

15105363D

HOUSE BILL NO. 2070**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the Senate Committee on Rules
on February 20, 2015)

(Patrons Prior to Substitute—Delegates Gilbert, Bulova [HB 1667], LeMunyon [HB 1919], McClellan [HB 6 1947], Minchew [HB 1689], Sickles [HB 2060], and Watts [HB 1598])

A *BILL to amend and reenact §§ 2.2-115, 2.2-419, 2.2-424, 2.2-426, 2.2-430, 2.2-431, 2.2-433, 2.2-3101, 2.2-3103 through 2.2-3104.01, 2.2-3106, 2.2-3114 through 2.2-3118, 2.2-3121, 2.2-3124, 30-101, 30-103, 30-103.1, 30-110, 30-111, 30-124, 30-126, 30-129.1, 30-355, 30-356, and 30-357 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 30-356.1 through 30-356.4, relating to the State and Local Government Conflict of Interests Act, General Assembly Conflicts of Interests Act, and Virginia Conflict of Interest and Ethics Advisory Council; ethics reforms.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-115, 2.2-419, 2.2-424, 2.2-426, 2.2-430, 2.2-431, 2.2-433, 2.2-3101, 2.2-3103 through 2.2-3104.01, 2.2-3106, 2.2-3114 through 2.2-3118, 2.2-3121, 2.2-3124, 30-101, 30-103, 30-103.1, 30-110, 30-111, 30-124, 30-126, 30-129.1, 30-355, 30-356, and 30-357 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 30-356.1 through 30-356.4 as follows:

§ 2.2-115. Commonwealth's Development Opportunity Fund.

A. As used in this section, unless the context requires otherwise:

"New job" means employment of an indefinite duration, created as the direct result of the private investment, for which the firm pays the wages and standard fringe benefits for its employee, requiring a minimum of either (i) 35 hours of the employee's time a week for the entire normal year of the firm's operations, which "normal year" must consist of at least 48 weeks or (ii) 1,680 hours per year.

Seasonal or temporary positions, positions created when a job function is shifted from an existing location in the Commonwealth to the location of the economic development project, positions with suppliers, and multiplier or spin-off jobs shall not qualify as new jobs. The term "new job" shall include positions with contractors provided that all requirements included within the definition of the term are met.

"Prevailing average wage" means that amount determined by the Virginia Employment Commission to be the average wage paid workers in the city or county of the Commonwealth where the economic development project is located. The prevailing average wage shall be determined without regard to any fringe benefits.

"Private investment" means the private investment required under this section.

B. There is created the ~~Governor's~~ *Commonwealth's* Development Opportunity Fund (the Fund) to be used by the Governor to attract economic development prospects and secure the expansion of existing industry in the Commonwealth. The Fund shall consist of any funds appropriated to it by the general appropriation act and revenue from any other source, public or private. The Fund shall be established on the books of the Comptroller, and any funds remaining in the Fund at the end of a biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on the Fund shall be credited to the Fund. The Governor shall report to the Chairmen of the House Committees on Appropriations and Finance and the Senate Committee on Finance as funds are awarded in accordance with this section.

C. Funds shall be awarded from the Fund by the Governor as grants or loans to political subdivisions. The criteria for making such grants or loans shall include (i) job creation, (ii) private capital investment, and (iii) anticipated additional state tax revenue expected to accrue to the state and affected localities as a result of the capital investment and jobs created. Loans shall be approved by the Governor and made in accordance with guidelines established by the Virginia Economic Development Partnership and approved by the Comptroller. Loans shall be interest-free unless otherwise determined by the Governor and shall be repaid to the Fund. The Governor may establish the interest rate to be charged; otherwise, any interest charged shall be at market rates as determined by the State Treasurer and shall be indicative of the duration of the loan. The Virginia Economic Development Partnership shall be responsible for monitoring repayment of such loans and reporting the receivables to the Comptroller as required.

Beginning with the five fiscal years from fiscal year 2006-2007 through fiscal year 2010-2011, and for every five fiscal years' period thereafter, in general, no less than one-third of the moneys appropriated to the Fund in every such five-year period shall be awarded to counties and cities having an annual average unemployment rate that is greater than the final statewide average unemployment rate for the calendar year that immediately precedes the calendar year of the award. However, if such

60 one-third requirement will not be met because economic development prospects in such counties and
61 cities are unable to fulfill the applicable minimum private investment and new jobs requirements set
62 forth in this section, then any funds remaining in the Fund at the end of the five-year period that would
63 have otherwise been awarded to such counties and cities shall be made available for awards in the next
64 five fiscal years' period.

65 D. Funds may be used for public and private utility extension or capacity development on and off
66 site; public and private installation, extension, or capacity development of high-speed or broadband
67 Internet access, whether on or off site; road, rail, or other transportation access costs beyond the funding
68 capability of existing programs; site acquisition; grading, drainage, paving, and any other activity
69 required to prepare a site for construction; construction or build-out of publicly or privately owned
70 buildings; training; or grants or loans to an industrial development authority, housing and redevelopment
71 authority, or other political subdivision for purposes directly relating to any of the foregoing. However,
72 in no case shall funds from the Fund be used, directly or indirectly, to pay or guarantee the payment for
73 any rental, lease, license, or other contractual right to the use of any property.

74 It shall be the policy of the Commonwealth that moneys in the Fund shall not be used for any
75 economic development project in which a business relocates or expands its operations in one or more
76 Virginia localities and simultaneously closes its operations or substantially reduces the number of its
77 employees in another Virginia locality. The Secretary of Commerce and Trade shall enforce this policy
78 and for any exception thereto shall promptly provide written notice to the Chairmen of the Senate
79 Finance and House Appropriations Committees, which notice shall include a justification for any
80 exception to such policy.

81 E. 1. a. Except as provided in this subdivision, no grant or loan shall be awarded from the Fund
82 unless the project involves a minimum private investment of \$5 million and creates at least 50 new jobs
83 for which the average wage, excluding fringe benefits, is no less than the prevailing average wage. For
84 projects, including but not limited to projects involving emerging technologies, for which the average
85 wage of the new jobs created, excluding fringe benefits, is at least twice the prevailing average wage for
86 that locality or region, the Governor shall have the discretion to require no less than one-half the
87 number of new jobs as set forth for that locality in this subdivision.

88 b. Notwithstanding the provisions of subdivision a, a grant or loan may be awarded from the Fund if
89 the project involves a minimum private investment of \$100 million and creates at least 25 new jobs for
90 which the average wage, excluding fringe benefits, is no less than the prevailing average wage.

91 2. Notwithstanding the provisions of subdivision 1 a, in localities (i) with an annual unemployment
92 rate for the most recent calendar year for which such data is available that is greater than the final
93 statewide average unemployment rate for that calendar year or (ii) with a poverty rate for the most
94 recent calendar year for which such data is available that exceeds the statewide average poverty rate for
95 that year, a grant or loan may be awarded from the Fund pursuant to subdivision 1 a if the project
96 involves a minimum private investment of \$2.5 million and creates at least 25 new jobs for which the
97 average wage, excluding fringe benefits, is no less than 85 percent of the prevailing average wage.

98 3. Notwithstanding the provisions of subdivisions 1 a and 2, in localities (i) with an annual
99 unemployment rate for the most recent calendar year for which such data is available that is greater than
100 the final statewide average unemployment rate for that calendar year and (ii) with a poverty rate for the
101 most recent calendar year for which such data is available that exceeds the statewide average poverty
102 rate for that year, a grant or loan may be awarded from the Fund pursuant to such subdivisions if the
103 project involves a minimum private investment of \$1.5 million and creates at least 15 new jobs for
104 which the average wage, excluding fringe benefits, is no less than 85 percent of the prevailing average
105 wage.

106 4. For projects that are eligible under subdivision 2 or 3, the average wage of the new jobs,
107 excluding fringe benefits, shall be no less than 85 percent of the prevailing average wage. In addition,
108 for projects in such localities, the Governor may award a grant or loan for a project paying less than 85
109 percent of the prevailing average wage but still providing customary employee benefits, only after the
110 Secretary of Commerce and Trade has made a written finding that the economic circumstances in the
111 area are sufficiently distressed (i.e., high unemployment or underemployment and negative economic
112 forecasts) that assistance to the locality to attract the project is nonetheless justified. However, the
113 minimum private investment and number of new jobs required to be created as set forth in this
114 subsection shall still be a condition of eligibility for an award from the Fund. Such written finding shall
115 promptly be provided to the chairs of the Senate Committee on Finance and the House Committee on
116 Appropriations.

117 F. 1. The Virginia Economic Development Partnership shall assist the Governor in developing
118 objective guidelines and criteria that shall be used in awarding grants or making loans from the Fund.
119 The guidelines may require that as a condition of receiving any grant or loan incentive that is based on
120 employment goals, a recipient company must provide copies of employer quarterly payroll reports that
121 have been provided to the Virginia Employment Commission to verify the employment status of any

122 position included in the employment goal. The guidelines may include a requirement for the affected
 123 locality or localities to provide matching funds which may be cash or in-kind, at the discretion of the
 124 Governor. The guidelines and criteria shall include provisions for geographic diversity and a cap on the
 125 amount of funds to be provided to any individual project. At the discretion of the Governor, this cap
 126 may be waived for qualifying projects of regional or statewide interest. In developing the guidelines and
 127 criteria, the Virginia Economic Development Partnership shall use the measure for Fiscal Stress
 128 published by the Commission on Local Government of the Department of Housing and Community
 129 Development for the locality in which the project is located or will be located as one method of
 130 determining the amount of assistance a locality shall receive from the Fund.

131 2. a. Notwithstanding any provision in this section or in the guidelines, each political subdivision that
 132 receives a grant or loan from the Fund shall enter into a contract with each business beneficiary of
 133 funds from the Fund. A person or entity shall be a business beneficiary of funds from the Fund if grant
 134 or loan moneys awarded from the Fund by the Governor are paid to a political subdivision and (i)
 135 subsequently distributed by the political subdivision to the person or entity or (ii) used by the political
 136 subdivision for the benefit of the person or entity but never distributed to the person or entity.

137 b. The contract between the political subdivision and the business beneficiary shall provide in detail
 138 (i) the fair market value of all funds that the Commonwealth has committed to provide, (ii) the fair
 139 market value of all matching funds (or in-kind match) that the political subdivision has agreed to
 140 provide, (iii) how funds committed by the Commonwealth (including but not limited to funds from the
 141 Fund committed by the Governor) and funds that the political subdivision has agreed to provide are to
 142 be spent, (iv) the minimum private investment to be made and the number of new jobs to be created
 143 agreed to by the business beneficiary, (v) the average wage (excluding fringe benefits) agreed to be paid
 144 in the new jobs, (vi) the prevailing average wage, and (vii) the formula, means, or processes agreed to
 145 be used for measuring compliance with the minimum private investment and new jobs requirements,
 146 including consideration of any layoffs instituted by the business beneficiary over the course of the
 147 period covered by the contract.

148 The contract shall state the date by which the agreed upon private investment and new job
 149 requirements shall be met by the business beneficiary of funds from the Fund and may provide for the
 150 political subdivision to grant up to a 15-month extension of such date if deemed appropriate by the
 151 political subdivision subsequent to the execution of the contract. Any extension of such date granted by
 152 the political subdivision shall be in writing and promptly delivered to the business beneficiary, and the
 153 political subdivision shall simultaneously provide a copy of the extension to the Virginia Economic
 154 Development Partnership.

155 The contract shall provide that if the private investment and new job contractual requirements are not
 156 met by the expiration of the date stipulated in the contract, including any extension granted by the
 157 political subdivision, the business beneficiary shall be liable to the political subdivision for repayment of
 158 a portion of the funds provided under the contract. The contract shall include a formula for purposes of
 159 determining the portion of such funds to be repaid. The formula shall, in part, be based upon the fair
 160 market value of all funds that have been provided by the Commonwealth and the political subdivision
 161 and the extent to which the business beneficiary has met the private investment and new job contractual
 162 requirements. Any such funds repaid to the political subdivision that relate to the award from the
 163 Governor's Commonwealth's Development Opportunity Fund shall promptly be paid over by the political
 164 subdivision to the Commonwealth by payment remitted to the State Treasurer. Upon receipt by the State
 165 Treasurer of such payment, the Comptroller shall deposit such repaid funds into the Governor's
 166 Commonwealth's Development Opportunity Fund.

167 c. The contract shall be amended to reflect changes in the funds committed by the Commonwealth or
 168 agreed to be provided by the political subdivision.

169 d. Notwithstanding any provision in this section or in the guidelines, whenever layoffs instituted by a
 170 business beneficiary over the course of the period covered by a contract cause the net total number of
 171 the new jobs created to be fewer than the number agreed to, then the business beneficiary shall return
 172 the portion of any funds received pursuant to the repayment formula established by the contract.

173 3. Notwithstanding any provision in this section or in the guidelines, prior to executing any such
 174 contract with a business beneficiary, the political subdivision shall provide a copy of the proposed
 175 contract to the Attorney General. The Attorney General shall review the proposed contract (i) for
 176 enforceability as to its provisions and (ii) to ensure that it is in appropriate legal form. The Attorney
 177 General shall provide any written suggestions to the political subdivision within seven days of his
 178 receipt of the copy of the contract. The Attorney General's suggestions shall be limited to the
 179 enforceability of the contract's provisions and the legal form of the contract.

180 4. Notwithstanding any provision in this section or in the guidelines, a political subdivision shall not
 181 expend, distribute, pledge, use as security, or otherwise use any award from the Fund unless and until
 182 such contract as described herein is executed with the business beneficiary.

183 G. Within the 30 days immediately following June 30 and December 30 of each year, the Governor
 184 shall provide a report to the Chairmen of the House Committees on Appropriations and Finance and the
 185 Senate Committee on Finance which shall include, but is not limited to, the following information
 186 regarding grants and loans awarded from the Fund during the immediately preceding six-month period
 187 for economic development projects: the name of the company that is the business beneficiary of the
 188 grant or loan and the type of business in which it engages; the location (county, city, or town) of the
 189 project; the amount of the grant or loan committed from the Fund and the amount of all other funds
 190 committed by the Commonwealth from other sources and the purpose for which such grants, loans, or
 191 other funds will be used; the amount of all moneys or funds agreed to be provided by political
 192 subdivisions and the purposes for which they will be used; the number of new jobs agreed to be created
 193 by the business beneficiary; the amount of investment in the project agreed to be made by the business
 194 beneficiary; the timetable for the completion of the project and new jobs created; the prevailing average
 195 wage; and the average wage (excluding fringe benefits) agreed to be paid in the new jobs.

196 H. The Governor shall provide grants and commitments from the Fund in an amount not to exceed
 197 the dollar amount contained in the Fund. If the Governor commits funds for years beyond the fiscal
 198 years covered under the existing appropriation act, the State Treasurer shall set aside and reserve the
 199 funds the Governor has committed, and the funds shall remain in the Fund for those future fiscal years.
 200 No grant or loan shall be payable in the years beyond the existing appropriation act unless the funds are
 201 currently available in the Fund.

202 *I. No person or entity that is seeking to become a business beneficiary of funds from the Fund and*
 203 *no individual who is an officer, director, or employee, including an agent or consultant, of such entity*
 204 *shall knowingly provide a contribution, gift, or other item with a value greater than \$50 or make an*
 205 *express or implied promise to make such a contribution or gift to the Governor, or to his campaign*
 206 *committee or a political action committee established on his behalf, while seeking such funds and for a*
 207 *period of one year following the date the grant or loan sought is awarded. The provisions of this*
 208 *subsection shall apply only for any grant or loan where the stated or expected value of the grant or*
 209 *loan is \$100,000 or more. Any person who knowingly violates this section shall be subject to a civil*
 210 *penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater, and the*
 211 *contribution, gift, or other item shall be returned to the donor. The attorney for the Commonwealth*
 212 *shall initiate civil proceedings to enforce the civil penalties. Any civil penalties collected shall be*
 213 *payable to the State Treasurer for deposit to the general fund and used exclusively to fund the Virginia*
 214 *Conflict of Interest and Ethics Advisory Council.*

215 **§ 2.2-419. Definitions.**

216 As used in this article, unless the context requires a different meaning:

217 "Anything of value" means:

- 218 1. A pecuniary item, including money, or a bank bill or note;
- 219 2. A promissory note, bill of exchange, order, draft, warrant, check, or bond given for the payment
 220 of money;
- 221 3. A contract, agreement, promise, or other obligation for an advance, conveyance, forgiveness of
 222 indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money;
- 223 4. A stock, bond, note, or other investment interest in an entity;
- 224 5. A receipt given for the payment of money or other property;
- 225 6. A right in action;
- 226 7. A gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel;
- 227 8. A loan or forgiveness of indebtedness;
- 228 9. A work of art, antique, or collectible;
- 229 10. An automobile or other means of personal transportation;
- 230 11. Real property or an interest in real property, including title to realty, a fee simple or partial
 231 interest, present or future, contingent or vested within realty, a leasehold interest, or other beneficial
 232 interest in realty;
- 233 12. An honorarium or compensation for services;
- 234 13. A rebate or discount in the price of anything of value unless the rebate or discount is made in
 235 the ordinary course of business to a member of the public without regard to that person's status as an
 236 executive or legislative official, or the sale or trade of something for reasonable compensation that
 237 would ordinarily not be available to a member of the public;
- 238 14. A promise or offer of employment; or
- 239 15. Any other thing of value that is pecuniary or compensatory in value to a person.

240 "Anything of value" does not mean a campaign contribution properly received and reported pursuant
 241 to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2.

242 "Compensation" means:

- 243 1. An advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift,
 244 pledge, or transfer of money or anything of value; or

245 2. A contract, agreement, promise or other obligation for an advance, conveyance, forgiveness of
 246 indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money or anything of
 247 value, for services rendered or to be rendered.

248 "Compensation" does not mean reimbursement of expenses if the reimbursement does not exceed the
 249 amount actually expended for the expenses and it is substantiated by an itemization of expenses.

250 "*Council*" means the Virginia Conflict of Interest and Ethics Advisory Council established in
 251 § 30-355.

252 "Executive action" means the proposal, drafting, development, consideration, amendment, adoption,
 253 approval, promulgation, issuance, modification, rejection, or postponement by an executive agency or
 254 official of legislation or executive orders issued by the Governor. "*Executive action*" includes
 255 *procurement transactions*.

256 "Executive agency" means an agency, board, commission, or other body in the executive branch of
 257 state government. "Executive agency" includes the State Corporation Commission, the Virginia Workers'
 258 Compensation Commission, and the Virginia Lottery.

259 "Executive official" means:

260 1. The Governor;

261 2. The Lieutenant Governor;

262 3. The Attorney General;

263 4. Any officer or employee of the office of the Governor or, Lieutenant Governor, or Attorney
 264 *General* other than a clerical or secretarial employee;

265 5. The Governor's Secretaries, the Deputy Secretaries, and the chief executive officer of each
 266 executive agency; or

267 6. Members of supervisory and policy boards, commissions and councils, as defined in § 2.2-2100,
 268 however selected.

269 "Expenditure" means:

270 1. A purchase, payment, distribution, loan, forgiveness of a loan or payment of a loan by a third
 271 party, advance, deposit, transfer of funds, a promise to make a payment, or a gift of money or anything
 272 of value for any purpose;

273 2. A payment to a lobbyist for salary, fee, reimbursement for expenses, or other purpose by a person
 274 employing, retaining, or contracting for the services of the lobbyist separately or jointly with other
 275 persons;

276 3. A payment in support of or assistance to a lobbyist or the lobbyist's activities, including the direct
 277 payment of expenses incurred at the request or suggestion of the lobbyist;

278 4. A payment that directly benefits an executive or legislative official or a member of the official's
 279 immediate family;

280 5. A payment, including compensation, payment, or reimbursement for the services, time, or expenses
 281 of an employee for or in connection with direct communication with an executive or legislative official;

282 6. A payment for or in connection with soliciting or urging other persons to enter into direct
 283 communication with an executive or legislative official; or

284 7. A payment or reimbursement for categories of expenditures required to be reported pursuant to
 285 this chapter.

286 "Expenditure" does not mean a campaign contribution properly received and reported pursuant to
 287 Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2.

288 "Fair market value" means the price that a good or service would bring between a willing seller and
 289 a willing buyer in the open market after negotiations. If the fair market value cannot be determined, the
 290 actual price paid for the good or service shall be given consideration.

291 "Gift" means ~~anything of value to the extent that a consideration of equal or greater value is not~~
 292 ~~received any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having~~
 293 ~~monetary value, and includes services as well as gifts of transportation, local travel, lodgings and~~
 294 ~~meals, whether provided in-kind, or by purchase of a ticket, payment in advance, or reimbursement after~~
 295 ~~the expense has been incurred.~~

296 "Gift" does not mean:

297 1. Printed informational or promotional material;

298 2. A gift that is not used and, no later than 60 days after receipt, is returned to the donor or
 299 delivered to a charitable organization and is not claimed as a charitable contribution for federal income
 300 tax purposes;

301 3. A gift, devise, or inheritance from an individual's spouse, child, parent, grandparent, brother, sister,
 302 parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin or the spouse of
 303 that individual, if the donor is not acting as the agent or intermediary for someone other than a person
 304 covered by this subdivision; or

305 4. A gift of a value of \$50 or less;

306 5. A gift made to a nonpartisan state, regional, national, or international legislative organization, or
307 an affiliated organization of such organization, of which the General Assembly or a legislative official is
308 a member due to his official position or employment;

309 6. Any offer of a ticket, coupon, or other admission or pass unless the ticket, coupon, admission, or
310 pass is used;

311 7. Any food or beverages provided to an individual at an event at which the individual is performing
312 official duties related to his public service;

313 8. An unsolicited, personally inscribed award of appreciation or recognition in the form of a plaque,
314 trophy, wall memento, or similar item that is given in recognition of public, civic, charitable, or
315 professional service; or

316 9. Any gift from a family member or personal friend, as long as that gift is not otherwise prohibited
317 by this section.

318 "Immediate family" means (i) the spouse and (ii) any child who resides in the same household as the
319 executive or legislative official and who is a dependent of the official.

320 "Legislative action" means:

321 1. Preparation, research, drafting, introduction, consideration, modification, amendment, approval,
322 passage, enactment, tabling, postponement, defeat, or rejection of a bill, resolution, amendment, motion,
323 report, nomination, appointment, or other matter by the General Assembly or a legislative official;

324 2. Action by the Governor in approving, vetoing, or recommending amendments for a bill passed by
325 the General Assembly; or

326 3. Action by the General Assembly in overriding or sustaining a veto by the Governor, considering
327 amendments recommended by the Governor, or considering, confirming, or rejecting an appointment of
328 the Governor.

329 "Legislative official" means:

330 1. A member or member-elect of the General Assembly;

331 2. A member of a committee, subcommittee, commission, or other entity established by and
332 responsible to the General Assembly or either house of the General Assembly; or

333 3. Persons employed by the General Assembly or an entity established by and responsible to the
334 General Assembly.

335 "Lobbying" means:

336 1. Influencing or attempting to influence executive or legislative action through oral or written
337 communication with an executive or legislative official; or

338 2. Solicitation of others to influence an executive or legislative official.

339 "Lobbying" does not mean:

340 1. Requests for appointments, information on the status of pending executive and legislative actions,
341 or other ministerial contacts if there is no attempt to influence executive or legislative actions;

342 2. Responses to published notices soliciting public comment submitted to the public official
343 designated in the notice to receive the responses;

344 3. The solicitation of an association by its members to influence legislative or executive action; or

345 4. Communications between an association and its members and communications between a principal
346 and its lobbyists.

347 "Lobbyist" means:

348 1. An individual who is employed and receives payments, or who contracts for economic
349 consideration, including reimbursement for reasonable travel and living expenses, for the purpose of
350 lobbying;

351 2. An individual who represents an organization, association, or other group for the purpose of
352 lobbying; or

353 3. A local government employee who lobbies.

354 "Lobbyist's principal" or "principal" means the entity on whose behalf the lobbyist influences or
355 attempts to influence executive or legislative action. An organization whose employees conduct lobbying
356 activities on its behalf is both a principal and an employer of the lobbyists. In the case of a coalition or
357 association that employs or retains others to conduct lobbying activities on behalf of its membership, the
358 principal is the coalition or association and not its individual members.

359 "Local government" means:

360 1. Any county, city, town, or other local or regional political subdivision;

361 2. Any school division;

362 3. Any organization or entity that exercises governmental powers that is established pursuant to an
363 interstate compact; or

364 4. Any organization composed of members representing entities listed in subdivisions 1, 2, or 3 of
365 this definition.

366 "Local government employee" means a public employee of a local government.

367 "Person" means an individual, proprietorship, firm, partnership, joint venture, joint stock company,

368 syndicate, business trust, estate, company, corporation, association, club, committee, organization, or
369 group of persons acting in concert.

370 "Procurement transaction" means all functions that pertain to obtaining all goods, services, or
371 construction on behalf of an executive agency, including description of requirements, selection and
372 solicitation of sources, preparation and award of contract, and all phases of contract administration.

373 "Secretary" means the Secretary of the Commonwealth.

374 "Value" means the actual cost or fair market value of an item or items, whichever is greater. If the
375 fair market value cannot be determined, the actual amount paid for the item or items shall be given
376 consideration.

377 "Widely attended event" means an event for which there is a reasonable expectation that at least 25
378 persons will attend the event and the event has a civic or regional interest or is open to individuals
379 from a particular industry or profession or who represent persons interested in a particular issue.

380 **§ 2.2-424. Registration fees.**

381 The Secretary shall collect an annual registration fee of fifty dollars \$100 from the lobbyist for each
382 principal for whom, or on whose behalf, the lobbyist will act. This fee shall be deposited into the
383 general fund and used exclusively to fund the Council.

384 **§ 2.2-426. Lobbyist reporting; penalty.**

385 A. Each lobbyist shall file with the Virginia Conflict of Interest and Ethics Advisory Council a
386 separate semiannual report of expenditures, including gifts, for each principal for whom he lobbies by
387 December 15 for the preceding six-month period complete through the last day of October and June 15
388 for the preceding six-month period complete through the last day of April.

389 B. Each principal who expends more than \$500 to employ or compensate multiple lobbyists shall be
390 responsible for filing a consolidated lobbyist report pursuant to this section in any case in which the
391 lobbyists are each exempt under the provisions of subdivision 7 or 8 of § 2.2-420 from the reporting
392 requirements of this section.

393 C. The report shall be on a form provided prescribed and made available by the Virginia Conflict of
394 Interest and Ethics Advisory Council; which shall be substantially as follows and shall be accompanied
395 by instructions provided by the Council. All reports shall be submitted electronically and in accordance
396 with the standards approved by the Council pursuant to the provisions of § 30-356. A person required to
397 file this disclosure statement who does so knowing it to contain a material misstatement of fact is guilty
398 of a Class 6 felony.

399 ~~LOBBYIST'S DISCLOSURE STATEMENT~~

400 ~~PART I:-~~

401 ~~(1) PRINCIPAL: _____~~

402 ~~_____ In Part I, item 2a, provide the name of the individual~~
403 ~~_____ authorizing your employment as a lobbyist. The lobbyist filing~~
404 ~~_____ this statement MAY NOT list his name in item 2a.~~

405 ~~(2a) Name: _____~~

406 ~~(2b) Permanent Business Address: _____~~

407 ~~(2c) Business Telephone: _____~~

408 ~~(3) Provide a list of executive and legislative actions (with as~~
409 ~~_____ much specificity as possible) for which you lobbied and a~~
410 ~~_____ description of activities conducted.~~

411 _____
412 _____
413 _____

414 ~~(4) INCORPORATED FILINGS: If you are filing an incorporated~~
415 ~~_____ disclosure statement, please complete the following:-~~

416 ~~_____ Individual filing financial information: _____~~

417 ~~_____ Individuals to be included in the filing: _____~~

418 _____

419 ~~(5) Please indicate which schedules will be attached to your~~
420 ~~_____ disclosure statement:-~~

421 ~~_____ [] Schedule A: Entertainment Expenses~~

422 ~~_____ [] Schedule B: Gifts~~

423 ~~_____ [] Schedule C: Other Expenses~~

424 ~~(6) EXPENDITURE TOTALS:-~~

425 ~~_____ a) ENTERTAINMENT \$ _____~~

426 ~~_____ b) GIFTS \$ _____~~

427 _____ e) COMMUNICATIONS _____ \$ _____
 428 _____ d) PERSONAL LIVING AND TRAVEL EXPENSES _____ \$ _____
 429 _____ e) COMPENSATION OF LOBBYISTS _____ \$ _____
 430 _____ f) HONORARIA _____ \$ _____
 431 _____ g) OTHER _____ \$ _____
 432 _____ TOTAL _____ \$ _____

433 PART II:

434 (1a) NAME OF LOBBYIST: _____

435 (1b) Permanent Business Address: _____

436 (1c) Business Telephone: _____

437 (2) As a lobbyist, you are (check one)

438 [] EMPLOYED (on the payroll of the principal)

439 [] RETAINED (not on the payroll of the principal, however
440 compensated)

441 [] NOT COMPENSATED (not compensated; expenses may be reimbursed)

442 (3) List all lobbyists other than yourself who registered to
443 represent your principal.

444 _____

445 _____

446 _____

447 (4) If you selected "EMPLOYED" as your answer to Part II, item 2,
448 provide your job title.

449 _____

450 PLEASE NOTE: Some lobbyists are not individually compensated for
451 lobbying activities. This may occur when several members of a firm
452 represent a single principal. The principal, in turn, makes a single
453 payment to the firm. If this describes your situation, do not answer
454 Part II, items 5a and 5b. Instead, complete Part III, items 1 and 2.

455 (5a) What was the DOLLAR AMOUNT OF YOUR COMPENSATION as a lobbyist?

456 (If you have job responsibilities other than those involving
457 lobbying, you may have to prorate to determine the part of your
458 salary attributable to your lobbying activities.) Transfer your
459 answer to this item to Part I, item 6e.

460 (5b) Explain how you arrived at your answer to Part II, item 5a.

461 _____

462 _____

463 _____

464 PART III:

465 PLEASE NOTE: If you answered Part II, items 5a and 5b, you WILL NOT
466 complete this section.

467 (1) List all members of your firm, organization, association,
468 corporation, or other entity who furnished lobbying services to
469 your principal.

470 _____

471 _____

472 _____

473 (2) Indicate the total amount paid to your firm, organization,
474 association, corporation or other entity for services rendered.
475 Transfer your answer to this item to Part I, item 6e _____

476 _____ SCHEDULE A

477 _____ ENTERTAINMENT EXPENSES

478 PLEASE NOTE: Any single entertainment event included in the expense
479 totals of the principal, with a value greater than \$50, should be
480 itemized below. Transfer any totals from this schedule to Part I,
481 item 6a. (Please duplicate as needed.)

482 Date and Location of Event:

483 _____

484 _____
 485 Description of Event:
 486 _____
 487 _____
 488 Total Number of Persons Attending:
 489
 490 Names of Legislative and Executive Officials or Members of Their
 491 Immediate Families Attending: (List names only if the average value
 492 for each person attending the event was greater than \$50.)
 493 _____
 494 _____
 495 _____
 496 _____
 497 Food \$ _____
 498 Beverages \$ _____
 499 Transportation of Legislative and Executive Officials
 500 or Members of Their Immediate Families \$ _____
 501 Lodging of Legislative and Executive Officials or
 502 Members of Their Immediate Families \$ _____
 503 Performers, Speakers, Etc. \$ _____
 504 Displays \$ _____
 505 Rentals \$ _____
 506 Service Personnel \$ _____
 507 Miscellaneous \$ _____
 508 TOTAL \$ _____

509 SCHEDULE B

510 GIFTS

511 PLEASE NOTE: Any single gift reported in the expense totals of the
 512 principal, with a value greater than \$50, should be itemized below.
 513 (Report meals, entertainment and travel under Schedule A.) Transfer
 514 any totals from this schedule to Part I, item 6b. (Please duplicate
 515 as needed.)

516	_____	Name of each	
517	_____	legislative or	
518	_____	executive official	
519	_____	or member of his	
520	_____	immediate family	Cost of
521	Date	Description	who is a recipient
522	of gift:	of gift:	individual
523	_____	_____	gift:
524	_____	_____	\$ _____
525	_____	_____	\$ _____
526	_____	_____	\$ _____
527	TOTAL COST TO PRINCIPAL		\$ _____

528 SCHEDULE C

529 OTHER EXPENSES

530 PLEASE NOTE: This section is provided for any lobbying related
 531 expenses not covered in Part I, items 6a - 6f. An example of an
 532 expenditure to be listed on schedule C would be the rental of a
 533 bill box during the General Assembly session. Transfer the total
 534 from this schedule to Part I, item 6g. (Please duplicate as needed.)

535	DATE OF EXPENSE	DESCRIPTION OF EXPENSE	AMOUNT
536	_____	_____	\$ _____
537	_____	_____	\$ _____
538	_____	_____	\$ _____
539	_____	_____	\$ _____

540	_____	_____	\$ _____
541	_____	_____	\$ _____
542	_____	_____	\$ _____
543	_____	_____	\$ _____
544	_____	_____	\$ _____
545	TOTAL "OTHER" EXPENSES		\$ _____

546 PART IV: STATEMENTS

547 The following items are mandatory and if they are not properly
548 completed, the entire filing will be rejected and returned to
549 the lobbyist:

550 (1) All signatures on the statement must be ORIGINAL in the format
551 specified in the instructions provided by the Council that
552 accompany this form. No stamps, or other reproductions of the
553 individual's signature will be accepted.

554 (2) An individual MAY NOT sign the disclosure statement as lobbyist
555 and principal officer.

556 STATEMENT OF LOBBYIST

557 I, the undersigned registered lobbyist, do state that the information
558 furnished on this disclosure statement and on all accompanying
559 attachments required to be made thereto is, to the best of my
560 knowledge and belief, complete and accurate.

561 _____
562 _____
563 Signature of lobbyist

564 _____
565 _____
566 Date

567 STATEMENT OF PRINCIPAL

568 I, the undersigned principal (or an authorized official thereof), do
569 state that the information furnished on this disclosure statement
570 and on all accompanying attachments required to be made thereto is,
571 to the best of my knowledge and belief, complete and accurate.

572 _____
573 _____
574 Signature of principal

575 _____
576 _____
577 Date

578 D. A person who signs the disclosure statement knowing it to contain a material misstatement of fact
579 is guilty of a Class 5 felony. Certain information regarding the principal and the lobbyist shall be
580 reported. Such report shall include:

- 581 1. The name and contact information of the lobbyist;
- 582 2. The name and contact information of each principal for whom the lobbyist or the firm,
583 organization, association, corporation, or other entity employing the lobbyist provided lobbying services;
- 584 3. The total amount paid by each principal to the lobbyist or the firm, organization, association,
585 corporation, or other entity employing the lobbyist for lobbying services rendered; and
- 586 4. A list of executive and legislative actions for which the lobbyist lobbied on behalf of each
587 principal and a description of activities conducted.

588 E. Certain information regarding entertainment expenses shall be reported. Only entertainment events
589 for which the average value per person exceeds \$50 shall be reported. For each such entertainment
590 event, such report shall include:

- 591 1. The date and location of the event;
- 592 2. A description of the event, including whether or not it meets the criteria of a widely attended
593 event;
- 594 3. The approximate total number of persons in attendance, if such number is ascertainable; and
- 595 4. The total amount of the expenses of the event. Such expenses shall include food, beverages,
596 rentals, performers or speakers, service personnel, the transportation of legislative and executive
597 officials and members of their immediate families, the lodging of legislative and executive officials and
598 members of their immediate families, and any miscellaneous items.

599 F. Certain information regarding gifts shall be reported. Only gifts with a value exceeding \$50 shall
600 be reported. For each reportable gift provided to a legislative or executive official or a member of his
601 immediate family, such report shall include:

- 602 1. The date of the gift;

- 599 2. The name of the recipient or recipients;
- 600 3. A description of gift; and
- 601 4. The value of the gift.

602 G. Certain information regarding other lobbying-related expenses shall be reported. The Council
 603 shall provide guidance on what constitutes a lobbying-related expense.

604 H. Each lobbyist shall send to each legislative and executive official who is required to be identified
 605 by name on Schedule A or B of the gift or entertainment reports of the Lobbyist's Disclosure Form a
 606 copy of Schedule A or B the report or a summary of the information pertaining to that official. Copies
 607 or summaries shall be provided to the official by November 21 for the preceding six-month period
 608 complete through the last day of October and by May 21 for the preceding six-month period complete
 609 through the last day of April.

610 **§ 2.2-430. Termination.**

611 A lobbyist may terminate a lobbyist registration *at any time* by filing a report required under
 612 § 2.2-426 including information through the last day of lobbying activity. A termination report shall
 613 indicate that the lobbyist intends to use the report as the final accounting of lobbying activity *and shall*
 614 *include the effective date of the termination.*

615 **§ 2.2-431. Penalties; filing of substituted statement.**

616 A. Every lobbyist failing to file the statement prescribed by § 2.2-426 within the time prescribed
 617 therein shall be assessed a civil penalty of ~~five~~ **fifty dollars \$50**, and every individual failing to file the
 618 statement within ~~ten~~ 10 days after the time prescribed herein shall be assessed an additional civil penalty
 619 of ~~five~~ **fifty dollars \$50** per day from the eleventh day of such default until the statement is filed. The
 620 Council shall notify the Secretary of any lobbyist's failure to file the statement within the time
 621 prescribed, and the penalties shall be assessed and collected by the Secretary. The Attorney General
 622 shall assist the Secretary in collecting the penalties, upon request.

623 B. Every lobbyist's principal whose lobbyist fails to file the statement prescribed by § 2.2-426 shall
 624 be assessed a civil penalty of ~~five~~ **fifty dollars \$50**, and shall be assessed an additional civil penalty of ~~five~~
 625 **dollars \$50** per day from the eleventh day of such default until the statement is filed. The Council shall
 626 notify the Secretary of any lobbyist's failure to file the statement within the time prescribed, and the
 627 penalty shall be assessed and collected by the Secretary. The Attorney General shall assist the Secretary
 628 in collecting the penalties, upon request.

629 C. No individual who has failed to file the statement required by § 2.2-426 or who has failed to pay
 630 all penalties assessed pursuant to this section, shall register or act as a lobbyist as long as he remains in
 631 default.

632 D. Whenever any lobbyist is or will be in default under § 2.2-426, and the reasons for such default
 633 are or will be beyond his control, or the control of his principal, or both, the Secretary may suspend the
 634 assessment of any penalty otherwise assessable and accept a substituted statement, upon the submission
 635 of sworn proofs that shall satisfy him that the default has been beyond the control of the lobbyist or his
 636 principal, and that the substituted statement contains the most accurate and complete information
 637 available after the exercise of due diligence.

638 E. Penalties collected pursuant to this section shall be payable to the State Treasurer for deposit to
 639 the general fund *and shall be used exclusively to fund the Council.*

640 **§ 2.2-433. Prohibited acts; violation a misdemeanor.**

641 A. No lobbyist shall:

- 642 1. Lobby in violation of the provisions of this article;
- 643 2. Make any expenditure, or obligate himself to do so, in connection with lobbying, unless he fully
 644 discloses the expenditure as required in this article; or
- 645 3. Misrepresent in any material respect or omit any information required to be reported pursuant to
 646 this article.

647 B. No lobbyist's principal shall:

- 648 1. Fail to file any statement required to be filed by the provisions of this article;
- 649 2. Misrepresent in any material respect or omit any information required to be reported pursuant to
 650 this article; or
- 651 3. Violate any of the provisions of this article.

652 C. Except as provided in subsection ~~D~~ C of § 2.2-426 *or subsection A of § 2.2-431*, any lobbyist or
 653 lobbyist's principal violating any provision of this article shall be guilty of a Class 1 misdemeanor.
 654 However, a lobbyist who receives no compensation or anything of value for lobbying shall not be
 655 subject to the criminal penalties prescribed by this section.

656 **§ 2.2-3101. Definitions.**

657 As used in this chapter, unless the context requires a different meaning:

658 "Advisory agency" means any board, commission, committee or post which does not exercise any
 659 sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for

660 the purpose of making studies or recommendations, or advising or consulting with a governmental
661 agency.

662 "Affiliated business entity relationship" means a relationship, other than a parent-subsi-
663 dary relationship, that exists when (i) one business entity has a controlling ownership interest in the other
664 business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or
665 (iii) there is shared management or control between the business entities. Factors that may be considered
666 in determining the existence of an affiliated business entity relationship include that the same person or
667 substantially the same person owns or manages the two entities, there are common or commingled funds
668 or assets, the business entities share the use of the same offices or employees, or otherwise share
669 activities, resources or personnel on a regular basis, or there is otherwise a close working relationship
670 between the entities.

671 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
672 association, trust or foundation, or any other individual or entity carrying on a business or profession,
673 whether or not for profit.

674 "*Close financial association*" means an association in which the person filing shares significant
675 financial involvement with an individual and the filer would reasonably be expected to be aware of the
676 individual's business activities and would have access to the necessary records either directly or through
677 the individual. "*Close financial association*" does not mean an association based on (i) the receipt of
678 retirement benefits or deferred compensation from a business by which the person filing this statement is
679 no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an
680 independent contractor of a business that represents an entity before any state governmental agency
681 when the person filing has had no communications with the state governmental agency.

682 "Contract" means any agreement to which a governmental agency is a party, or any agreement on
683 behalf of a governmental agency that involves the payment of money appropriated by the General
684 Assembly or a political subdivision, whether or not such agreement is executed in the name of the
685 Commonwealth, or some political subdivision thereof. "Contract" includes a subcontract only when the
686 contract of which it is a part is with the officer's or employee's own governmental agency.

687 "Council" means the Virginia Conflict of Interest and Ethics Advisory Council established in
688 § 30-355.

689 "Employee" means all persons employed by a governmental or advisory agency, unless otherwise
690 limited by the context of its use.

691 "Financial institution" means any bank, trust company, savings institution, industrial loan association,
692 consumer finance company, credit union, broker-dealer as defined in subsection A of § 13.1-501, or
693 investment company or advisor registered under the federal Investment Advisors Act or Investment
694 Company Act of 1940.

695 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item
696 having monetary value. It includes services as well as gifts of transportation, local travel, lodgings and
697 meals, whether provided in-kind, or by purchase of a ticket, payment in advance, or reimbursement after
698 the expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other
699 admission or pass unless the ticket, coupon, admission, or pass is used; (ii) *food or beverages consumed*
700 *while attending an event at which the filer is performing official duties related to his public service*; (iii)
701 honorary degrees; ~~(iii)~~ (iv) any athletic, merit, or need-based scholarship or any other financial aid
702 awarded by a public or private school, institution of higher education, or other educational program
703 pursuant to such school, institution, or program's financial aid standards and procedures applicable to the
704 general public; ~~(iv)~~ (v) *unsolicited, personally inscribed awards of appreciation or recognition in the*
705 *form of a plaque, trophy, wall memento, or similar item that is given in recognition of public, civic,*
706 *charitable, or professional service*; (vi) a campaign contribution properly received and reported pursuant
707 to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2; ~~(v)~~ (vii) *a devise or inheritance*; (viii) any gift given by
708 *a business associate or otherwise* related to the private profession or occupation of an officer or
709 employee or of a member of his immediate family; or ~~(vi)~~ (ix) gifts from relatives or personal friends.
710 For the purpose of this definition, "relative" means the donee's spouse, child, uncle, aunt, niece, or
711 nephew; a person to whom the donee is engaged to be married; the donee's or his spouse's parent,
712 grandparent, grandchild, brother, or sister; or the donee's brother's or sister's spouse. For the purpose of
713 this definition, "personal friend" does not include any person that the filer knows or has reason to know
714 is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a
715 lobbyist's principal as defined in § 2.2-419; (c) for an officer or employee of a local governmental or
716 advisory agency, a person, organization, or business who is a party to or is seeking to become a party to
717 a contract with the local agency of which he is an officer or an employee; or (d) for an officer or
718 employee of a state governmental or advisory agency, a person, organization, or business who is a party
719 to or is seeking to become a party to a contract with the Commonwealth. For purposes of this definition,
720 "person, organization, or business" includes individuals who are officers, directors, or owners of or who
721 have a controlling ownership interest in such organization or business.

722 "Governmental agency" means each component part of the legislative, executive or judicial branches
 723 of state and local government, including each office, department, authority, post, commission,
 724 committee, and each institution or board created by law to exercise some regulatory or sovereign power
 725 or duty as distinguished from purely advisory powers or duties. Corporations organized or controlled by
 726 the Virginia Retirement System are "governmental agencies" for purposes of this chapter.

727 "Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the
 728 officer or employee and who is a dependent of the officer or employee.

729 "Officer" means any person appointed or elected to any governmental or advisory agency including
 730 local school boards, whether or not he receives compensation or other emolument of office. Unless the
 731 context requires otherwise, "officer" includes members of the judiciary.

732 "Parent-subsidiary relationship" means a relationship that exists when one corporation directly or
 733 indirectly owns shares possessing more than 50 percent of the voting power of another corporation.

734 "Personal interest" means a financial benefit or liability accruing to an officer or employee or to a
 735 member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the
 736 ownership interest exceeds three percent of the total equity of the business; (ii) annual income that
 737 exceeds, or may reasonably be anticipated to exceed, \$5,000 from ownership in real or personal property
 738 or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or
 739 any combination thereof, paid or provided by a business or governmental agency that exceeds, or may
 740 reasonably be anticipated to exceed, \$5,000 annually; (iv) ownership of real or personal property if the
 741 interest exceeds \$5,000 in value and excluding ownership in a business, income, or salary, other
 742 compensation, fringe benefits or benefits from the use of property; (v) personal liability incurred or
 743 assumed on behalf of a business if the liability exceeds three percent of the asset value of the business;
 744 or (vi) an option for ownership of a business or real or personal property if the ownership interest will
 745 consist of clause (i) or (iv) above.

746 "Personal interest in a contract" means a personal interest that an officer or employee has in a
 747 contract with a governmental agency, whether due to his being a party to the contract or due to a
 748 personal interest in a business that is a party to the contract.

749 "Personal interest in a transaction" means a personal interest of an officer or employee in any matter
 750 considered by his agency. Such personal interest exists when an officer or employee or a member of his
 751 immediate family has a personal interest in property or a business or governmental agency, or represents
 752 or provides services to any individual or business and such property, business or represented or served
 753 individual or business (i) is the subject of the transaction or (ii) may realize a reasonably foreseeable
 754 direct or indirect benefit or detriment as a result of the action of the agency considering the transaction.
 755 Notwithstanding the above, such personal interest in a transaction shall not be deemed to exist where (a)
 756 an elected member of a local governing body serves without remuneration as a member of the board of
 757 trustees of a not-for-profit entity and such elected member or member of his immediate family has no
 758 personal interest related to the not-for-profit entity or (b) an officer, employee, or elected member of a
 759 local governing body is appointed by such local governing body to serve on a governmental agency, or
 760 an officer, employee, or elected member of a separate local governmental agency formed by a local
 761 governing body is appointed to serve on a governmental agency, and the personal interest in the
 762 transaction of the governmental agency is the result of the salary, other compensation, fringe benefits, or
 763 benefits provided by the local governing body or the separate governmental agency to the officer,
 764 employee, elected member, or member of his immediate family.

765 "State and local government officers and employees" shall not include members of the General
 766 Assembly.

767 "State filer" means those officers and employees required to file a disclosure statement of their
 768 personal interests pursuant to subsection A or B of § 2.2-3114.

769 "Transaction" means any matter considered by any governmental or advisory agency, whether in a
 770 committee, subcommittee, or other entity of that agency or before the agency itself, on which official
 771 action is taken or contemplated.

772 **§ 2.2-3103. Prohibited conduct.**

773 No officer or employee of a state or local governmental or advisory agency shall:

774 1. Solicit or accept money or other thing of value for services performed within the scope of his
 775 official duties, except the compensation, expenses or other remuneration paid by the agency of which he
 776 is an officer or employee. This prohibition shall not apply to the acceptance of special benefits that may
 777 be authorized by law;

778 2. Offer or accept any money or other thing of value for or in consideration of obtaining
 779 employment, appointment, or promotion of any person with any governmental or advisory agency;

780 3. Offer or accept any money or other thing of value for or in consideration of the use of his public
 781 position to obtain a contract for any person or business with any governmental or advisory agency;

782 4. Use for his own economic benefit or that of another party confidential information that he has

873 acquired by reason of his public position and which is not available to the public;

874 5. Accept any money, loan, gift, favor, service, or business or professional opportunity that
875 reasonably tends to influence him in the performance of his official duties. This subdivision shall not
876 apply to any political contribution actually used for political campaign or constituent service purposes
877 and reported as required by Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;

878 6. Accept any business or professional opportunity when he knows that there is a reasonable
879 likelihood that the opportunity is being afforded him to influence him in the performance of his official
880 duties;

881 7. Accept any honoraria for any appearance, speech, or article in which the officer or employee
882 provides expertise or opinions related to the performance of his official duties. The term "honoraria"
883 shall not include any payment for or reimbursement to such person for his actual travel, lodging, or
884 subsistence expenses incurred in connection with such appearance, speech, or article or in the alternative
885 a payment of money or anything of value not in excess of the per diem deduction allowable under § 162
886 of the Internal Revenue Code, as amended from time to time. The prohibition in this subdivision shall
887 apply only to the Governor, Lieutenant Governor, Attorney General, Governor's Secretaries, and heads
888 of departments of state government;

889 8. Accept a gift from a person who has interests that may be substantially affected by the
890 performance of the officer's or employee's official duties under circumstances where the timing and
891 nature of the gift would cause a reasonable person to question the officer's or employee's impartiality in
892 the matter affecting the donor. Violations of this subdivision shall not be subject to criminal law
893 penalties; or

894 9. Accept gifts from sources on a basis so frequent as to raise an appearance of the use of his public
895 office for private gain. Violations of this subdivision shall not be subject to criminal law penalties; or

896 10. *Solicit, accept, or receive any gift of travel with a value exceeding \$100 from a third party prior
897 to submitting to the Council a request for a waiver to accept such gift of travel and receiving such a
898 waiver pursuant to § 30-356.2. Gifts of travel include transportation, lodging, meals, hospitality, and
899 any other travel-related thing of value.*

900 **§ 2.2-3103.1. Certain gifts prohibited.**

901 A. For purposes of this section:

902 "Intangible gift" means a thing of temporary value or a thing that upon the happening of a certain
903 event or expiration of a given date loses its value. "Intangible gift" includes entertainment, hospitality, a
904 ticket, admission, or pass, transportation, lodgings, and meals that are reportable on Schedule E of the
905 disclosure form prescribed in § 2.2-3117.

906 "Tangible gift" means a thing of value that does not lose its value upon the happening of a certain
907 event or expiration of a given date. "Tangible gift" includes currency, negotiable instruments, securities,
908 stock options, or other financial instruments that are reportable on Schedule E of the disclosure form
909 prescribed in § 2.2-3117. "Tangible gift" does not include payments or reimbursements received for any
910 intangible gift.

911 B. An officer or employee of a *state or* local governmental or advisory agency or candidate required
912 to file the disclosure form prescribed in § 2.2-3117 (i) shall not solicit, accept, or receive within any
913 calendar year any single tangible gift with a value in excess of \$250 ~~\$100~~ or a *any* combination of
914 tangible gifts with an aggregate value in excess of \$250 ~~\$100~~ from any person that he knows or has
915 reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4; (b) a
916 lobbyist's principal as defined in § 2.2-419; or (c) a person, organization, or business who is a party to
917 or is seeking to become a party to a contract with the local agency of which he is an officer or an
918 employee; (ii) shall report any tangible gift with a value of \$250 or less or any intangible gift received
919 from any person listed in clause (i) on Schedule E of such disclosure form; and (iii) shall report any
920 payments for talks, meetings, and publications on Schedule D of such disclosure form. *Gifts received
921 from business associates, relatives, or in conjunction with a personal celebration are not subject to this
922 prohibition or the disclosure requirements of § 2.2-3117. Gifts with a value of less than \$20 are not
923 subject to aggregation for purposes of this prohibition.*

924 C. ~~An~~ B. *Notwithstanding the provisions of subsection A, an officer or employee of a state or local*
925 *governmental or advisory agency or candidate required to file the disclosure form prescribed in*
926 *§ 2.2-3117 (i) shall not solicit, accept, or receive within any calendar year any single tangible gift with a*
927 *value in excess of \$250 or a combination of tangible gifts with an aggregate value in excess of \$250*
928 *from any person that he knows or has reason to know is (a) a lobbyist registered pursuant to Article 3*
929 *(§ 2.2-418 et seq.) of Chapter 4; (b) a lobbyist's principal as defined in § 2.2-419; or (c) a person,*
930 *organization, or business who is a party to or is seeking to become a party to a contract with the*
931 *Commonwealth; (ii) shall report any tangible gift with a value of \$250 or less or any intangible gift*
932 *received from any person listed in clause (i) on Schedule E of such disclosure form; and (iii) shall*
933 *report any payments for talks, meetings, and publications on Schedule D of such disclosure form may*
934 *accept or receive a gift or a combination of gifts with a value in excess of \$100 when such gift is*

845 *accepted or received while in attendance at a widely attended event. A widely attended event is an event*
 846 *for which there is a reasonable expectation that at least 25 persons will attend the event and the event*
 847 *has a civic or regional interest or is open to individuals from a particular industry or profession or who*
 848 *represent persons interested in a particular issue.*

849 *C. Food and beverages received at or registration or attendance fees waived for any event at which*
 850 *the officer, employee, or candidate is a featured speaker, presenter, or lecturer shall not be subject to*
 851 *the provisions of subsection A.*

852 *D. Notwithstanding the provisions of subsection A, an officer or employee of a state or local*
 853 *governmental or advisory agency or candidate required to file the disclosure form prescribed in*
 854 *§ 2.2-3117 may accept or receive certain gifts with a value in excess of \$100 when he has submitted a*
 855 *request for a waiver to and has received the approval of the Council pursuant to § 30-356.2. An officer,*
 856 *employee, or candidate may request a waiver for the following gifts:*

857 *1. A gift or a combination of gifts from a personal friend. In making its determination to grant the*
 858 *waiver, the Council shall consider the nature and length of the friendship.*

859 *2. Transportation, lodging, hospitality, or other travel-related thing of value that is provided by a*
 860 *third party and is directly related to the official duties of the officer or employee. In making its*
 861 *determination to grant the waiver, the Council shall consider the purpose of the trip as it relates to the*
 862 *officer's or employee's public duties and responsibilities.*

863 *E. Any gift received by an officer or employee subject to the provisions of this section (i) from a*
 864 *foreign dignitary, (ii) with a value exceeding \$100, and (iii) for which the fair market value or a gift of*
 865 *greater or equal value has not been provided or exchanged, shall be accepted on behalf of the*
 866 *Commonwealth and archived in accordance with guidelines established by the Library of Virginia. Such*
 867 *gift shall be disclosed as having been accepted on behalf of the Commonwealth but the value of such*
 868 *gift shall not be required to be disclosed.*

869 *D. F. During the pendency of a civil action in any state or federal court to which the Commonwealth*
 870 *is a party, the Governor or the Attorney General or any employee of the Governor or the Attorney*
 871 *General who is subject to the provisions of this chapter shall not solicit, accept, or receive any tangible*
 872 *gift from any person that he knows or has reason to know is a person, organization, or business who is*
 873 *a party to such civil action. A person, organization, or business who is a party to such civil action shall*
 874 *not knowingly give any tangible gift to the Governor or the Attorney General or any of their employees*
 875 *who are subject to the provisions of this chapter. For purposes of this subsection, "person, organization,*
 876 *or business" includes individuals who are officers, directors, or owners of or who have a controlling*
 877 *ownership interest in such organization or business.*

878 *E. The \$250 limitation imposed in accordance with this section shall be adjusted by the Council*
 879 *every five years, as of January 1 of that year, in an amount equal to the annual increases for that*
 880 *five-year period in the United States Average Consumer Price Index for all items, all urban consumers*
 881 *(CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, rounded to the*
 882 *nearest whole dollar.*

883 *F. G. For purposes of this section, "person, organization, or business" includes individuals who are*
 884 *officers, directors, or owners of or who have a controlling ownership interest in such organization or*
 885 *business "candidate" means a person who seeks or campaigns for an office of the Commonwealth or*
 886 *one of its governmental units in a general, primary, or special election and who is qualified to have his*
 887 *name placed on the ballot for the office. The candidate shall become subject to the provisions of this*
 888 *section upon the filing of a statement of organization pursuant to § 24.2-947.1. The State Board of*
 889 *Elections or the local electoral board, as appropriate, shall notify each such candidate of the provisions*
 890 *of this section.*

891 **§ 2.2-3104. Prohibited conduct for certain officers and employees of state government.**

892 *For one year after the termination of public employment or service, no state officer or employee*
 893 *shall, before the agency of which he was an officer or employee, represent a client or act in a*
 894 *representative capacity on behalf of any person or group, for compensation, on matters related to*
 895 *legislation, executive orders, or regulations promulgated by the agency of which he was an officer or*
 896 *employee. This prohibition shall be in addition to the prohibitions contained in § 2.2-3103.*

897 *For the purposes of this section, "state officer or employee" shall mean means (i) the Governor,*
 898 *Lieutenant Governor, Attorney General, and officers appointed by the Governor, whether confirmation*
 899 *by the General Assembly or by either house thereof is required or not, who are regularly employed on a*
 900 *full-time salaried basis; those officers and employees of executive branch agencies who report directly to*
 901 *the agency head; and those at the level immediately below those who report directly to the agency head*
 902 *and are at a payband 6 or higher and (ii) the officers and professional employees of the legislative*
 903 *branch designated by the joint rules committee of the General Assembly. For the purposes of this*
 904 *section, the General Assembly and the legislative branch agencies shall be deemed one agency.*

905 *As this prohibition applies to the Governor's Secretaries, "agency" means all agencies assigned to*

906 *the Secretary by law or by executive order of the Governor.*

907 Any person subject to the provisions of this section may apply to the Council or Attorney General,
908 as provided in § 2.2-3121 or 2.2-3126, for an advisory opinion as to the application of the restriction
909 imposed by this section on any post-public employment position or opportunity.

910 **§ 2.2-3104.01. Prohibited conduct; bids or proposals under the Virginia Public Procurement**
911 **Act, Public-Private Transportation Act, and Public-Private Education Facilities and Infrastructure**
912 **Act; loans or grants from the Commonwealth's Development Opportunity Fund.**

913 A. Neither the Governor, his political action committee, or the Governor's Secretaries, if the
914 Secretary is responsible to the Governor for an executive branch agency with jurisdiction over the
915 matters at issue, shall knowingly solicit or accept a contribution, gift, or other item with a value greater
916 than \$50 from any bidder, offeror, or private entity, or from an officer or director of such bidder,
917 offeror, or private entity, who has submitted a bid or proposal to an executive branch agency that is
918 directly responsible to the Governor pursuant to the Virginia Public Procurement Act (§ 2.2-4300 et
919 seq.), the Public-Private Transportation Act of 1995 (§ 56-556 et seq.), or the Public-Private Education
920 Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.) (i) during the period between the
921 submission of the bid and the award of the public contract under the Virginia Public Procurement Act or
922 (ii) following the submission of a proposal under the Public-Private Transportation Act of 1995 or the
923 Public-Private Education Facilities and Infrastructure Act of 2002 until the execution of a comprehensive
924 agreement thereunder.

925 B. *Neither the Governor, his campaign committee, nor a political action committee established on his*
926 *behalf shall knowingly solicit or accept a contribution, gift, or other item with a value greater than \$50*
927 *from any person or entity that is seeking to become a business beneficiary of grants or loans from the*
928 *Commonwealth's Development Opportunity Fund, or any individual who is an officer, director, or*
929 *employee, including an agent or consultant, of such entity, while the person or entity is seeking such*
930 *funds and for a period of one year following the date the grant or loan sought is awarded.*

931 ~~B.~~ C. The provisions of this section shall apply only for public contracts, proposals, or
932 comprehensive agreements where the stated or expected value of the contract is \$5 million or more *or*
933 *for grants or loans from the Commonwealth's Development Opportunity Fund where the value of the*
934 *grant or loan is \$100,000 or more.* The provisions of this section shall not apply to contracts awarded
935 as the result of competitive sealed bidding as set forth in § 2.2-4302.1.

936 ~~C.~~ D. Any person who knowingly violates this section shall be subject to a civil penalty of \$500 or
937 up to two times the amount of the contribution or gift, whichever is greater, *and the contribution, gift,*
938 *or other item shall be returned to the donor.* The attorney for the Commonwealth shall initiate civil
939 proceedings to enforce the civil penalties. Any civil penalties collected shall be payable to the State
940 Treasurer for deposit to the general fund *and shall be used exclusively to fund the Council.*

941 **§ 2.2-3106. Prohibited contracts by officers and employees of state government and Eastern**
942 **Virginia Medical School.**

943 A. No officer or employee of any governmental agency of state government or Eastern Virginia
944 Medical School shall have a personal interest in a contract with the governmental agency of which he is
945 an officer or employee, other than his own contract of employment.

946 B. No officer or employee of any governmental agency of state government or Eastern Virginia
947 Medical School shall have a personal interest in a contract with any other governmental agency of state
948 government unless such contract is (i) awarded as a result of competitive sealed bidding or competitive
949 negotiation as set forth in § 2.2-4302.1 or 2.2-4302.2 or (ii) is awarded after a finding, in writing, by the
950 administrative head of the governmental agency that competitive bidding or negotiation is contrary to the
951 best interest of the public.

952 C. The provisions of this section shall not apply to:

953 1. An employee's personal interest in additional contracts of employment with his own governmental
954 agency that accrue to him because of a member of his immediate family, provided the employee does
955 not exercise any control over the employment or the employment activities of the member of his
956 immediate family and the employee is not in a position to influence those activities;

957 2. The personal interest of an officer or employee of a state institution of higher education or the
958 Eastern Virginia Medical School in additional contracts of employment with his own governmental
959 agency that accrue to him because of a member of his immediate family, provided (i) the officer or
960 employee and the immediate family member are engaged in teaching, research or administrative support
961 positions at the educational institution or the Eastern Virginia Medical School, (ii) the governing board
962 of the educational institution finds that it is in the best interests of the institution or the Eastern Virginia
963 Medical School and the Commonwealth for such dual employment to exist, and (iii) after such finding,
964 the governing board of the educational institution or the Eastern Virginia Medical School ensures that
965 the officer or employee, or the immediate family member, does not have sole authority to supervise,
966 evaluate or make personnel decisions regarding the other;

967 3. An officer's or employee's personal interest in a contract of employment with any other

968 governmental agency of state government;

969 4. Contracts for the sale by a governmental agency or the Eastern Virginia Medical School of
970 services or goods at uniform prices available to the general public;

971 5. An employee's personal interest in a contract between a public institution of higher education in
972 Virginia or the Eastern Virginia Medical School and a publisher or wholesaler of textbooks or other
973 educational materials for students, which accrues to him solely because he has authored or otherwise
974 created such textbooks or materials;

975 6. An employee's personal interest in a contract with his or her employing public institution of higher
976 education to acquire the collections or scholarly works owned by the employee, including manuscripts,
977 musical scores, poetry, paintings, books or other materials, writings, or papers of an academic, research,
978 or cultural value to the institution, provided the president of the institution approves the acquisition of
979 such collections or scholarly works as being in the best interests of the institution's public mission of
980 service, research, or education;

981 7. Subject to approval by the board of visitors, an employee's personal interest in a contract between
982 the Eastern Virginia Medical School or a public institution of higher education in Virginia that operates
983 a school of medicine or dentistry and a not-for-profit nonstock corporation that operates a clinical
984 practice within such public institution of higher education or the Eastern Virginia Medical School and of
985 which such employee is a member or employee;

986 8. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract
987 for research and development or commercialization of intellectual property between a public institution
988 of higher education in Virginia or the Eastern Virginia Medical School and a business in which the
989 employee has a personal interest, if (i) the employee's personal interest has been disclosed to and
990 approved by such public institution of higher education or the Eastern Virginia Medical School prior to
991 the time at which the contract is entered into; (ii) the employee promptly files a disclosure statement
992 pursuant to § 2.2-3117 and thereafter files such statement annually on or before ~~January~~ *December* 15;
993 (iii) the institution has established a formal policy regarding such contracts, approved by the State
994 Council of Higher Education or, in the case of the Eastern Virginia Medical School, a formal policy
995 regarding such contracts in conformity with any applicable federal regulations that has been approved by
996 its board of visitors; and (iv) no later than December 31 of each year, the institution or the Eastern
997 Virginia Medical School files an annual report with the Secretary of the Commonwealth disclosing each
998 open contract entered into subject to this provision, the names of the parties to each contract, the date
999 each contract was executed and its term, the subject of each contractual arrangement, the nature of the
1000 conflict of interest, the institution's or the Eastern Virginia Medical School's employee responsible for
1001 administering each contract, the details of the institution's or the Eastern Virginia Medical School's
1002 commitment or investment of resources or finances for each contract, and any other information
1003 requested by the Secretary of the Commonwealth; or

1004 9. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract
1005 between a public institution of higher education in Virginia or the Eastern Virginia Medical School and
1006 a business in which the employee has a personal interest, if (i) the personal interest has been disclosed
1007 to the institution or the Eastern Virginia Medical School prior to the time the contract is entered into;
1008 (ii) the employee files a disclosure statement pursuant to § 2.2-3117 and thereafter annually on or before
1009 ~~January~~ *December* 15; (iii) the employee does not participate in the institution's or the Eastern Virginia
1010 Medical School's decision to contract; (iv) the president of the institution or the Eastern Virginia
1011 Medical School finds and certifies in writing that the contract is for goods and services needed for
1012 quality patient care, including related medical education or research, by the institution's medical center
1013 or the Eastern Virginia Medical School, its affiliated teaching hospitals and other organizations necessary
1014 for the fulfillment of its mission, including the acquisition of drugs, therapies and medical technologies;
1015 and (v) no later than December 31 of each year, the institution or the Eastern Virginia Medical School
1016 files an annual report with the Secretary of the Commonwealth disclosing each open contract entered
1017 subject to this provision, the names of the parties to each contract, the date each contract was executed
1018 and its term, the subject of each contractual arrangement, the nature of the conflict of interest, the
1019 institution's or the Eastern Virginia Medical School's employee responsible for administering each
1020 contract, the details of the institution's or the Eastern Virginia Medical School's commitment or
1021 investment of resources or finances for each contract, and any other information requested by the
1022 Secretary of the Commonwealth.

1023 D. Notwithstanding the provisions of subdivisions C 8 and C 9, if the research and development or
1024 commercialization of intellectual property or the employee's personal interest in a contract with a
1025 business is subject to policies and regulations governing conflicts of interest promulgated by any agency
1026 of the United States government, including the adoption of policies requiring the disclosure and
1027 management of such conflicts of interests, the policies established by the Eastern Virginia Medical
1028 School pursuant to such federal requirements shall constitute compliance with subdivisions C 8 and C 9,

1029 upon notification by the Eastern Virginia Medical School to the Secretary of the Commonwealth by
 1030 January 31 of each year of evidence of their compliance with such federal policies and regulations.

1031 E. The board of visitors may delegate the authority granted under subdivision C 8 to the president of
 1032 the institution. If the board elects to delegate such authority, the board shall include this delegation of
 1033 authority in the formal policy required by clause (iii) of subdivision C 8. In those instances where the
 1034 board has delegated such authority, on or before December 1 of each year, the president of the relevant
 1035 institution shall file a report with the relevant board of visitors disclosing each open contract entered
 1036 into subject to this provision, the names of the parties to each contract, the date each contract was
 1037 executed and its term, the subject of each contractual arrangement, the nature of the conflict of interest,
 1038 the institution's or the Eastern Virginia Medical School's employee responsible for administering each
 1039 contract, the details of the institution's or the Eastern Virginia Medical School's commitment or
 1040 investment of resources or finances for each contract, the details of how revenues are to be dispersed,
 1041 and any other information requested by the board of visitors.

1042 **§ 2.2-3114. Disclosure by state officers and employees.**

1043 A. The Governor, Lieutenant Governor, Attorney General, Justices of the Supreme Court, judges of
 1044 the Court of Appeals, judges of any circuit court, judges and substitute judges of any district court,
 1045 members of the State Corporation Commission, members of the Virginia Workers' Compensation
 1046 Commission, members of the Commonwealth Transportation Board, members of the Board of Trustees
 1047 of the Virginia Retirement System, and members of the Virginia Lottery Board and other persons
 1048 occupying such offices or positions of trust or employment in state government, including members of
 1049 the governing bodies of authorities, as may be designated by the Governor, or, ~~in the case of~~ officers or
 1050 employees of the legislative branch, *as may be designated* by the Joint Rules Committee of the General
 1051 Assembly, shall file with the Council, as a condition to assuming office or employment, a disclosure
 1052 statement of their personal interests and such other information as is specified on the form set forth in
 1053 § 2.2-3117 and thereafter shall file such a statement semiannually by December 15 for the preceding
 1054 six-month period complete through the last day of October and by June 15 for the preceding six-month
 1055 period complete through the last day of April. When the filing deadline falls on a Saturday, Sunday, or
 1056 legal holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or
 1057 legal holiday.

1058 B. Nonsalaried citizen members of all policy and supervisory boards, commissions, and councils in
 1059 the executive branch of state government, other than the Commonwealth Transportation Board, members
 1060 of the Board of Trustees of the Virginia Retirement System, and the Virginia Lottery Board, shall file
 1061 with the Council, as a condition to assuming office, a disclosure form of their personal interests and
 1062 such other information as is specified on the form set forth in § 2.2-3118 and thereafter shall file such
 1063 form annually on or before December 15. When the filing deadline falls on a Saturday, Sunday, or legal
 1064 holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or legal
 1065 holiday. Nonsalaried citizen members of other boards, commissions, and councils, including advisory
 1066 boards and authorities, may be required to file a disclosure form if so designated by the Governor, in
 1067 which case the form shall be that set forth in § 2.2-3118.

1068 C. The disclosure forms required by subsections A and B shall be ~~provided~~ *made available* by the
 1069 Council ~~to each officer and employee so designated, including officers appointed by legislative~~
 1070 ~~authorities~~ at least 30 days prior to the filing deadline. Disclosure forms shall be filed ~~and~~ *electronically*
 1071 *with the Council in accordance with the standards approved by it pursuant to § 30-356. All forms shall*
 1072 *be maintained as public records for five years in the office of the Council.*

1073 D. Candidates for the offices of Governor, Lieutenant Governor or Attorney General shall file a
 1074 disclosure statement of their personal interests as required by § 24.2-502.

1075 E. Any officer or employee of state government who has a personal interest in any transaction before
 1076 the governmental or advisory agency of which he is an officer or employee and who is disqualified
 1077 from participating in that transaction pursuant to subdivision A 1 of § 2.2-3112, or otherwise elects to
 1078 disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full
 1079 name and address of the business and the address or parcel number for the real estate if the interest
 1080 involves a business or real estate, and his disclosure shall also be reflected in the public records of the
 1081 agency for five years in the office of the administrative head of the officer's or employee's governmental
 1082 agency or advisory agency or, if the agency has a clerk, in the clerk's office.

1083 F. An officer or employee of state government who is required to declare his interest pursuant to
 1084 subdivision A 2 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) the
 1085 nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a
 1086 member of a business, profession, occupation, or group the members of which are affected by the
 1087 transaction, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public
 1088 interest. The officer or employee shall either make his declaration orally to be recorded in written
 1089 minutes for his agency or file a signed written declaration with the clerk or administrative head of his
 1090 governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for

1091 public inspection such declaration for a period of five years from the date of recording or receipt. If
1092 reasonable time is not available to comply with the provisions of this subsection prior to participation in
1093 the transaction, the officer or employee shall prepare and file the required declaration by the end of the
1094 next business day.

1095 G. An officer or employee of state government who is required to declare his interest pursuant to
1096 subdivision A 3 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a
1097 party to the transaction is a client of his firm, (iii) that he does not personally represent or provide
1098 services to the client, and (iv) that he is able to participate in the transaction fairly, objectively, and in
1099 the public interest. The officer or employee shall either make his declaration orally to be recorded in
1100 written minutes for his agency or file a signed written declaration with the clerk or administrative head
1101 of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make
1102 available for public inspection such declaration for a period of five years from the date of recording or
1103 receipt. If reasonable time is not available to comply with the provisions of this subsection prior to
1104 participation in the transaction, the officer or employee shall prepare and file the required declaration by
1105 the end of the next business day.

1106 H. *Notwithstanding any other provision of law, chairs or deans of departments at a public institution*
1107 *of higher education in the Commonwealth shall not be required to file the disclosure form prescribed by*
1108 *§ 2.2-3117 or 2.2-3118.*

1109 **§ 2.2-3114.1. Filings of statements of economic interests by General Assembly members.**

1110 The filing of a current statement of economic interests by a General Assembly member,
1111 member-elect, or candidate for the General Assembly pursuant to §§ 30-110 and 30-111 of the General
1112 Assembly Conflicts of Interests Act (§ 30-100 et seq.) shall suffice for the purposes of this chapter
1113 (~~§ 2.2-3100 et seq.~~). The Secretary of the Commonwealth may obtain from the ~~Clerk of the House of~~
1114 ~~Delegates or the Senate, as appropriate, Council~~ a copy of the statement of a General Assembly member
1115 who is appointed to a position for which a statement is required pursuant to § 2.2-3114. No General
1116 Assembly member, member-elect, or candidate shall be required to file a separate statement of economic
1117 interests for the purposes of § 2.2-3114.

1118 **§ 2.2-3115. Disclosure by local government officers and employees.**

1119 A. The members of every governing body and school board of each county and city and of towns
1120 with populations in excess of 3,500 shall file with the Council, as a condition to assuming office or
1121 employment, a disclosure statement of their personal interests and other information as is specified on
1122 the form set forth in § 2.2-3117 and thereafter shall file such a statement semiannually by December 15
1123 for the preceding six-month period complete through the last day of October and by June 15 for the
1124 preceding six-month period complete through the last day of April.

1125 The members of the governing body of any authority established in any county or city, or part or
1126 combination thereof, and having the power to issue bonds or expend funds in excess of \$10,000 in any
1127 fiscal year, shall file with the ~~Virginia Conflict of Interest and Ethics Advisory Council~~, as a condition
1128 to assuming office, a disclosure statement of their personal interests and other information as is specified
1129 on the form set forth in § 2.2-3118 and thereafter shall file such a statement annually on or before
1130 December 15, unless the governing body of the jurisdiction that appoints the members requires that the
1131 members file the form set forth in § 2.2-3117 semiannually by December 15 for the preceding six-month
1132 period complete through the last day of October and by June 15 for the preceding six-month period
1133 complete through the last day of April.

1134 Persons occupying such positions of trust appointed by governing bodies and persons occupying such
1135 positions of employment with governing bodies as may be designated to file by ordinance of the
1136 governing body shall file with the ~~Virginia Conflict of Interest and Ethics Advisory Council~~, as a
1137 condition to assuming office or employment, a disclosure statement of their personal interests and other
1138 information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement
1139 semiannually by December 15 for the preceding six-month period complete through the last day of
1140 October and by June 15 for the preceding six-month period complete through the last day of April.

1141 Persons occupying such positions of trust appointed by school boards and persons occupying such
1142 positions of employment with school boards as may be designated to file by an adopted policy of the
1143 school board shall file with the ~~Virginia Conflict of Interest and Ethics Advisory Council~~, as a condition
1144 to assuming office or employment, a disclosure statement of their personal interests and other
1145 information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement
1146 semiannually by December 15 for the preceding six-month period complete through the last day of
1147 October and by June 15 for the preceding six-month period complete through the last day of April.

1148 B. Nonsalaried citizen members of local boards, commissions and councils as may be designated by
1149 the governing body shall file with the ~~Virginia Conflict of Interest and Ethics Advisory Council~~, as a
1150 condition to assuming office, a disclosure form of their personal interests and such other information as
1151 is specified on the form set forth in § 2.2-3118 and thereafter shall file such form annually on or before

1152 December 15.

1153 C. No person shall be mandated to file any disclosure not otherwise required by this article.

1154 D. The disclosure forms required by subsections A and B shall be ~~provided~~ *made available* by the
 1155 Virginia Conflict of Interest and Ethics Advisory Council to the clerks of the governing bodies and
 1156 school boards at least 30 days prior to the filing deadline; and the clerks of the governing body and
 1157 school board shall distribute the forms to designated individuals at least 20 days prior to the filing
 1158 deadline. Forms shall be filed and maintained as public records for five years in the office of the
 1159 Virginia Conflict of Interest and Ethics Advisory Council. Forms filed by members of governing bodies
 1160 of authorities shall be filed and *electronically with the Council in accordance with the standards*
 1161 *approved by it pursuant to § 30-356. All forms shall be maintained as public records for five years in*
 1162 *the office of the Virginia Conflict of Interest and Ethics Advisory Council.*

1163 E. Candidates for membership in the governing body or school board of any county, city or town
 1164 with a population of more than 3,500 persons shall file a disclosure statement of their personal interests
 1165 as required by § 24.2-502.

1166 F. Any officer or employee of local government who has a personal interest in any transaction before
 1167 the governmental or advisory agency of which he is an officer or employee and who is disqualified
 1168 from participating in that transaction pursuant to subdivision A 1 of § 2.2-3112 or otherwise elects to
 1169 disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full
 1170 name and address of the business and the address or parcel number for the real estate if the interest
 1171 involves a business or real estate, and his disclosure shall be reflected in the public records of the
 1172 agency for five years in the office of the administrative head of the officer's or employee's governmental
 1173 or advisory agency.

1174 G. In addition to any disclosure required by subsections A and B, in each county and city and in
 1175 towns with populations in excess of 3,500, members of planning commissions, boards of zoning appeals,
 1176 real estate assessors, and all county, city and town managers or executive officers shall make annual
 1177 disclosures of all their interests in real estate located in the county, city or town in which they are
 1178 elected, appointed, or employed. Such disclosure shall include any business in which such persons own
 1179 an interest, or from which income is received, if the primary purpose of the business is to own, develop
 1180 or derive compensation through the sale, exchange or development of real estate in the county, city or
 1181 town. Such disclosure shall be filed as a condition to assuming office or employment, and thereafter
 1182 shall be filed annually with the Virginia Conflict of Interest and Ethics Advisory Council on or before
 1183 December 15. Such disclosures shall be filed and maintained as public records for five years. Forms for
 1184 the filing of such reports shall be ~~prepared and distributed~~ *made available* by the Virginia Conflict of
 1185 *Interest and Ethics Advisory Council to the clerk of each governing body.*

1186 H. An officer or employee of local government who is required to declare his interest pursuant to
 1187 subdivision A 2 of § 2.2-3112 shall declare his interest by stating (i) the transaction involved, (ii) the
 1188 nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a
 1189 member of a business, profession, occupation, or group the members of which are affected by the
 1190 transaction, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public
 1191 interest. The officer or employee shall either make his declaration orally to be recorded in written
 1192 minutes of his agency or file a signed written declaration with the clerk or administrative head of his
 1193 governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for
 1194 public inspection such declaration for a period of five years from the date of recording or receipt. If
 1195 reasonable time is not available to comply with the provisions of this subsection prior to participation in
 1196 the transaction, the officer or employee shall prepare and file the required declaration by the end of the
 1197 next business day. The officer or employee shall also orally disclose the existence of the interest during
 1198 each meeting of the governmental or advisory agency at which the transaction is discussed and such
 1199 disclosure shall be recorded in the minutes of the meeting.

1200 I. An officer or employee of local government who is required to declare his interest pursuant to
 1201 subdivision A 3 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a
 1202 party to the transaction is a client of his firm, (iii) that he does not personally represent or provide
 1203 services to the client, and (iv) that he is able to participate in the transaction fairly, objectively, and in
 1204 the public interest. The officer or employee shall either make his declaration orally to be recorded in
 1205 written minutes for his agency or file a signed written declaration with the clerk or administrative head
 1206 of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make
 1207 available for public inspection such declaration for a period of five years from the date of recording or
 1208 receipt. If reasonable time is not available to comply with the provisions of this subsection prior to
 1209 participation in the transaction, the officer or employee shall prepare and file the required declaration by
 1210 the end of the next business day.

1211 **§ 2.2-3116. Disclosure by certain constitutional officers.**

1212 For the purposes of this chapter, holders of the constitutional offices of treasurer, sheriff, attorney for
 1213 the Commonwealth, clerk of the circuit court and commissioner of the revenue of each county and city,

1214 shall be deemed to be local officers and shall be required to file with the Council, as a condition to
1215 assuming office, the Statement of Economic Interests disclosure form set forth in § 2.2-3117. These
1216 officers shall file statements pursuant to § 2.2-3115 and candidates such forms semiannually by
1217 December 15 for the preceding six-month period complete through the last day of October and by June
1218 15 for the preceding six-month period complete through the last day of April. Candidates shall file
1219 statements such forms as required by § 24.2-502. Disclosure forms shall be filed electronically with the
1220 Council in accordance with the standards approved by it pursuant to § 30-356. These officers shall be
1221 subject to the prohibition on certain gifts set forth in subsection B of § 2.2-3103.1.

1222 § 2.2-3117. Disclosure form; penalty.

1223 A. The disclosure form to be used for filings required by subsections A and D of § 2.2-3114 and
1224 subsections A and E of § 2.2-3115 shall be substantially as follows: on a form prescribed by the
1225 Council. All completed forms shall be filed electronically and in accordance with the standards
1226 approved by the Council pursuant to § 30-356. A person required to file this disclosure form who does
1227 so knowing it to contain a material misstatement of fact is guilty of a Class 6 felony.

1228 ~~STATEMENT OF ECONOMIC INTERESTS.~~

1229 Name

1230 Office or position held or sought

1231 Address

1232 Names of members of immediate family

1233 ~~DEFINITIONS AND EXPLANATORY MATERIAL.~~

1234 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
1235 association, trust or foundation, or any other individual or entity carrying on a business or profession,
1236 whether or not for profit.

1237 "Close financial association" means an association in which the person filing shares significant
1238 financial involvement with an individual and the filer would reasonably be expected to be aware of the
1239 individual's business activities and would have access to the necessary records either directly or through
1240 the individual. "Close financial association" does not mean an association based on (i) the receipt of
1241 retirement benefits or deferred compensation from a business by which the person filing this statement is
1242 no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an
1243 independent contractor of a business that represents an entity before any state governmental agency
1244 when the person filing has had no communications with the state governmental agency.

1245 "Contingent liability" means a liability that is not presently fixed or determined, but may become
1246 fixed or determined in the future with the occurrence of some certain event.

1247 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item
1248 having monetary value. It includes services as well as gifts of transportation, lodgings and meals,
1249 whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the
1250 expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission
1251 or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic,
1252 merit, or need-based scholarship or any other financial aid awarded by a public or private school,
1253 institution of higher education, or other educational program pursuant to such school, institution, or
1254 program's financial aid standards and procedures applicable to the general public; (iv) a campaign
1255 contribution properly received and reported pursuant to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;
1256 (v) any gift related to the private profession or occupation of an officer or employee or of a member of
1257 his immediate family; or (vi) gifts from relatives or personal friends. "Relative" means the donee's
1258 spouse, child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the
1259 donee's or his spouse's parent, grandparent, grandchild, brother, or sister; or the donee's brother's or
1260 sister's spouse. "Personal friend" does not include any person that the filer knows or has reason to know
1261 is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a
1262 lobbyist's principal as defined in § 2.2-419; (c) for an officer or employee of a local governmental or
1263 advisory agency, a person, organization, or business who is a party to or is seeking to become a party to
1264 a contract with the local agency of which he is an officer or an employee; or (d) for an officer or
1265 employee of a state governmental or advisory agency, a person, organization, or business who is a party
1266 to or is seeking to become a party to a contract with the Commonwealth. "Person, organization, or
1267 business" includes individuals who are officers, directors, or owners of or who have a controlling
1268 ownership interest in such organization or business.

1269 "Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the
1270 officer or employee and who is a dependent of the officer or employee.

1271 TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust,
1272 treat the trust's assets as if you own them directly. If you or your immediate family has a proportional
1273 interest in a trust, treat that proportion of the trust's assets as if you own them directly. For example, if
1274 you and your immediate family have a one-third interest in a trust, complete your Statement as if you

1275 own one-third of each of the trust's assets. If you or a member of your immediate family created a trust
1276 and can revoke it without the beneficiaries' consent, treat its assets as if you own them directly.

1277 REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required on this
1278 Statement must be provided on the basis of the best knowledge, information, and belief of the individual
1279 filing the Statement as of the date of this report unless otherwise stated.

1280 COMPLETE ITEMS 1 THROUGH 10. REFER TO SCHEDULES ONLY IF DIRECTED.

1281 You may attach additional explanatory information.

1282 1. Offices and Directorships.

1283 Are you or a member of your immediate family a paid officer or paid director of a business?

1284 EITHER check NO // OR check YES // and complete Schedule A.

1285 2. Personal Liabilities.

1286 Do you or a member of your immediate family owe more than \$5,000 to any one creditor including
1287 contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property
1288 at least equal in value to the loan.)

1289 EITHER check NO // OR check YES // and complete Schedule B.

1290 3. Securities.

1291 Do you or a member of your immediate family, directly or indirectly, separately or together, own
1292 securities valued in excess of \$5,000 invested in one business? Account for mutual funds, limited
1293 partnerships and trusts.

1294 EITHER check NO // OR check YES // and complete Schedule C.

1295 4. Payments for Talks, Meetings, and Publications.

1296 During the past six months did you receive in your capacity as an officer or employee of your
1297 agency lodging, transportation, money, or anything else of value with a combined value exceeding \$200
1298 (i) for a single talk, meeting, or published work or (ii) for a meeting, conference, or event where your
1299 attendance at the meeting, conference, or event was designed to (a) educate you on issues relevant to
1300 your duties as an officer or employee of your agency or (b) enhance your knowledge and skills relative
1301 to your duties as an officer or employee of your agency?

1302 EITHER check NO // OR check YES // and complete Schedule D.

1303 5. Gifts.

1304 During the past six months did a business, government, or individual other than a relative or personal
1305 friend (i) furnish you or a member of your immediate family with any gift or entertainment at a single
1306 event, and the value received exceeded \$50 or (ii) furnish you or a member of your immediate family
1307 with gifts or entertainment in any combination and the total value received exceeded \$100, and for
1308 which you or the member of your immediate family neither paid nor rendered services in exchange?
1309 Account for entertainment events only if the average value per person attending the event exceeded \$50.
1310 Account for all business entertainment (except if related to the private profession or occupation of you
1311 or the member of your immediate family who received such business entertainment) even if unrelated to
1312 your official duties.

1313 EITHER check NO // OR check YES // and complete Schedule E.

1314 6. Salary and Wages.

1315 List each employer that pays you or a member of your immediate family salary or wages in excess
1316 of \$5,000 annually. (Exclude state or local government or advisory agencies.)

1317 If no reportable salary or wages, check here //.

1318 _____
1319 _____
1320 _____

1321 7. Business Interests.

1322 Do you or a member of your immediate family, separately or together, operate your own business, or
1323 own or control an interest in excess of \$5,000 in a business?

1324 EITHER check NO // OR check YES // and complete Schedule F.

1325 8. Payments for Representation and Other Services.

1326 8A. Did you represent, excluding activity defined as lobbying in § 2.2-419, any businesses before any
1327 state governmental agencies, excluding courts or judges, for which you received total compensation
1328 during the past six months in excess of \$1,000, excluding compensation for other services to such
1329 businesses and representation consisting solely of the filing of mandatory papers and subsequent
1330 representation regarding the mandatory papers? (Officers and employees of local governmental and
1331 advisory agencies do NOT need to answer this question or complete Schedule G-1.)

1332 EITHER check NO // OR check YES // and complete Schedule G-1.

1333 8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial
1334 association (partners, associates or others) represent, excluding activity defined as lobbying in § 2.2-419,
1335 any businesses before any state governmental agency for which total compensation was received during
1336 the past six months in excess of \$1,000? (Officers and employees of local governmental and advisory

1337 agencies do NOT need to answer this question or complete Schedule G-2.)

1338 EITHER check NO // OR check YES // and complete Schedule G-2.

1339 8C. Did you or persons with whom you have a close financial association furnish services to
1340 businesses operating in Virginia pursuant to an agreement between you and such businesses; or between
1341 persons with whom you have a close financial association and such businesses for which total
1342 compensation in excess of \$1,000 was received during the past six months? Services reported under this
1343 provision shall not include services involving the representation of businesses that are reported under
1344 item 8A or 8B.

1345 EITHER check NO // OR check YES // and complete Schedule G-3.

1346 9. Real Estate.

1347 9A. State Officers and Employees.

1348 Do you or a member of your immediate family hold an interest, including a partnership interest,
1349 valued at more than \$5,000 in real property (other than your principal residence) for which you have not
1350 already listed the full address on Schedule F? Account for real estate held in trust.

1351 EITHER check NO // OR check YES // and complete Schedule H-1.

1352 9B. Local Officers and Employees.

1353 Do you or a member of your immediate family hold an interest, including a partnership interest, or
1354 option, easement, or land contract, valued at more than \$5,000 in real property (other than your principal
1355 residence) for which you have not already listed the full address on Schedule F? Account for real estate
1356 held in trust.

1357 EITHER check NO // OR check YES // and complete Schedule H-2.

1358 10. Real Estate Contracts with Governmental Agencies.

1359 Do you or a member of your immediate family hold an interest valued at more than \$5,000 in real
1360 estate, including a corporate, partnership, or trust interest, option, easement, or land contract, which real
1361 estate is the subject of a contract, whether pending or completed within the past six months, with a
1362 governmental agency? If the real estate contract provides for the leasing of the property to a
1363 governmental agency, do you or a member of your immediate family hold an interest in the real estate
1364 valued at more than \$1,000? Account for all such contracts whether or not your interest is reported in
1365 Schedule F, H-1, or H-2. This requirement to disclose an interest in a lease does not apply to an interest
1366 derived through an ownership interest in a business unless the ownership interest exceeds three percent
1367 of the total equity of the business.

1368 EITHER check NO // OR check YES // and complete Schedule I.

1369 Statements of Economic Interests are open for public inspection.

1370 AFFIRMATION BY ALL FILERS:

1371 I swear or affirm that the foregoing information is full, true and correct to the best of my knowledge.

1372 Signature

1373 (Return only if needed to complete Statement.)

SCHEDULES

to

STATEMENT OF ECONOMIC INTERESTS.

1377 NAME

1378 SCHEDULE A - OFFICES AND DIRECTORSHIPS.

1379 Identify each business of which you or a member of your immediate family is a paid officer or paid
1380 director.

1381	_____		
1382	Name of Business	Address of Business	Position Held and by Whom
1383	_____	_____	_____
1384	_____	_____	_____
1385	_____	_____	_____
1386	_____	_____	_____
1387	_____	_____	_____

1388 _____ RETURN TO ITEM 2

1389 SCHEDULE B - PERSONAL LIABILITIES.

1390 Report personal liability by checking each category. Report only debts in excess of \$5,000. Do not
1391 report debts to any government. Do not report loans secured by recorded liens on property at least equal
1392 in value to the loan.

1393 Report contingent liabilities below and indicate which debts are contingent.

1394 1. My personal debts are as follows:

1395 _____

1396 _____ Check _____ Check one _____

1397 _____ appropriate _____ \$5,001 to More than
 1398 _____ categories _____ \$50,000 \$50,000
 1399 Banks _____
 1400 Savings institutions _____
 1401 Other loan or finance companies _____
 1402 Insurance companies _____
 1403 Stock, commodity or other brokerage companies _____
 1404 Other businesses:
 1405 (State principal business activity for each
 1406 creditor and its name.)
 1407 _____
 1408 _____
 1409 _____
 1410 Individual creditors:
 1411 (State principal business or occupation of
 1412 each creditor and its name.)
 1413 _____
 1414 _____
 1415 _____
 1416 _____

2. The personal debts of the members of my immediate family are as follows:

1418 _____
 1419 _____ Check _____ Check one
 1420 _____ appropriate _____ \$5,001 to More than
 1421 _____ categories _____ \$50,000 \$50,000
 1422 Banks _____
 1423 Savings institutions _____
 1424 Other loan or finance companies _____
 1425 Insurance companies _____
 1426 Stock, commodity or other brokerage companies _____
 1427 Other businesses:
 1428 (State principal business activity for each
 1429 creditor and its name.)
 1430 _____
 1431 _____
 1432 _____
 1433 Individual creditors:
 1434 (State principal business or occupation of
 1435 each creditor and its name.)
 1436 _____
 1437 _____
 1438 _____
 1439 _____

RETURN TO ITEM 3

SCHEDULE C - SECURITIES.

"Securities" INCLUDES stocks, bonds, mutual funds, limited partnerships, and commodity futures contracts.

"Securities" EXCLUDES certificates of deposit, money market funds, annuity contracts, and insurance policies.

Identify each business or Virginia governmental entity in which you or a member of your immediate family, directly or indirectly, separately or together, own securities valued in excess of \$5,000. Name each issuer and type of security individually.

Do not list U.S. Bonds or other government securities not issued by the Commonwealth of Virginia or its authorities, agencies, or local governments. Do not list organizations that do not do business in this Commonwealth, but most major businesses conduct business in Virginia. Account for securities held in trust.

If no reportable securities, check here / /.

1453 _____
1454 _____

1455				Check one
1456	Type of Security	\$5,001	\$50,001	More
1457	(stocks, bonds, mutual	to	to	than
1458	Name of Issuer	funds, etc.)	\$50,000	\$250,000 \$250,000
1459	_____			
1460	_____			
1461	_____			
1462	_____			
1463	_____			

RETURN TO ITEM 4

SCHEDULE D - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

1466 List each source from which you received during the past six months in your capacity as an officer
 1467 or employee of your agency lodging, transportation, money, or any other thing of value with combined
 1468 value exceeding \$200 (i) for your presentation of a single talk, participation in one meeting, or
 1469 publication of a work or (ii) for your attendance at a meeting, conference, or event where your
 1470 attendance at the meeting, conference, or event was designed to (a) educate you on issues relevant to
 1471 your duties as an officer or employee of your agency or (b) enhance your knowledge and skills relative
 1472 to your duties as an officer or employee of your agency. Any lodging, transportation, money, or other
 1473 thing of value received by an officer or employee that does not satisfy the provisions of clause (i), (ii)
 1474 (a), or (ii) (b) shall be listed as a gift on Schedule E.

1475 List payments or reimbursements by an advisory or governmental agency only for meetings or travel
 1476 outside the Commonwealth.

1477 List a payment even if you donated it to charity.

1478 Do not list information about a payment if you returned it within 60 days or if you received it from
 1479 an employer already listed under Item 6 or from a source of income listed on Schedule F.

1480 If no payment must be listed, check here */ /*.

1481	_____			
1482				Type of payment
1483				(e.g. honoraria,
1484				travel reimburse-
1485	Payer	Approximate Value	Circumstances	ment, etc.)
1486	_____			
1487	_____			
1488	_____			
1489	_____			
1490	_____			

RETURN TO ITEM 5

SCHEDULE E - GIFTS.

1493 List each business, governmental entity, or individual that, during the past six months, (i) furnished
 1494 you or a member of your immediate family with any gift or entertainment at a single event, and the
 1495 value received exceeded \$50 or (ii) furnished you or a member of your immediate family with gifts or
 1496 entertainment in any combination and the total value received exceeded \$100, and for which you or the
 1497 member of your immediate family neither paid nor rendered services in exchange. List each such gift or
 1498 event. Do not list entertainment events unless the average value per person attending the event exceeded
 1499 \$50. Do not list business entertainment related to the private profession or occupation of you or the
 1500 member of your immediate family who received such business entertainment. Do not list gifts or other
 1501 things of value given by a relative or personal friend for reasons clearly unrelated to your public
 1502 position. Do not list campaign contributions publicly reported as required by Chapter 9.3 (§ 24.2-945 et
 1503 seq.) of Title 24.2 of the Code of Virginia.

1504	_____			
1505	Name of Business,	City or	Exact	
1506	Name of	Organization, or	County	Gift or
1507	Recipient	Individual	and State	Event
1508				Value
1509	_____			
1510	_____			
1511	_____			
1512	_____			
1513	_____			

RETURN TO ITEM 6

1514 SCHEDULE F - BUSINESS INTERESTS.

1515 Complete this Schedule for each self-owned or family-owned business (including rental property, a
1516 farm, or consulting work), partnership, or corporation in which you or a member of your immediate
1517 family, separately or together, own an interest having a value in excess of \$5,000.

1518 If the enterprise is owned or operated under a trade, partnership, or corporate name, list that name;
1519 otherwise, merely explain the nature of the enterprise. If rental property is owned or operated under a
1520 trade, partnership, or corporate name, list the name only; otherwise, give the address of each property.
1521 Account for business interests held in trust.

1522 _____

1523	Name of Business,		Gross Income
1524	Corporation,		
1525	Partnership,	City or Nature of Enterprise	\$50,001 More
1526	Farm; Address of County	(farming, law, rental \$50,000 to than	
1527	Rental Property and State property, etc.)	or less \$250,000 \$250,000	
1528	_____		
1529	_____		
1530	_____		
1531	_____		
1532	_____		

1533 RETURN TO ITEM 8

1534 SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

1535 List the businesses you represented, excluding activity defined as lobbying in § 2.2-419, before any
1536 state governmental agency, excluding any court or judge, for which you received total compensation
1537 during the past six months in excess of \$1,000; excluding compensation for other services to such
1538 businesses and representation consisting solely of the filing of mandatory papers and subsequent
1539 representation regarding the mandatory papers filed by you.

1540 Identify each business, the nature of the representation and the amount received by dollar category
1541 from each such business. You may state the type, rather than name, of the business if you are required
1542 by law not to reveal the name of the business represented by you.

1543 Only STATE officers and employees should complete this Schedule.

1544 _____

1545	Pur-	Amount Received
1546	pose	
1547	Name Type of Name	
1548	of of Repre of	\$1,001 \$10,001 \$50,001 \$100,001 \$250,001
1549	Busi Busi senta Agen to to to to and	
1550	ness ness tion cy	\$10,000 \$50,000 \$100,000 \$250,000 over
1551	_____	
1552	_____	
1553	_____	
1554	_____	
1555	_____	

1556 If you have received \$250,001 or more from a single business within the reporting period, indicate
1557 the amount received, rounded to the nearest \$10,000.

1558 Amount Received: _____.

1559 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

1560 List the businesses that have been represented, excluding activity defined as lobbying in § 2.2-419,
1561 before any state governmental agency, excluding any court or judge, by persons who are your partners,
1562 associates or others with whom you have a close financial association and who received total
1563 compensation in excess of \$1,000 for such representation during the past six months, excluding
1564 representation consisting solely of the filing of mandatory papers and subsequent representation
1565 regarding the mandatory papers filed by your partners, associates or others with whom you have a close
1566 financial association.

1567 Identify such businesses by type and also name the state governmental agencies before which such
1568 person appeared on behalf of such businesses.

1569 Only STATE officers and employees should complete this Schedule.

1570 _____

1571	Type of business	Name of state governmental agency
1572	_____	_____

1573 _____
 1574 _____
 1575 _____
 1576 _____

1577 **SCHEDULE G-3 - PAYMENTS FOR OTHER SERVICES GENERALLY.**

1578 Indicate below types of businesses that operate in Virginia to which services were furnished by you
 1579 or persons with whom you have a close financial association pursuant to an agreement between you and
 1580 such businesses, or between persons with whom you have a close financial association and such
 1581 businesses and for which total compensation in excess of \$1,000 was received during the past six
 1582 months. Services reported in this Schedule shall not include services involving the representation of
 1583 businesses that are reported in Schedule G-1 or G-2.

1584 Identify opposite each category of businesses listed below (i) the type of business, (ii) the type of
 1585 service rendered and (iii) the value by dollar category of the compensation received for all businesses
 1586 falling within each category.

1587	Check	Value of Compensation				
1588	if Type					
1589	ser of					
1590	vice ser-					
1591	were vice	\$1,001	\$10,001	\$50,001	\$100,001	\$250,001
1592	ren ren	to	to	to	to	and
1593	dered dered	\$10,000	\$50,000	\$100,000	\$250,000	over
1594						
1595	Electric utilities					
1596	Gas utilities					
1597	Telephone utilities					
1598	Water utilities					
1599	Cable television					
1600	— companies					
1601	Interstate					
1602	— transportation					
1603	— companies					
1604	Intrastate					
1605	— transportation					
1606	— companies					
1607	Oil or gas retail					
1608	— companies					
1609	Banks					
1610	Savings institutions					
1611	Loan or finance					
1612	— companies					
1613	Manufacturing					
1614	— companies (state					
1615	— type of product,					
1616	— e.g., textile,					
1617	— furniture, etc.)					
1618	Mining companies					
1619	Life insurance					
1620	— companies					
1621	Casualty insurance					
1622	— companies					
1623	Other insurance					
1624	— companies					
1625	Retail companies					
1626	Beer, wine or liquor					
1627	— companies or					
1628	— distributors					
1629	Trade associations					

- 1630 Professional
- 1631 — associations
- 1632 Associations of
- 1633 — public employees
- 1634 — or officials
- 1635 Counties, cities
- 1636 — or towns
- 1637 Labor organizations
- 1638 Other
- 1639

RETURN TO ITEM 9

SCHEDULE H-1 - REAL ESTATE - STATE OFFICERS AND EMPLOYEES.

List real estate other than your principal residence in which you or a member of your immediate family holds an interest, including a partnership interest, option, easement, or land contract, valued at more than \$5,000. Each parcel shall be listed individually.

1645 _____

1646 _____ Describe the type of real

1647 List each location _____ estate you own in each _____ If the real estate is

1648 (state, and county _____ location (business, recre- owned or recorded in

1649 or city) where you _____ ational, apartment, com- a name other than your

1650 own real estate. _____ mercial, open land, etc.). own, list that name.

1651 _____

1652 _____

1653 _____

1654 _____

1655 _____

1656 _____

SCHEDULE H-2 - REAL ESTATE - LOCAL OFFICERS AND EMPLOYEES.

List real estate other than your principal residence in which you or a member of your immediate family holds an interest, including a partnership interest or option, easement, or land contract, valued at more than \$5,000. Each parcel shall be listed individually. Also list the names of any co-owners of such property, if applicable.

1662 _____

1663 _____ Describe the type

1664 _____ of real estate

1665 _____ you own in

1666 _____ each location _____ If the real estate

1667 List each location (business, _____ is owned or rec-

1668 (state, and county recreational, _____ orded in a name

1669 or city) where _____ apartment, com- other than your _____ List the names

1670 you own real _____ mercial, open _____ own, list that _____ of any co-owners,

1671 estate. _____ land, etc.). _____ name. _____ if applicable.

1672 _____

1673 _____

1674 _____

1675 _____

1676 _____

1677 _____

SCHEDULE I - REAL ESTATE CONTRACTS WITH GOVERNMENTAL AGENCIES.

List all contracts, whether pending or completed within the past six months, with a governmental agency for the sale or exchange of real estate in which you or a member of your immediate family holds an interest, including a corporate, partnership or trust interest, option, easement, or land contract, valued at more than \$10,000. List all contracts with a governmental agency for the lease of real estate in which you or a member of your immediate family holds such an interest valued at more than \$1,000. This requirement to disclose an interest in a lease does not apply to an interest derived through an ownership interest in a business unless the ownership interest exceeds three percent of the total equity of the business.

State officers and employees report contracts with state agencies.

1687

1688 Local officers and employees report contracts with local agencies.

1689	<hr/> <hr/>	
1690	List your real estate	
1691	interest and the	
1692	person or entity,	
1693	including the type	
1694	of entity, which	
1695	is party to	
1696	the contract.	State the annual
1697	Describe any	income from the
1698	management role and	List each governmental
1699	the percentage	agency which is a
1700	ownership	party to the contract
1701	interest you or your	and indicate the
1702	immediate family	county or city where
1703	member has in the real	the real estate
1704	estate or entity.	is located.
1705	<hr/> <hr/>	<hr/> <hr/>
1706	<hr/> <hr/>	<hr/> <hr/>
1707	<hr/> <hr/>	<hr/> <hr/>
1708	<hr/> <hr/>	<hr/> <hr/>
1709	<hr/> <hr/>	<hr/> <hr/>
1710	<hr/> <hr/>	<hr/> <hr/>

1711 *B. Certain information regarding the offices, directorships, and paid employments of the filer and the*
1712 *members of his immediate family shall be reported. For each office, directorship, or paid employment,*
1713 *the report shall include:*

- 1714 *1. The name and address of the business or employer;*
- 1715 *2. The position held and by whom; and*
- 1716 *3. The salary, wages, or other remuneration, including stipends and corporate director fees, received.*

1717 *C. Certain information regarding any unsecured personal liabilities and any unsatisfied judgments*
1718 *against the filer or a member of his immediate family shall be reported. Debts of any entity established*
1719 *pursuant to Title 13.1 or Title 50 shall not be required to be reported. For each debt or unsatisfied*
1720 *judgment, the report shall include:*

- 1721 *1. The type of personal liability or unsatisfied judgment;*
- 1722 *2. The name and principal business activity of the creditor; and*
- 1723 *3. The approximate amount of debt or unsatisfied judgment by selecting one of the following: \$5,001*
1724 *to \$50,000 or more than \$50,000.*

1725 *For an individual creditor, the name and occupation of such creditor shall be reported.*

1726 *D. Certain information regarding any securities owned by the filer or a member of his immediate*
1727 *family, directly or indirectly, together or separately, shall be reported. For purposes of disclosure,*
1728 *"security" shall include at least stocks, bonds, mutual funds, limited partnerships, and commodity futures*
1729 *contracts. For each security owned, the report shall include:*

- 1730 *1. The type of security;*
- 1731 *2. The name of the issuer; and*
- 1732 *3. The approximate value of the security owned.*

1733 *When reporting the approximate value of any security owned, the filer shall select one of the*
1734 *following: \$5,001 to \$50,000; \$50,001 to \$250,000; or more than \$250,000.*

1735 *E. Certain information regarding any business owned by the filer or a member of his immediate*
1736 *family or any business in which the filer or a member of his immediate family has a controlling*
1737 *ownership interest shall be reported. For purposes of disclosure, "business" includes at least*
1738 *corporations, limited liability corporations, partnerships, sole proprietorships, firms, enterprises,*
1739 *franchises, associations, trusts or foundations, or any other individual or entity carrying on a business*
1740 *or profession, whether or not for profit. For each such business, the report shall include:*

- 1741 *1. The name of the business;*
- 1742 *2. The nature of the business; and*
- 1743 *3. The county or city and the state where the business is located.*

1744 *F. Certain information regarding representation before governmental agencies by the filer or a*
1745 *person with whom the filer has a close financial association shall be reported. Unless such information*
1746 *is confidential by law or privileged, the report shall include for each instance of representation:*

1747 1. The name and type of the business represented by the filer or the person with whom the filer has
 1748 a close financial association;

1749 2. The purpose of the representation; and

1750 3. The name of the agency before which the filer, or the person with whom the filer has a close
 1751 financial association, appeared.

1752 G. Certain information regarding real estate in which the filer or a member of his immediate family
 1753 holds an interest, including a partnership interest, options, easement, or land contract, shall be reported.
 1754 For each such real estate, the report shall include:

1755 1. Whether or not it is the principal residence of the filer or the member of his immediate family;

1756 2. The county or city and the state where the real estate is located;

1757 3. The type of real estate;

1758 4. The name in which the real estate is owned or recorded; and

1759 5. Information regarding any contract with a governmental agency for the sale or exchange of the
 1760 real estate.

1761 H. Certain information regarding payments or reimbursements received by the filer for his
 1762 attendance or participation at meetings, conferences, or other events, which he attended in his official
 1763 capacity or in which he participated in his official capacity, shall be reported. For each payment, the
 1764 report shall include:

1765 1. The person or entity paying or reimbursing the filer;

1766 2. The date and location of the meeting, conference, or other event;

1767 3. The purpose of the meeting, conference, or other event;

1768 4. The type of payment or reimbursement received; and

1769 5. The approximate value of the payment or reimbursement received.

1770 I. Certain information regarding gifts accepted or received by the filer or a member of his immediate
 1771 family shall be reported. Only gifts with a value in excess of \$50 or entertainment events for which the
 1772 average value per person exceeds \$50 shall be reported. A gift for which the filer reimburses the person
 1773 giving the gift for the full value of the gift need not be reported. For each reportable gift, the report
 1774 shall include:

1775 1. The name of the recipient;

1776 2. The individual or entity providing the gift;

1777 3. A description of the gift;

1778 4. The value of the gift, or if the gift was given by a foreign dignitary, that the gift was accepted on
 1779 behalf of the Commonwealth; and

1780 5. Whether or not a waiver was received for the gift.

1781 J. Certain information regarding travel shall be reported. For each trip, the report shall include:

1782 1. The date and destination of the trip;

1783 2. The purpose of the travel;

1784 3. An itemized accounting of all expenses related to the trip. For each expense, the report shall
 1785 include:

1786 a. The person or entity paying for the expense;

1787 b. The type of expense;

1788 c. The amount of the expense; and

1789 d. The date the expense was received; and

1790 4. Whether or not a waiver was received for the travel.

1791 **§ 2.2-3118. Disclosure form; certain citizen members.**

1792 A. The financial disclosure form to be used for filings required pursuant to subsection B of
 1793 § 2.2-3114 and subsection B of § 2.2-3115 shall be filed in accordance with the provisions of § 30-356.
 1794 The financial disclosure form shall be substantially as follows: on a form prescribed by the Council. All
 1795 completed forms shall be filed electronically and in accordance with the standards approved by the
 1796 Council pursuant to § 30-356. The Council may specify which parts of the disclosure form are not
 1797 applicable to officers and employees of local governmental and local advisory agencies.

1798 **DEFINITIONS AND EXPLANATORY MATERIAL.**

1799 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
 1800 association, trust or foundation, or any other individual or entity carrying on a business or profession,
 1801 whether or not for profit.

1802 "Close financial association" means an association in which the person filing shares significant
 1803 financial involvement with an individual and the filer would reasonably be expected to be aware of the
 1804 individual's business activities and would have access to the necessary records either directly or through
 1805 the individual. "Close financial association" does not mean an association based on (i) the receipt of
 1806 retirement benefits or deferred compensation from a business by which the person filing this statement is
 1807 no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an
 1808 independent contractor of a business that represents an entity before any state governmental agency

1809 when the person filing has no communications with the state governmental agency.

1810 "Contingent liability" means a liability that is not presently fixed or determined, but may become
1811 fixed or determined in the future with the occurrence of some certain event.

1812 "Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the
1813 filer and who is a dependent of the filer.

1814 "Personal interest" means, for the purposes of this form only, a personal and financial benefit or
1815 liability accruing to a filer or a member of his immediate family. Such interest shall exist by reason of
1816 (i) ownership in real or personal property, tangible or intangible; (ii) ownership in a business; (iii)
1817 income from a business; or (iv) personal liability on behalf of a business; however, unless the ownership
1818 interest in a business exceeds three percent of the total equity of the business, or the liability on behalf
1819 of a business exceeds three percent of the total assets of the business, or the annual income, and/or
1820 property or use of such property, from the business exceeds \$10,000 or may reasonably be anticipated to
1821 exceed \$10,000, such interest shall not constitute a "personal interest."

1822 Name

1823 Office or position held or to be held

1824

1825 Address

1826 I. FINANCIAL INTERESTS

1827 My B. Certain information regarding the personal interests and those of my of the filer and his
1828 immediate family are as follows: Include all forms of personal interests held at the time of filing,
1829 including real estate, stocks, bonds, and equity interests in proprietorships and partnerships held at the
1830 time of filing shall be reported. You may exclude:

1831 1. Deposits and interest bearing accounts in banks, savings institutions and other institutions
1832 accepting such deposits or accounts;

1833 2. Interests in any business, other than a news medium, representing less than three percent of the
1834 total equity value of the business;

1835 3. Liability on behalf of any business representing less than three percent of the total assets of such
1836 business; and

1837 4. Income (other than from salary) less than \$10,000 annually from any business. You need not state
1838 the value of any interest. You must state the name or principal business activity of each business in
1839 which you have a personal interest.

1840 A. My personal interests are Such report shall include:

1841 1. Residence, address, or, if no address, location The county, city, or town
1842 of the filer's residence;

1843 2. Other real estate, address, or, if no address, location The county, city, or town
1844 in which other real estate owned by the filer or member of his immediate family is located;

1845 3. Name The name or principal business activity of each business in which stock, bond, or equity
1846 interest is held by the filer or member of his immediate family.

1847 B. The personal interests of my immediate family are:

1848 1. Real estate, address or, if no address, location

1849 2. Name or principal business activity of each business in which stock, bond or equity interest is
1850 held

1851 II. OFFICES, DIRECTORSHIPS AND SALARIED EMPLOYMENTS

1852 The C. Certain information regarding the paid offices, paid directorships, and salaried employments
1853 which I hold or which members of my of the filer and the members of his immediate family hold and
1854 shall be reported. This report shall also include the businesses from which I the filer or members of my
1855 his immediate family receive retirement benefits are as follows. For each paid office, paid directorship,
1856 salaried employment, or retirement benefits, such report shall include:

1857 1. The name of the business or employer; and

1858 2. The position held and by whom.

1859 (You need not state any dollar amounts.)

1860 A. My paid offices, paid directorships and salaried employments are:

1861

1862 Position held Name of business

1863

1864

1865

1866

1867 B. The paid offices, paid directorships and salaried employments of members of my immediate
1868 family are:

1869		
1870	Position held	Name of business
1871		
1872		
1873		
1874		

1875 **III. BUSINESSES TO WHICH SERVICES WERE FURNISHED**

1876 A. The businesses I have represented, excluding activity defined as lobbying in § 2.2-419, before any
1877 state governmental agency, excluding any court or judge, for which I have received total compensation
1878 in excess of \$1,000 during the preceding year, excluding compensation for other services to such
1879 businesses and representation consisting solely of the filing of mandatory papers, are as follows:

1880 Identify businesses by name and name the state governmental agencies before which you appeared on
1881 behalf of such businesses.

1882		
1883	Name of business	Name of governmental agency
1884		
1885		
1886		
1887		

1888 B. The businesses that, to my knowledge, have been represented, excluding activity defined as
1889 lobbying in § 2.2-419, before any state governmental agency, excluding any court or judge, by persons
1890 with whom I have a close financial association and who received total compensation in excess of \$1,000
1891 during the preceding year, excluding compensation for other services to such businesses and
1892 representation consisting solely of the filing of mandatory papers, are as follows:

1893 Identify businesses by type and name the state governmental agencies before which such person
1894 appeared on behalf of such businesses.

1895		
1896	Type of business	Name of state governmental agency
1897		
1898		
1899		
1900		

1901 C. All other businesses listed below that operate in Virginia to which services were furnished
1902 pursuant to an agreement between you and such businesses and for which total compensation in excess
1903 of \$1,000 was received during the preceding year:

1904 Check each category of business to which services were furnished.

- 1905 _____
- 1906 Electric utilities _____
- 1907 Gas utilities _____
- 1908 Telephone utilities _____
- 1909 Water utilities _____
- 1910 Cable television companies _____
- 1911 Intrastate transportation companies _____
- 1912 Interstate transportation companies _____
- 1913 Oil or gas retail companies _____
- 1914 Banks _____
- 1915 Savings institutions _____
- 1916 Loan or finance companies _____
- 1917 Manufacturing companies (state type _____
- 1918 — of product, e.g., textile, furniture, _____
- 1919 — etc.) _____
- 1920 Mining companies _____
- 1921 Life insurance companies _____
- 1922 Casualty insurance companies _____
- 1923 Other insurance companies _____
- 1924 Retail companies _____
- 1925 Beer, wine or liquor companies or _____
- 1926 — distributors _____

- 1927 Trade associations _____
- 1928 Professional associations _____
- 1929 Associations of public employees or _____
- 1930 —officials _____
- 1931 Counties, cities or towns _____
- 1932 Labor organizations _____

1933 _____

1934 **IV. COMPENSATION FOR EXPENSES**

1935 *The D. Certain information regarding representation before any state government agency by the filer*
1936 *or a person with whom the filer has a close financial association shall be reported. Unless such*
1937 *information is confidential by law or privileged, the report shall include for each instance of*
1938 *representation:*

1939 *1. The name and type of the business represented by the filer or the person with whom the filer has*
1940 *a close financial association; and*

1941 *2. The name of the agency before which the filer, or the person with whom the filer has a close*
1942 *financial association, appeared.*

1943 *E. Certain information regarding remuneration received by the filer or a member of his immediate*
1944 *family from persons, associations, or other sources other than my the filer's governmental agency from*
1945 *which I or a member of my immediate family received remuneration in excess of \$200 during the*
1946 *preceding year, in cash or otherwise, as honorariums or payment of expenses in connection with my his*
1947 *attendance at any meeting or other function to which I he was invited in my his official capacity are as*
1948 *follows shall be reported. For each honorarium or payment of expenses, the report shall include:*

1949 *1. The name of the person, association, or other source;*

1950 *2. A description of the occasion; and*

1951 *3. The amount of remuneration received.*

1952 _____

1953	Description	Amount of remuneration
1954	Name of Source of occasion	for each occasion
1955	_____	_____
1956	_____	_____
1957	_____	_____
1958	_____	_____

1959 *B. The provisions of Part III A and B of the disclosure form prescribed by this section shall not be*
1960 *applicable to officers and employees of local governmental and local advisory agencies.*

1961 *C. Except for real estate located within the county, city or town in which the officer or employee*
1962 *serves or a county, city or town contiguous to the county, city or town in which the officer or employee*
1963 *serves, officers and employees of local governmental or advisory agencies shall not be required to*
1964 *disclose under Part I of the form any other interests in real estate.*

1965 **§ 2.2-3121. Advisory opinions.**

1966 *A. A state officer or employee shall not be prosecuted for a knowing violation of this chapter if the*
1967 *alleged violation resulted from his good faith reliance on a written opinion of the Attorney General or*
1968 *the Virginia Conflict of Interest and Ethics Advisory Council made in response to his written request for*
1969 *such opinion and the opinion was made after a full disclosure of the facts.*

1970 *B. A local officer or employee shall not be prosecuted for a knowing violation of this chapter if the*
1971 *alleged violation resulted from his good faith reliance on a written opinion of the attorney for the*
1972 *Commonwealth or the Council made in response to his written request for such opinion and the opinion*
1973 *was made after a full disclosure of the facts. The written opinion shall be a public record and shall be*
1974 *released upon request.*

1975 *C. If any officer or employee serving at the local level of government is charged with a knowing*
1976 *violation of this chapter, and the alleged violation resulted from his reliance upon a written opinion of*
1977 *his city, county or town attorney, made after a full disclosure of the facts, that such action was not in*
1978 *violation of this chapter, then the officer or employee shall have the right to introduce a copy of the*
1979 *opinion at his trial as evidence that he did not knowingly violate this chapter.*

1980 **§ 2.2-3124. Civil penalty from violation of this chapter.**

1981 *A. In addition to any other fine or penalty provided by law, an officer or employee who knowingly*
1982 *violates any provision of §§ 2.2-3103 through 2.2-3112 shall be subject to a civil penalty in an amount*
1983 *equal to the amount of money or thing of value received as a result of such violation. If the thing of*
1984 *value received by the officer or employee in violation of §§ 2.2-3103 through 2.2-3112 increases in*
1985 *value between the time of the violation and the time of discovery of the violation, the greater value shall*
1986 *determine the amount of the civil penalty. Further, all money or other things of value received as a*

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1987 result of such violation shall be forfeited in accordance with the provisions of § 19.2-386.33.

1988 *B. An officer or employee required to file the disclosure form prescribed by § 2.2-3117 who fails to*
 1989 *file such form within the time period prescribed shall be assessed a civil penalty in an amount equal to*
 1990 *\$250. The Council shall notify the Attorney General of any state officer's or employee's failure to file*
 1991 *the required form and the Attorney General shall assess and collect the civil penalty. The Council shall*
 1992 *notify the attorney for the Commonwealth for the locality in which the officer or employee was elected*
 1993 *or is employed of any local officer's or employee's failure to file the required form and the attorney for*
 1994 *the Commonwealth shall assess and collect the civil penalty. The Council shall notify the Attorney*
 1995 *General and the attorney for the Commonwealth within 30 days of the deadline for filing. All civil*
 1996 *penalties collected pursuant to this subsection shall be deposited into the general fund and used*
 1997 *exclusively to fund the Council.*

1998 **§ 30-101. Definitions.**

1999 As used in this chapter, unless the context requires a different meaning:

2000 "Advisory agency" means any board, commission, committee or post which does not exercise any
 2001 sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for
 2002 the purpose of making studies or recommendations, or advising or consulting with a governmental
 2003 agency.

2004 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
 2005 association, trust or foundation, or any other individual or entity carrying on a business or profession,
 2006 whether or not for profit.

2007 "Close financial association" means an association in which the filer shares significant financial
 2008 involvement with an individual and the filer would reasonably be expected to be aware of the
 2009 individual's business activities and would have access to the necessary records either directly or through
 2010 the individual. "Close financial association" does not mean an association based on (i) the receipt of
 2011 retirement benefits or deferred compensation from a business by which the legislator is no longer
 2012 employed or (ii) the receipt of compensation for work performed by the legislator as an independent
 2013 contractor of a business that represents an entity before any state governmental agency when the
 2014 legislator has had no communications with the state governmental agency.

2015 "Contract" means any agreement to which a governmental agency is a party, or any agreement on
 2016 behalf of a governmental agency that involves the payment of money appropriated by the General
 2017 Assembly or a political subdivision, whether or not such agreement is executed in the name of the
 2018 Commonwealth, or some political subdivision thereof. "Contract" includes a subcontract only when the
 2019 contract of which it is a part is with the legislator's own governmental agency.

2020 "Council" means the Virginia Conflict of Interest and Ethics Advisory Council established in
 2021 § 30-355.

2022 "Financial institution" means any bank, trust company, savings institution, industrial loan association,
 2023 consumer finance company, credit union, broker-dealer as defined in subsection A of § 13.1-501, or
 2024 investment company or advisor registered under the federal Investment Advisors Act or Investment
 2025 Company Act of 1940.

2026 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item
 2027 having monetary value. It includes services as well as gifts of transportation, lodgings and meals,
 2028 whether provided in-kind; or by purchase of a ticket, payment in advance, or reimbursement after the
 2029 expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission
 2030 or pass unless the ticket, coupon, admission, or pass is used; (ii) *food or beverages consumed while*
 2031 *attending an event at which the filer is performing duties related to his public service;* (iii) honorary
 2032 degrees; ~~(iii)~~ (iv) any athletic, merit, or need-based scholarship or any other financial aid awarded by a
 2033 public or private school, institution of higher education, or other educational program pursuant to such
 2034 school, institution, or program's financial aid standards and procedures applicable to the general public;
 2035 ~~(iv)~~ (v) *unsolicited, personally inscribed awards of appreciation or recognition in the form of a plaque,*
 2036 *trophy, wall memento, or similar item that is given in recognition of public, civic, charitable, or*
 2037 *professional service;* (vi) a campaign contribution properly received and reported pursuant to Chapter 9.3
 2038 (§ 24.2-945 et seq.) of Title 24.2; ~~(v)~~ (vii) *a devise or inheritance;* (viii) any gift given by a business
 2039 *associate or otherwise* related to the private profession or occupation of a legislator or of a member of
 2040 his immediate family; or ~~(vi)~~ (ix) gifts from relatives or personal friends. For the purpose of this
 2041 definition, "relative" means the donee's spouse, child, uncle, aunt, niece, or nephew; a person to whom
 2042 the donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother,
 2043 or sister; or the donee's brother's or sister's spouse. For the purpose of this definition, "personal friend"
 2044 does not include any person that the filer knows or has reason to know is (a) a lobbyist registered
 2045 pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's principal as defined in
 2046 § 2.2-419; or (c) a person, organization, or business who is a party to or is seeking to become a party to
 2047 a contract with the Commonwealth. For purposes of this definition, "person, organization, or business"
 2048 includes individuals who are officers, directors, or owners of or who have a controlling ownership

2049 interest in such organization or business.

2050 "Governmental agency" means each component part of the legislative, executive or judicial branches
2051 of state and local government, including each office, department, authority, post, commission,
2052 committee, and each institution or board created by law to exercise some regulatory or sovereign power
2053 or duty as distinguished from purely advisory powers or duties.

2054 "Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the
2055 legislator and who is a dependent of the legislator.

2056 "Legislator" means a member of the General Assembly.

2057 "Personal interest" means a financial benefit or liability accruing to a legislator or to a member of his
2058 immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership
2059 interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may
2060 reasonably be anticipated to exceed, \$5,000 from ownership in real or personal property or a business;
2061 (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination
2062 thereof, paid or provided by a business or governmental agency that exceeds, or may reasonably be
2063 anticipated to exceed, \$5,000 annually; (iv) ownership of real or personal property if the interest exceeds
2064 \$5,000 in value and excluding ownership in a business, income, or salary, other compensation, fringe
2065 benefits or benefits from the use of property; (v) personal liability incurred or assumed on behalf of a
2066 business if the liability exceeds three percent of the asset value of the business; or (vi) an option for
2067 ownership of a business or real or personal property if the ownership interest will consist of clause (i) or
2068 (iv).

2069 "Personal interest in a contract" means a personal interest that a legislator has in a contract with a
2070 governmental agency, whether due to his being a party to the contract or due to a personal interest in a
2071 business that is a party to the contract.

2072 "Personal interest in a transaction" means a personal interest of a legislator in any matter considered
2073 by the General Assembly. Such personal interest exists when an officer or employee or a member of his
2074 immediate family has a personal interest in property or a business, or represents or provides services to
2075 any individual or business and such property, business or represented or served individual or business (i)
2076 is the subject of the transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or
2077 detriment as a result of the action of the agency considering the transaction. A "personal interest in a
2078 transaction" exists only if the legislator or member of his immediate family or an individual or business
2079 represented or served by the legislator is affected in a way that is substantially different from the general
2080 public or from persons comprising a profession, occupation, trade, business or other comparable and
2081 generally recognizable class or group of which he or the individual or business he represents or serves is
2082 a member.

2083 "Transaction" means any matter considered by the General Assembly, whether in a committee,
2084 subcommittee, or other entity of the General Assembly or before the General Assembly itself, on which
2085 official action is taken or contemplated.

2086 **§ 30-103. Prohibited conduct.**

2087 No legislator shall:

2088 1. Solicit or accept money or other thing of value for services performed within the scope of his
2089 official duties, except the compensation, expenses or other remuneration paid to him by the General
2090 Assembly. This prohibition shall not apply to the acceptance of special benefits which may be
2091 authorized by law;

2092 2. Offer or accept any money or other thing of value for or in consideration of obtaining
2093 employment, appointment, or promotion of any person with any governmental or advisory agency;

2094 3. Offer or accept any money or other thing of value for or in consideration of the use of his public
2095 position to obtain a contract for any person or business with any governmental or advisory agency;

2096 4. Use for his own economic benefit or that of another party confidential information which he has
2097 acquired by reason of his public position and which is not available to the public;

2098 5. Accept any money, loan, gift, favor, service, or business or professional opportunity that
2099 reasonably tends to influence him in the performance of his official duties. This subdivision shall not
2100 apply to any political contribution actually used for political campaign or constituent service purposes
2101 and reported as required by Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;

2102 6. Accept any business or professional opportunity when he knows that there is a reasonable
2103 likelihood that the opportunity is being afforded him to influence him in the performance of his official
2104 duties;

2105 7. During the one year after the termination of his service as a legislator, represent a client or act in
2106 a representative capacity on behalf of any person or group, for compensation, on any matter before the
2107 General Assembly or any agency of the legislative branch of government. The prohibitions of this
2108 subdivision shall apply only to persons engaged in activities that would require registration as a lobbyist
2109 under § 2.2-422. Any person subject to the provisions of this subdivision may apply to the Attorney

2110 General, as provided in § 30-122, for an advisory opinion as to the application of the restriction imposed
 2111 by this subdivision on any post-public employment position or opportunity;

2112 8. Accept any honoraria for any appearance, speech, or article in which the legislator provides
 2113 expertise or opinions related to the performance of his official duties. The term "honoraria" shall not
 2114 include any payment for or reimbursement to such person for his actual travel, lodging, or subsistence
 2115 expenses incurred in connection with such appearance, speech, or article or in the alternative a payment
 2116 of money or anything of value not in excess of the per diem deduction allowable under § 162 of the
 2117 Internal Revenue Code, as amended from time to time;

2118 9. Accept appointment to serve on a body or board of any corporation, company or other legal
 2119 entity, vested with the management of the corporation, company or entity, and on which two other
 2120 members of the General Assembly already serve, which is operated for profit and regulated by the State
 2121 Corporation Commission as (i) a financial institution, (ii) a mortgage lender or broker, (iii) any business
 2122 under Chapter 5 (§ 13.1-501 et seq.) of Title 13.1, (iv) any business under Title 38.2, or (v) any
 2123 business under Title 56;

2124 10. Accept a gift from a person who has interests that may be substantially affected by the
 2125 performance of the legislator's official duties under circumstances where the timing and nature of the gift
 2126 would cause a reasonable person to question the legislator's impartiality in the matter affecting the
 2127 donor. Violations of this subdivision shall not be subject to criminal law penalties; or

2128 11. Accept gifts from sources on a basis so frequent as to raise an appearance of the use of his
 2129 public office for private gain. Violations of this subdivision shall not be subject to criminal law
 2130 penalties; or

2131 12. *Solicit, accept, or receive any gift of travel with a value exceeding \$100 from a third party prior*
 2132 *to submitting to the Council a request for a waiver to accept such gift of travel and receiving such a*
 2133 *waiver pursuant to § 30-356.2. Gifts of travel include transportation, lodging, meals, hospitality, and*
 2134 *any other travel-related thing of value.*

2135 **§ 30-103.1. Certain gifts prohibited.**

2136 A. For purposes of this section:

2137 "Intangible gift" means a thing of temporary value or a thing that upon the happening of a certain
 2138 event or expiration of a given date loses its value. "Intangible gift" includes entertainment, hospitality, a
 2139 ticket, admission, or pass, transportation, lodgings, and meals that are reportable on Schedule E of the
 2140 disclosure form prescribed in § 30-111.

2141 "Tangible gift" means a thing of value that does not lose its value upon the happening of a certain
 2142 event or expiration of a given date. "Tangible gift" includes currency, negotiable instruments, securities,
 2143 stock options, or other financial instruments that are reportable on Schedule E of the disclosure form
 2144 prescribed in § 30-111. "Tangible gift" does not include payments or reimbursements received for any
 2145 intangible gift.

2146 B. A legislator or candidate for the General Assembly required to file the disclosure form prescribed
 2147 in § 30-111 (i) shall not solicit, accept, or receive within any calendar year any single tangible gift with
 2148 a value in excess of \$250 \$100 or a any combination of tangible gifts with an aggregate value in excess
 2149 of \$250 \$100 from any person that he knows or has reason to know is (a) a lobbyist registered pursuant
 2150 to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's principal as defined in
 2151 § 2.2-419; or (c) a person, organization, or business who is a party to or is seeking to become a party to
 2152 a contract with the Commonwealth; (ii) shall report any tangible gift with a value of \$250 or less or any
 2153 intangible gift received from any person listed in clause (i) on Schedule E of such disclosure form; and
 2154 (iii) shall report any payments for talks, meetings, and publications on Schedule D-1 of such disclosure
 2155 form. For purposes of this subsection, "person, organization, or business" includes individuals who are
 2156 officers, directors, or owners of or who have a controlling ownership interest in such organization or
 2157 business. *Gifts received from business associates, relatives, or in conjunction with a personal celebration*
 2158 *are not subject to this prohibition or the disclosure requirements of § 30-111. Gifts with a value of less*
 2159 *than \$20 are not subject to aggregation for purposes of this prohibition.*

2160 B. *Notwithstanding the provisions of subsection A, a legislator or candidate for the General*
 2161 *Assembly required to file the disclosure form prescribed in § 30-111 may accept or receive a gift or a*
 2162 *combination of gifts with a value in excess of \$100 when such gift is accepted or received while in*
 2163 *attendance at a widely attended event. A widely attended event is an event for which there is a*
 2164 *reasonable expectation that at least 25 persons will attend the event and the event has a civic or*
 2165 *regional interest or is open to individuals from a particular industry or profession or who represent*
 2166 *persons interested in a particular issue.*

2167 C. The \$250 limitation imposed in accordance with this section shall be adjusted by the Council
 2168 every five years, as of January 1 of that year, in an amount equal to the annual increases for that
 2169 five-year period in the United States Average Consumer Price Index for all items, all urban consumers
 2170 (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, rounded to the
 2171 nearest whole dollar *Food and beverages received at or registration or attendance fees waived for any*

2172 event at which the legislator or candidate is a featured speaker, presenter, or lecturer shall not be
2173 subject to the provisions of subsection A.

2174 D. Notwithstanding the provisions of subsection A, a legislator or candidate for the General
2175 Assembly required to file the disclosure form prescribed in § 30-111 may accept or receive certain gifts
2176 with a value in excess of \$100 when he has submitted a request for a waiver to and has received the
2177 approval of the Council pursuant to § 30-356.2. A legislator or candidate for the General Assembly may
2178 request a waiver for the following gifts:

2179 1. A gift or combination of gifts from a personal friend. In making its determination to grant the
2180 waiver, the Council shall consider the nature and length of the friendship.

2181 2. Transportation, lodging, hospitality, or other travel-related thing of value that is provided by a
2182 third party and is directly related to the official duties of the legislator. In making its determination to
2183 grant the waiver, the Council shall consider the purpose of the trip as it relates to the legislator's public
2184 duties and responsibilities.

2185 E. Any gift received by a legislator subject to the provisions of this section (i) from a foreign
2186 dignitary, (ii) with a value exceeding \$100, and (iii) for which the fair market value or a gift of greater
2187 or equal value has not been provided or exchanged, shall be accepted on behalf of the Commonwealth
2188 and archived in accordance with guidelines established by the Library of Virginia. Such gift shall be
2189 disclosed as having been accepted on behalf of the Commonwealth but the value of such gift shall not
2190 be required to be disclosed

2191 F. For purposes of this section, "candidate" means a person who seeks or campaigns for election to
2192 the General Assembly in a general, primary, or special election and who is qualified to have his name
2193 placed on the ballot for the office. The candidate shall become subject to the provisions of this section
2194 upon the filing of a statement of organization pursuant to § 24.2-947.1. The State Board of Elections
2195 shall notify each such candidate of the provisions of this section.

2196 **§ 30-110. Disclosure.**

2197 A. Every legislator and legislator-elect shall file, as a condition to assuming office, a disclosure
2198 statement of his personal interests and such other information as is specified on the form set forth in
2199 § 30-111 and thereafter shall file such a statement semiannually by December 15 for the preceding
2200 six-month period complete through the last day of October and by June 15 for the preceding six-month
2201 period complete through the last day of April. When the filing deadline falls on a Saturday, Sunday, or
2202 legal holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or
2203 legal holiday. Disclosure forms shall be provided made available by the Virginia Conflict of Interest and
2204 Ethics Advisory Council at least 30 days prior to the filing deadline. Members of the Senate and
2205 members of the House of Delegates shall file their disclosure forms with the Virginia Conflict of
2206 Interest and Ethics Advisory Council. The Disclosure statements shall be filed electronically with the
2207 Council in accordance with the standards approved by it pursuant to § 30-356. All disclosure forms of
2208 the members of the General Assembly shall be maintained as public records for five years in the office
2209 of the Virginia Conflict of Interest and Ethics Advisory Council.

2210 B. Candidates for the General Assembly shall file a disclosure statement of their personal interests as
2211 required by §§ 24.2-500 through 24.2-503.

2212 C. Any legislator who has a personal interest in any transaction pending before the General
2213 Assembly and who is disqualified from participating in that transaction pursuant to § 30-108 and the
2214 rules of his house shall disclose his interest in accordance with the applicable rule of his house.

2215 **§ 30-111. Disclosure form; penalty.**

2216 A. The disclosure form to be used for filings required by subsections A and B of § 30-110 shall be
2217 substantially as follows: on a form prescribed by the Council. All completed forms shall be filed
2218 electronically and in accordance with the standards approved by the Council pursuant to § 30-356. A
2219 person required to file this disclosure form who does so knowing it to contain a material misstatement
2220 of fact is guilty of a Class 6 felony.

2221 ~~STATEMENT OF ECONOMIC INTERESTS.~~

2222 Name

2223 Office or position held or sought

2224 Address

2225 Names of members of immediate family

2226 **DEFINITIONS AND EXPLANATORY MATERIAL.**

2227 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
2228 association, trust or foundation, or any other individual or entity carrying on a business or profession,
2229 whether or not for profit.

2230 "Close financial association" means an association in which the filer shares significant financial
2231 involvement with an individual and the filer would reasonably be expected to be aware of the
2232 individual's business activities and would have access to the necessary records either directly or through

2233 the individual. "Close financial association" does not mean an association based on (i) the receipt of
 2234 retirement benefits or deferred compensation from a business by which the legislator is no longer
 2235 employed, or (ii) the receipt of compensation for work performed by the legislator as an independent
 2236 contractor of a business that represents an entity before any state governmental agency when the
 2237 legislator has had no communications with the state governmental agency.

2238 "Contingent liability" means a liability that is not presently fixed or determined, but may become
 2239 fixed or determined in the future with the occurrence of some certain event.

2240 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item
 2241 having monetary value. It includes services as well as gifts of transportation, lodgings and meals,
 2242 whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the
 2243 expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission
 2244 or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic,
 2245 merit, or need-based scholarship or any other financial aid awarded by a public or private school,
 2246 institution of higher education, or other educational program pursuant to such school, institution, or
 2247 program's financial aid standards and procedures applicable to the general public; (iv) a campaign
 2248 contribution properly received and reported pursuant to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;
 2249 (v) any gift related to the private profession or occupation of a legislator or of a member of his
 2250 immediate family; or (vi) gifts from relatives or personal friends. "Relative" means the donee's spouse,
 2251 child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the donee's
 2252 or his spouse's parent, grandparent, grandchild, brother, or sister; or the donee's brother's or sister's
 2253 spouse. "Personal friend" does not include any person that the filer knows or has reason to know is (a) a
 2254 lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's
 2255 principal as defined in § 2.2-419; or (c) a person, organization, or business who is a party to or is
 2256 seeking to become a party to a contract with the Commonwealth. "Person, organization, or business"
 2257 includes individuals who are officers, directors, or owners of or who have a controlling ownership
 2258 interest in such organization or business.

2259 "Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the
 2260 legislator and who is a dependent of the legislator.

2261 "Lobbyist relationship" means (i) an engagement, agreement, or representation that relates to legal
 2262 services, consulting services, or public relations services, whether gratuitous or for compensation,
 2263 between a member or member-elect and any person who is, or has been within the prior calendar year,
 2264 registered as a lobbyist with the Secretary of the Commonwealth or (ii) a greater than three percent
 2265 ownership interest by a member or member-elect in a business that employs, or engages as an
 2266 independent contractor, any person who is, or has been within the prior calendar year, registered as a
 2267 lobbyist with the Secretary of the Commonwealth. The disclosure of a lobbyist relationship shall not (a)
 2268 constitute a waiver of any attorney-client or other privilege, (b) require a waiver of any attorney-client
 2269 or other privilege for a third party, or (c) be required where a member or member-elect is employed or
 2270 engaged by a person and such person also employs or engages a person in a lobbyist relationship so
 2271 long as the member or member-elect has no financial interest in the lobbyist relationship.

2272 TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust,
 2273 treat the trust's assets as if you own them directly. If you or your immediate family has a proportional
 2274 interest in a trust, treat that proportion of the trust's assets as if you own them directly. For example, if
 2275 you and your immediate family have a one-third interest in a trust, complete your Statement as if you
 2276 own one-third of each of the trust's assets. If you or a member of your immediate family created a trust
 2277 and can revoke it without the beneficiaries' consent, treat its assets as if you own them directly.

2278 REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required on this
 2279 Statement must be provided on the basis of the best knowledge, information, and belief of the individual
 2280 filing the Statement as of the date of this report unless otherwise stated.

2281 COMPLETE ITEMS 1 THROUGH 11. REFER TO SCHEDULES ONLY IF DIRECTED.

2282 You may attach additional explanatory information.

2283 1. Offices and Directorships.

2284 Are you or a member of your immediate family a paid officer or paid director of a business?

2285 EITHER check NO / / OR check YES / / and complete Schedule A.

2286 2. Personal Liabilities.

2287 Do you or a member of your immediate family owe more than \$5,000 to any one creditor including
 2288 contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property
 2289 at least equal in value to the loan.)

2290 EITHER check NO / / OR check YES / / and complete Schedule B.

2291 3. Securities.

2292 Do you or a member of your immediate family, directly or indirectly, separately or together, own
 2293 securities valued in excess of \$5,000 invested in one business? Account for mutual funds, limited
 2294 partnerships and trusts.

2295 EITHER check NO // OR check YES // and complete Schedule C.

2296 4. Payments for Talks, Meetings, and Publications.

2297 During the past six months did you receive in your capacity as a legislator lodging, transportation,
2298 money, or anything else of value with a combined value exceeding \$200 (i) for a single talk, meeting,
2299 or published work or (ii) for a meeting, conference, or event where your attendance at the meeting,
2300 conference, or event was designed to (a) educate you on issues relevant to your duties as a legislator,
2301 including issues faced by your constituents, or (b) enhance your knowledge and skills relative to your
2302 duties as a legislator? Do not include payments and reimbursements from the Commonwealth for
2303 meetings attended in your capacity as a legislator; see Question 11 and Schedule D2 to report such
2304 meetings.

2305 EITHER check NO // OR check YES // and complete Schedule D.

2306 5. Gifts.

2307 During the past six months did a business, government, or individual other than a relative or personal
2308 friend (i) furnish you or a member of your immediate family with any gift or entertainment at a single
2309 event, and the value received exceeded \$50 or (ii) furnish you or a member of your immediate family
2310 with gifts or entertainment in any combination and the total value received exceeded \$100, and for
2311 which you or the member of your immediate family neither paid nor rendered services in exchange?
2312 Account for entertainment events only if the average value per person attending the event exceeded \$50.
2313 Account for all business entertainment (except if related to the private profession or occupation of you
2314 or the member of your immediate family who received such business entertainment) even if unrelated to
2315 your official duties.

2316 EITHER check NO // OR check YES // and complete Schedule E.

2317 6. Salary and Wages.

2318 List each employer that pays you or a member of your immediate family salary or wages in excess
2319 of \$5,000 annually. (Exclude any salary received as a member of the General Assembly pursuant to
2320 § 30-19.11.)

2321 If no reportable salary or wages, check here / /.

2322 _____
2323 _____
2324 _____

2325 7. Business Interests and Lobbyist Relationships.

2326 7A. Do you or a member of your immediate family, separately or together, operate your own
2327 business, or own or control an interest in excess of \$5,000 in a business?

2328 EITHER check NO // OR check YES // and complete Schedule F-1.

2329 7B. Do you have a lobbyist relationship as that term is defined above?

2330 EITHER check NO // OR check YES // and complete Schedule F-2.

2331 8. Payments for Representation and Other Services.

2332 8A. Did you represent any businesses before any state governmental agencies, excluding courts or
2333 judges, for which you received total compensation during the past six months in excess of \$1,000,
2334 excluding compensation for other services to such businesses and representation consisting solely of the
2335 filing of mandatory papers and subsequent representation regarding the mandatory papers?

2336 EITHER check NO // OR check YES // and complete Schedule G-1.

2337 8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial
2338 association (partners, associates or others) represent any businesses before any state governmental agency
2339 for which total compensation was received during the past six months in excess of \$1,000?

2340 EITHER check NO // OR check YES // and complete Schedule G-2.

2341 8C. Did you or persons with whom you have a close financial association furnish services to
2342 businesses operating in Virginia, pursuant to an agreement between you and such businesses, or between
2343 persons with whom you have a close financial association and such businesses for which total
2344 compensation in excess of \$1,000 was received during the past six months? Services reported under this
2345 provision shall not include services involving the representation of businesses that are reported under
2346 question 8A or 8B above.

2347 EITHER check NO // OR check YES // and complete Schedule G-3.

2348 9. Real Estate.

2349 Do you or a member of your immediate family hold an interest, including a partnership interest,
2350 valued at more than \$5,000 in real property (other than your principal residence) for which you have not
2351 already listed the full address on Schedule F? Account for real estate held in trust.

2352 EITHER check NO // OR check YES // and complete Schedule H.

2353 10. Real Estate Contracts with State Governmental Agencies.

2354 Do you or a member of your immediate family hold an interest valued at more than \$5,000 in real
2355 estate, including a corporate, partnership, or trust interest, option, easement, or land contract, which real

2356 estate is the subject of a contract, whether pending or completed within the past six months, with a state
2357 governmental agency?

2358 If the real estate contract provides for the leasing of the property to a state governmental agency, do
2359 you or a member of your immediate family hold an interest in the real estate, including a corporate,
2360 partnership, or trust interest, option, easement, or land contract valued at more than \$1,000? Account for
2361 all such contracts whether or not your interest is reported in Schedule F or H. This requirement to
2362 disclose an interest in a lease does not apply to an interest derived through an ownership interest in a
2363 business unless the ownership interest exceeds three percent of the total equity of the business.

2364 EITHER check NO // OR check YES // and complete Schedule I.

2365 11. Payments by the Commonwealth for Meetings.

2366 During the past six months did you receive lodging, transportation, money, or anything else of value
2367 with a combined value exceeding \$200 from the Commonwealth for a single meeting attended
2368 out-of-state in your capacity as a legislator? Do not include reimbursements from the Commonwealth for
2369 meetings attended in the Commonwealth.

2370 EITHER check NO // OR check YES // and complete Schedule D-2.

2371 For Statements filed in January 2016 and each two years thereafter, complete the following statement
2372 indicating whether you completed the ethics orientation sessions provided pursuant to law:

2373 I certify that I completed ethics training as required by § 30-129.1. YES // or NO // :

2374 Statements of Economic Interests are open for public inspection.

2375 AFFIRMATION:

2376 In accordance with the rules of the house in which I serve, if I receive a request that this disclosure
2377 statement be corrected, augmented, or revised in any respect, I hereby pledge that I shall respond
2378 promptly to the request. I understand that if a determination is made that the statement is insufficient, I
2379 will satisfy such request or be subjected to disciplinary action of my house.

2380 I swear or affirm that the foregoing information is full, true and correct to the best of my knowledge.

2381 Signature _____ (Such signature shall be deemed to constitute a
2382 valid notarization and shall have the same effect as if performed by a notary public.)

2383 (Return only if needed to complete Statement.)

2384 SCHEDULES

2385 to

2386 STATEMENT OF ECONOMIC INTERESTS.

2387 NAME _____

2388 SCHEDULE A - OFFICES AND DIRECTORSHIPS.

2389 Identify each business of which you or a member of your immediate family is a paid officer or paid
2390 director.

2391	_____		
2392	Name of Business	Address of Business	Position Held and by Whom
2393	_____	_____	_____
2394	_____	_____	_____
2395	_____	_____	_____
2396	_____	_____	_____
2397	_____	_____	_____

2398 _____ RETURN TO ITEM 2

2399 SCHEDULE B - PERSONAL LIABILITIES.

2400 Report personal liability by checking each category. Report only debts in excess of \$5,000. Do not
2401 report debts to any government. Do not report loans secured by recorded liens on property at least equal
2402 in value to the loan.

2403 Report contingent liabilities below and indicate which debts are contingent.

2404 1. My personal debts are as follows:

2405	_____			
2406	Check	Check one		
2407	_____	appropriate	\$5,001 to	More than
2408	_____	categories	\$50,000	\$50,000
2409	Banks	_____	_____	_____
2410	Savings institutions	_____	_____	_____
2411	Other loan or finance companies	_____	_____	_____
2412	Insurance companies	_____	_____	_____
2413	Stock, commodity or other brokerage	_____	_____	_____
2414	_____ companies	_____	_____	_____
2415	Other businesses:	_____	_____	_____

2416 ~~(State principal business activity for each~~
 2417 ~~creditor and its name.)~~
 2418 _____
 2419 _____
 2420 _____
 2421 ~~Individual creditors:~~
 2422 ~~(State principal business or occupation of~~
 2423 ~~each creditor and its name.)~~
 2424 _____
 2425 _____
 2426 _____
 2427 _____

2428 2. The personal debts of the members of my immediate family are as follows:

2429 _____
 2430 _____ Check _____ Check one
 2431 _____ appropriate \$5,001 to More than
 2432 _____ categories \$50,000 \$50,000
 2433 Banks _____
 2434 Savings institutions _____
 2435 Other loan or finance companies _____
 2436 Insurance companies _____
 2437 Stock, commodity or other brokerage
 2438 _____ companies _____
 2439 ~~Other businesses:~~
 2440 ~~(State principal business activity for each~~
 2441 ~~creditor and its name.)~~
 2442 _____
 2443 _____
 2444 _____
 2445 ~~Individual creditors:~~
 2446 ~~(State principal business or occupation of~~
 2447 ~~each creditor and its name.)~~
 2448 _____
 2449 _____
 2450 _____
 2451 _____

RETURN TO ITEM 3

2453 SCHEDULE C - SECURITIES.

2454 "Securities" INCLUDES stocks, bonds, mutual funds, limited partnerships, and commodity futures
 2455 contracts.

2456 "Securities" EXCLUDES certificates of deposit, money market funds, annuity contracts, and
 2457 insurance policies.

2458 Identify each business or Virginia governmental entity in which you or a member of your immediate
 2459 family, directly or indirectly, separately or together, own securities valued in excess of \$5,000. Name
 2460 each issuer and type of security individually.

2461 Do not list U.S. Bonds or other government securities not issued by the Commonwealth of Virginia
 2462 or its authorities, agencies, or local governments. Do not list organizations that do not do business in
 2463 this Commonwealth, but most major businesses conduct business in Virginia. Account for securities held
 2464 in trust.

2465 If no reportable securities, check here / /.

2466 _____
 2467 _____ Check one
 2468 _____ Type of Security \$5,001 \$50,001 More
 2469 _____ (stocks, bonds, mutual to to than
 2470 Name of Issuer funds, etc.) \$50,000 \$250,000 \$250,000
 2471 _____
 2472 _____

2473 _____
 2474 _____
 2475 _____
 2476 _____

RETURN TO ITEM 4

SCHEDULE D-1 - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

2477 List each source from which you received during the past six months in your capacity as a legislator
 2478 lodging, transportation, money, or any other thing of value with a combined value exceeding \$200 (i)
 2479 for your presentation of a single talk, participation in one meeting, or publication of a work or (ii) for
 2480 your attendance at a meeting, conference, or event where your attendance at the meeting, conference, or
 2481 event was designed to (a) educate you on issues relevant to your duties as a legislator, including issues
 2482 faced by your constituents, or (b) enhance your knowledge and skills relative to your duties as a
 2483 legislator. Any lodging, transportation, money, or other thing of value received by a legislator that does
 2484 not satisfy the criteria of clause (i), (ii)(a), or (ii)(b) shall be listed as a gift on Schedule E. Do not list
 2485 payments or reimbursements by the Commonwealth. (See Schedule D-2 for such payments or
 2486 reimbursements.) List a payment even if you donated it to charity. Do not list information about a
 2487 payment if you returned it within 60 days or if you received it from an employer already listed under
 2488 Item 6 or from a source of income listed on Schedule F.
 2489

If no payment must be listed, check here / /.

2490 _____
 2491 _____
 2492 _____
 2493 _____
 2494 _____
 2495 Payer _____ Approximate Value _____ Circumstances _____
 2496 _____
 2497 _____
 2498 _____
 2499 _____
 2500 _____

RETURN TO ITEM 5

SCHEDULE D-2 - PAYMENTS BY THE COMMONWEALTH FOR MEETINGS.

2501 List each meeting for which the Commonwealth provided payments or reimbursements during the
 2502 past six months to you for lodging, transportation, money, or any other thing of value with a combined
 2503 value exceeding \$200 for your participation in your capacity as a legislator. Do not list payments or
 2504 reimbursements by the Commonwealth for meetings or travel within the Commonwealth.
 2505

If no payment must be listed, check here / /.

2506 _____
 2507 _____
 2508 _____
 2509 _____
 2510 _____
 2511 _____
 2512 Payer _____ Approximate Value _____ Circumstances _____
 2513 _____
 2514 _____
 2515 _____
 2516 _____
 2517 _____

SCHEDULE E - GIFTS.

2518 List each business, governmental entity, or individual that, during the past six months, (i) furnished
 2519 you or a member of your immediate family with any gift or entertainment at a single event, and the
 2520 value received exceeded \$50 or (ii) furnished you or a member of your immediate family with gifts or
 2521 entertainment in any combination and the total value received exceeded \$100, and for which you or the
 2522 member of your immediate family neither paid nor rendered services in exchange. List each such gift or
 2523 event.
 2524

2525 Do not list entertainment events unless the average value per person attending the event exceeded
 2526 \$50. Do not list business entertainment related to the private profession or occupation of you or the
 2527 member of your immediate family who received such business entertainment. Do not list gifts or other
 2528 things of value given by a relative or personal friend for reasons clearly unrelated to your public
 2529 position. Do not list campaign contributions publicly reported as required by Chapter 9.3 (§ 24.2-945 et
 2530 seq.) of Title 24.2 of the Code of Virginia.
 2531

2532	_____	Name of Business,	City or	Exact	
2533	Name of	Organization, or	County	Gift or	Approximate
2534	Recipient	Individual	and State	Event	Value
2535	_____	_____	_____	_____	_____
2536	_____	_____	_____	_____	_____
2537	_____	_____	_____	_____	_____
2538	_____	_____	_____	_____	_____
2539	_____	_____	_____	_____	_____
2540	RETURN TO ITEM 6				

2541 SCHEDULE F-1 - BUSINESS INTERESTS.

2542 Complete this Schedule for each self-owned or family-owned business (including rental property, a
2543 farm, or consulting work), partnership, or corporation in which you or a member of your immediate
2544 family, separately or together, own an interest having a value in excess of \$5,000.

2545 If the enterprise is owned or operated under a trade, partnership, or corporate name, list that name;
2546 otherwise, merely explain the nature of the enterprise. If rental property is owned or operated under a
2547 trade, partnership, or corporate name, list the name only; otherwise, give the address of each property.
2548 Account for business interests held in trust.

2549	_____				
2550	Name of	_____			
2551	Business	_____			
2552	Corporation,	_____			
2553	Partnership,	Nature of	Gross income		
2554	Farm;	Enterprise			
2555	Address of	City or	(farming,	\$50,001	More
2556	Rental	County	law, rental	\$50,000	to
2557	Property	and State	property, etc.)	or less	\$250,000 \$250,000
2558	_____	_____	_____	_____	_____
2559	_____	_____	_____	_____	_____
2560	_____	_____	_____	_____	_____
2561	_____	_____	_____	_____	_____
2562	_____	_____	_____	_____	_____
2563	RETURN TO ITEM 8				

2564 SCHEDULE F-2 - LOBBYIST RELATIONSHIPS AND PAYMENTS.

2565 Complete this Schedule for each lobbyist relationship with the following:
2566 (i) any person who is, or has been within the prior calendar year, registered as a lobbyist with the
2567 Secretary of the Commonwealth; or
2568 (ii) any business in which you have a greater than three percent ownership interest and that business
2569 employs, or engages as an independent contractor, any person who is, or has been within the prior
2570 calendar year, registered as a lobbyist with the Secretary of the Commonwealth.

2571	_____				
2572					Payments to
2573					Lobbyist
2574	List each person	Describe each	Dates of	\$10,000	More than
2575	or business	relationship	relationship	or less	\$10,000
2576	_____	_____	_____	_____	_____
2577	_____	_____	_____	_____	_____
2578	_____	_____	_____	_____	_____
2579	_____	_____	_____	_____	_____
2580	_____	_____	_____	_____	_____
2581	_____	_____	_____	_____	_____

2582 THE DISCLOSURE OF A LOBBYIST RELATIONSHIP SHALL NOT (I) CONSTITUTE A
2583 WAIVER OF ANY ATTORNEY-CLIENT OR OTHER PRIVILEGE, (II) REQUIRE A WAIVER OF
2584 ANY ATTORNEY-CLIENT OR OTHER PRIVILEGE FOR A THIRD PARTY, OR (III) BE
2585 REQUIRED WHERE A MEMBER OR MEMBER-ELECT IS EMPLOYED OR ENGAGED BY A
2586 PERSON AND SUCH PERSON ALSO EMPLOYS OR ENGAGES A PERSON IN A LOBBYIST
2587 RELATIONSHIP SO LONG AS THE MEMBER OR MEMBER-ELECT HAS NO FINANCIAL
2588 INTEREST IN THE LOBBYIST RELATIONSHIP.

2589 SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

2590 List the businesses you represented before any state governmental agency, excluding any court or
 2591 judge, for which you received total compensation during the past six months in excess of \$1,000,
 2592 excluding compensation for other services to such businesses and representation consisting solely of the
 2593 filing of mandatory papers and subsequent representation regarding the mandatory papers filed by you.

2594 Identify each business, the nature of the representation and the amount received by dollar category
 2595 from each such business. You may state the type, rather than name, of the business if you are required
 2596 by law not to reveal the name of the business represented by you.

2597 _____

2598 _____ Pur-

2599 _____ pose _____ Amount Received

2600 Name Type of

2601 of of Repre Name \$1,001 \$10,001 \$50,001 \$100,001

2602 Busi Busi senta of to to to to \$250,001

2603 ness ness tion Agency \$10,000 \$50,000 \$100,000 \$250,000 and over

2604 _____

2605 _____

2606 _____

2607 _____

2608 _____

2609 If you have received \$250,001 or more from a single business within the reporting period, indicate
 2610 the amount received, rounded to the nearest \$10,000. Amount Received: _____.

2611 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

2612 List the businesses that have been represented before any state governmental agency, excluding any
 2613 court or judge, by persons who are your partners, associates or others with whom you have a close
 2614 financial association and who received total compensation in excess of \$1,000 for such representation
 2615 during the past six months, excluding representation consisting solely of the filing of mandatory papers
 2616 and subsequent representation regarding the mandatory papers filed by your partners, associates or others
 2617 with whom you have a close financial association.

2618 Identify such businesses by type and also name the state governmental agencies before which such
 2619 person appeared on behalf of such businesses.

2620 _____

2621 Type of Business _____ Name of State Governmental Agency

2622 _____

2623 _____

2624 _____

2625 _____

2626 _____

2627 SCHEDULE G-3 - PAYMENTS FOR OTHER SERVICES GENERALLY.

2628 Indicate below types of businesses that operate in Virginia to which services were furnished by you
 2629 or persons with whom you have a close financial association pursuant to an agreement between you and
 2630 such businesses, or between persons with whom you have a close financial association and such
 2631 businesses and for which total compensation in excess of \$1,000 was received during the past six
 2632 months. Services reported in this Schedule shall not include services involving the representation of
 2633 businesses that are reported in Schedule G-1 or G-2 above.

2634 Identify opposite each category of businesses listed below (i) the type of business, (ii) the type of
 2635 service rendered and (iii) the value by dollar category of the compensation received for all businesses
 2636 falling within each category.

2637 _____

2638 _____ Check

2639 _____ if Type

2640 _____ ser- of _____ Value of Compensation

2641 _____ vices ser-

2642 _____ were vice \$1,001 \$10,001 \$50,001 \$100,001

2643 _____ ren- ren- to to to to \$250,001

2644 _____ dered dered \$10,000 \$50,000 \$100,000 \$250,000 and over

2645 Electric utilities _____

2646 Gas utilities _____

2647 Telephone utilities _____

2648 Water utilities _____

- 2649 Cable television
- 2650 — companies
- 2651 Interstate
- 2652 — transportation
- 2653 — companies
- 2654 Intrastate
- 2655 — transportation
- 2656 — companies
- 2657 Oil or gas retail
- 2658 — companies
- 2659 Banks
- 2660 Savings
- 2661 — institutions
- 2662 Loan or finance
- 2663 — companies
- 2664 Manufacturing
- 2665 — companies (state
- 2666 — type of product,
- 2667 — e.g., textile,
- 2668 — furniture, etc.)
- 2669 Mining companies
- 2670 Life insurance
- 2671 — companies
- 2672 Casualty insurance
- 2673 — companies
- 2674 Other insurance
- 2675 — companies
- 2676 Retail companies
- 2677 Beer, wine or
- 2678 — liquor companies
- 2679 — or distributors
- 2680 Trade associations
- 2681 Professional
- 2682 — associations
- 2683 Associations of
- 2684 — public employees
- 2685 — or officials
- 2686 Counties, cities
- 2687 — or towns
- 2688 Labor organizations
- 2689 Other

RETURN TO ITEM 9

2691 _____

2692 **SCHEDULE H - REAL ESTATE.**

2693 List real estate other than your principal residence in which you or a member of your immediate

2694 family holds an interest, including a partnership interest, option, easement, or land contract, valued at

2695 \$5,000 or more. Each parcel shall be listed individually.

2696 _____	Describe the type of real	
2697 _____	estate you own in each	
2698 _____		
2699 _____	List the location location (business,	If the real estate is
2700 _____	(state, and county recreational, apartment,	owned or recorded in
2701 _____	or city where you commercial, open land,	a name other than your
2702 _____	own real estate etc.)	own, list that name
2703 _____		
2704 _____		
2705 _____		

2706 _____
 2707 _____
 2708 _____
 2709 _____

RETURN TO ITEM 10

SCHEDULE I - REAL ESTATE CONTRACTS WITH STATE GOVERNMENTAL AGENCIES.

2711 List all contracts, whether pending or completed within the past six months, with a state
 2712 governmental agency for the sale or exchange of real estate in which you or a member of your
 2713 immediate family holds an interest, including a corporate, partnership or trust interest, option, easement,
 2714 or land contract, valued at more than \$10,000. List all contracts with a state governmental agency for
 2715 the lease of real estate in which you or a member of your immediate family holds such an interest
 2716 valued at more than \$1,000. This requirement to disclose an interest in a lease does not apply to an
 2717 interest derived through an ownership interest in a business unless the ownership interest exceeds three
 2718 percent of the total equity of the business.

2719 _____
 2720 ~~List your real~~
 2721 ~~estate interest and~~
 2722 ~~the person or entity,~~
 2723 ~~including the type of~~
 2724 ~~entity, which is~~
 2725 ~~party to the contract.~~ _____ State the annual
 2726 ~~Describe any~~ _____ income from the
 2727 ~~management role and~~ List each _____ contract, and the
 2728 ~~the percentage~~ governmental agency _____ amount, if any, of
 2729 ~~ownership interest~~ which is a party to _____ income you or any
 2730 ~~you or your immediate~~ the contract and _____ immediate family
 2731 ~~family member has in~~ indicate the county _____ member derives
 2732 ~~the real estate~~ or city where the _____ annually from
 2733 ~~or entity.~~ real estate is located. _____ the contract.
 2734 _____
 2735 _____
 2736 _____
 2737 _____
 2738 _____
 2739 _____

2740 B. Any legislator who makes a knowing misstatement of a material fact on the Statement of
 2741 Economic Interests shall be subject to disciplinary action for such violations by the house in which the
 2742 legislator sits.

2743 C. The Statement of Economic Interests of all members of each house shall be reviewed by the
 2744 Council. If a legislator's Statement is found to be inadequate as filed, the legislator shall be notified in
 2745 writing and directed to file an amended Statement correcting the indicated deficiencies, and a time shall
 2746 be set within which such amendment shall be filed. If the Statement of Economic Interests, in either its
 2747 original or amended form, is found to be adequate as filed, the legislator's filing shall be deemed in full
 2748 compliance with this section as to the information disclosed thereon.

2749 D. Ten percent of the membership of a house, on the basis of newly discovered facts, may in writing
 2750 request the house in which those members sit, in accordance with the rules of that house, to review the
 2751 Statement of Economic Interests of another member of that house in order to determine the adequacy of
 2752 his filing. In accordance with the rules of each house, each Statement of Economic Interests shall be
 2753 promptly reviewed, the adequacy of the filing determined, and notice given in writing to the legislator
 2754 whose Statement is in issue. Should it be determined that the Statement requires correction,
 2755 augmentation or revision, the legislator involved shall be directed to make the changes required within
 2756 such time as shall be set under the rules of each house.

2757 If a legislator, after having been notified in writing in accordance with the rules of the house in
 2758 which he sits that his Statement is inadequate as filed, fails to amend his Statement so as to come into
 2759 compliance within the time limit set, he shall be subject to disciplinary action by the house in which he
 2760 sits. No legislator shall vote on any question relating to his own Statement.

2761 *Certain information regarding the offices, directorships, and paid employments of the filer and the*
 2762 *members of his immediate family shall be reported. For each office, directorship, or paid employment,*
 2763 *the report shall include:*

- 2764 1. *The name and address of the business or employer;*

- 2765 2. The position held and by whom; and
- 2766 3. The salary, wages, or other remuneration, including stipends and corporate director fees, received.
- 2767 C. Certain information regarding any unsecured personal liabilities and any unsatisfied judgments
- 2768 against the filer or a member of his immediate family shall be reported. Debts of any entity established
- 2769 pursuant to Title 13.1 or Title 50 shall not be required to be reported. For each debt or unsatisfied
- 2770 judgment, the report shall include:
- 2771 1. The type of personal liability or unsatisfied judgment;
- 2772 2. The name and principal business activity of the creditor; and
- 2773 3. The approximate amount of debt or unsatisfied judgment by selecting one of the following: \$5,001
- 2774 to \$50,000 or more than \$50,000.
- 2775 For an individual creditor, the name and occupation of such creditor shall be reported.
- 2776 D. Certain information regarding any securities owned by the filer or a member of his immediate
- 2777 family, directly or indirectly, together or separately, shall be reported. For purposes of disclosure,
- 2778 "security" shall include at least stocks, bonds, mutual funds, limited partnerships, and commodity futures
- 2779 contracts. For each security owned, the report shall include:
- 2780 1. The type of security;
- 2781 2. The name of the issuer; and
- 2782 3. The approximate value of the security owned.
- 2783 When reporting the approximate value of any security owned, the filer shall select one of the
- 2784 following: \$5,001 to \$50,000; \$50,001 to \$250,000; or more than \$250,000.
- 2785 E. Certain information regarding any business owned by the filer or a member of his immediate
- 2786 family or any business in which the filer or a member of his immediate family has a controlling
- 2787 ownership interest shall be reported. For purposes of disclosure, "business" includes at least
- 2788 corporations, limited liability corporations, partnerships, sole proprietorships, firms, enterprises,
- 2789 franchises, associations, trusts or foundations, or any other individual or entity carrying on a business
- 2790 or profession, whether or not for profit. For each such business, the report shall include:
- 2791 1. The name of the business;
- 2792 2. The nature of the business; and
- 2793 3. The county or city and the state where the business is located.
- 2794 F. Certain information regarding representation before governmental agencies by the filer or a
- 2795 person with whom the filer has a close financial association shall be reported. Unless such information
- 2796 is confidential by law or privileged, the report shall include for each instance of representation:
- 2797 1. The name and type of the business represented by the filer or the person with whom the filer has
- 2798 a close financial association;
- 2799 2. The purpose of the representation; and
- 2800 3. The name of the agency before which the filer, or the person with whom the filer has a close
- 2801 financial association, appeared.
- 2802 G. Certain information regarding real estate in which the filer or a member of his immediate family
- 2803 holds an interest, including a partnership interest, options, easement, or land contract, shall be reported.
- 2804 For each such real estate, the report shall include:
- 2805 1. Whether or not it is the principal residence of the filer or the member of his immediate family;
- 2806 2. The county or city and the state where the real estate is located;
- 2807 3. The type of real estate;
- 2808 4. The name in which the real estate is owned or recorded; and
- 2809 5. Information regarding any contract with a governmental agency for the sale or exchange of the
- 2810 real estate.
- 2811 H. Certain information regarding payments or reimbursements received by the filer for his
- 2812 attendance or participation at meetings, conferences, or other events, which he attended in his official
- 2813 capacity or in which he participated in his official capacity, shall be reported. For each payment, the
- 2814 report shall include:
- 2815 1. The person or entity paying or reimbursing the filer;
- 2816 2. The date and location of the meeting, conference, or other event;
- 2817 3. The purpose of the meeting, conference, or other event;
- 2818 4. The type of payment or reimbursement received; and
- 2819 5. The approximate value of the payment or reimbursement received.
- 2820 I. Certain information regarding gifts accepted or received by the filer or a member of his immediate
- 2821 family shall be reported. Only gifts with a value in excess of \$50 or entertainment events for which the
- 2822 average value per person exceeds \$50 shall be reported. A gift for which the filer reimburses the person
- 2823 giving the gift for the full value of the gift need not be reported. For each reportable gift, the report
- 2824 shall include:
- 2825 1. The name of the recipient;

- 2826 2. *The individual or entity providing the gift;*
 2827 3. *A description of the gift; and*
 2828 4. *The value of the gift, or if the gift was given by a foreign dignitary, that the gift was accepted on*
 2829 *behalf of the Commonwealth; and*
 2830 5. *Whether or not a waiver was received for the gift.*
 2831 *J. Certain information regarding travel shall be reported. For each trip, the report shall include:*
 2832 1. *The date and destination of the trip;*
 2833 2. *The purpose of the travel;*
 2834 3. *An itemized accounting of all expenses related to the trip. For each expense, the report shall*
 2835 *include:*
 2836 a. *The person or entity paying for the expense;*
 2837 b. *The type of expense;*
 2838 c. *The amount of the expense; and*
 2839 d. *The date the expense was received; and*
 2840 4. *Whether or not a waiver was received for the travel.*
 2841 *K. Attendance at orientation sessions required by § 30-129.1 shall be reported. Such report shall*
 2842 *include the date of the most recent session attended.*

2843 **§ 30-124. Advisory opinions.**

2844 A legislator shall not be prosecuted or disciplined for a violation of this chapter if his alleged
 2845 violation resulted from his good faith reliance on a written opinion of a committee on standards of
 2846 conduct established pursuant to § 30-120, an opinion of the Attorney General as provided in § 30-122,
 2847 or a formal opinion of the Virginia Conflict of Interest and Ethics Advisory Council established pursuant
 2848 to § 30-355 30-356.1, and the opinion was made after his full disclosure of the facts.

2849 **§ 30-126. Civil penalty from violation of this chapter.**

2850 A. In addition to any other fine or penalty provided by law, any money or other thing of value
 2851 derived by a legislator from a violation of §§ 30-103 through 30-108 shall be forfeited and, in the event
 2852 of a knowing violation, there may also be imposed a civil penalty in an amount equal to the amount of
 2853 money or thing of value forfeited to the Commonwealth. If the thing of value received by the legislator
 2854 in violation of this chapter should enhance in value between the time of the violation and the time of
 2855 discovery of the violation, the greater value shall determine the amount of the civil penalty.

2856 B. *A legislator who fails to file the disclosure form required by § 30-111 within the time period*
 2857 *prescribed shall be assessed a civil penalty in an amount equal to \$250. The Council shall notify the*
 2858 *Attorney General of any legislator's failure to file the required form within 30 days of the deadline for*
 2859 *filing, and the Attorney General shall assess and collect the civil penalty, which shall be deposited into*
 2860 *the general fund and used exclusively to fund the Council.*

2861 **§ 30-129.1. Orientation sessions on ethics and conflicts of interests.**

2862 The Virginia Conflict of Interest and Ethics Advisory Council shall conduct an orientation session (i)
 2863 for new and returning General Assembly members preceding each even-numbered year regular session
 2864 and (ii) for any new General Assembly member who is elected in a special election and whose term
 2865 commences after the date of the orientation session provided for in clause (i) and at least six months
 2866 before the date of the next such orientation session within three months of his election. Attendance at
 2867 the full orientation session shall be mandatory for newly elected members. Attendance at a refresher
 2868 session lasting at least two hours shall be mandatory for returning members and may be accomplished
 2869 by online participation. There shall be no penalty for the failure of a member to attend the full or
 2870 refresher orientation session, but the member must disclose his attendance pursuant to *subsection K of*
 2871 *§ 30-111.*

2872 **§ 30-355. Virginia Conflict of Interest and Ethics Advisory Council; membership; terms;**
 2873 **quorum; expenses.**

2874 A. The Virginia Conflict of Interest and Ethics Advisory Council (the Council) is hereby created as
 2875 an advisory council in the legislative branch to encourage and facilitate compliance with the State and
 2876 Local Government Conflict of Interests Act (§ 2.2-3100 et seq.) and the General Assembly Conflicts of
 2877 Interests Act (§ 30-100 et seq.) (hereafter the Acts) and the lobbying laws in Article 3 (§ 2.2-418 et
 2878 seq.) of Chapter 4 of Title 2.2 (hereafter Article 3).

2879 B. The Council shall consist of ~~15~~ 9 members as follows: ~~four~~ *three* members appointed by the
 2880 Speaker of the House of Delegates, ~~one~~ *two* of whom shall be a ~~member~~ *members* of the House of
 2881 Delegates; ~~and one of whom shall be a former member of the House of Delegates, and two of whom~~
 2882 ~~shall be nonlegislative citizen members retired judge; four~~ *three* members appointed by the Senate
 2883 Committee on Rules, ~~one~~ *two* of whom shall be a ~~member~~ *members* of the Senate; ~~and one of whom~~
 2884 ~~shall be a former member of the Senate, and two of whom shall be nonlegislative citizen members~~
 2885 ~~retired judge; and four~~ *three* members appointed by the Governor, ~~two of whom shall be executive~~
 2886 ~~branch employees and two of whom shall be nonlegislative citizen members one of whom shall be a~~
 2887 ~~retired judge, one of whom shall be appointed from a list of nominees submitted by the Virginia~~

2888 Association of Counties, and one of whom shall be appointed from a list of nominees submitted by the
 2889 Virginia Municipal League; one member designated by the Attorney General; one member appointed by
 2890 the Senate Committee on Rules from a list of three nominees submitted by the Virginia Association of
 2891 Counties; and one member appointed by the Speaker of the House of Delegates from a list of three
 2892 nominees submitted by the Virginia Municipal League. In the appointment to the Council of members of
 2893 House of Delegates made by the Speaker and members of the Senate made by the Senate Committee on
 2894 Rules, equal representation shall be given to each of the political parties having the highest and next
 2895 highest number of members elected to the respective body. All members of the Council are subject to
 2896 confirmation by the General Assembly by a majority vote in each house of (i) the members present of
 2897 the majority party and (ii) the members present of the minority party. *No member of the Council may be*
 2898 *removed from his term except for cause.*

2899 C. All appointments following the initial staggering of terms shall be for terms of four years, except
 2900 that appointments to fill vacancies shall be for the unexpired terms in the same manner as the original
 2901 appointment. No nonlegislative citizen member shall be eligible to serve for more than two successive
 2902 four-year terms. However, after the expiration of a term of three years or less, or after the expiration of
 2903 the remainder of a term to which appointed to fill a vacancy, two additional terms may be served by
 2904 such member if appointed thereto. Legislative members and other state government officials shall serve
 2905 terms coincident with their terms of office. Legislative members may be reappointed for successive
 2906 terms.

2907 D. The members of the Council shall elect from among their membership a chairman and a
 2908 vice-chairman for two-year terms. The chairman and vice-chairman may not succeed themselves to the
 2909 same position. The Council shall hold meetings quarterly or upon the call of the chairman. A majority
 2910 of the Council *appointed* shall constitute a quorum.

2911 E. Members of the Council shall receive ~~no compensation for their services but shall be reimbursed~~
 2912 ~~for all reasonable and necessary expenses incurred in the performance of their duties as provided in~~
 2913 ~~§§ 2.2-2813, 2.2-2825, and 30-19.12, as appropriate a per diem of \$100.~~ Funding for expenses of the
 2914 members shall be provided from existing appropriations to the Council.

2915 **§ 30-356. Disclosure forms.**

2916 A. The Council shall: *designate the forms required for complying with the disclosure requirements of*
 2917 *Article 3 and the Acts. The Council may amend the forms as it deems necessary, but in no case shall*
 2918 *the forms require less information than that which is required to be reported by Article 3 or the Acts.*
 2919 *These forms shall be the only forms used in complying with the provisions of Article 3 and the Acts. The*
 2920 *Council shall make available on its website the disclosure forms and shall provide guidance and other*
 2921 *instructions to assist in the completion of the forms.*

2922 1. ~~Review~~ B. *The Council shall review* all disclosure forms filed by lobbyists pursuant to Article 3
 2923 and by state and local government officers and employees and legislators pursuant to the Acts. The
 2924 Council shall review all disclosure forms for completeness, which shall include reviewing the
 2925 information contained on the face of the form to determine if the disclosure form has been fully
 2926 completed and comparing the disclosures contained in any disclosure form filed by a lobbyist pursuant
 2927 to § 2.2-426 with other disclosure forms filed with the Council; ~~and be followed by requests for~~
 2928 ~~amendments to ensure the completeness of and correction of errors in the forms, if necessary;~~ *If a*
 2929 *disclosure form is found to have not been filed or to have been incomplete as filed, the Council shall*
 2930 *notify the filer in writing and direct the filer to file a completed disclosure form within a prescribed*
 2931 *period of time.*

2932 2. ~~Accept any disclosure forms by computer or electronic means in accordance with the standards~~
 2933 ~~approved by the Council and using software meeting standards approved by it.~~ C. The Council shall
 2934 *require all disclosure forms be filed electronically and shall provide software or electronic access for*
 2935 *filing the required disclosure forms to all filers without charge and may.* *It shall prescribe the method of*
 2936 *execution and certification of electronically filed forms, including the use of an electronic signature as*
 2937 *authorized by the Uniform Electronic Transactions Act (§ 59.1-479 et seq.); and the procedures for*
 2938 *receiving forms in the office of the Council;*

2939 3. D. Beginning July 1, 2015 2016, *the Council shall establish and maintain a searchable electronic*
 2940 *database comprising disclosure forms properly filed pursuant to §§ 2.2-426, 2.2-3117, 2.2-3118, and*
 2941 *30-111. Such database shall be available to the public through the Council's official website;*

2942 4. ~~Furnish, upon request, formal advisory opinions or guidelines and other appropriate information,~~
 2943 ~~including informal advice, regarding ethics and conflicts issues arising under Article 3 or the Acts to any~~
 2944 ~~person or to any agency of state or local government, in an expeditious manner. Informal advice given~~
 2945 ~~by the Council is confidential, protected by the attorney-client privilege, and is excluded from the~~
 2946 ~~provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.);~~

2947 5. ~~Conduct training seminars and educational programs for lobbyists, state and local government~~
 2948 ~~officers and employees and legislators, and other interested persons on the requirements of Article 3 and~~

2949 the Acts and provide ethics orientation sessions for legislators in compliance with Article 6 (§ 30-129.1
2950 et seq.) of Chapter 13;

2951 6. Approve orientation courses conducted pursuant to § 2.2-3128 and, upon request, review the
2952 educational materials and approve any training or course on the requirements of Article 3 and the Acts
2953 conducted for state and local government officers and employees;

2954 7. Publish such educational materials as it deems appropriate on the provisions of Article 3 and the
2955 Acts;

2956 8. Review actions taken in the General Assembly with respect to the discipline of its members for
2957 the purpose of offering nonbinding advice;

2958 9. Request from any agency of state or local government such assistance, services, and information
2959 as will enable the Council to effectively carry out its responsibilities. Information provided to the
2960 Council by an agency of state or local government shall not be released to any other party unless
2961 authorized by such agency; and

2962 10. Report on or before December 1 of each year on its activities and findings regarding Article 3
2963 and the Acts, including recommendations for changes in the laws, to the General Assembly and the
2964 Governor. The annual report shall be submitted by the chairman as provided in the procedures of the
2965 Division of Legislative Automated Systems for the processing of legislative documents and reports and
2966 shall be published as a state document.

2967 **§ 30-356.1. Advisory opinions.**

2968 A. Upon the request of any person subject to the requirements of Article 3 or the Acts, the Council
2969 shall furnish informal advice or formal advisory opinions or guidance with respect to ethics, conflicts
2970 issues, or such person's duties under Article 3 or the Acts. The Council may authorize a designee to
2971 furnish informal advice or formal advisory opinions or guidance.

2972 B. Formal advisory opinions are public record and shall be published on the Council's website.
2973 Published formal advisory opinions may have such deletions and changes as may be necessary to
2974 protect the identity of the person involved. The informal advice given by the Council or the Council's
2975 designee is confidential, protected by the attorney-client privilege, and excluded from the provisions of
2976 the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

2977 C. No person shall be prosecuted, assessed a civil penalty, or otherwise disciplined for a violation of
2978 Article 3 or the Acts if the alleged violation resulted from his good faith reliance on a formal advisory
2979 opinion issued under this section and the opinion was issued after his full disclosure of the material
2980 facts.

2981 **§ 30-356.2. Waivers for travel and certain prohibited gifts.**

2982 A. The Council shall receive, review, and approve or deny requests for waivers submitted by persons
2983 required to file the disclosure form prescribed in § 2.2-3117 or 30-111 to accept any gift of travel,
2984 including transportation, lodging, meal, hospitality, or other travel-related thing of value, provided by a
2985 third party that has a value exceeding \$100. A waiver shall not be required for acceptance of travel
2986 paid for or provided by the government of the United States, any of its territories, or another state in
2987 the United States or the political subdivision of such other state. The Council shall approve a waiver for
2988 transportation if the transportation is provided to facilitate attendance by the legislator at a regular or
2989 special session of the General Assembly, a meeting of a legislative committee or commission, or a
2990 national conference where attendance is approved by the House or Senate Committee on Rules.

2991 B. The Council shall receive, review, and approve or deny requests for waivers submitted by persons
2992 required to file the disclosure form prescribed in § 2.2-3117 or 30-111 to accept any gift or combination
2993 of gifts provided by a personal friend that exceeds the limitation prescribed in § 2.2-3103.1 or 30-111.

2994 C. The Council may authorize a designee to review and approve or deny requests for waivers
2995 pursuant to this section. Unless the circumstances giving rise to the request for waiver make it
2996 necessary that approval or denial be completed sooner, the Council shall approve or deny a waiver
2997 within seven days of receipt of a request for a waiver. The Council may request additional information
2998 if necessary and if such information has been requested, the Council shall approve or deny the waiver
2999 within seven days of receipt of such information. When reviewing the request for a waiver, the Council
3000 shall consider the purpose of the travel as it relates to the official duties of the requester. The Council
3001 may approve the waiver in whole or in part, which may include limiting the duration of the trip. Within
3002 10 days of approving a request for a waiver, the Council shall post the waiver on its website.

3003 D. A request for a waiver pursuant to subsection A or B shall be on a form prescribed by the
3004 Council and made available on its website.

3005 1. The request required by subsection A shall include specific information regarding the travel,
3006 including a detailed agenda and estimated costs. All information included in the request will be subject
3007 to public disclosure.

3008 2. The request required by subsection B shall include specific information regarding the nature and
3009 length of friendship. This request shall be required for gifts provided to the spouse and dependent
3010 children of those persons required to file the disclosure form prescribed in §§ 2.2-3117 or 30-111.

3011 *E. No person shall be prosecuted, assessed a civil penalty, or otherwise disciplined for acceptance of*
 3012 *a gift or travel-related thing of value if he accepted such gift or travel-related thing of value after*
 3013 *receiving a waiver under this section and the waiver was granted after his full disclosure of the material*
 3014 *facts.*

3015 *F. The Council shall provide instructions for completing and submitting a request. It shall prescribe*
 3016 *the procedures for receiving and reviewing requests for waivers and the standards for approving or*
 3017 *denying waivers.*

3018 **§ 30-356.3. Inspections.**

3019 *The Council may conduct an inspection of a random sample of the disclosure forms filed pursuant to*
 3020 *Article 3 and the Acts. The Council may inspect each disclosure form to determine (i) compliance with*
 3021 *applicable disclosure requirements, (ii) the accuracy of the information disclosed, and (iii) whether*
 3022 *filing deadlines were met.*

3023 **§ 30-356.4. Other powers and duties; report.**

3024 *The Council shall:*

3025 *1. Redact from any document or form that is to be made available to the public any residential*
 3026 *address, personal telephone number, or signature contained on that document or form;*

3027 *2. Conduct training seminars and educational programs for lobbyists, state and local government*
 3028 *officers and employees, legislators, and other interested persons on the requirements of Article 3 and the*
 3029 *Acts and provide ethics orientation sessions for legislators in compliance with Article 6 (§ 30-129.1 et*
 3030 *seq.) of Chapter 13;*

3031 *3. Approve orientation courses conducted pursuant to § 2.2-3128 and, upon request, review the*
 3032 *educational materials and approve any training or course on the requirements of Article 3 and the Acts*
 3033 *conducted for state and local government officers and employees;*

3034 *4. Publish such educational materials as it deems appropriate on the provisions of Article 3 and the*
 3035 *Acts;*

3036 *5. Review actions taken in the General Assembly with respect to the discipline of its members for the*
 3037 *purpose of offering nonbinding advice;*

3038 *6. Request from any agency of state or local government such assistance, services, and information*
 3039 *as will enable the Council to effectively carry out its responsibilities. Information provided to the*
 3040 *Council by an agency of state or local government shall not be released to any other party unless*
 3041 *authorized by such agency; and*

3042 *7. Report on or before December 1 of each year on its activities and findings regarding Article 3*
 3043 *and the Acts, including recommendations for changes in the laws, to the General Assembly and the*
 3044 *Governor. The annual report shall be submitted by the chairman as provided in the procedures of the*
 3045 *Division of Legislative Automated Systems for the processing of legislative documents and reports and*
 3046 *shall be published as a state document.*

3047 **§ 30-357. Staff.**

3048 *Staff assistance to the Council shall be provided by the Division of Legislative Services. Staff shall*
 3049 *perform those duties assigned to it by the Council, including those duties enumerated in §§ 30-356*
 3050 *through 30-356.4. The Division of Legislative Services, in consultation with the Joint Committee on*
 3051 *Rules, shall employ an executive director. The executive director shall be responsible for the*
 3052 *administrative operations of the Council and shall perform other duties as may be delegated or assigned*
 3053 *to him by the Council.*

3054 **2. That the provisions of this act requiring the Virginia Conflict of Interest and Ethics Advisory**
 3055 **Council to prescribe disclosure forms pursuant to §§ 2.2-426, 2.2-3117, 2.2-3118, and 30-111 shall**
 3056 **become effective January 1, 2016. All filers required to file a disclosure form prior to January 1,**
 3057 **2016, shall file the disclosure form currently prescribed by law.**

3058 **3. That the provisions of this act requiring the disclosure forms prescribed by §§ 2.2-426, 2.2-3117,**
 3059 **2.2-3118, and 30-111 to be submitted electronically with the Virginia Conflict of Interest and**
 3060 **Ethics Advisory Council shall become effective July 1, 2016.**

3061 **4. That the provisions of this act may result in a net increase in periods of imprisonment or**
 3062 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**
 3063 **be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter**
 3064 **2 of the Acts of Assembly of 2014, Special Session I, requires the Virginia Criminal Sentencing**
 3065 **Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated**
 3066 **amount of the necessary appropriation cannot be determined for periods of commitment to the**
 3067 **custody of the Department of Juvenile Justice.**