BEFORE THE STATE ETHICS COMMISSION
STATE OF GEORGIA

In the matter of:	*	
	*	
KELVIN JONES	*	2005-0066
	*	
Respondent.	*	

TO: Kelvin Jones
P.O. Box 14495
Macon, Georgia 31210

FINAL ORDER

Following proper notice pursuant to the Administrative Procedure Act, the above-styled matter came before the State Ethics Commission on March 30, 2006. The hearing was held to determine if Respondent violated O.C.G.A. § 21-5-73 by failing to timely file disclosure reports. After consideration of the record in this matter, the Commission makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1.

The Respondent was a lobbyist at all times relevant to the matters asserted herein.

2.

The Respondent was required to file electronically a Disclosure Report with the State Ethics Commission for the period of January 1-April 30, 2005. The Respondent failed to timely file this report.

3.

The Respondent was required to electronically file a Disclosure Report with the State Ethics Commission for the period of February 1-28, 2005. The Respondent failed to timely file this report.

4.

The Respondent was required to electronically file a Disclosure Report with the State Ethics Commission for the period of March 1-31, 2005. The Respondent failed to timely file this report.

5.

In addition, Respondent failed to respond to correspondences sent by the Ethics Commission staff concerning the late filing of the disclosure reports at issue in this case. Further, Respondent ignored a subpoena issued in this case by the Commission for a hearing on July 29, 2005.

CONCLUSIONS OF LAW

6.

Each registered lobbyist shall file a monthly disclosure report, current through the end of the preceding month, while the General Assembly is in session. O.C.G.A. § 21-5-73(a)-(b).

7.

"A person who is a lobbyist pursuant to subparagraph (D) or (E) of paragraph (6) of Code Section 21-5-70 shall: (1) file a disclosure report, current through the end of the preceding month, on or before the fifth day of May . . . of each year . . . ." O.C.G.A. § 21-5-73(b).

8.

In addition to other penalties provided in this article, the Commission may, by order, deny the registration of a lobbyist for a period not to exceed one year if it finds that the lobbyist has "failed to comply with the reporting requirements of this article." O.C.G.A. § 21-5-72(a)(3).

9.

As the facts presented to the Commission demonstrated, Respondent failed to timely file all the disclosure reports at issue in this case.

10.

The Commission finds that Respondent violated O.C.G.A. § 21-5-73 due to Respondent's untimely filing.

FOR THE FOREGOING REASONS, the Commission hereby concludes:

1) that the Respondent violated the Ethics in Government Act on three occasions by failing to timely file Disclosure Reports while the 2005 General Assembly was in session and by failing to timely file a Disclosure Report for the period of January 1-April 30, 2005;
2) that the Respondent is ordered to cease and desist from any and all violations of the Ethics in Government Act and to comply with all the provisions thereof;
3) that the Respondent is ordered to pay a civil penalty of $1,000.00 per disclosure report not timely filed, a total of a $3,000.00 civil penalty, from

personal funds and not from campaign funds or government funds for the failure to timely file Disclosure Reports; and

4) that, because the Respondent failed to comply with the reporting requirements of the Ethics in Government Act, the Commission denies the registration of Respondent as a lobbyist for one year, from May 1, 2006, until April 30, 2007.

This order serves as notice that Respondent is denied the right to lobby for one year, beginning on May 1, 2006. If Respondent violates this sanction by lobbying during this time period, Respondent may be prosecuted for a misdemeanor for willful violation of the Ethics in Government Act. See O.C.G.A. § 21-5-9.

If the Respondent so chooses, Respondent may appeal the findings of the State Ethics Commission within thirty (30) days of receipt of this written Order by following the procedures outlined in O.C.G.A. § 50-13-19.

SO ORDERED, this 18th day of May, 2006, *nunc pro tunc* to March 30, 2006.

STATE ETHICS COMMISSION

BY: Steve Farrow

STEVE FARROW
Chairman
State Ethics Commission