

# AFFIDAVIT OF EXEMPTION (O.C.G.A. § 21-5-34(d.1))



Georgia Government Transparency  
& Campaign Finance Commission

## WHAT IS THE AFFIDAVIT OF EXEMPTION?

The Affidavit of Exemption is a written, sworn statement completed by a candidate or public officer if they do not plan to accept more than \$2,500 in contributions or expend more than \$2,500 in expenditures during an election cycle. Filing the Affidavit exempts the candidate or public officer from Campaign Contribution Disclosure Report (CCDR) filing requirements.

## WHERE IS AN AFFIDAVIT OF EXEMPTION FILED?

An Affidavit of Exemption is filed with the candidate's or public officer's local filing officer. Generally, the local filing officer for municipal candidates and public officers is the city clerk of the municipality in which the candidate is seeking office or in which the public officer holds office and the local filing officer for county candidates and public officers is the elections superintendent for the county in which the candidate is seeking office or in which the public officer holds office.

## WHEN CAN THE AFFIDAVIT OF EXEMPTION BE FILED?

The Affidavit of Exemption may be filed at any time during an election cycle. However, best practice is for a candidate or public officer to file an Affidavit at the beginning of each election cycle, immediately after qualifying for office, or immediately after filing a Declaration of Intention to Accept Campaign Contributions (DOI). If a candidate files an Affidavit after CCDRs become due, the candidate is responsible for filing all CCDRs due prior to filing the Affidavit.

## WHEN DOES THE AFFIDAVIT OF EXEMPTION EXPIRE?

The Affidavit of Exemption is good for one election cycle. After an election cycle concludes, a public officer will need to file a new Affidavit to be exempt from CCDR filing requirements in the new election cycle.

## WHO MAY FILE THE AFFIDAVIT OF EXEMPTION?

Candidates for county or municipal offices or public officers currently holding a county or municipal office who do not intend to accept more than \$2,500 in contributions or expend more than \$2,500 in expenditures during an election cycle.

### **Q: What if a candidate or public officer who has filed the Affidavit of Exemption expends more than \$2,500 or accepts more than \$2,500 in contributions during the election cycle?**

**A:** If a candidate or public officer exceeds the \$2,500 limit but does not exceed \$5,000 in contributions and expenditures, then they must file a June 30<sup>th</sup> CCDR and December 31<sup>st</sup> CCDR in the election year. If the candidate or public officer exceeds \$5,000 in contributions and expenditures, then they must file all CCDRs due in an election year as prescribed by O.C.G.A. § 21-5-34(c)(2).

### **Q: What if a candidate or public official does not file an Affidavit of Exemption?**

**A:** If a candidate or public officer does not file an Affidavit of Exemption, then they must file CCDRs in accordance with the filing schedule found at O.C.G.A. § 21-5-34(c).