

**RULES OF
THE STATE ETHICS COMMISSION
CHAPTER 189-1
ORGANIZATION**

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189-1.01 Organization

The State Ethics Commission (SEC) is a regulatory agency entrusted with protecting the democratic process and ensuring fair elections for all constitutional, state, county and municipal elections, regulating the disclosure of significant private interests of public officers and officials as designated by the General Assembly and regulating lobbyists and state vendors.

Authority O.C.G.A. §§ 21-5-2 and 50-13-3. **History.** Original Rule entitled “Membership and Officers” adopted. F. Apr. 9, 1987; eff. Apr. 29, 1987. **Repealed:** New Rule entitled “Organization” adopted. F. Dec. 14, 2007; eff. Jan. 3, 2008.

189-1.02 Membership and Officers

The Commission has a Chairperson and Vice-Chairperson whose terms are one year. Both officers are elected by majority of the members of the Commission.

Authority O.C.G.A. §§ 21-5-4, 21-5-6. **History.** Original Rule entitled “Appearances Before Commission by Prior Members” adopted F. Apr. 9, 1987; eff. Apr. 29, 1987. **Repealed:** New Rule entitled “Membership and Officers” adopted. F. Dec. 14, 2007; eff: Jan. 3, 2008.

189-1.03 Appearances before Commission by Prior Members

No former member of the State Ethics Commission or the Executive Secretary shall, after the termination of his or her service on or employment with the Commission, represent any person or entity, other than the State of Georgia, by making any formal appearance or

any oral or written communication with the intent to influence a decision of the Commission, until at least one year has elapsed since the termination of his or her service on or employment with the Commission.

Authority O.C.G.A. § 21-5-6. **History.** Original Rule entitled “Mailing Address” adopted. F. Apr. 9, 1987; eff. Apr. 29, 1987. **Amended:** Feb. 22, 2000; eff. Mar. 13, 2000. **Repealed:** New Rule entitled “Appearances Before Commission by Prior Members” adopted. F: Dec. 14, 2007; eff: Jan. 3, 2008.

189-1-.04 Mailing Address

The physical and mailing address of the State Ethics Commission will be as designated on the Commission’s official website, www.ethics.ga.gov.

Authority O.C.G.A. § 21-5-6. **History.** Original Rule entitled “Meetings to be Held” adopted. F. Apr. 9, 1987; eff. Apr. 29, 1987. **Amended:** F. Feb. 22, 2000; eff. Mar. 13, 2000. **Repealed:** New Rule entitled “Mailing Address” adopted. F: Dec. 14, 2007; eff: Jan. 3, 2008.

189-1-.05 Commission Meetings

The Commission will meet at the discretion of the chairman, or whenever any two members request, provided adequate notice is given to the Commission members and the public in accordance with the Open Meetings Law.

Authority O.C.G.A. § 21-5-6. **History.** Original Rule entitled “Quorum Requirement for Official Action” adopted. F. Apr. 9, 1987; eff. Apr. 29, 1987. **Amended:** Feb. 22, 2000; eff. Mar. 13, 2000. **Repealed:** New Rule entitled “Meetings to be Held” adopted. F. Dec. 14, 2007; eff: Jan. 3, 2008.

189-1-.06 Quorum Requirement for Official Action

Three members of the Commission, when all three participate in the hearing, matter or meeting, shall constitute a quorum of the Commission. Any member who recuses shall not be counted towards this quorum requirement, nor counted as present as to the particular matter under consideration. All official action taken by the Commission can only be done with a quorum present. The vote of at least a majority of the members present at any meeting at which a quorum is present is necessary for any action to be taken by the Commission. No vacancy in the membership of the Commission impairs the right of a quorum to exercise all rights and perform all duties of the Commission.

Authority O.C.G.A. § 21-5-6. **History.** Original Rule entitled “Quorum Requirement for Official Action” adopted. F: Dec. 14, 2007; eff: Jan. 3, 2008.

189-1-.07 Adjustment of Contribution Limits Based Upon Inflation

Each year the Commission shall raise or lower the maximum contribution limits in \$100 increments or maintain the contribution limits at their existing level after a review of the inflation or deflation rate as determined by the Consumer Price Index.

Authority O.C.G.A. § 21-5-41. **History.** Original Rule entitled “Adjustment of Contribution Limits Based Upon Inflation” adopted. F. Dec. 14, 2007; eff. Jan. 3, 2008.

189-1-.08 Retention Schedule

The retention schedule for all documents received by the Commission shall be five years unless otherwise provided by law or written direction of the Commission.

Authority O.C.G.A. § 21-5-6. **History.** Original Rule entitled “Retention Schedule” adopted. F. Dec. 14, 2007; eff. Jan. 3, 2008.

189-1-.09 Petitions Requesting the Promulgation, Amendment or Repeal of a Rule

Any interested person may petition the Commission in writing to request the promulgation, amendment or repeal of a rule. The petition shall contain the name, address and phone number of the petitioner, as well as a clear and concise statement as to the rule in question or the subject matter upon which a rule is requested. The Commission or staff shall, within thirty days of the receipt of said petition, deny the petition in writing or initiate rule making proceedings in accordance with O.C.G.A. § 50-13-4.

Authority O.C.G.A. §§ 21-5-6 and 50-13-9. **History.** Original rule entitled “Petitions Requesting the Promulgation, Amendment or Repeal of a Rule” adopted. F. Dec. 14, 2007; eff. Jan. 3, 2008.

189-1-.10 Electronic Filing of Reports

Any and all reports required to be filed with the Commission shall be by electronic means, unless otherwise excepted by way of Commission vote.

Authority O.C.G.A. § 21-5-6. **History.** Original Rule entitled “Electronic Filing of Reports” adopted. F. Dec. 14, 2007; eff. Jan. 3, 2008.

Adopted: June 29, 2001
Filed: July 19, 2001
Effective: August 8, 2001