- 2. Agency involved: _____
- 3. Nature of transaction: _____

- 4. Type of transaction: _____
- 5. Amount of transaction: _____
- 6. Exception, if any, which applies (supply explanation and attach supporting documentation, if any):

Transaction No. _____ :

- 1. Date of transaction: _____
- 2. Agency involved: _____
- 3. Nature of transaction: _____

- 4. Type of transaction: _____
- 5. Amount of transaction: _____
- 6. Exception, if any, which applies (supply explanation and attach supporting documentation, if any):

ATTACH ADDITIONAL PAGES, IF NECESSARY

Full Name (First, Middle, Maiden, Last)