

Frequently Asked Questions: Financial Disclosure

What is financial disclosure?

The State Legislature has mandated that certain state and local officials have to annually complete statement of disclosure of interests.

Where are disclosure statements filed?

Disclosure statements are filed and maintained by the Tennessee Ethics Commission.

Who is required to complete a disclosure statement?

Members of the Legislature, the Governor, the Governor's Cabinet, the State Comptroller, the State Treasurer, the Secretary of State, the Attorney General, and certain other state officials such as Justices of the Supreme and Appellate Courts, District Attorneys, Public Defenders, public university Presidents, and Members of the Ethics Commission, Registry of Election Finance, Board of Probation and Parole, and Alcoholic Beverage Commission.

What about local officials?

ALL local elected officials in the State of Tennessee must annually file a disclosure statement. There are over 6500 local elected officials in the state.

What about candidates?

Candidates for Governor and for the Legislature as well as candidates for local elected office must file a disclosure statement. Appointees to those positions must also file.

When are the disclosure statements to be filed?

The law requires that Members of the Legislature, the Governor and the Governor's Cabinet, and the Constitutional Officers must annually file by April 15th. Other state officials and all local elected officials must annually file by January 31st. Candidates are required to file 30 days after qualifying for the election.

How can a member of the public view a disclosure statement?

All disclosure statements can be viewed by any member of the public on the Commission's website <http://state.tn.us/sos/tec/index.htm>.

The disclosure statements of state officials can be easily searched by name, year and state position.

The disclosure statements of local elected official can easily be searched by name, year, county, and "candidates only."

What types of information must be reported?

Private income over \$1000, investments in excess of \$10,000 and any compensated lobbying must be reported by the filer, his or her spouse, and any minor children living at home. The filer must also report certain retainer fees, professional services, bankruptcies, and certain non-conventional loans.

Are there special reporting rules for the Members of the Legislature, the Governor, and the Governor's Cabinet?

The Members, the Governor and the Governor's Cabinet, and the Constitutional Officers complete a longer form disclosure statement. In addition to the same information that local elected officials and other state officials report, they must also report private income in excess of \$200, positions held and any blind trusts in which they or their spouse has an interest.

What happens if an official does not file a disclosure statement?

The Commission has the legal authority to impose civil fines up to \$750 if the official does not file within 30 days after receiving an assessment notice and up to \$10,000 if the official files more than 35 days after receiving the notice. In 2008, the Commission imposed civil penalties against late filers in amounts from \$50 to \$10,000.

Are the disclosure statements reviewed by the Commission?

Yes, the Commission staff checks to make sure disclosure statements are completely answered. Statements are also reviewed for facial anomalies.

What happens if a filer, since completing the disclosure statement, no longer holds or has acquired an interest that must be disclosed?

The law provides that any disclosure statement shall be amended from time to time as conditions change because of the termination or acquisition of interests as to which disclosure is required.

How can I get more information about the law?

Check the Commission's website, call the Commission at (615) 253-8634 or email the Commission at ethics.counsel@state.tn.us.