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SENATE BILL NO. 1424

Offered January 23, 2015

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, 2.2-3103.1, 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, and 30-355 through 30-358 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 State and Local Government Conflict of Interests Act, General Assembly Conflicts of Interests Act, and the Virginia Conflict of Interest and Ethics Advisory Council; ethics reforms.*

Patrons—Norment, Ebbin, Edwards, Marsden, Petersen, Stuart, Watkins and Wexton

Referred to Committee on Rules

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, 2.2-3103.1, 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, and 30-355 through 30-358 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. Governor'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 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

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59 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 Development Opportunity Fund shall promptly be paid over by the political subdivision to
 164 the Commonwealth by payment remitted to the State Treasurer. Upon receipt by the State Treasurer of
 165 such payment, the Comptroller shall deposit such repaid funds into the Governor's Development
 166 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 or director of such entity shall knowingly provide a contribution, gift, or*
 204 *other item with a value greater than \$50 or make an express or implied promise to make such a*
 205 *contribution or gift to the Governor, or to his campaign committee or a political action committee*
 206 *established on his behalf, while seeking such funds and until the grant or loan sought has been*
 207 *awarded. The provisions of this subsection shall apply only for any grant or loan where the stated or*
 208 *expected value of the grant or loan is \$500,000 or more. Any person who knowingly violates this*
 209 *section shall be subject to a civil penalty of \$500 or up to two times the amount of the contribution or*
 210 *gift, whichever is greater. The attorney for the Commonwealth shall initiate civil proceedings to enforce*
 211 *the civil penalties. Any civil penalties collected shall be payable to the State Treasurer for deposit to the*
 212 *general fund.*

213 **§ 2.2-419. Definitions.**

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

215 "Anything of value" means:

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

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

240 "Compensation" means:

- 241 1. An advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift,
 242 pledge, or transfer of money or anything of value; or
- 243 2. A contract, agreement, promise or other obligation for an advance, conveyance, forgiveness of

244 indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money or anything of
245 value, for services rendered or to be rendered.

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

248 "*Council*" means the Virginia Conflict of Interest and Ethics Advisory Council established in
249 § 30-355.

250 "Executive action" means the proposal, drafting, development, consideration, amendment, adoption,
251 approval, promulgation, issuance, modification, rejection, or postponement by an executive agency or
252 official of legislation or executive orders issued by the Governor.

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

256 "Executive official" means:

257 1. The Governor;

258 2. The Lieutenant Governor;

259 3. The Attorney General;

260 4. Any officer or employee of the office of the Governor or Lieutenant Governor other than a
261 clerical or secretarial employee;

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

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

266 "Expenditure" means:

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

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

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

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

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

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

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

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

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

288 "Gift" means anything of value to the extent that a consideration of equal or greater value is not
289 received.

290 "Gift" does not mean:

291 1. Printed informational or promotional material;

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

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

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

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

302 "Legislative action" means:

303 1. Preparation, research, drafting, introduction, consideration, modification, amendment, approval,
304 passage, enactment, tabling, postponement, defeat, or rejection of a bill, resolution, amendment, motion,

305 report, nomination, appointment, or other matter by the General Assembly or a legislative official;
 306 2. Action by the Governor in approving, vetoing, or recommending amendments for a bill passed by
 307 the General Assembly; or

308 3. Action by the General Assembly in overriding or sustaining a veto by the Governor, considering
 309 amendments recommended by the Governor, or considering, confirming, or rejecting an appointment of
 310 the Governor.

311 "Legislative official" means:

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

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

315 3. Persons employed by the General Assembly or an entity established by and responsible to the
 316 General Assembly.

317 "Lobbying" means:

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

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

321 "Lobbying" does not mean:

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

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

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

327 4. Communications between an association and its members and communications between a principal
 328 and its lobbyists.

329 "Lobbyist" means:

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

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

335 3. A local government employee who lobbies.

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

341 "Local government" means:

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

343 2. Any school division;

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

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

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

349 "Person" means an individual, proprietorship, firm, partnership, joint venture, joint stock company,
 350 syndicate, business trust, estate, company, corporation, association, club, committee, organization, or
 351 group of persons acting in concert.

352 "Secretary" means the Secretary of the Commonwealth.

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

356 **§ 2.2-424. Registration fees.**

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

360 **§ 2.2-426. Lobbyist reporting; penalty.**

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

365 B. Each principal who expends more than \$500 to employ or compensate multiple lobbyists shall be
 366 responsible for filing a consolidated lobbyist report pursuant to this section in any case in which the

367 lobbyists are each exempt under the provisions of subdivision 7 or 8 of § 2.2-420 from the reporting
368 requirements of this section.

369 C. The report shall be on a form provided prescribed and made available by the Virginia Conflict of
370 Interest and Ethics Advisory Council, which shall be substantially as follows and shall be accompanied
371 by instructions provided by the Council. All reports shall be submitted electronically and in accordance
372 with the standards approved by the Council pursuant to the provisions of § 30-356. A person required to
373 file this disclosure statement who does so knowing it to contain a material misstatement of fact is guilty
374 of a Class 5 felony.

375 ~~LOBBYIST'S DISCLOSURE STATEMENT~~

376 ~~PART I:~~

377 ~~(1) PRINCIPAL: _____~~

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

381 ~~(2a) Name: _____~~

382 ~~(2b) Permanent Business Address: _____~~

383 ~~(2c) Business Telephone: _____~~

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

387 ~~_____~~

388 ~~_____~~

389 ~~_____~~

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

392 ~~_____ Individual filing financial information: _____~~

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

394 ~~_____~~

395 ~~(5) Please indicate which schedules will be attached to your~~
396 ~~_____ disclosure statement:~~

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

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

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

400 ~~(6) EXPENDITURE TOTALS:~~

401 ~~_____ a) ENTERTAINMENT _____ \$ _____~~

402 ~~_____ b) GIFTS _____ \$ _____~~

403 ~~_____ c) COMMUNICATIONS _____ \$ _____~~

404 ~~_____ d) PERSONAL LIVING AND TRAVEL EXPENSES _____ \$ _____~~

405 ~~_____ e) COMPENSATION OF LOBBYISTS _____ \$ _____~~

406 ~~_____ f) HONORARIA _____ \$ _____~~

407 ~~_____ g) OTHER _____ \$ _____~~

408 ~~_____ TOTAL _____ \$ _____~~

409 ~~PART II:~~

410 ~~(1a) NAME OF LOBBYIST: _____~~

411 ~~(1b) Permanent Business Address: _____~~

412 ~~(1c) Business Telephone: _____~~

413 ~~(2) As a lobbyist, you are (check one)~~

414 ~~_____ [] EMPLOYED (on the payroll of the principal)~~

415 ~~_____ [] RETAINED (not on the payroll of the principal, however~~
416 ~~_____ compensated)~~

417 ~~_____ [] NOT COMPENSATED (not compensated; expenses may be reimbursed)~~

418 ~~(3) List all lobbyists other than yourself who registered to~~
419 ~~_____ represent your principal.~~

420 ~~_____~~

421 ~~_____~~

422 ~~_____~~

423 ~~(4) If you selected "EMPLOYED" as your answer to Part II, item 2,~~

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424 _____ provide your job title.

425 _____

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

431 _____ (5a) What was the DOLLAR AMOUNT OF YOUR COMPENSATION as a lobbyist?
432 _____ (If you have job responsibilities other than those involving
433 _____ lobbying, you may have to prorate to determine the part of your
434 _____ salary attributable to your lobbying activities.) Transfer your
435 _____ answer to this item to Part I, item 6e.

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

437 _____

438 _____

439 _____

440 _____ PART III:

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

443 _____ (1) List all members of your firm, organization, association,
444 _____ corporation, or other entity who furnished lobbying services to
445 _____ your principal.

446 _____

447 _____

448 _____

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

452 _____ SCHEDULE A

453 _____ ENTERTAINMENT EXPENSES

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

458 _____ Date and Location of Event:

459 _____

460 _____

461 _____ Description of Event:

462 _____

463 _____

464 _____ Total Number of Persons Attending:

465 _____

466 _____ Names of Legislative and Executive Officials or Members of Their
467 _____ Immediate Families Attending: (List names only if the average value
468 _____ for each person attending the event was greater than \$50.)

469 _____

470 _____

471 _____

472 _____

473 _____ Food \$ _____

474 _____ Beverages \$ _____

475 _____ Transportation of Legislative and Executive Officials
476 _____ or Members of Their Immediate Families \$ _____

477 _____ Lodging of Legislative and Executive Officials or

478 _____ Members of Their Immediate Families \$ _____

479 _____ Performers, Speakers, Etc. \$ _____

480 _____ Displays \$ _____

481 — Rentals _____ \$ _____
 482 — Service Personnel _____ \$ _____
 483 — Miscellaneous _____ \$ _____
 484 — TOTAL _____ \$ _____

SCHEDULE B

GIFTS

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

492	Name of each			
493	legislative or			
494	executive official			
495	or member of his			
496	immediate family			Cost of
497	Date	Description	who is a recipient	individual
498	of gift:	of gift:	of a gift:	gift:
499	_____	_____	_____	\$ _____
500	_____	_____	_____	\$ _____
501	_____	_____	_____	\$ _____
502	_____	_____	_____	\$ _____
503	TOTAL COST TO PRINCIPAL			\$ _____

SCHEDULE C

OTHER EXPENSES

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

511	DATE OF EXPENSE	DESCRIPTION OF EXPENSE	AMOUNT
512	_____	_____	\$ _____
513	_____	_____	\$ _____
514	_____	_____	\$ _____
515	_____	_____	\$ _____
516	_____	_____	\$ _____
517	_____	_____	\$ _____
518	_____	_____	\$ _____
519	_____	_____	\$ _____
520	_____	_____	\$ _____
521	TOTAL "OTHER" EXPENSES		\$ _____

PART IV: STATEMENTS

523 — The following items are mandatory and if they are not properly
 524 — completed, the entire filing will be rejected and returned to
 525 — the lobbyist:

- 526 — (1) All signatures on the statement must be ORIGINAL in the format
- 527 — specified in the instructions provided by the Council that
- 528 — accompany this form. No stamps, or other reproductions of the
- 529 — individual's signature will be accepted.
- 530 — (2) An individual MAY NOT sign the disclosure statement as lobbyist
- 531 — and principal officer.

STATEMENT OF LOBBYIST

533 — I, the undersigned registered lobbyist, do state that the information
 534 — furnished on this disclosure statement and on all accompanying
 535 — attachments required to be made thereto is, to the best of my
 536 — knowledge and belief, complete and accurate.

537 —
 538 _____
 539 _____ Signature of lobbyist

540 —
 541 _____
 542 _____ Date

543 _____ STATEMENT OF PRINCIPAL

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

548 —
 549 _____
 550 _____ Signature of principal

551 —
 552 _____
 553 _____ Date

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

- 557 ~~1. The name and contact information of the lobbyist;~~
 558 ~~2. The name and contact information of each principal for whom the lobbyist or the firm,~~
 559 ~~organization, association, corporation, or other entity employing the lobbyist provided lobbying services;~~
 560 ~~3. The total amount paid by each principal to the lobbyist or the firm, organization, association,~~
 561 ~~corporation, or other entity employing the lobbyist for services rendered; and~~
 562 ~~4. A list of executive and legislative actions for which the lobbyist lobbied on behalf of each~~
 563 ~~principal and a description of activities conducted.~~

564 ~~E. Certain information regarding entertainment expenses shall be reported. For each entertainment~~
 565 ~~event with a value exceeding \$25, such report shall include:~~

- 566 ~~1. The date and location of the event;~~
 567 ~~2. A description of the event;~~
 568 ~~3. The total number of persons in attendance;~~
 569 ~~4. The names of legislative and executive officials and members of their immediate families in~~
 570 ~~attendance; and~~
 571 ~~5. The total amount of the expenses for:~~
 572 ~~a. Food;~~
 573 ~~b. Beverages;~~
 574 ~~c. Transportation of legislative and executive officials and members of their immediate families;~~
 575 ~~d. Lodging of legislative and executive officials and members of their immediate families;~~
 576 ~~e. Performers or speakers;~~
 577 ~~f. Displays;~~
 578 ~~g. Rentals;~~
 579 ~~h. Service personnel; and~~
 580 ~~i. Miscellaneous items.~~

581 ~~F. Certain information regarding gifts shall be reported. Only gifts with a value exceeding \$25 shall~~
 582 ~~be reported. For each gift provided to a legislative or executive official or a member of his immediate~~
 583 ~~family, such report shall include:~~

- 584 ~~1. The date of the gift;~~
 585 ~~2. The name of the recipient or recipients;~~
 586 ~~3. The exact gift; and~~
 587 ~~4. The value of the gift.~~

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

590 ~~H. Each lobbyist shall send to each legislative and executive official who is required to be identified~~
 591 ~~by name on Schedule A or B of the gifts or entertainment reports of the Lobbyist's Disclosure Form a~~
 592 ~~copy of Schedule A or B the report or a summary of the information pertaining to that official. Copies~~
 593 ~~or summaries shall be provided to the official by November 21 for the preceding six-month period~~
 594 ~~complete through the last day of October and by May 21 for the preceding six-month period complete~~
 595 ~~through the last day of April.~~

596 **§ 2.2-430. Termination.**

597 A lobbyist may terminate a lobbyist registration *at any time* by filing a report required under
598 § 2.2-426 including information through the last day of lobbying activity. A termination report shall
599 indicate that the lobbyist intends to use the report as the final accounting of lobbying activity *and shall*
600 *include the effective date of the termination.*

601 **§ 2.2-431. Penalties; filing of substituted statement.**

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

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

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

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

624 E. Penalties collected pursuant to this section shall be payable to the State Treasurer for deposit to
625 the general fund.

626 **§ 2.2-433. Prohibited acts; violation a misdemeanor.**

627 A. No lobbyist shall:

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

633 B. No lobbyist's principal shall:

- 634 1. Fail to file any statement required to be filed by the provisions of this article;
- 635 2. Misrepresent in any material respect or omit any information required to be reported pursuant to
636 this article; or
- 637 3. Violate any of the provisions of this article.

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

642 **§ 2.2-3101. Definitions.**

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

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

648 "Affiliated business entity relationship" means a relationship, other than a parent-subsidary
649 relationship, that exists when (i) one business entity has a controlling ownership interest in the other
650 business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or
651 (iii) there is shared management or control between the business entities. Factors that may be considered
652 in determining the existence of an affiliated business entity relationship include that the same person or
653 substantially the same person owns or manages the two entities, there are common or commingled funds
654 or assets, the business entities share the use of the same offices or employees, or otherwise share
655 activities, resources or personnel on a regular basis, or there is otherwise a close working relationship
656 between the entities.

657 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,

658 association, trust or foundation, or any other individual or entity carrying on a business or profession,
659 whether or not for profit.

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

665 "Council" means the Virginia Conflict of Interest and Ethics Advisory Council established in
666 § 30-355.

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

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

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

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

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

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

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

712 "Personal interest" means a financial benefit or liability accruing to an officer or employee or to a
713 member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the
714 ownership interest exceeds three percent of the total equity of the business; (ii) annual income that
715 exceeds, or may reasonably be anticipated to exceed, \$5,000 from ownership in real or personal property
716 or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or
717 any combination thereof, paid or provided by a business or governmental agency that exceeds, or may
718 reasonably be anticipated to exceed, \$5,000 annually; (iv) ownership of real or personal property if the
719 interest exceeds \$5,000 in value and excluding ownership in a business, income, or salary, other

720 compensation, fringe benefits or benefits from the use of property; (v) personal liability incurred or
721 assumed on behalf of a business if the liability exceeds three percent of the asset value of the business;
722 or (vi) an option for ownership of a business or real or personal property if the ownership interest will
723 consist of clause (i) or (iv) above.

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

727 "Personal interest in a transaction" means a personal interest of an officer or employee in any matter
728 considered by his agency. Such personal interest exists when an officer or employee or a member of his
729 immediate family has a personal interest in property or a business or governmental agency, or represents
730 or provides services to any individual or business and such property, business or represented or served
731 individual or business (i) is the subject of the transaction or (ii) may realize a reasonably foreseeable
732 direct or indirect benefit or detriment as a result of the action of the agency considering the transaction.
733 Notwithstanding the above, such personal interest in a transaction shall not be deemed to exist where (a)
734 an elected member of a local governing body serves without remuneration as a member of the board of
735 trustees of a not-for-profit entity and such elected member or member of his immediate family has no
736 personal interest related to the not-for-profit entity or (b) an officer, employee, or elected member of a
737 local governing body is appointed by such local governing body to serve on a governmental agency, or
738 an officer, employee, or elected member of a separate local governmental agency formed by a local
739 governing body is appointed to serve on a governmental agency, and the personal interest in the
740 transaction of the governmental agency is the result of the salary, other compensation, fringe benefits, or
741 benefits provided by the local governing body or the separate governmental agency to the officer,
742 employee, elected member, or member of his immediate family.

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

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

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

750 **§ 2.2-3103. Prohibited conduct.**

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

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

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

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

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

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

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

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

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

781 penalties; or

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

784 10. Solicit, accept, or receive any transportation, lodging, meal, hospitality, or other travel-related
785 thing of value exceeding the limitation prescribed in § 2.2-3103.1 that is to be provided by a third party
786 prior to submitting to the Council a request for a waiver to accept such travel-related thing of value
787 and receiving such a waiver pursuant to § 30-356.2.

788 **§ 2.2-3103.1. Certain gifts prohibited.**

789 A. For purposes of this section:

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

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

799 B. An officer or employee of a *state or* local governmental or advisory agency or candidate required
800 to file the disclosure form prescribed in § 2.2-3117 (i) shall not solicit, accept, or receive within any
801 calendar year any single tangible gift with a value in excess of \$250 \$100 or a any combination of
802 tangible gifts with an aggregate value in excess of \$250 \$100 from any person that he knows or has
803 reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4; (b) a
804 lobbyist's principal as defined in § 2.2-419; or (c) a person, organization, or business who is a party to
805 or is seeking to become a party to a contract with the local agency of which he is an officer or an
806 employee; (ii) shall report any tangible gift with a value of \$250 or less or any intangible gift received
807 from any person listed in clause (i) on Schedule E of such disclosure form; and (iii) shall report any
808 payments for talks, meetings, and publications on Schedule D of such disclosure form. *Gifts received*
809 *from relatives or while in attendance at a personal celebration are not subject to this prohibition or the*
810 *disclosure requirements of § 2.2-3117.*

811 C. ~~An B.~~ *Notwithstanding the provisions of subsection A, an officer or employee of a state or local*
812 *governmental or advisory agency or candidate required to file the disclosure form prescribed in*
813 *§ 2.2-3117 (i) shall not solicit, accept, or receive within any calendar year any single tangible gift with a*
814 *value in excess of \$250 or a combination of tangible gifts with an aggregate value in excess of \$250*
815 *from any person that he knows or has reason to know is (a) a lobbyist registered pursuant to Article 3*
816 *(§ 2.2-418 et seq.) of Chapter 4; (b) a lobbyist's principal as defined in § 2.2-419; or (c) a person,*
817 *organization, or business who is a party to or is seeking to become a party to a contract with the*
818 *Commonwealth; (ii) shall report any tangible gift with a value of \$250 or less or any intangible gift*
819 *received from any person listed in clause (i) on Schedule E of such disclosure form; and (iii) shall*
820 *report any payments for talks, meetings, and publications on Schedule D of such disclosure form may*
821 *accept or receive a gift or a combination of gifts with a value in excess of \$100 when such gift is*
822 *accepted or received while in attendance at a widely attended event. A widely attended event is one that*
823 *is publicly noticed to which all executive officers or employees are invited and there are at least 10*
824 *persons in attendance. Such gifts shall be reported on the disclosure form prescribed in § 2.2-3117.*
825 *Food and beverages received at any event at which the officer or employee is a featured speaker,*
826 *presenter, or lecturer are not subject to the provisions of subsection A.*

827 C. *Notwithstanding the provisions of subsection A, an officer or employee of a state or local*
828 *governmental or advisory agency or candidate required to file the disclosure form prescribed in*
829 *§ 2.2-3117 may accept or receive certain gifts with a value in excess of \$100 when he has submitted a*
830 *request for a waiver to and has received the approval of the Council pursuant to § 30-356.2. Such gifts*
831 *shall be reported on the disclosure form prescribed in § 2.2-3117. An officer, employee, or candidate*
832 *may request a waiver for the following gifts:*

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

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

839 D. During the pendency of a civil action in any state or federal court to which the Commonwealth is
840 a party, the Governor or the Attorney General or any employee of the Governor or the Attorney General
841 who is subject to the provisions of this chapter shall not solicit, accept, or receive any tangible gift from
842 any person that he knows or has reason to know is a person, organization, or business who is a party to

843 such civil action. A person, organization, or business who is a party to such civil action shall not
 844 knowingly give any tangible gift to the Governor or the Attorney General or any of their employees
 845 who are subject to the provisions of this chapter. *For purposes of this subsection, "person, organization,
 846 or business" includes individuals who are officers, directors, or owners of or who have a controlling
 847 ownership interest in such organization or business.*

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

853 F. For purposes of this section, "person, organization, or business" includes individuals who are
 854 officers, directors, or owners of or who have a controlling ownership interest in such organization or
 855 business.

856 **§ 2.2-3104.01. Prohibited conduct; bids or proposals under the Virginia Public Procurement**
 857 **Act, Public-Private Transportation Act, and Public-Private Education Facilities and Infrastructure**
 858 **Act; loans or grants from the Governor's Development Opportunity Fund.**

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

871 B. *Neither the Governor, his campaign committee, nor a political action committee established on his*
 872 *behalf shall knowingly solicit or accept a contribution, gift, or other item with a value greater than \$50*
 873 *from any person or entity that is seeking to become a business beneficiary of grants or loans from the*
 874 *Governor's Development Opportunity Fund while the person or entity is seeking such funds and until the*
 875 *grant or loan sought has been awarded.*

876 B. C. The provisions of this section shall apply only for public contracts, proposals, or
 877 comprehensive agreements where the stated or expected value of the contract is \$5 million or more *or*
 878 *for grants or loans from the Governor's Development Opportunity Fund where the value of the grant or*
 879 *loan is \$500,000 or more. The provisions of this section shall not apply to contracts awarded as the*
 880 *result of competitive sealed bidding as set forth in § 2.2-4302.1.*

881 C. D. Any person who knowingly violates this section shall be subject to a civil penalty of \$500 or
 882 up to two times the amount of the contribution or gift, whichever is greater. The attorney for the
 883 Commonwealth shall initiate civil proceedings to enforce the civil penalties. Any civil penalties collected
 884 shall be payable to the State Treasurer for deposit to the general fund.

885 **§ 2.2-3106. Prohibited contracts by officers and employees of state government and Eastern**
 886 **Virginia Medical School.**

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

890 B. No officer or employee of any governmental agency of state government or Eastern Virginia
 891 Medical School shall have a personal interest in a contract with any other governmental agency of state
 892 government unless such contract is (i) awarded as a result of competitive sealed bidding or competitive
 893 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
 894 administrative head of the governmental agency that competitive bidding or negotiation is contrary to the
 895 best interest of the public.

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

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

901 2. The personal interest of an officer or employee of a state institution of higher education or the
 902 Eastern Virginia Medical School in additional contracts of employment with his own governmental
 903 agency that accrue to him because of a member of his immediate family, provided (i) the officer or

904 employee and the immediate family member are engaged in teaching, research or administrative support
905 positions at the educational institution or the Eastern Virginia Medical School, (ii) the governing board
906 of the educational institution finds that it is in the best interests of the institution or the Eastern Virginia
907 Medical School and the Commonwealth for such dual employment to exist, and (iii) after such finding,
908 the governing board of the educational institution or the Eastern Virginia Medical School ensures that
909 the officer or employee, or the immediate family member, does not have sole authority to supervise,
910 evaluate or make personnel decisions regarding the other;

911 3. An officer's or employee's personal interest in a contract of employment with any other
912 governmental agency of state government;

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

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

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

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

930 8. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract
931 for research and development or commercialization of intellectual property between a public institution
932 of higher education in Virginia or the Eastern Virginia Medical School and a business in which the
933 employee has a personal interest, if (i) the employee's personal interest has been disclosed to and
934 approved by such public institution of higher education or the Eastern Virginia Medical School prior to
935 the time at which the contract is entered into; (ii) the employee promptly files a disclosure statement
936 pursuant to § 2.2-3117 and thereafter files such statement annually on or before ~~January~~ *December* 15;
937 (iii) the institution has established a formal policy regarding such contracts, approved by the State
938 Council of Higher Education or, in the case of the Eastern Virginia Medical School, a formal policy
939 regarding such contracts in conformity with any applicable federal regulations that has been approved by
940 its board of visitors; and (iv) no later than December 31 of each year, the institution or the Eastern
941 Virginia Medical School files an annual report with the Secretary of the Commonwealth disclosing each
942 open contract entered into subject to this provision, the names of the parties to each contract, the date
943 each contract was executed and its term, the subject of each contractual arrangement, the nature of the
944 conflict of interest, the institution's or the Eastern Virginia Medical School's employee responsible for
945 administering each contract, the details of the institution's or the Eastern Virginia Medical School's
946 commitment or investment of resources or finances for each contract, and any other information
947 requested by the Secretary of the Commonwealth; or

948 9. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract
949 between a public institution of higher education in Virginia or the Eastern Virginia Medical School and
950 a business in which the employee has a personal interest, if (i) the personal interest has been disclosed
951 to the institution or the Eastern Virginia Medical School prior to the time the contract is entered into;
952 (ii) the employee files a disclosure statement pursuant to § 2.2-3117 and thereafter annually on or before
953 ~~January~~ *December* 15; (iii) the employee does not participate in the institution's or the Eastern Virginia
954 Medical School's decision to contract; (iv) the president of the institution or the Eastern Virginia
955 Medical School finds and certifies in writing that the contract is for goods and services needed for
956 quality patient care, including related medical education or research, by the institution's medical center
957 or the Eastern Virginia Medical School, its affiliated teaching hospitals and other organizations necessary
958 for the fulfillment of its mission, including the acquisition of drugs, therapies and medical technologies;
959 and (v) no later than December 31 of each year, the institution or the Eastern Virginia Medical School
960 files an annual report with the Secretary of the Commonwealth disclosing each open contract entered
961 subject to this provision, the names of the parties to each contract, the date each contract was executed
962 and its term, the subject of each contractual arrangement, the nature of the conflict of interest, the
963 institution's or the Eastern Virginia Medical School's employee responsible for administering each
964 contract, the details of the institution's or the Eastern Virginia Medical School's commitment or
965 investment of resources or finances for each contract, and any other information requested by the

966 Secretary of the Commonwealth.

967 D. Notwithstanding the provisions of subdivisions C 8 and C 9, if the research and development or
968 commercialization of intellectual property or the employee's personal interest in a contract with a
969 business is subject to policies and regulations governing conflicts of interest promulgated by any agency
970 of the United States government, including the adoption of policies requiring the disclosure and
971 management of such conflicts of interests, the policies established by the Eastern Virginia Medical
972 School pursuant to such federal requirements shall constitute compliance with subdivisions C 8 and C 9,
973 upon notification by the Eastern Virginia Medical School to the Secretary of the Commonwealth by
974 January 31 of each year of evidence of their compliance with such federal policies and regulations.

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

986 **§ 2.2-3114. Disclosure by state officers and employees.**

987 A. The Governor, Lieutenant Governor, Attorney General, Justices of the Supreme Court, judges of
988 the Court of Appeals, judges of any circuit court, judges and substitute judges of any district court,
989 members of the State Corporation Commission, members of the Virginia Workers' Compensation
990 Commission, members of the Commonwealth Transportation Board, members of the Board of Trustees
991 of the Virginia Retirement System, and members of the Virginia Lottery Board and other persons
992 occupying such offices or positions of trust or employment in state government, including members of
993 the governing bodies of authorities, as may be designated by the Governor, or, ~~in the case of~~ officers or
994 employees of the legislative branch, *as may be designated* by the Joint Rules Committee of the General
995 Assembly, shall file with the Council, as a condition to assuming office or employment, a disclosure
996 statement of their personal interests and such other information as is specified on the form set forth in
997 § 2.2-3117 and thereafter shall file such a statement semiannually by December 15 for the preceding
998 six-month period complete through the last day of October and by June 15 for the preceding six-month
999 period complete through the last day of April. When the filing deadline falls on a Saturday, Sunday, or
1000 legal holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or
1001 legal holiday.

1002 B. Nonsalaried citizen members of all policy and supervisory boards, commissions, and councils in
1003 the executive branch of state government, other than the Commonwealth Transportation Board, members
1004 of the Board of Trustees of the Virginia Retirement System, and the Virginia Lottery Board, shall file
1005 with the Council, as a condition to assuming office, a disclosure form of their personal interests and
1006 such other information as is specified on the form set forth in § 2.2-3118 and thereafter shall file such
1007 form annually on or before December 15. When the filing deadline falls on a Saturday, Sunday, or legal
1008 holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or legal
1009 holiday. Nonsalaried citizen members of other boards, commissions, and councils, including advisory
1010 boards and authorities, may be required to file a disclosure form if so designated by the Governor, in
1011 which case the form shall be that set forth in § 2.2-3118.

1012 C. The disclosure forms required by subsections A and B shall be ~~provided~~ *made available* by the
1013 Council to each officer and employee so designated, including officers appointed by legislative
1014 authorities at least 30 days prior to the filing deadline. Disclosure forms shall be filed ~~and electronically~~
1015 *with the Council in accordance with the standards approved by it pursuant to § 30-356. All forms shall*
1016 *be maintained as public records for five years in the office of the Council.*

1017 D. Candidates for the offices of Governor, Lieutenant Governor or Attorney General shall file a
1018 disclosure statement of their personal interests as required by § 24.2-502.

1019 E. Any officer or employee of state government who has a personal interest in any transaction before
1020 the governmental or advisory agency of which he is an officer or employee and who is disqualified
1021 from participating in that transaction pursuant to subdivision A 1 of § 2.2-3112, or otherwise elects to
1022 disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full
1023 name and address of the business and the address or parcel number for the real estate if the interest
1024 involves a business or real estate, and his disclosure shall also be reflected in the public records of the
1025 agency for five years in the office of the administrative head of the officer's or employee's governmental
1026 agency or advisory agency or, if the agency has a clerk, in the clerk's office.

1027 F. An officer or employee of state government who is required to declare his interest pursuant to
 1028 subdivision A 2 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) the
 1029 nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a
 1030 member of a business, profession, occupation, or group the members of which are affected by the
 1031 transaction, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public
 1032 interest. The officer or employee shall either make his declaration orally to be recorded in written
 1033 minutes for his agency or file a signed written declaration with the clerk or administrative head of his
 1034 governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for
 1035 public inspection such declaration for a period of five years from the date of recording or receipt. If
 1036 reasonable time is not available to comply with the provisions of this subsection prior to participation in
 1037 the transaction, the officer or employee shall prepare and file the required declaration by the end of the
 1038 next business day.

1039 G. An officer or employee of state government who is required to declare his interest pursuant to
 1040 subdivision A 3 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a
 1041 party to the transaction is a client of his firm, (iii) that he does not personally represent or provide
 1042 services to the client, and (iv) that he is able to participate in the transaction fairly, objectively, and in
 1043 the public interest. The officer or employee shall either make his declaration orally to be recorded in
 1044 written minutes for his agency or file a signed written declaration with the clerk or administrative head
 1045 of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make
 1046 available for public inspection such declaration for a period of five years from the date of recording or
 1047 receipt. If reasonable time is not available to comply with the provisions of this subsection prior to
 1048 participation in the transaction, the officer or employee shall prepare and file the required declaration by
 1049 the end of the next business day.

1050 *H. Notwithstanding any other provision of law, chairs or deans of departments at a public institution*
 1051 *of higher education in the Commonwealth shall not be required to file the disclosure form prescribed by*
 1052 *§ 2.2-3117 or 2.2-3118.*

1053 **§ 2.2-3114.1. Filings of statements of economic interests by General Assembly members.**

1054 The filing of a current statement of economic interests by a General Assembly member,
 1055 member-elect, or candidate for the General Assembly pursuant to §§ 30-110 and 30-111 of the General
 1056 Assembly Conflicts of Interests Act (§ 30-100 et seq.) shall suffice for the purposes of this chapter
 1057 (~~§ 2.2-3100 et seq.~~). The Secretary of the Commonwealth may obtain from the ~~Clerk of the House of~~
 1058 ~~Delegates or the Senate, as appropriate, Council~~ a copy of the statement of a General Assembly member
 1059 who is appointed to a position for which a statement is required pursuant to § 2.2-3114. No General
 1060 Assembly member, member-elect, or candidate shall be required to file a separate statement of economic
 1061 interests for the purposes of § 2.2-3114.

1062 **§ 2.2-3115. Disclosure by local government officers and employees.**

1063 A. The members of every governing body and school board of each county and city and of towns
 1064 with populations in excess of 3,500 shall file with the Council, as a condition to assuming office or
 1065 employment, a disclosure statement of their personal interests and other information as is specified on
 1066 the form set forth in § 2.2-3117 and thereafter shall file such a statement semiannually by December 15
 1067 for the preceding six-month period complete through the last day of October and by June 15 for the
 1068 preceding six-month period complete through the last day of April.

1069 The members of the governing body of any authority established in any county or city, or part or
 1070 combination thereof, and having the power to issue bonds or expend funds in excess of \$10,000 in any
 1071 fiscal year, shall file with the ~~Virginia Conflict of Interest and Ethics Advisory~~ Council, as a condition
 1072 to assuming office, a disclosure statement of their personal interests and other information as is specified
 1073 on the form set forth in § 2.2-3118 and thereafter shall file such a statement annually on or before
 1074 December 15, unless the governing body of the jurisdiction that appoints the members requires that the
 1075 members file the form set forth in § 2.2-3117 semiannually by December 15 for the preceding six-month
 1076 period complete through the last day of October and by June 15 for the preceding six-month period
 1077 complete through the last day of April.

1078 Persons occupying such positions of trust appointed by governing bodies and persons occupying such
 1079 positions of employment with governing bodies as may be designated to file by ordinance of the
 1080 governing body shall file with the ~~Virginia Conflict of Interest and Ethics Advisory~~ Council, as a
 1081 condition to assuming office or employment, a disclosure statement of their personal interests and other
 1082 information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement
 1083 semiannually by December 15 for the preceding six-month period complete through the last day of
 1084 October and by June 15 for the preceding six-month period complete through the last day of April.

1085 Persons occupying such positions of trust appointed by school boards and persons occupying such
 1086 positions of employment with school boards as may be designated to file by an adopted policy of the
 1087 school board shall file with the ~~Virginia Conflict of Interest and Ethics Advisory~~ Council, as a condition
 1088 to assuming office or employment, a disclosure statement of their personal interests and other

1089 information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement
1090 semiannually by December 15 for the preceding six-month period complete through the last day of
1091 October and by June 15 for the preceding six-month period complete through the last day of April.

1092 B. Nonsalaried citizen members of local boards, commissions and councils as may be designated by
1093 the governing body shall file with the Virginia Conflict of Interest and Ethics Advisory Council, as a
1094 condition to assuming office, a disclosure form of their personal interests and such other information as
1095 is specified on the form set forth in § 2.2-3118 and thereafter shall file such form annually on or before
1096 December 15.

1097 C. No person shall be mandated to file any disclosure not otherwise required by this article.

1098 D. The disclosure forms required by subsections A and B shall be provided *made available* by the
1099 Virginia Conflict of Interest and Ethics Advisory Council to the clerks of the governing bodies and
1100 school boards at least 30 days prior to the filing deadline, and the clerks of the governing body and
1101 school board shall distribute the forms to designated individuals at least 20 days prior to the filing
1102 deadline. Forms shall be filed and maintained as public records for five years in the office of the
1103 Virginia Conflict of Interest and Ethics Advisory Council. Forms filed by members of governing bodies
1104 of authorities shall be filed and *electronically with the Council in accordance with the standards*
1105 *approved by it pursuant to § 30-356. All forms shall be* maintained as public records for five years in
1106 the office of the Virginia Conflict of Interest and Ethics Advisory Council.

1107 E. Candidates for membership in the governing body or school board of any county, city or town
1108 with a population of more than 3,500 persons shall file a disclosure statement of their personal interests
1109 as required by § 24.2-502.

1110 F. Any officer or employee of local government who has a personal interest in any transaction before
1111 the governmental or advisory agency of which he is an officer or employee and who is disqualified
1112 from participating in that transaction pursuant to subdivision A 1 of § 2.2-3112 or otherwise elects to
1113 disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full
1114 name and address of the business and the address or parcel number for the real estate if the interest
1115 involves a business or real estate, and his disclosure shall be reflected in the public records of the
1116 agency for five years in the office of the administrative head of the officer's or employee's governmental
1117 or advisory agency.

1118 G. In addition to any disclosure required by subsections A and B, in each county and city and in
1119 towns with populations in excess of 3,500, members of planning commissions, boards of zoning appeals,
1120 real estate assessors, and all county, city and town managers or executive officers shall make annual
1121 disclosures of all their interests in real estate located in the county, city or town in which they are
1122 elected, appointed, or employed. Such disclosure shall include any business in which such persons own
1123 an interest, or from which income is received, if the primary purpose of the business is to own, develop
1124 or derive compensation through the sale, exchange or development of real estate in the county, city or
1125 town. Such disclosure shall be filed as a condition to assuming office or employment, and thereafter
1126 shall be filed annually with the Virginia Conflict of Interest and Ethics Advisory Council on or before
1127 December 15. Such disclosures shall be filed and maintained as public records for five years. Forms for
1128 the filing of such reports shall be prepared and distributed *made available* by the Virginia Conflict of
1129 Interest and Ethics Advisory Council to the clerk of each governing body.

1130 H. An officer or employee of local government who is required to declare his interest pursuant to
1131 subdivision A 2 of § 2.2-3112 shall declare his interest by stating (i) the transaction involved, (ii) the
1132 nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a
1133 member of a business, profession, occupation, or group the members of which are affected by the
1134 transaction, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public
1135 interest. The officer or employee shall either make his declaration orally to be recorded in written
1136 minutes of his agency or file a signed written declaration with the clerk or administrative head of his
1137 governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for
1138 public inspection such declaration for a period of five years from the date of recording or receipt. If
1139 reasonable time is not available to comply with the provisions of this subsection prior to participation in
1140 the transaction, the officer or employee shall prepare and file the required declaration by the end of the
1141 next business day. The officer or employee shall also orally disclose the existence of the interest during
1142 each meeting of the governmental or advisory agency at which the transaction is discussed and such
1143 disclosure shall be recorded in the minutes of the meeting.

1144 I. An officer or employee of local government who is required to declare his interest pursuant to
1145 subdivision A 3 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a
1146 party to the transaction is a client of his firm, (iii) that he does not personally represent or provide
1147 services to the client, and (iv) that he is able to participate in the transaction fairly, objectively, and in
1148 the public interest. The officer or employee shall either make his declaration orally to be recorded in
1149 written minutes for his agency or file a signed written declaration with the clerk or administrative head

1150 of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make
1151 available for public inspection such declaration for a period of five years from the date of recording or
1152 receipt. If reasonable time is not available to comply with the provisions of this subsection prior to
1153 participation in the transaction, the officer or employee shall prepare and file the required declaration by
1154 the end of the next business day.

1155 **§ 2.2-3116. Disclosure by certain constitutional officers.**

1156 For the purposes of this chapter, holders of the constitutional offices of treasurer, sheriff, attorney for
1157 the Commonwealth, clerk of the circuit court and commissioner of the revenue of each county and city,
1158 shall be deemed to be local officers and shall be required to file *with the Council, as a condition to*
1159 *assuming office, the Statement of Economic Interests set forth in § 2.2-3117. These officers shall file*
1160 *statements pursuant to § 2.2-3115 and candidates such forms semiannually by December 15 for the*
1161 *preceding six-month period complete through the last day of October and by June 15 for the preceding*
1162 *six-month period complete through the last day of April. Candidates shall file statements such forms as*
1163 *required by § 24.2-502. Disclosure forms shall be filed electronically with the Council in accordance*
1164 *with the standards approved by it pursuant to § 30-356. These officers shall be subject to the prohibition*
1165 *on certain gifts set forth in subsection B of § 2.2-3103.1.*

1166 **§ 2.2-3117. Disclosure form; penalty.**

1167 A. The disclosure form to be used for filings required by subsections A and D of § 2.2-3114 and
1168 subsections A and E of § 2.2-3115 shall be ~~substantially as follows:~~ *on a form prescribed by the*
1169 *Council. All completed forms shall be filed electronically and in accordance with the standards*
1170 *approved by the Council pursuant to § 30-356. A person required to file this disclosure form who does*
1171 *so knowing it to contain a material misstatement of fact is guilty of a Class 5 felony.*

1172 ~~STATEMENT OF ECONOMIC INTERESTS.~~

- 1173 ~~— Name~~
- 1174 ~~— Office or position held or sought~~
- 1175 ~~— Address~~
- 1176 ~~— Names of members of immediate family~~

1177 ~~DEFINITIONS AND EXPLANATORY MATERIAL.~~

1178 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
1179 association, trust or foundation, or any other individual or entity carrying on a business or profession,
1180 whether or not for profit.

1181 "Close financial association" means an association in which the person filing shares significant
1182 financial involvement with an individual and the filer would reasonably be expected to be aware of the
1183 individual's business activities and would have access to the necessary records either directly or through
1184 the individual. "Close financial association" does not mean an association based on (i) the receipt of
1185 retirement benefits or deferred compensation from a business by which the person filing this statement is
1186 no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an
1187 independent contractor of a business that represents an entity before any state governmental agency
1188 when the person filing has had no communications with the state governmental agency.

1189 "Contingent liability" means a liability that is not presently fixed or determined, but may become
1190 fixed or determined in the future with the occurrence of some certain event.

1191 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item
1192 having monetary value. It includes services as well as gifts of transportation, lodgings and meals,
1193 whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the
1194 expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission
1195 or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic,
1196 merit, or need-based scholarship or any other financial aid awarded by a public or private school,
1197 institution of higher education, or other educational program pursuant to such school, institution, or
1198 program's financial aid standards and procedures applicable to the general public; (iv) a campaign
1199 contribution properly received and reported pursuant to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;
1200 (v) any gift related to the private profession or occupation of an officer or employee or of a member of
1201 his immediate family; or (vi) gifts from relatives or personal friends. "Relative" means the donee's
1202 spouse, child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the
1203 donee's or his spouse's parent, grandparent, grandchild, brother, or sister; or the donee's brother's or
1204 sister's spouse. "Personal friend" does not include any person that the filer knows or has reason to know
1205 is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a
1206 lobbyist's principal as defined in § 2.2-419; (c) for an officer or employee of a local governmental or
1207 advisory agency, a person, organization, or business who is a party to or is seeking to become a party to
1208 a contract with the local agency of which he is an officer or an employee; or (d) for an officer or
1209 employee of a state governmental or advisory agency, a person, organization, or business who is a party
1210 to or is seeking to become a party to a contract with the Commonwealth. "Person, organization, or

1211 business" includes individuals who are officers, directors, or owners of or who have a controlling
1212 ownership interest in such organization or business.

1213 "Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the
1214 officer or employee and who is a dependent of the officer or employee.

1215 TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust,
1216 treat the trust's assets as if you own them directly. If you or your immediate family has a proportional
1217 interest in a trust, treat that proportion of the trust's assets as if you own them directly. For example, if
1218 you and your immediate family have a one-third interest in a trust, complete your Statement as if you
1219 own one-third of each of the trust's assets. If you or a member of your immediate family created a trust
1220 and can revoke it without the beneficiaries' consent, treat its assets as if you own them directly.

1221 REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required on this
1222 Statement must be provided on the basis of the best knowledge, information, and belief of the individual
1223 filing the Statement as of the date of this report unless otherwise stated.

1224 COMPLETE ITEMS 1 THROUGH 10. REFER TO SCHEDULES ONLY IF DIRECTED.

1225 You may attach additional explanatory information.

1226 1. Offices and Directorships.

1227 Are you or a member of your immediate family a paid officer or paid director of a business?

1228 EITHER check NO // OR check YES // and complete Schedule A.

1229 2. Personal Liabilities.

1230 Do you or a member of your immediate family owe more than \$5,000 to any one creditor including
1231 contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property
1232 at least equal in value to the loan.)

1233 EITHER check NO // OR check YES // and complete Schedule B.

1234 3. Securities.

1235 Do you or a member of your immediate family, directly or indirectly, separately or together, own
1236 securities valued in excess of \$5,000 invested in one business? Account for mutual funds, limited
1237 partnerships and trusts.

1238 EITHER check NO // OR check YES // and complete Schedule C.

1239 4. Payments for Talks, Meetings, and Publications.

1240 During the past six months did you receive in your capacity as an officer or employee of your
1241 agency lodging, transportation, money, or anything else of value with a combined value exceeding \$200
1242 (i) for a single talk, meeting, or published work or (ii) for a meeting, conference, or event where your
1243 attendance at the meeting, conference, or event was designed to (a) educate you on issues relevant to
1244 your duties as an officer or employee of your agency or (b) enhance your knowledge and skills relative
1245 to your duties as an officer or employee of your agency?

1246 EITHER check NO // OR check YES // and complete Schedule D.

1247 5. Gifts.

1248 During the past six months did a business, government, or individual other than a relative or personal
1249 friend (i) furnish you or a member of your immediate family with any gift or entertainment at a single
1250 event, and the value received exceeded \$50 or (ii) furnish you or a member of your immediate family
1251 with gifts or entertainment in any combination and the total value received exceeded \$100, and for
1252 which you or the member of your immediate family neither paid nor rendered services in exchange?
1253 Account for entertainment events only if the average value per person attending the event exceeded \$50.
1254 Account for all business entertainment (except if related to the private profession or occupation of you
1255 or the member of your immediate family who received such business entertainment) even if unrelated to
1256 your official duties.

1257 EITHER check NO // OR check YES // and complete Schedule E.

1258 6. Salary and Wages.

1259 List each employer that pays you or a member of your immediate family salary or wages in excess
1260 of \$5,000 annually. (Exclude state or local government or advisory agencies.)

1261 If no reportable salary or wages, check here //.

1262 _____
1263 _____
1264 _____

1265 7. Business Interests.

1266 Do you or a member of your immediate family, separately or together, operate your own business, or
1267 own or control an interest in excess of \$5,000 in a business?

1268 EITHER check NO // OR check YES // and complete Schedule F.

1269 8. Payments for Representation and Other Services.

1270 8A. Did you represent, excluding activity defined as lobbying in § 2.2-419, any businesses before any
1271 state governmental agencies, excluding courts or judges, for which you received total compensation

1272 during the past six months in excess of \$1,000, excluding compensation for other services to such
1273 businesses and representation consisting solely of the filing of mandatory papers and subsequent
1274 representation regarding the mandatory papers? (Officers and employees of local governmental and
1275 advisory agencies do NOT need to answer this question or complete Schedule G-1.)

1276 EITHER check NO // OR check YES // and complete Schedule G-1.

1277 8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial
1278 association (partners, associates or others) represent, excluding activity defined as lobbying in § 2.2-419,
1279 any businesses before any state governmental agency for which total compensation was received during
1280 the past six months in excess of \$1,000? (Officers and employees of local governmental and advisory
1281 agencies do NOT need to answer this question or complete Schedule G-2.)

1282 EITHER check NO // OR check YES // and complete Schedule G-2.

1283 8C. Did you or persons with whom you have a close financial association furnish services to
1284 businesses operating in Virginia pursuant to an agreement between you and such businesses, or between
1285 persons with whom you have a close financial association and such businesses for which total
1286 compensation in excess of \$1,000 was received during the past six months? Services reported under this
1287 provision shall not include services involving the representation of businesses that are reported under
1288 item 8A or 8B.

1289 EITHER check NO // OR check YES // and complete Schedule G-3.

1290 9. Real Estate.

1291 9A. State Officers and Employees.

1292 Do you or a member of your immediate family hold an interest, including a partnership interest,
1293 valued at more than \$5,000 in real property (other than your principal residence) for which you have not
1294 already listed the full address on Schedule F? Account for real estate held in trust.

1295 EITHER check NO // OR check YES // and complete Schedule H-1.

1296 9B. Local Officers and Employees.

1297 Do you or a member of your immediate family hold an interest, including a partnership interest, or
1298 option, easement, or land contract, valued at more than \$5,000 in real property (other than your principal
1299 residence) for which you have not already listed the full address on Schedule F? Account for real estate
1300 held in trust.

1301 EITHER check NO // OR check YES // and complete Schedule H-2.

1302 10. Real Estate Contracts with Governmental Agencies.

1303 Do you or a member of your immediate family hold an interest valued at more than \$5,000 in real
1304 estate, including a corporate, partnership, or trust interest, option, easement, or land contract, which real
1305 estate is the subject of a contract, whether pending or completed within the past six months, with a
1306 governmental agency? If the real estate contract provides for the leasing of the property to a
1307 governmental agency, do you or a member of your immediate family hold an interest in the real estate
1308 valued at more than \$1,000? Account for all such contracts whether or not your interest is reported in
1309 Schedule F, H-1, or H-2. This requirement to disclose an interest in a lease does not apply to an interest
1310 derived through an ownership interest in a business unless the ownership interest exceeds three percent
1311 of the total equity of the business.

1312 EITHER check NO // OR check YES // and complete Schedule I.

1313 Statements of Economic Interests are open for public inspection.

1314 AFFIRMATION BY ALL FILERS.

1315 I swear or affirm that the foregoing information is full, true and correct to the best of my knowledge.

1316 Signature

1317 (Return only if needed to complete Statement.)

1318 — SCHEDULES

1319 — to

1320 — STATEMENT OF ECONOMIC INTERESTS.

1321 NAME

1322 SCHEDULE A - OFFICES AND DIRECTORSHIPS.

1323 Identify each business of which you or a member of your immediate family is a paid officer or paid
1324 director.

1325	_____		
1326	—		
1327	Name of Business	Address of Business	Position Held and by Whom
1328	_____	_____	_____
1329	_____	_____	_____
1330	_____	_____	_____
1331	_____	_____	_____
1332	_____	_____	_____

RETURN TO ITEM 2

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

Report contingent liabilities below and indicate which debts are contingent.

1. My personal debts are as follows:

Check	Check one
appropriate	\$5,001 to More than
categories	\$50,000 \$50,000
Banks	
Savings institutions	
Other loan or finance companies	
Insurance companies	
Stock, commodity or other brokerage companies	
Other businesses:	
(State principal business activity for each creditor and its name.)	
Individual creditors:	
(State principal business or occupation of each creditor and its name.)	

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

Check	Check one
appropriate	\$5,001 to More than
categories	\$50,000 \$50,000
Banks	
Savings institutions	
Other loan or finance companies	
Insurance companies	
Stock, commodity or other brokerage companies	
Other businesses:	
(State principal business activity for each creditor and its name.)	
Individual creditors:	
(State principal business or occupation of each creditor and its name.)	

RETURN TO ITEM 3

SCHEDULE C - SECURITIES.
"Securities" INCLUDES stocks, bonds, mutual funds, limited partnerships, and commodity futures

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1390 contracts.

1391 "Securities" EXCLUDES certificates of deposit, money market funds, annuity contracts, and
1392 insurance policies.

1393 Identify each business or Virginia governmental entity in which you or a member of your immediate
1394 family, directly or indirectly, separately or together, own securities valued in excess of \$5,000. Name
1395 each issuer and type of security individually.

1396 Do not list U.S. Bonds or other government securities not issued by the Commonwealth of Virginia
1397 or its authorities, agencies, or local governments. Do not list organizations that do not do business in
1398 this Commonwealth, but most major businesses conduct business in Virginia. Account for securities held
1399 in trust.

1400 If no reportable securities, check here */ /*.

1401 _____

1402 - _____

1403 _____ Check one

1404 _____ Type of Security \$5,001 \$50,001 More

1405 _____ (stocks, bonds, mutual to to than

1406 _____ Name of Issuer funds, etc.) \$50,000 \$250,000 \$250,000

1407 _____

1408 _____

1409 _____

1410 _____

1411 _____

1412 _____ RETURN TO ITEM 4

1413 SCHEDULE D - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

1414 List each source from which you received during the past six months in your capacity as an officer
1415 or employee of your agency lodging, transportation, money, or any other thing of value with combined
1416 value exceeding \$200 (i) for your presentation of a single talk, participation in one meeting, or
1417 publication of a work or (ii) for your attendance at a meeting, conference, or event where your
1418 attendance at the meeting, conference, or event was designed to (a) educate you on issues relevant to
1419 your duties as an officer or employee of your agency or (b) enhance your knowledge and skills relative
1420 to your duties as an officer or employee of your agency. Any lodging, transportation, money, or other
1421 thing of value received by an officer or employee that does not satisfy the provisions of clause (i), (ii)
1422 (a), or (ii) (b) shall be listed as a gift on Schedule E.

1423 List payments or reimbursements by an advisory or governmental agency only for meetings or travel
1424 outside the Commonwealth.

1425 List a payment even if you donated it to charity.

1426 Do not list information about a payment if you returned it within 60 days or if you received it from
1427 an employer already listed under Item 6 or from a source of income listed on Schedule F.

1428 If no payment must be listed, check here */ /*.

1429 _____

1430 - _____

1431 _____ Type of payment

1432 _____ (e.g. honoraria,

1433 _____ travel reimburse-

1434 _____ Payer Approximate Value Circumstances ment, etc.)

1435 _____

1436 _____

1437 _____

1438 _____

1439 _____

1440 _____ RETURN TO ITEM 5

1441 SCHEDULE E - GIFTS.

1442 List each business, governmental entity, or individual that, during the past six months, (i) furnished
1443 you or a member of your immediate family with any gift or entertainment at a single event, and the
1444 value received exceeded \$50 or (ii) furnished you or a member of your immediate family with gifts or
1445 entertainment in any combination and the total value received exceeded \$100, and for which you or the
1446 member of your immediate family neither paid nor rendered services in exchange. List each such gift or
1447 event. Do not list entertainment events unless the average value per person attending the event exceeded
1448 \$50. Do not list business entertainment related to the private profession or occupation of you or the
1449 member of your immediate family who received such business entertainment. Do not list gifts or other

1450 things of value given by a relative or personal friend for reasons clearly unrelated to your public
1451 position. Do not list campaign contributions publicly reported as required by Chapter 9.3 (§ 24.2-945 et
1452 seq.) of Title 24.2 of the Code of Virginia.

1453 _____

1454 -

1455	Name of Business,	City or	Exact		
1456	Name of	Organization, or	County	Gift or	Approximate
1457	Recipient	Individual	and State	Event	Value
1458	_____	_____	_____	_____	_____
1459	_____	_____	_____	_____	_____
1460	_____	_____	_____	_____	_____
1461	_____	_____	_____	_____	_____
1462	_____	_____	_____	_____	_____

RETURN TO ITEM 6

1463 _____

1464 **SCHEDULE F - BUSINESS INTERESTS.**

1465 Complete this Schedule for each self-owned or family-owned business (including rental property, a
1466 farm, or consulting work), partnership, or corporation in which you or a member of your immediate
1467 family, separately or together, own an interest having a value in excess of \$5,000.

1468 If the enterprise is owned or operated under a trade, partnership, or corporate name, list that name;
1469 otherwise, merely explain the nature of the enterprise. If rental property is owned or operated under a
1470 trade, partnership, or corporate name, list the name only; otherwise, give the address of each property.
1471 Account for business interests held in trust.

1472 _____

1473 -

1474	Name of Business,		Gross Income
1475	Corporation,		
1476	Partnership,	City or Nature of Enterprise	\$50,001 More
1477	Farm; Address of County	(farming, law, rental \$50,000 to than	
1478	Rental Property and State property, etc.)	or less \$250,000 \$250,000	
1479	_____	_____	_____
1480	_____	_____	_____
1481	_____	_____	_____
1482	_____	_____	_____
1483	_____	_____	_____

RETURN TO ITEM 8

1484 _____

1485 **SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.**

1486 List the businesses you represented, excluding activity defined as lobbying in § 2.2-419, before any
1487 state governmental agency, excluding any court or judge, for which you received total compensation
1488 during the past six months in excess of \$1,000, excluding compensation for other services to such
1489 businesses and representation consisting solely of the filing of mandatory papers and subsequent
1490 representation regarding the mandatory papers filed by you.

1491 Identify each business, the nature of the representation and the amount received by dollar category
1492 from each such business. You may state the type, rather than name, of the business if you are required
1493 by law not to reveal the name of the business represented by you.

1494 Only STATE officers and employees should complete this Schedule.

1495 _____

1496 -

1497	Pur	Amount Received
1498	pose	
1499	Name Type of Name	
1500	of of Repre of	\$1,001 \$10,001 \$50,001 \$100,001 \$250,001
1501	Busi Busi senta Agen	to to to to and
1502	ness ness tion cy	\$10,000 \$50,000 \$100,000 \$250,000 over
1503	_____	_____
1504	_____	_____
1505	_____	_____
1506	_____	_____
1507	_____	_____

1508 If you have received \$250,001 or more from a single business within the reporting period, indicate
1509 the amount received, rounded to the nearest \$10,000.

1510 _____ Amount Received: _____.

1511 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

1512 List the businesses that have been represented, excluding activity defined as lobbying in §- 2.2-419,
1513 before any state governmental agency, excluding any court or judge, by persons who are your partners,
1514 associates or others with whom you have a close financial association and who received total
1515 compensation in excess of \$1,000 for such representation during the past six months, excluding
1516 representation consisting solely of the filing of mandatory papers and subsequent representation
1517 regarding the mandatory papers filed by your partners, associates or others with whom you have a close
1518 financial association.

1519 Identify such businesses by type and also name the state governmental agencies before which such
1520 person appeared on behalf of such businesses.

1521 Only STATE officers and employees should complete this Schedule.

1522 _____

1523 - _____

1524 - Type of business _____ Name of state governmental agency _____

1525 _____

1526 _____

1527 _____

1528 _____

1529 _____

1530 SCHEDULE G-3 - PAYMENTS FOR OTHER SERVICES GENERALLY.

1531 Indicate below types of businesses that operate in Virginia to which services were furnished by you
1532 or persons with whom you have a close financial association pursuant to an agreement between you and
1533 such businesses, or between persons with whom you have a close financial association and such
1534 businesses and for which total compensation in excess of \$1,000 was received during the past six
1535 months. Services reported in this Schedule shall not include services involving the representation of
1536 businesses that are reported in Schedule G-1 or G-2.

1537 Identify opposite each category of businesses listed below (i) the type of business; (ii) the type of
1538 service rendered and (iii) the value by dollar category of the compensation received for all businesses
1539 falling within each category.

1540 _____

1541 - _____

1542 _____ Check _____ Value of Compensation _____

1543 _____ if _____ Type _____

1544 _____ ser _____ of _____

1545 _____ vices ser _____

1546 _____ were vice \$1,001 \$10,001 \$50,001 \$100,001 \$250,001

1547 _____ ren ren to to to to and

1548 _____ dered dered \$10,000 \$50,000 \$100,000 \$250,000 over

1549 - Electric utilities _____

1550 - Gas utilities _____

1551 - Telephone utilities _____

1552 - Water utilities _____

1553 - Cable television _____

1554 - companies _____

1555 - Interstate _____

1556 - transportation _____

1557 - companies _____

1558 - Intrastate _____

1559 - transportation _____

1560 - companies _____

1561 - Oil or gas retail _____

1562 - companies _____

1563 - Banks _____

1564 - Savings institutions _____

1565 - Loan or finance _____

- 1566 _____ companies _____
- 1567 ~~Manufacturing~~ _____
- 1568 _____ companies (state
- 1569 _____ type of product,
- 1570 _____ e.g., textile,
- 1571 _____ furniture, etc.) _____
- 1572 ~~Mining companies~~ _____
- 1573 ~~Life insurance~~ _____
- 1574 _____ companies _____
- 1575 ~~Casualty insurance~~ _____
- 1576 _____ companies _____
- 1577 ~~Other insurance~~ _____
- 1578 _____ companies _____
- 1579 ~~Retail companies~~ _____
- 1580 ~~Beer, wine or liquor~~ _____
- 1581 _____ companies or
- 1582 _____ distributors _____
- 1583 ~~Trade associations~~ _____
- 1584 ~~Professional~~ _____
- 1585 _____ associations _____
- 1586 ~~Associations of~~ _____
- 1587 _____ public employees _____
- 1588 _____ or officials _____
- 1589 ~~Counties, cities~~ _____
- 1590 _____ or towns _____
- 1591 ~~Labor organizations~~ _____
- 1592 ~~Other~~ _____
- 1593 _____

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.

- 1599 _____
- 1600 - _____
- 1601 _____ Describe the type of real
- 1602 ~~List each location~~ _____ estate you own in each _____ If the real estate is
- 1603 ~~(state, and county~~ _____ location (business, recre _____ owned or recorded in
- 1604 ~~or city) where you~~ _____ ational, apartment, com _____ a name other than your
- 1605 ~~own real estate.~~ _____ mercial, open land, etc.). _____ own, list that name.
- 1606 _____
- 1607 _____
- 1608 _____
- 1609 _____
- 1610 _____
- 1611 _____

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.

- 1617 _____
- 1618 - _____
- 1619 _____ Describe the type
- 1620 _____ of real estate
- 1621 _____ you own in
- 1622 _____ each location _____ If the real estate

1623 — List each location (business, _____ is owned or rec-
1624 — (state, and county recreational, _____ orded in a name
1625 — or city) where apartment, com- other than your List the names
1626 — you own real mercerial, open own, list that of any co-owners,
1627 — estate. land, etc.). name. if applicable.
1628 _____
1629 _____
1630 _____
1631 _____
1632 _____
1633 _____

1634 **SCHEDULE I - REAL ESTATE CONTRACTS WITH GOVERNMENTAL AGENCIES.**

1635 List all contracts, whether pending or completed within the past six months, with a governmental
1636 agency for the sale or exchange of real estate in which you or a member of your immediate family
1637 holds an interest, including a corporate, partnership or trust interest, option, easement, or land contract,
1638 valued at more than \$10,000. List all contracts with a governmental agency for the lease of real estate in
1639 which you or a member of your immediate family holds such an interest valued at more than \$1,000.
1640 This requirement to disclose an interest in a lease does not apply to an interest derived through an
1641 ownership interest in a business unless the ownership interest exceeds three percent of the total equity of
1642 the business.

- 1643 State officers and employees report contracts with state agencies.
- 1644 Local officers and employees report contracts with local agencies.

1645 _____

1646 —

1647 — List your real estate
1648 — interest and the
1649 — person or entity,
1650 — including the type
1651 — of entity, which
1652 — is party to
1653 — the contract. State the annual
1654 — Describe any income from the
1655 — management role and List each governmental contract, and the
1656 — the percentage agency which is a amount, if any, of
1657 — ownership party to the contract income you or any
1658 — interest you or your and indicate the immediate family
1659 — immediate family county or city where member derives
1660 — member has in the real the real estate annually from the
1661 — estate or entity. is located. contract.
1662 _____
1663 _____
1664 _____
1665 _____
1666 _____
1667 _____

1668 *B. Certain information regarding the offices, directorships, and paid employments of the filer and the*
1669 *members of his immediate family shall be reported. For each office, directorship, or paid employment,*
1670 *the report shall include:*

- 1671 1. The name and address of the business or employer;
- 1672 2. The position held and by whom; and
- 1673 3. The salary, wages, or other remuneration, including stipends and corporate director fees, received.

1674 *C. Certain information regarding the personal liabilities held by the filer or a member of his*
1675 *immediate family shall be reported. For each debt held, the report shall include:*

- 1676 1. The type of personal liability;
- 1677 2. The name and principal business activity of the creditor; and
- 1678 3. The amount of debt held.

1679 *For an individual creditor, the name and occupation of such creditor shall be reported.*

1680 *D. Certain information regarding any securities owned by the filer or a member of his immediate*
1681 *family, directly or indirectly, together or separately, shall be reported. For purposes of disclosure,*

1682 "security" shall include at least stocks, bonds, mutual funds, limited partnerships, and commodity futures
 1683 contracts. For each security owned, the report shall include:

- 1684 1. The type of security;
- 1685 2. The name of the issuer; and
- 1686 3. The value of the security owned.

1687 E. Certain information regarding any business owned by the filer or a member of his immediate
 1688 family or any business in which the filer or a member of his immediate family has a controlling
 1689 ownership interest shall be reported. For purposes of disclosure, "business" shall include at least
 1690 corporations, partnerships, sole proprietorships, firms, enterprises, franchises, associations, trusts or
 1691 foundations, or any other individual or entity carrying on a business or profession, whether or not for
 1692 profit. For each such business, the report shall include:

- 1693 1. The name of the business;
- 1694 2. The nature of the business;
- 1695 3. The county or city and the state where the business is located, unless it is a rental property, in
 1696 which case, the physical address; and
- 1697 4. The total income earned from the business.

1698 F. Certain information regarding representation before governmental agencies by the filer or a
 1699 person with whom the filer has a close financial association shall be reported. For each instance of
 1700 representation, the report shall include:

- 1701 1. The name and type of the business represented by the filer or the person with whom the filer has
 1702 a close financial association;
- 1703 2. The purpose of the representation;
- 1704 3. The name of the agency before which the filer, or the person with whom the filer has a close
 1705 financial association, appeared; and
- 1706 4. The amount received for the representation.

1707 G. Certain information regarding real estate in which the filer or a member of his immediate family
 1708 holds an interest, including a partnership interest, options, easement, or land contract, shall be reported.
 1709 For each parcel, the report shall include:

- 1710 1. Whether or not it is the principal residence of the filer or the member of his immediate family;
- 1711 2. The physical address;
- 1712 3. The type of real estate;
- 1713 4. The name in which the parcel is owned or recorded, and the names of any other persons in whose
 1714 name the parcel is owned or recorded; and
- 1715 5. Information regarding any contract with a governmental agency for the sale or exchange of the
 1716 real estate.

1717 H. Certain information regarding payments or reimbursements received by the filer for his
 1718 attendance or participation at meetings, conferences, or other events, where he attended or
 1719 participated in his official capacity, shall be reported. For each payment, the report shall include:

- 1720 1. The person or entity paying or reimbursing the filer;
- 1721 2. The date and location of the meeting, conference, or other event;
- 1722 3. The purpose of the meeting, conference, or other event;
- 1723 4. The type of payment or reimbursement received; and
- 1724 5. The approximate value of the payment or reimbursement received.

1725 I. Certain information regarding gifts accepted or received by the filer or a member of his immediate
 1726 family shall be reported. Only gifts with a value in excess of \$25 shall be reported. A gift for which the
 1727 filer reimburses the person giving the gift for the full value of the gift does not need to be reported. For
 1728 each gift, the report shall include:

- 1729 1. The name of the recipient;
- 1730 2. The individual or entity providing the gift;
- 1731 3. The exact gift; and
- 1732 4. The value of the gift.

1733 J. Certain information regarding travel shall be reported. For each trip, the report shall include:

- 1734 1. The date and destination of the trip;
- 1735 2. The purpose of the travel; and
- 1736 3. An itemized accounting of all expenses related to the trip. For each expense, the report shall
 1737 include:
 - 1738 a. The person or entity paying for the expense;
 - 1739 b. The type of expense;
 - 1740 c. The amount of the expense; and
 - 1741 d. The date the expense was received.

1742 § 2.2-3118. Disclosure form; certain citizen members.

1743 A. The financial disclosure form to be used for filings required pursuant to subsection B of
 1744 § 2.2-3114 and subsection B of § 2.2-3115 shall be filed in accordance with the provisions of § 30-356.
 1745 The financial disclosure form shall be substantially as follows: on a form prescribed by the Council. All
 1746 completed forms shall be filed electronically and in accordance with the standards approved by the
 1747 Council pursuant to § 30-356. The Council may specify which parts of the disclosure form are not
 1748 applicable to officers and employees of local governmental and local advisory agencies.

1749 **DEFINITIONS AND EXPLANATORY MATERIAL.**

1750 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
 1751 association, trust or foundation, or any other individual or entity carrying on a business or profession,
 1752 whether or not for profit.

1753 "Close financial association" means an association in which the person filing shares significant
 1754 financial involvement with an individual and the filer would reasonably be expected to be aware of the
 1755 individual's business activities and would have access to the necessary records either directly or through
 1756 the individual. "Close financial association" does not mean an association based on (i) the receipt of
 1757 retirement benefits or deferred compensation from a business by which the person filing this statement is
 1758 no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an
 1759 independent contractor of a business that represents an entity before any state governmental agency
 1760 when the person filing has no communications with the state governmental agency.

1761 "Contingent liability" means a liability that is not presently fixed or determined, but may become
 1762 fixed or determined in the future with the occurrence of some certain event.

1763 "Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the
 1764 filer and who is a dependent of the filer.

1765 "Personal interest" means, for the purposes of this form only, a personal and financial benefit or
 1766 liability accruing to a filer or a member of his immediate family. Such interest shall exist by reason of
 1767 (i) ownership in real or personal property, tangible or intangible; (ii) ownership in a business; (iii)
 1768 income from a business; or (iv) personal liability on behalf of a business; however, unless the ownership
 1769 interest in a business exceeds three percent of the total equity of the business, or the liability on behalf
 1770 of a business exceeds three percent of the total assets of the business, or the annual income, and/or
 1771 property or use of such property, from the business exceeds \$10,000 or may reasonably be anticipated to
 1772 exceed \$10,000, such interest shall not constitute a "personal interest."

1773 — Name

1774 — Office or position held or to be held

1775

1776 — Address

1777 **I. FINANCIAL INTERESTS**

1778 *My B. Certain information regarding the personal interests and those of my of the filer and his*
 1779 *immediate family are as follows: Include all forms of personal interests held at the time of filing,*
 1780 *including real estate, stocks, bonds, and equity interests in proprietorships and partnerships held at the*
 1781 *time of filing shall be reported. You may exclude:*

1782 1. Deposits and interest bearing accounts in banks, savings institutions and other institutions
 1783 accepting such deposits or accounts;

1784 2. Interests in any business, other than a news medium, representing less than three percent of the
 1785 total equity value of the business;

1786 3. Liability on behalf of any business representing less than three percent of the total assets of such
 1787 business; and

1788 4. Income (other than from salary) less than \$10,000 annually from any business. You need not state
 1789 the value of any interest. You must state the name or principal business activity of each business in
 1790 which you have a personal interest.

1791 A. My personal interests are Such report shall include:

1792 1. Residence, The address, or, if no address, location of the filer's residence;

1793 2. Other real estate, The address, or, if no address, location or addresses of other
 1794 real estate owned by the filer or member of his immediate family;

1795 3. Name The name or principal business activity of each business in which stock, bond, or equity
 1796 interest is held by the filer or member of his immediate family.

1797 B. The personal interests of my immediate family are:

1798 1. Real estate, address or, if no address, location

1799 2. Name or principal business activity of each business in which stock, bond or equity interest is
 1800 held

1801 **H. OFFICES, DIRECTORSHIPS AND SALARIED EMPLOYMENTS**

1802 *The C. Certain information regarding the paid offices, paid directorships, and salaried employments*
 1803 *which I hold or which members of my of the filer and the members of his immediate family hold and*

1804 shall be reported. This report shall also include the businesses from which I the filer or members of my
1805 his immediate family receive retirement benefits are as follows. For each paid office, paid directorship,
1806 salaried employment, or retirement benefits, such report shall include:

- 1807 1. The name of the business or employer; and
- 1808 2. The position held and by whom.

1809 (You need not state any dollar amounts.)

1810 A. My paid offices, paid directorships and salaried employments are:

1811 _____

1812 -

1813 _____ Position held _____ Name of business

1814 _____

1815 _____

1816 _____

1817 _____

1818 B. The paid offices, paid directorships and salaried employments of members of my immediate
1819 family are:

1820 _____

1821 -

1822 _____ Position held _____ Name of business

1823 _____

1824 _____

1825 _____

1826 _____

1827 III. BUSINESSES TO WHICH SERVICES WERE FURNISHED

1828 A. The businesses I have represented, excluding activity defined as lobbying in § 2.2-419, before any
1829 state governmental agency, excluding any court or judge, for which I have received total compensation
1830 in excess of \$1,000 during the preceding year, excluding compensation for other services to such
1831 businesses and representation consisting solely of the filing of mandatory papers, are as follows:

1832 Identify businesses by name and name the state governmental agencies before which you appeared on
1833 behalf of such businesses.

1834 _____

1835 -

1836 _____ Name of business _____ Name of governmental agency

1837 _____

1838 _____

1839 _____

1840 _____

1841 B. The businesses that, to my knowledge, have been represented, excluding activity defined as
1842 lobbying in § 2.2-419, before any state governmental agency, excluding any court or judge, by persons
1843 with whom I have a close financial association and who received total compensation in excess of \$1,000
1844 during the preceding year, excluding compensation for other services to such businesses and
1845 representation consisting solely of the filing of mandatory papers, are as follows:

1846 Identify businesses by type and name the state governmental agencies before which such person
1847 appeared on behalf of such businesses.

1848 _____

1849 -

1850 _____ Type of business _____ Name of state governmental agency

1851 _____

1852 _____

1853 _____

1854 _____

1855 C. All other businesses listed below that operate in Virginia to which services were furnished
1856 pursuant to an agreement between you and such businesses and for which total compensation in excess
1857 of \$1,000 was received during the preceding year:

1858 Check each category of business to which services were furnished.

1859 _____

1860 -

1861 _____ Electric utilities _____

- 1862 — Gas utilities _____
- 1863 — Telephone utilities _____
- 1864 — Water utilities _____
- 1865 — Cable television companies _____
- 1866 — Intrastate transportation companies _____
- 1867 — Interstate transportation companies _____
- 1868 — Oil or gas retail companies _____
- 1869 — Banks _____
- 1870 — Savings institutions _____
- 1871 — Loan or finance companies _____
- 1872 — Manufacturing companies (state type
- 1873 — of product, e.g., textile, furniture,
- 1874 — etc.) _____
- 1875 — Mining companies _____
- 1876 — Life insurance companies _____
- 1877 — Casualty insurance companies _____
- 1878 — Other insurance companies _____
- 1879 — Retail companies _____
- 1880 — Beer, wine or liquor companies or
- 1881 — distributors _____
- 1882 — Trade associations _____
- 1883 — Professional associations _____
- 1884 — Associations of public employees or
- 1885 — officials _____
- 1886 — Counties, cities or towns _____
- 1887 — Labor organizations _____
- 1888 _____

IV. COMPENSATION FOR EXPENSES

1889 *The D. Certain information regarding representation before any state government agency by the filer*
1890 *or a person with whom the filer has a close financial association shall be reported. For each instance*
1891 *of representation, the report shall include:*

- 1892 *1. The name and type of the business represented by the filer or the person with whom the filer has*
- 1893 *a close financial association; and*
- 1894 *2. The name of the agency before which the filer, or the person with whom the filer has a close*
- 1895 *financial association, appeared.*

1896 *E. Certain information regarding remuneration received by the filer or a member of his immediate*
1897 *family from persons, associations, or other sources other than my the filer's governmental agency from*
1898 *which I or a member of my immediate family received remuneration in excess of \$200 during the*
1899 *preceding year, in cash or otherwise, as honorariums or payment of expenses in connection with my his*
1900 *attendance at any meeting or other function to which I he was invited in my his official capacity are as*
1901 *follows shall be reported. For each honorarium or payment of expenses, the report shall include:*

- 1902 *1. The name of the person, association, or other source;*
- 1903 *2. A description of the occasion; and*
- 1904 *3. The amount of remuneration received.*

1905 _____

1906 _____

1907 —

	Description	Amount of remuneration
Name of Source	of occasion	for each occasion
1908	_____	_____
1909	_____	_____
1910	_____	_____
1911	_____	_____
1912	_____	_____
1913	_____	_____

1914 *B. The provisions of Part III A and B of the disclosure form prescribed by this section shall not be*
1915 *applicable to officers and employees of local governmental and local advisory agencies.*

1916 *C. Except for real estate located within the county, city or town in which the officer or employee*
1917 *serves or a county, city or town contiguous to the county, city or town in which the officer or employee*
1918 *serves, officers and employees of local governmental or advisory agencies shall not be required to*
1919 *disclose under Part I of the form any other interests in real estate.*

1920 **§ 2.2-3121. Advisory opinions.**

1921 A. A state officer or employee shall not be prosecuted for a knowing violation of this chapter if the
1922 alleged violation resulted from his good faith reliance on a written opinion of the Attorney General or
1923 the Virginia Conflict of Interest and Ethics Advisory Council made in response to his written request for
1924 such opinion and the opinion was made after a full disclosure of the facts.

1925 B. A local officer or employee shall not be prosecuted for a knowing violation of this chapter if the
1926 alleged violation resulted from his good faith reliance on a written opinion of the attorney for the
1927 Commonwealth or the Council made in response to his written request for such opinion and the opinion
1928 was made after a full disclosure of the facts. The written opinion shall be a public record and shall be
1929 released upon request.

1930 C. If any officer or employee serving at the local level of government is charged with a knowing
1931 violation of this chapter, and the alleged violation resulted from his reliance upon a written opinion of
1932 his city, county or town attorney, made after a full disclosure of the facts, that such action was not in
1933 violation of this chapter, then the officer or employee shall have the right to introduce a copy of the
1934 opinion at his trial as evidence that he did not knowingly violate this chapter.

1935 **§ 2.2-3124. Civil penalty from violation of this chapter.**

1936 A. In addition to any other fine or penalty provided by law, an officer or employee who knowingly
1937 violates any provision of §§ 2.2-3103 through 2.2-3112 shall be subject to a civil penalty in an amount
1938 equal to the amount of money or thing of value received as a result of such violation. If the thing of
1939 value received by the officer or employee in violation of §§ 2.2-3103 through 2.2-3112 increases in
1940 value between the time of the violation and the time of discovery of the violation, the greater value shall
1941 determine the amount of the civil penalty. Further, all money or other things of value received as a
1942 result of such violation shall be forfeited in accordance with the provisions of § 19.2-386.33.

1943 B. *An officer or employee required to file the disclosure form prescribed by § 2.2-3117 who fails to*
1944 *file such form within the time period prescribed shall be assessed a civil penalty in an amount equal to*
1945 *\$250. The Council shall notify the Attorney General of any state officer's or employee's failure to file*
1946 *the required form and the Attorney General shall assess and collect the civil penalty. The Council shall*
1947 *notify the attorney for the Commonwealth for the locality in which the officer or employee was elected*
1948 *or is employed of any local officer's or employee's failure to file the required form and the attorney for*
1949 *the Commonwealth shall assess and collect the civil penalty. The Council shall notify the Attorney*
1950 *General and the attorney for the Commonwealth within 30 days of the deadline for filing.*

1951 **§ 30-101. Definitions.**

1952 As used in this chapter, unless the context requires a different meaning:

1953 "Advisory agency" means any board, commission, committee or post which does not exercise any
1954 sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for
1955 the purpose of making studies or recommendations, or advising or consulting with a governmental
1956 agency.

1957 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
1958 association, trust or foundation, or any other individual or entity carrying on a business or profession,
1959 whether or not for profit.

1960 "Contract" means any agreement to which a governmental agency is a party, or any agreement on
1961 behalf of a governmental agency that involves the payment of money appropriated by the General
1962 Assembly or a political subdivision, whether or not such agreement is executed in the name of the
1963 Commonwealth, or some political subdivision thereof. "Contract" includes a subcontract only when the
1964 contract of which it is a part is with the legislator's own governmental agency.

1965 "Council" means the Virginia Conflict of Interest and Ethics Advisory Council established in
1966 § 30-355.

1967 "Financial institution" means any bank, trust company, savings institution, industrial loan association,
1968 consumer finance company, credit union, broker-dealer as defined in subsection A of § 13.1-501, or
1969 investment company or advisor registered under the federal Investment Advisors Act or Investment
1970 Company Act of 1940.

1971 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item
1972 having monetary value. It includes services as well as gifts of transportation, lodgings and meals,
1973 whether provided in-kind; *or* by purchase of a ticket, payment in advance, or reimbursement after the
1974 expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission
1975 or pass unless the ticket, coupon, admission, or pass is used; (ii) *food or beverages consumed while*
1976 *attending an event at which the filer is performing duties related to his public service;* (iii) honorary
1977 degrees; ~~(iii)~~ (iv) any athletic, merit, or need-based scholarship or any other financial aid awarded by a
1978 public or private school, institution of higher education, or other educational program pursuant to such
1979 school, institution, or program's financial aid standards and procedures applicable to the general public;
1980 ~~(iv)~~ (v) *unsolicited, personally-inscribed awards of appreciation or recognition in the form of a plaque,*
1981 *trophy, wall memento, or similar item that is given in recognition of public, civic, charitable, or*

1982 *professional service*; (vi) a campaign contribution properly received and reported pursuant to Chapter 9.3
 1983 (§ 24.2-945 et seq.) of Title 24.2; ~~(v)~~ (vii) any gift related to the private profession or occupation of a
 1984 legislator or of a member of his immediate family; or ~~(vi)~~ (viii) gifts from relatives or ~~personal friends~~
 1985 *received at personal celebrations*. For the purpose of this definition, "relative" means the donee's spouse,
 1986 child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the donee's
 1987 or his spouse's parent, grandparent, grandchild, brother, or sister; or the donee's brother's or sister's
 1988 spouse. ~~For the purpose of this definition, "personal friend" does not include any person that the filer~~
 1989 ~~knows or has reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of~~
 1990 ~~Chapter 4 of Title 2.2; (b) a lobbyist's principal as defined in § 2.2-419; or (c) a person, organization, or~~
 1991 ~~business who is a party to or is seeking to become a party to a contract with the Commonwealth. For~~
 1992 ~~purposes of this definition, "person, organization, or business" includes individuals who are officers,~~
 1993 ~~directors, or owners of or who have a controlling ownership interest in such organization or business.~~

1994 "Governmental agency" means each component part of the legislative, executive or judicial branches
 1995 of state and local government, including each office, department, authority, post, commission,
 1996 committee, and each institution or board created by law to exercise some regulatory or sovereign power
 1997 or duty as distinguished from purely advisory powers or duties.

1998 "Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the
 1999 legislator and who is a dependent of the legislator.

2000 "Legislator" means a member of the General Assembly.

2001 "Personal interest" means a financial benefit or liability accruing to a legislator or to a member of his
 2002 immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership
 2003 interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may
 2004 reasonably be anticipated to exceed, \$5,000 from ownership in real or personal property or a business;
 2005 (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination
 2006 thereof, paid or provided by a business or governmental agency that exceeds, or may reasonably be
 2007 anticipated to exceed, \$5,000 annually; (iv) ownership of real or personal property if the interest exceeds
 2008 \$5,000 in value and excluding ownership in a business, income, or salary, other compensation, fringe
 2009 benefits or benefits from the use of property; (v) personal liability incurred or assumed on behalf of a
 2010 business if the liability exceeds three percent of the asset value of the business; or (vi) an option for
 2011 ownership of a business or real or personal property if the ownership interest will consist of clause (i) or
 2012 (iv).

2013 "Personal interest in a contract" means a personal interest that a legislator has in a contract with a
 2014 governmental agency, whether due to his being a party to the contract or due to a personal interest in a
 2015 business that is a party to the contract.

2016 "Personal interest in a transaction" means a personal interest of a legislator in any matter considered
 2017 by the General Assembly. Such personal interest exists when an officer or employee or a member of his
 2018 immediate family has a personal interest in property or a business, or represents or provides services to
 2019 any individual or business and such property, business or represented or served individual or business (i)
 2020 is the subject of the transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or
 2021 detriment as a result of the action of the agency considering the transaction. A "personal interest in a
 2022 transaction" exists only if the legislator or member of his immediate family or an individual or business
 2023 represented or served by the legislator is affected in a way that is substantially different from the general
 2024 public or from persons comprising a profession, occupation, trade, business or other comparable and
 2025 generally recognizable class or group of which he or the individual or business he represents or serves is
 2026 a member.

2027 "Transaction" means any matter considered by the General Assembly, whether in a committee,
 2028 subcommittee, or other entity of the General Assembly or before the General Assembly itself, on which
 2029 official action is taken or contemplated.

2030 § 30-103. Prohibited conduct.

2031 No legislator shall:

2032 1. Solicit or accept money or other thing of value for services performed within the scope of his
 2033 official duties, except the compensation, expenses or other remuneration paid to him by the General
 2034 Assembly. This prohibition shall not apply to the acceptance of special benefits which may be
 2035 authorized by law;

2036 2. Offer or accept any money or other thing of value for or in consideration of obtaining
 2037 employment, appointment, or promotion of any person with any governmental or advisory agency;

2038 3. Offer or accept any money or other thing of value for or in consideration of the use of his public
 2039 position to obtain a contract for any person or business with any governmental or advisory agency;

2040 4. Use for his own economic benefit or that of another party confidential information which he has
 2041 acquired by reason of his public position and which is not available to the public;

2042 5. Accept any money, loan, gift, favor, service, or business or professional opportunity that
 2043 reasonably tends to influence him in the performance of his official duties. This subdivision shall not

2044 apply to any political contribution actually used for political campaign or constituent service purposes
2045 and reported as required by Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;

2046 6. Accept any business or professional opportunity when he knows that there is a reasonable
2047 likelihood that the opportunity is being afforded him to influence him in the performance of his official
2048 duties;

2049 7. During the one year after the termination of his service as a legislator, represent a client or act in
2050 a representative capacity on behalf of any person or group, for compensation, on any matter before the
2051 General Assembly or any agency of the legislative branch of government. The prohibitions of this
2052 subdivision shall apply only to persons engaged in activities that would require registration as a lobbyist
2053 under § 2.2-422. Any person subject to the provisions of this subdivision may apply to the Attorney
2054 General, as provided in § 30-122, for an advisory opinion as to the application of the restriction imposed
2055 by this subdivision on any post-public employment position or opportunity;

2056 8. Accept any honoraria for any appearance, speech, or article in which the legislator provides
2057 expertise or opinions related to the performance of his official duties. The term "honoraria" shall not
2058 include any payment for or reimbursement to such person for his actual travel, lodging, or subsistence
2059 expenses incurred in connection with such appearance, speech, or article or in the alternative a payment
2060 of money or anything of value not in excess of the per diem deduction allowable under § 162 of the
2061 Internal Revenue Code, as amended from time to time;

2062 9. Accept appointment to serve on a body or board of any corporation, company or other legal
2063 entity, vested with the management of the corporation, company or entity, and on which two other
2064 members of the General Assembly already serve, which is operated for profit and regulated by the State
2065 Corporation Commission as (i) a financial institution, (ii) a mortgage lender or broker, (iii) any business
2066 under Chapter 5 (§ 13.1-501 et seq.) of Title 13.1, (iv) any business under Title 38.2, or (v) any
2067 business under Title 56;

2068 10. Accept a gift from a person who has interests that may be substantially affected by the
2069 performance of the legislator's official duties under circumstances where the timing and nature of the gift
2070 would cause a reasonable person to question the legislator's impartiality in the matter affecting the
2071 donor. Violations of this subdivision shall not be subject to criminal law penalties; or

2072 11. Accept gifts from sources on a basis so frequent as to raise an appearance of the use of his
2073 public office for private gain. Violations of this subdivision shall not be subject to criminal law
2074 penalties; or

2075 12. *Solicit, accept, or receive any transportation, lodging, meal, hospitality, or other travel-related*
2076 *thing of value exceeding the limitation prescribed in § 30-103.1 that is to be provided by a third party*
2077 *prior to submitting to the Council a request for a waiver to accept such travel-related thing of value*
2078 *and receiving such a waiver pursuant to § 30-356.2.*

2079 **§ 30-103.1. Certain gifts prohibited.**

2080 A. For purposes of this section:

2081 "Intangible gift" means a thing of temporary value or a thing that upon the happening of a certain
2082 event or expiration of a given date loses its value. "Intangible gift" includes entertainment, hospitality, a
2083 ticket, admission, or pass, transportation, lodgings, and meals that are reportable on Schedule E of the
2084 disclosure form prescribed in § 30-111.

2085 "Tangible gift" means a thing of value that does not lose its value upon the happening of a certain
2086 event or expiration of a given date. "Tangible gift" includes currency, negotiable instruments, securities,
2087 stock options, or other financial instruments that are reportable on Schedule E of the disclosure form
2088 prescribed in § 30-111. "Tangible gift" does not include payments or reimbursements received for any
2089 intangible gift.

2090 B. A legislator or candidate for the General Assembly required to file the disclosure form prescribed
2091 in § 30-111 (i) shall not solicit, accept, or receive within any calendar year any single tangible gift with
2092 a value in excess of \$250 \$100 or a any combination of tangible gifts with an aggregate value in excess
2093 of \$250 \$100 from any person that he knows or has reason to know is (a) a lobbyist registered pursuant
2094 to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's principal as defined in
2095 § 2.2-419; or (c) a person, organization, or business who is a party to or is seeking to become a party to
2096 a contract with the Commonwealth; (ii) shall report any tangible gift with a value of \$250 or less or any
2097 intangible gift received from any person listed in clause (i) on Schedule E of such disclosure form; and
2098 (iii) shall report any payments for talks, meetings, and publications on Schedule D-1 of such disclosure
2099 form. For purposes of this subsection, "person, organization, or business" includes individuals who are
2100 officers, directors, or owners of or who have a controlling ownership interest in such organization or
2101 business. *Gifts received from relatives or while in attendance at a personal celebration are not subject*
2102 *to this prohibition or the disclosure requirements of § 30-111.*

2103 B. *Notwithstanding the provisions of subsection A, a legislator or candidate for the General*
2104 *Assembly required to file the disclosure form prescribed in § 30-111 may accept or receive a gift or a*

2105 combination of gifts with a value in excess of \$100 when such gift is accepted or received while in
 2106 attendance at a widely attended event. A widely attended event is one that is publicly noticed to which
 2107 all members of the General Assembly are invited and there are at least 10 persons in attendance. Such
 2108 gifts shall be reported on the disclosure form prescribed in § 30-111. Food and beverages received at
 2109 any event at which the legislator is a featured speaker, presenter, or lecturer are not subject to the
 2110 provisions of subsection A.

2111 C. The \$250 limitation imposed in accordance with this section shall be adjusted by the Council
 2112 every five years, as of January 1 of that year, in an amount equal to the annual increases for that
 2113 five-year period in the United States Average Consumer Price Index for all items, all urban consumers
 2114 (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, rounded to the
 2115 nearest whole dollar. Notwithstanding the provisions of subsection A, a legislator or candidate for the
 2116 General Assembly required to file the disclosure form prescribed in § 30-111 may accept or receive
 2117 certain gifts with a value in excess of \$100 when he has submitted a request for a waiver to and has
 2118 received the approval of the Council pursuant to § 30-356.2. Such gifts shall be reported on the
 2119 disclosure form prescribed in § 30-111. A legislator or candidate for the General Assembly may request
 2120 a waiver for the following gifts:

2121 1. A gift or combination of gifts from a personal friend. In making its determination to grant the
 2122 waiver, the Council shall consider the nature and length of the friendship.

2123 2. Transportation, lodging, hospitality, or other travel-related thing of value that is provided by a
 2124 third party and is directly related to the official duties of the legislator. In making its determination to
 2125 grant the waiver, the Council shall consider the purpose of the trip as it relates to the legislator's public
 2126 duties and responsibilities.

2127 **§ 30-110. Disclosure.**

2128 A. Every legislator and legislator-elect shall file, as a condition to assuming office, a disclosure
 2129 statement of his personal interests and such other information as is specified on the form set forth in
 2130 § 30-111 and thereafter shall file such a statement semiannually by December 15 for the preceding
 2131 six-month period complete through the last day of October and by June 15 for the preceding six-month
 2132 period complete through the last day of April. When the filing deadline falls on a Saturday, Sunday, or
 2133 legal holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or
 2134 legal holiday. Disclosure forms shall be provided made available by the Virginia Conflict of Interest and
 2135 Ethics Advisory Council at least 30 days prior to the filing deadline. Members of the Senate and
 2136 members of the House of Delegates shall file their disclosure forms with the Virginia Conflict of
 2137 Interest and Ethics Advisory Council. The Disclosure forms shall be filed electronically with the Council
 2138 in accordance with the standards approved by it pursuant to § 30-356. All disclosure forms of the
 2139 members of the General Assembly shall be maintained as public records for five years in the office of
 2140 the Virginia Conflict of Interest and Ethics Advisory Council.

2141 B. Candidates for the General Assembly shall file a disclosure statement of their personal interests as
 2142 required by §§ 24.2-500 through 24.2-503.

2143 C. Any legislator who has a personal interest in any transaction pending before the General
 2144 Assembly and who is disqualified from participating in that transaction pursuant to § 30-108 and the
 2145 rules of his house shall disclose his interest in accordance with the applicable rule of his house.

2146 **§ 30-111. Disclosure form; penalty.**

2147 A. The disclosure form to be used for filings required by subsections A and B of § 30-110 shall be
 2148 substantially as follows: on a form prescribed by the Council. All completed forms shall be filed
 2149 electronically and in accordance with the standards approved by the Council pursuant to § 30-356. A
 2150 person required to file this disclosure form who does so knowing it to contain a material misstatement
 2151 of fact is guilty of a Class 5 felony.

2152 ~~STATEMENT OF ECONOMIC INTERESTS.~~

2153 ~~Name~~

2154 ~~Office or position held or sought~~

2155 ~~Address~~

2156 ~~Names of members of immediate family~~

2157 **DEFINITIONS AND EXPLANATORY MATERIAL.**

2158 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
 2159 association, trust or foundation, or any other individual or entity carrying on a business or profession,
 2160 whether or not for profit.

2161 "Close financial association" means an association in which the filer shares significant financial
 2162 involvement with an individual and the filer would reasonably be expected to be aware of the
 2163 individual's business activities and would have access to the necessary records either directly or through
 2164 the individual. "Close financial association" does not mean an association based on (i) the receipt of
 2165 retirement benefits or deferred compensation from a business by which the legislator is no longer

2166 employed; or (ii) the receipt of compensation for work performed by the legislator as an independent
 2167 contractor of a business that represents an entity before any state governmental agency when the
 2168 legislator has had no communications with the state governmental agency.

2169 "Contingent liability" means a liability that is not presently fixed or determined, but may become
 2170 fixed or determined in the future with the occurrence of some certain event.

2171 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item
 2172 having monetary value. It includes services as well as gifts of transportation, lodgings and meals,
 2173 whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the
 2174 expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission
 2175 or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic,
 2176 merit, or need-based scholarship or any other financial aid awarded by a public or private school,
 2177 institution of higher education, or other educational program pursuant to such school, institution, or
 2178 program's financial aid standards and procedures applicable to the general public; (iv) a campaign
 2179 contribution properly received and reported pursuant to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;
 2180 (v) any gift related to the private profession or occupation of a legislator or of a member of his
 2181 immediate family; or (vi) gifts from relatives or personal friends. "Relative" means the donee's spouse,
 2182 child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the donee's
 2183 or his spouse's parent, grandparent, grandchild, brother, or sister; or the donee's brother's or sister's
 2184 spouse. "Personal friend" does not include any person that the filer knows or has reason to know is (a) a
 2185 lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's
 2186 principal as defined in § 2.2-419; or (c) a person, organization, or business who is a party to or is
 2187 seeking to become a party to a contract with the Commonwealth. "Person, organization, or business"
 2188 includes individuals who are officers, directors, or owners of or who have a controlling ownership
 2189 interest in such organization or business.

2190 "Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the
 2191 legislator and who is a dependent of the legislator.

2192 "Lobbyist relationship" means (i) an engagement, agreement, or representation that relates to legal
 2193 services, consulting services, or public relations services, whether gratuitous or for compensation,
 2194 between a member or member-elect and any person who is, or has been within the prior calendar year,
 2195 registered as a lobbyist with the Secretary of the Commonwealth or (ii) a greater than three percent
 2196 ownership interest by a member or member-elect in a business that employs, or engages as an
 2197 independent contractor, any person who is, or has been within the prior calendar year, registered as a
 2198 lobbyist with the Secretary of the Commonwealth. The disclosure of a lobbyist relationship shall not (a)
 2199 constitute a waiver of any attorney-client or other privilege, (b) require a waiver of any attorney-client
 2200 or other privilege for a third party, or (c) be required where a member or member-elect is employed or
 2201 engaged by a person and such person also employs or engages a person in a lobbyist relationship so
 2202 long as the member or member-elect has no financial interest in the lobbyist relationship.

2203 TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust,
 2204 treat the trust's assets as if you own them directly. If you or your immediate family has a proportional
 2205 interest in a trust, treat that proportion of the trust's assets as if you own them directly. For example, if
 2206 you and your immediate family have a one-third interest in a trust, complete your Statement as if you
 2207 own one-third of each of the trust's assets. If you or a member of your immediate family created a trust
 2208 and can revoke it without the beneficiaries' consent, treat its assets as if you own them directly.

2209 REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required on this
 2210 Statement must be provided on the basis of the best knowledge, information, and belief of the individual
 2211 filing the Statement as of the date of this report unless otherwise stated.

2212 COMPLETE ITEMS 1 THROUGH 11. REFER TO SCHEDULES ONLY IF DIRECTED.

2213 You may attach additional explanatory information.

2214 1. Offices and Directorships.

2215 Are you or a member of your immediate family a paid officer or paid director of a business?

2216 EITHER check NO // OR check YES // and complete Schedule A.

2217 2. Personal Liabilities.

2218 Do you or a member of your immediate family owe more than \$5,000 to any one creditor including
 2219 contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property
 2220 at least equal in value to the loan.)

2221 EITHER check NO // OR check YES // and complete Schedule B.

2222 3. Securities.

2223 Do you or a member of your immediate family, directly or indirectly, separately or together, own
 2224 securities valued in excess of \$5,000 invested in one business? Account for mutual funds, limited
 2225 partnerships and trusts.

2226 EITHER check NO // OR check YES // and complete Schedule C.

2227 4. Payments for Talks, Meetings, and Publications.

2228 During the past six months did you receive in your capacity as a legislator lodging, transportation,
2229 money, or anything else of value with a combined value exceeding \$200 (i) for a single talk, meeting,
2230 or published work or (ii) for a meeting, conference, or event where your attendance at the meeting,
2231 conference, or event was designed to (a) educate you on issues relevant to your duties as a legislator,
2232 including issues faced by your constituents, or (b) enhance your knowledge and skills relative to your
2233 duties as a legislator? Do not include payments and reimbursements from the Commonwealth for
2234 meetings attended in your capacity as a legislator; see Question 11 and Schedule D2 to report such
2235 meetings.

2236 EITHER check NO / / OR check YES / / and complete Schedule D.

2237 5. Gifts.

2238 During the past six months did a business, government, or individual other than a relative or personal
2239 friend (i) furnish you or a member of your immediate family with any gift or entertainment at a single
2240 event, and the value received exceeded \$50 or (ii) furnish you or a member of your immediate family
2241 with gifts or entertainment in any combination and the total value received exceeded \$100, and for
2242 which you or the member of your immediate family neither paid nor rendered services in exchange?
2243 Account for entertainment events only if the average value per person attending the event exceeded \$50.
2244 Account for all business entertainment (except if related to the private profession or occupation of you
2245 or the member of your immediate family who received such business entertainment) even if unrelated to
2246 your official duties.

2247 EITHER check NO / / OR check YES / / and complete Schedule E.

2248 6. Salary and Wages.

2249 List each employer that pays you or a member of your immediate family salary or wages in excess
2250 of \$5,000 annually. (Exclude any salary received as a member of the General Assembly pursuant to
2251 § 30-19.11.)

2252 If no reportable salary or wages, check here / /.

2253 _____
2254 _____
2255 _____

2256 7. Business Interests and Lobbyist Relationships.

2257 7A. Do you or a member of your immediate family, separately or together, operate your own
2258 business, or own or control an interest in excess of \$5,000 in a business?

2259 EITHER check NO / / OR check YES / / and complete Schedule F-1.

2260 7B. Do you have a lobbyist relationship as that term is defined above?

2261 EITHER check NO / / OR check YES / / and complete Schedule F-2.

2262 8. Payments for Representation and Other Services.

2263 8A. Did you represent any businesses before any state governmental agencies, excluding courts or
2264 judges, for which you received total compensation during the past six months in excess of \$1,000,
2265 excluding compensation for other services to such businesses and representation consisting solely of the
2266 filing of mandatory papers and subsequent representation regarding the mandatory papers?

2267 EITHER check NO / / OR check YES / / and complete Schedule G-1.

2268 8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial
2269 association (partners, associates or others) represent any businesses before any state governmental agency
2270 for which total compensation was received during the past six months in excess of \$1,000?

2271 EITHER check NO / / OR check YES / / and complete Schedule G-2.

2272 8C. Did you or persons with whom you have a close financial association furnish services to
2273 businesses operating in Virginia, pursuant to an agreement between you and such businesses, or between
2274 persons with whom you have a close financial association and such businesses for which total
2275 compensation in excess of \$1,000 was received during the past six months? Services reported under this
2276 provision shall not include services involving the representation of businesses that are reported under
2277 question 8A or 8B above.

2278 EITHER check NO / / OR check YES / / and complete Schedule G-3.

2279 9. Real Estate.

2280 Do you or a member of your immediate family hold an interest, including a partnership interest,
2281 valued at more than \$5,000 in real property (other than your principal residence) for which you have not
2282 already listed the full address on Schedule F? Account for real estate held in trust.

2283 EITHER check NO / / OR check YES / / and complete Schedule H.

2284 10. Real Estate Contracts with State Governmental Agencies.

2285 Do you or a member of your immediate family hold an interest valued at more than \$5,000 in real
2286 estate, including a corporate, partnership, or trust interest, option, easement, or land contract, which real
2287 estate is the subject of a contract, whether pending or completed within the past six months, with a state
2288 governmental agency?

2289 If the real estate contract provides for the leasing of the property to a state governmental agency, do
 2290 you or a member of your immediate family hold an interest in the real estate, including a corporate,
 2291 partnership, or trust interest, option, easement, or land contract valued at more than \$1,000? Account for
 2292 all such contracts whether or not your interest is reported in Schedule F or H. This requirement to
 2293 disclose an interest in a lease does not apply to an interest derived through an ownership interest in a
 2294 business unless the ownership interest exceeds three percent of the total equity of the business.

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

2296 11. Payments by the Commonwealth for Meetings.

2297 During the past six months did you receive lodging, transportation, money, or anything else of value
 2298 with a combined value exceeding \$200 from the Commonwealth for a single meeting attended
 2299 out-of-state in your capacity as a legislator? Do not include reimbursements from the Commonwealth for
 2300 meetings attended in the Commonwealth.

2301 EITHER check NO // OR check YES // and complete Schedule D-2.

2302 For Statements filed in January 2016 and each two years thereafter, complete the following statement
 2303 indicating whether you completed the ethics orientation sessions provided pursuant to law:

2304 I certify that I completed ethics training as required by § 30-129.1. YES // or NO // :

2305 Statements of Economic Interests are open for public inspection.

2306 AFFIRMATION.

2307 In accordance with the rules of the house in which I serve, if I receive a request that this disclosure
 2308 statement be corrected, augmented, or revised in any respect, I hereby pledge that I shall respond
 2309 promptly to the request. I understand that if a determination is made that the statement is insufficient, I
 2310 will satisfy such request or be subjected to disciplinary action of my house.

2311 I swear or affirm that the foregoing information is full, true and correct to the best of my knowledge.

2312 Signature _____ (Such signature shall be deemed to constitute a
 2313 valid notarization and shall have the same effect as if performed by a notary public.)

2314 (Return only if needed to complete Statement.)

2315 — SCHEDULES
 2316 — to
 2317 — STATEMENT OF ECONOMIC INTERESTS.

2318 NAME _____
 2319 SCHEDULE A - OFFICES AND DIRECTORSHIPS.

2320 Identify each business of which you or a member of your immediate family is a paid officer or paid
 2321 director.

2322 _____
 2323 - _____

2324	Name of Business	Address of Business	Position Held and by Whom
2325	_____	_____	_____
2326	_____	_____	_____
2327	_____	_____	_____
2328	_____	_____	_____
2329	_____	_____	_____

2330 _____ RETURN TO ITEM 2

2331 SCHEDULE B - PERSONAL LIABILITIES.

2332 Report personal liability by checking each category. Report only debts in excess of \$5,000. Do not
 2333 report debts to any government. Do not report loans secured by recorded liens on property at least equal
 2334 in value to the loan.

2335 Report contingent liabilities below and indicate which debts are contingent.

2336 1. My personal debts are as follows:

2337 _____
 2338 - _____

2339	Check	Check one
2340	appropriate	\$5,001 to More than
2341	categories	\$50,000 \$50,000
2342	Banks	_____
2343	Savings institutions	_____
2344	Other loan or finance companies	_____
2345	Insurance companies	_____
2346	Stock, commodity or other brokerage	_____
2347	companies	_____

2348 — Other businesses:
 2349 — (State principal business activity for each
 2350 — creditor and its name.)
 2351 _____
 2352 _____
 2353 _____
 2354 — Individual creditors:
 2355 — (State principal business or occupation of
 2356 — each creditor and its name.)
 2357 _____
 2358 _____
 2359 _____
 2360 _____

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

2361 _____
 2362 _____
 2363 —
 2364 — Check _____ Check one _____
 2365 — appropriate \$5,001 to More than
 2366 — categories \$50,000 \$50,000
 2367 — Banks _____
 2368 — Savings institutions _____
 2369 — Other loan or finance companies _____
 2370 — Insurance companies _____
 2371 — Stock, commodity or other brokerage
 2372 — companies _____
 2373 — Other businesses:
 2374 — (State principal business activity for each
 2375 — creditor and its name.)
 2376 _____
 2377 _____
 2378 _____
 2379 — Individual creditors:
 2380 — (State principal business or occupation of
 2381 — each creditor and its name.)
 2382 _____
 2383 _____
 2384 _____
 2385 _____

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 / /.

2400 _____
 2401 —
 2402 _____ Check one _____
 2403 _____ Type of Security \$5,001 \$50,001 More
 2404 _____ (stocks, bonds, mutual to to than
 2405 — Name of Issuer funds, etc.) \$50,000 \$250,000 \$250,000

2406 _____
 2407 _____
 2408 _____
 2409 _____
 2410 _____

RETURN TO ITEM 4

2411 SCHEDULE D-1 - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

2412 List each source from which you received during the past six months in your capacity as a legislator
 2413 lodging, transportation, money, or any other thing of value with a combined value exceeding \$200 (i)
 2414 for your presentation of a single talk, participation in one meeting, or publication of a work or (ii) for
 2415 your attendance at a meeting, conference, or event where your attendance at the meeting, conference, or
 2416 event was designed to (a) educate you on issues relevant to your duties as a legislator, including issues
 2417 faced by your constituents, or (b) enhance your knowledge and skills relative to your duties as a
 2418 legislator. Any lodging, transportation, money, or other thing of value received by a legislator that does
 2419 not satisfy the criteria of clause (i), (ii)(a), or (ii)(b) shall be listed as a gift on Schedule E. Do not list
 2420 payments or reimbursements by the Commonwealth. (See Schedule D-2 for such payments or
 2421 reimbursements.) List a payment even if you donated it to charity. Do not list information about a
 2422 payment if you returned it within 60 days or if you received it from an employer already listed under
 2423 Item 6 or from a source of income listed on Schedule F.
 2424

2425 If no payment must be listed, check here / /

2426 _____
 2427 -

2428				Type of Payment
2429				(e.g., Honoraria,
2430				Travel reimburse-
2431	Payer	Approximate Value	Circumstances	ment, etc.)

2432 _____
 2433 _____
 2434 _____
 2435 _____
 2436 _____

RETURN TO ITEM 5

2437 SCHEDULE D-2 - PAYMENTS BY THE COMMONWEALTH FOR MEETINGS.

2438 List each meeting for which the Commonwealth provided payments or reimbursements during the
 2439 past six months to you for lodging, transportation, money, or any other thing of value with a combined
 2440 value exceeding \$200 for your participation in your capacity as a legislator. Do not list payments or
 2441 reimbursements by the Commonwealth for meetings or travel within the Commonwealth.
 2442

2443 If no payment must be listed, check here / /

2444 _____
 2445 -

2446				Type of Payment
2447				(e.g., Travel
2448				reimbursement,
2449	Payer	Approximate Value	Circumstances	etc.)

2450 _____
 2451 _____
 2452 _____
 2453 _____
 2454 _____

2455 SCHEDULE E - GIFTS.

2456 List each business, governmental entity, or individual that, during the past six months, (i) furnished
 2457 you or a member of your immediate family with any gift or entertainment at a single event, and the
 2458 value received exceeded \$50 or (ii) furnished you or a member of your immediate family with gifts or
 2459 entertainment in any combination and the total value received exceeded \$100, and for which you or the
 2460 member of your immediate family neither paid nor rendered services in exchange. List each such gift or
 2461 event.

2462 Do not list entertainment events unless the average value per person attending the event exceeded
 2463 \$50. Do not list business entertainment related to the private profession or occupation of you or the
 2464 member of your immediate family who received such business entertainment. Do not list gifts or other

2465 things of value given by a relative or personal friend for reasons clearly unrelated to your public
2466 position. Do not list campaign contributions publicly reported as required by Chapter 9.3 (§ 24.2-945 et
2467 seq.) of Title 24.2 of the Code of Virginia.

2470	Name of Business,	City or	Exact
2471	Name of	Organization, or	County
2472	Recipient	Individual	and State
2473			Event
2474			Value
2475			
2476			
2477			

2478 RETURN TO ITEM 6

2479 SCHEDULE F-1 - BUSINESS INTERESTS.

2480 Complete this Schedule for each self-owned or family-owned business (including rental property, a
2481 farm, or consulting work), partnership, or corporation in which you or a member of your immediate
2482 family, separately or together, own an interest having a value in excess of \$5,000.

2483 If the enterprise is owned or operated under a trade, partnership, or corporate name, list that name;
2484 otherwise, merely explain the nature of the enterprise. If rental property is owned or operated under a
2485 trade, partnership, or corporate name, list the name only; otherwise, give the address of each property.
2486 Account for business interests held in trust.

2489	Name of				
2490	Business				
2491	Corporation,				
2492	Partnership,	Nature of		Gross income	
2493	Farm;	Enterprise			
2494	Address of	City or	(farming,	\$50,001	More
2495	Rental	County	law, rental	\$50,000	to
2496	Property	and State	property, etc.)	or less	\$250,000
2497					\$250,000
2498					
2499					
2500					
2501					

2502 RETURN TO ITEM 8

2503 SCHEDULE F-2 - LOBBYIST RELATIONSHIPS AND PAYMENTS.

2504 Complete this Schedule for each lobbyist relationship with the following:

2505 (i) any person who is, or has been within the prior calendar year, registered as a lobbyist with the
2506 Secretary of the Commonwealth; or

2507 (ii) any business in which you have a greater than three percent ownership interest and that business
2508 employs, or engages as an independent contractor, any person who is, or has been within the prior
2509 calendar year, registered as a lobbyist with the Secretary of the Commonwealth.

2512				Payments to
2513				Lobbyist
2514	List each person	Describe each	Dates of	\$10,000
2515	or business	relationship	relationship	or less
2516				\$10,000
2517				
2518				
2519				
2520				
2521				

2522 THE DISCLOSURE OF A LOBBYIST RELATIONSHIP SHALL NOT (I) CONSTITUTE A

2523 WAIVER OF ANY ATTORNEY-CLIENT OR OTHER PRIVILEGE, (II) REQUIRE A WAIVER OF
2524 ANY ATTORNEY-CLIENT OR OTHER PRIVILEGE FOR A THIRD PARTY, OR (III) BE
2525 REQUIRED WHERE A MEMBER OR MEMBER-ELECT IS EMPLOYED OR ENGAGED BY A
2526 PERSON AND SUCH PERSON ALSO EMPLOYS OR ENGAGES A PERSON IN A LOBBYIST
2527 RELATIONSHIP SO LONG AS THE MEMBER OR MEMBER-ELECT HAS NO FINANCIAL
2528 INTEREST IN THE LOBBYIST RELATIONSHIP.

2529 SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

2530 List the businesses you represented before any state governmental agency, excluding any court or
2531 judge, for which you received total compensation during the past six months in excess of \$1,000,
2532 excluding compensation for other services to such businesses and representation consisting solely of the
2533 filing of mandatory papers and subsequent representation regarding the mandatory papers filed by you.

2534 Identify each business, the nature of the representation and the amount received by dollar category
2535 from each such business. You may state the type, rather than name, of the business if you are required
2536 by law not to reveal the name of the business represented by you.

2537 _____

2538 -

2539 _____ Pur-

2540 _____ pose _____ Amount Received

2541 ~~Name~~ ~~Type~~ ~~of~~

2542 ~~of~~ ~~of~~ ~~Repre~~ ~~Name~~ ~~\$1,001~~ ~~\$10,001~~ ~~\$50,001~~ ~~\$100,001~~

2543 ~~Busi~~ ~~Busi~~ ~~senta~~ ~~of~~ ~~to~~ ~~to~~ ~~to~~ ~~to~~ ~~\$250,001~~

2544 ~~ness~~ ~~ness~~ ~~tion~~ ~~Agency~~ ~~\$10,000~~ ~~\$50,000~~ ~~\$100,000~~ ~~\$250,000~~ ~~and over~~

2545 _____

2546 _____

2547 _____

2548 _____

2549 _____

2550 If you have received \$250,001 or more from a single business within the reporting period, indicate
2551 the amount received, rounded to the nearest \$10,000. Amount Received: _____.

2552 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

2553 List the businesses that have been represented before any state governmental agency, excluding any
2554 court or judge, by persons who are your partners, associates or others with whom you have a close
2555 financial association and who received total compensation in excess of \$1,000 for such representation
2556 during the past six months, excluding representation consisting solely of the filing of mandatory papers
2557 and subsequent representation regarding the mandatory papers filed by your partners, associates or others
2558 with whom you have a close financial association.

2559 Identify such businesses by type and also name the state governmental agencies before which such
2560 person appeared on behalf of such businesses.

2561 _____

2562 -

2563 ~~Type of Business~~ _____ ~~Name of State Governmental Agency~~

2564 _____

2565 _____

2566 _____

2567 _____

2568 _____

2569 SCHEDULE G-3 - PAYMENTS FOR OTHER SERVICES GENERALLY.

2570 Indicate below types of businesses that operate in Virginia to which services were furnished by you
2571 or persons with whom you have a close financial association pursuant to an agreement between you and
2572 such businesses, or between persons with whom you have a close financial association and such
2573 businesses and for which total compensation in excess of \$1,000 was received during the past six
2574 months. Services reported in this Schedule shall not include services involving the representation of
2575 businesses that are reported in Schedule G-1 or G-2 above.

2576 Identify opposite each category of businesses listed below (i) the type of business, (ii) the type of
2577 service rendered and (iii) the value by dollar category of the compensation received for all businesses
2578 falling within each category.

2579 _____

2580 -

2581 _____ Check

2582	if	Type	Value of Compensation				
2583	ser-	of					
2584	vices ser-						
2585	were vice		\$1,001	\$10,001	\$50,001	\$100,001	
2586	ren-	ren-	to	to	to	to	\$250,001
2587	dered	dered	\$10,000	\$50,000	\$100,000	\$250,000	and over
2588	Electric utilities						
2589	Gas utilities						
2590	Telephone utilities						
2591	Water utilities						
2592	Cable television						
2593	companies						
2594	Interstate						
2595	transportation						
2596	companies						
2597	Intrastate						
2598	transportation						
2599	companies						
2600	Oil or gas retail						
2601	companies						
2602	Banks						
2603	Savings						
2604	institutions						
2605	Loan or finance						
2606	companies						
2607	Manufacturing						
2608	companies (state						
2609	type of product,						
2610	e.g., textile,						
2611	furniture, etc.)						
2612	Mining companies						
2613	Life insurance						
2614	companies						
2615	Casualty insurance						
2616	companies						
2617	Other insurance						
2618	companies						
2619	Retail companies						
2620	Beer, wine or						
2621	liquor companies						
2622	or distributors						
2623	Trade associations						
2624	Professional						
2625	associations						
2626	Associations of						
2627	public employees						
2628	or officials						
2629	Counties, cities						
2630	or towns						
2631	Labor organizations						
2632	Other						
2633							
2634							RETURN TO ITEM 9

2635 SCHEDULE H - REAL ESTATE.

2636 List real estate other than your principal residence in which you or a member of your immediate
 2637 family holds an interest, including a partnership interest, option, easement, or land contract, valued at
 2638 \$5,000 or more. Each parcel shall be listed individually.

2639			
2640	-		
2641		Describe the type of real	
2642		estate you own in each	
2643	List the location	location (business,	If the real estate is
2644	(state, and county	recreational, apartment,	owned or recorded in
2645	or city where you	commercial, open land,	a name other than your
2646	own real estate	etc.)	own, list that name
2647			
2648			
2649			
2650			
2651			
2652			

RETURN TO ITEM 10

2653 SCHEDULE I - REAL ESTATE CONTRACTS WITH STATE GOVERNMENTAL AGENCIES.

2654 List all contracts, whether pending or completed within the past six months, with a state
2655 governmental agency for the sale or exchange of real estate in which you or a member of your
2656 immediate family holds an interest, including a corporate, partnership or trust interest, option, easement,
2657 or land contract, valued at more than \$10,000. List all contracts with a state governmental agency for
2658 the lease of real estate in which you or a member of your immediate family holds such an interest
2659 valued at more than \$1,000. This requirement to disclose an interest in a lease does not apply to an
2660 interest derived through an ownership interest in a business unless the ownership interest exceeds three
2661 percent of the total equity of the business.
2662

2663			
2664	-		
2665	List your real		
2666	estate interest and		
2667	the person or entity,		
2668	including the type of		
2669	entity, which is		
2670	party to the contract.		State the annual
2671	Describe any		income from the
2672	management role and	List each	contract, and the
2673	the percentage	governmental agency	amount, if any, of
2674	ownership interest	which is a party to	income you or any
2675	you or your immediate	the contract and	immediate family
2676	family member has in	indicate the county	member derives
2677	the real estate	or city where the	annually from
2678	or entity.	real estate is located.	the contract.
2679			
2680			
2681			
2682			
2683			
2684			

2685 B. Any legislator who makes a knowing misstatement of a material fact on the Statement of
2686 Economic Interests shall be subject to disciplinary action for such violations by the house in which the
2687 legislator sits.

2688 C. The Statement of Economic Interests of all members of each house shall be reviewed by the
2689 Council. If a legislator's Statement is found to be inadequate as filed, the legislator shall be notified in
2690 writing and directed to file an amended Statement correcting the indicated deficiencies, and a time shall
2691 be set within which such amendment shall be filed. If the Statement of Economic Interests, in either its
2692 original or amended form, is found to be adequate as filed, the legislator's filing shall be deemed in full
2693 compliance with this section as to the information disclosed thereon.

2694 D. Ten percent of the membership of a house, on the basis of newly discovered facts, may in writing
2695 request the house in which those members sit, in accordance with the rules of that house, to review the
2696 Statement of Economic Interests of another member of that house in order to determine the adequacy of

2697 his filing. In accordance with the rules of each house, each Statement of Economic Interests shall be
 2698 promptly reviewed, the adequacy of the filing determined, and notice given in writing to the legislator
 2699 whose Statement is in issue. Should it be determined that the Statement requires correction,
 2700 augmentation or revision, the legislator involved shall be directed to make the changes required within
 2701 such time as shall be set under the rules of each house.

2702 If a legislator, after having been notified in writing in accordance with the rules of the house in
 2703 which he sits that his Statement is inadequate as filed, fails to amend his Statement so as to come into
 2704 compliance within the time limit set, he shall be subject to disciplinary action by the house in which he
 2705 sits. No legislator shall vote on any question relating to his own Statement.

2706 *Certain information regarding the offices, directorships, and paid employments of the filer and the*
 2707 *members of his immediate family shall be reported. For each office, directorship, or paid employment,*
 2708 *the report shall include:*

2709 1. *The name and address of the business or employer;*

2710 2. *The position held and by whom; and*

2711 3. *The salary, wages, or other remuneration, including stipends and corporate director fees, received.*

2712 C. *Certain information regarding the personal liabilities held by the filer or a member of his*
 2713 *immediate family shall be reported. For each debt held, the report shall include:*

2714 1. *The type of personal liability;*

2715 2. *The name and principal business activity of the creditor; and*

2716 3. *The amount of debt held.*

2717 *For an individual creditor, the name and occupation of such creditor shall be reported.*

2718 D. *Certain information regarding any securities owned by the filer or a member of his immediate*
 2719 *family, directly or indirectly, together or separately, shall be reported. For purposes of disclosure,*
 2720 *"security" shall include at least stocks, bonds, mutual funds, limited partnerships, and commodity futures*
 2721 *contracts. For each security owned, the report shall include:*

2722 1. *The type of security;*

2723 2. *The name of the issuer; and*

2724 3. *The value of the security owned.*

2725 E. *Certain information regarding any business owned by the filer or a member of his immediate*
 2726 *family or any business in which the filer or a member of his immediate family has a controlling*
 2727 *ownership interest shall be reported. For purposes of disclosure, "business" shall include at least*
 2728 *corporations, partnerships, sole proprietorships, firms, enterprises, franchises, associations, trusts or*
 2729 *foundations, or any other individual or entity carrying on a business or profession, whether or not for*
 2730 *profit. For each such business, the report shall include:*

2731 1. *The name of the business;*

2732 2. *The nature of the business;*

2733 3. *The county or city and the state where the business is located, unless it is a rental property, in*
 2734 *which case, the physical address; and*

2735 4. *The total income earned from the business.*

2736 F. *Certain information regarding representation before governmental agencies by the filer or a*
 2737 *person with whom the filer has a close financial association shall be reported. For each instance of*
 2738 *representation, the report shall include:*

2739 1. *The name and type of the business represented by the filer or the person with whom the filer has*
 2740 *a close financial association;*

2741 2. *The purpose of the representation;*

2742 3. *The name of the agency before which the filer, or the person with whom the filer has a close*
 2743 *financial association, appeared; and*

2744 4. *The amount received for the representation.*

2745 G. *Certain information regarding real estate in which the filer or a member of his immediate family*
 2746 *holds an interest, including a partnership interest, options, easement, or land contract, shall be reported.*
 2747 *For each parcel, the report shall include:*

2748 1. *Whether or not it is the principal residence of the filer or the member of his immediate family;*

2749 2. *The physical address;*

2750 3. *The type of real estate;*

2751 4. *The name in which the parcel is owned or recorded, and the names of any other persons in whose*
 2752 *name the parcel is owned or recorded; and*

2753 5. *Information regarding any contract with a governmental agency for the sale or exchange of the*
 2754 *real estate.*

2755 H. *Certain information regarding payments or reimbursements received by the filer for his*
 2756 *attendance or participation at meetings, conferences, or other events, where he attended or participated*
 2757 *in his official capacity, shall be reported. For each payment, the report shall include:*

2758 1. *The person or entity paying or reimbursing the filer;*

- 2759 2. The date and location of the meeting, conference, or other event;
 2760 3. The purpose of the meeting, conference, or other event;
 2761 4. The type of payment or reimbursement received; and
 2762 5. The approximate value of the payment or reimbursement received.
 2763 I. Certain information regarding gifts accepted or received by the filer or a member of his immediate
 2764 family shall be reported. Only gifts with a value in excess of \$25 shall be reported. A gift for which the
 2765 filer reimburses the person giving the gift for the full value of the gift does not need to be reported. For
 2766 each gift, the report shall include:
 2767 1. The name of the recipient;
 2768 2. The individual or entity providing the gift;
 2769 3. The exact gift; and
 2770 4. The value of the gift.
 2771 J. Certain information regarding travel shall be reported. For each trip, the report shall include:
 2772 1. The date and destination of the trip;
 2773 2. The purpose of the travel; and
 2774 3. An itemized accounting of all expenses related to the trip. For each expense, the report shall
 2775 include:
 2776 a. The person or entity paying for the expense;
 2777 b. The type of expense;
 2778 c. The amount of the expense; and
 2779 d. The date the expense was received.
 2780 K. Attendance at orientation sessions required by § 30-129.1 shall be reported. Such report shall
 2781 include the date of the most recent session attended.
 2782 **§ 30-124. Advisory opinions.**
 2783 A legislator shall not be prosecuted or disciplined for a violation of this chapter if his alleged
 2784 violation resulted from his good faith reliance on a written opinion of a committee on standards of
 2785 conduct established pursuant to § 30-120, an opinion of the Attorney General as provided in § 30-122,
 2786 or a formal opinion of the Virginia Conflict of Interest and Ethics Advisory Council established pursuant
 2787 to § ~~30-355~~ 30-356.1, and the opinion was made after his full disclosure of the facts.
 2788 **§ 30-126. Civil penalty from violation of this chapter.**
 2789 A. In addition to any other fine or penalty provided by law, any money or other thing of value
 2790 derived by a legislator from a violation of §§ 30-103 through 30-108 shall be forfeited and, in the event
 2791 of a knowing violation, there may also be imposed a civil penalty in an amount equal to the amount of
 2792 money or thing of value forfeited to the Commonwealth. If the thing of value received by the legislator
 2793 in violation of this chapter should enhance in value between the time of the violation and the time of
 2794 discovery of the violation, the greater value shall determine the amount of the civil penalty.
 2795 B. A legislator who fails to file the disclosure form required by § 30-111 within the time period
 2796 prescribed shall be assessed a civil penalty in an amount equal to \$250. The Council shall notify the
 2797 Attorney General of any legislator's failure to file the required form within 30 days of the deadline for
 2798 filing, and the Attorney General shall assess and collect the civil penalty.
 2799 **§ 30-129.1. Orientation sessions on ethics and conflicts of interests.**
 2800 The Virginia Conflict of Interest and Ethics Advisory Council shall conduct an orientation session (i)
 2801 for new and returning General Assembly members preceding each even-numbered year regular session
 2802 and (ii) for any new General Assembly member who is elected in a special election and whose term
 2803 commences after the date of the orientation session provided for in clause (i) and at least six months
 2804 before the date of the next such orientation session within three months of his election. Attendance at
 2805 the full orientation session shall be mandatory for newly elected members. Attendance at a refresher
 2806 session lasting at least two hours shall be mandatory for returning members and may be accomplished
 2807 by online participation. There shall be no penalty for the failure of a member to attend the full or
 2808 refresher orientation session, but the member must disclose his attendance pursuant to *subsection K of*
 2809 *§ 30-111.*
 2810 **§ 30-355. Virginia Conflict of Interest and Ethics Advisory Council; membership; terms;**
 2811 **quorum; expenses.**
 2812 A. The Virginia Conflict of Interest and Ethics Advisory Council (the Council) is hereby created as
 2813 an advisory council in the legislative branch to encourage and facilitate compliance with the State and
 2814 Local Government Conflict of Interests Act (§ 2.2-3100 et seq.) and the General Assembly Conflicts of
 2815 Interests Act (§ 30-100 et seq.) (hereafter the Acts) and the lobbying laws in Article 3 (§ 2.2-418 et
 2816 seq.) of Chapter 4 of Title 2.2 (hereafter Article 3).
 2817 B. The Council shall consist of ~~15~~ 10 members as follows: ~~four~~ three members appointed by the
 2818 Speaker of the House of Delegates, ~~one~~ two of whom shall be a ~~member~~ members of the House of
 2819 Delegates; and one of whom shall be a ~~former member of the House of Delegates~~, and two of whom

2820 shall be nonlegislative citizen members ~~retired judge; four~~ *three* members appointed by the Senate
 2821 Committee on Rules, ~~one two~~ of whom shall be a ~~member~~ *members* of the Senate; and one of whom
 2822 shall be a ~~former member of the Senate; and two of whom shall be nonlegislative citizen members~~
 2823 *retired judge; and* four members appointed by the Governor, two of whom shall be executive branch
 2824 employees and two of whom shall be nonlegislative citizen members; ~~one member designated by the~~
 2825 Attorney General; one member appointed by the Senate Committee on Rules from a list of three
 2826 nominees submitted by the Virginia Association of Counties; and one member appointed by the Speaker
 2827 of the House of Delegates from a list of three nominees submitted by the Virginia Municipal League.
 2828 All members of the Council are subject to confirmation by the General Assembly by a majority vote in
 2829 each house of (i) the members present of the majority party and (ii) the members present of the minority
 2830 party. *No member of the Council may be removed from his term except for cause.*

2831 C. All appointments following the initial staggering of terms shall be for terms of four years, except
 2832 that appointments to fill vacancies shall be for the unexpired terms in the same manner as the original
 2833 appointment. No nonlegislative citizen member shall be eligible to serve for more than two successive
 2834 four-year terms. However, after the expiration of a term of three years or less, or after the expiration of
 2835 the remainder of a term to which appointed to fill a vacancy, two additional terms may be served by
 2836 such member if appointed thereto. Legislative members and other state government officials shall serve
 2837 terms coincident with their terms of office. Legislative members may be reappointed for successive
 2838 terms.

2839 D. The members of the Council shall elect from among their membership a chairman and a
 2840 vice-chairman for two-year terms. The chairman and vice-chairman may not succeed themselves to the
 2841 same position. The Council shall hold meetings quarterly or upon the call of the chairman. A majority
 2842 of the Council *appointed* shall constitute a quorum.

2843 E. Members of the Council shall receive ~~no compensation for their services but shall be reimbursed~~
 2844 *for all reasonable and necessary expenses incurred in the performance of their duties as provided in*
 2845 ~~§§ 2.2-2813, 2.2-2825, and 30-19.12, as appropriate~~ *a per diem of \$100.* Funding for expenses of the
 2846 members shall be provided from existing appropriations to the Council.

2847 **§ 30-356. Disclosure forms.**

2848 A. The Council shall: ~~designate the forms required for complying with the disclosure requirements of~~
 2849 *Article 3 and the Acts. The Council may amend the forms as it deems necessary, but in no case shall*
 2850 *the forms require less information than that which is required to be reported by Article 3 or the Acts.*
 2851 *These forms shall be the only forms used in complying with the provisions of Article 3 and the Acts. The*
 2852 *Council shall make available on its website the disclosure forms and shall provide guidance and other*
 2853 *instructions to assist in the completion of the forms.*

2854 1. ~~Review~~ *B. The Council shall review* all disclosure forms filed by lobbyists pursuant to Article 3
 2855 and by state and local government officers and employees and legislators pursuant to the Acts. The
 2856 Council shall review all disclosure forms for completeness, which shall include reviewing the
 2857 information contained on the face of the form to determine if the disclosure form has been fully
 2858 completed and comparing the disclosures contained in any disclosure form filed by a lobbyist pursuant
 2859 to § 2.2-426 with other disclosure forms filed with the Council; ~~and be followed by requests for~~
 2860 ~~amendments to ensure the completeness of and correction of errors in the forms, if necessary; If a~~
 2861 ~~disclosure form is found to have not been filed or to have been incomplete as filed, the Council shall~~
 2862 ~~notify the filer in writing and direct the filer to file a completed disclosure form within a prescribed~~
 2863 ~~period of time.~~

2864 2. ~~Accept any disclosure forms by computer or electronic means in accordance with the standards~~
 2865 ~~approved by the Council and using software meeting standards approved by it. C. The Council shall~~
 2866 ~~require all disclosure forms be filed electronically and it shall provide software or electronic access for~~
 2867 ~~filing the required disclosure forms to all filers without charge and may. It shall prescribe the method of~~
 2868 ~~execution and certification of electronically filed forms, including the use of an electronic signature as~~
 2869 ~~authorized by the Uniform Electronic Transactions Act (§ 59.1-479 et seq.); and the procedures for~~
 2870 ~~receiving forms in the office of the Council;~~

2871 3. ~~D. Beginning July 1, 2015, the Council shall establish and maintain a searchable electronic~~
 2872 ~~database comprising disclosure forms properly filed pursuant to §§ 2.2-426, 2.2-3117, 2.2-3118, and~~
 2873 ~~30-111. Such database shall be available to the public through the Council's official website;~~

2874 4. ~~Furnish, upon request, formal advisory opinions or guidelines and other appropriate information,~~
 2875 ~~including informal advice, regarding ethics and conflicts issues arising under Article 3 or the Acts to any~~
 2876 ~~person or to any agency of state or local government, in an expeditious manner. Informal advice given~~
 2877 ~~by the Council is confidential, protected by the attorney-client privilege, and is excluded from the~~
 2878 ~~provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.);~~

2879 5. ~~Conduct training seminars and educational programs for lobbyists, state and local government~~
 2880 ~~officers and employees and legislators, and other interested persons on the requirements of Article 3 and~~
 2881 ~~the Acts and provide ethics orientation sessions for legislators in compliance with Article 6 (§ 30-129.1~~

2882 et seq.) of Chapter 13;

2883 6. Approve orientation courses conducted pursuant to § 2.2-3128 and, upon request, review the
2884 educational materials and approve any training or course on the requirements of Article 3 and the Acts
2885 conducted for state and local government officers and employees;

2886 7. Publish such educational materials as it deems appropriate on the provisions of Article 3 and the
2887 Acts;

2888 8. Review actions taken in the General Assembly with respect to the discipline of its members for
2889 the purpose of offering nonbinding advice;

2890 9. Request from any agency of state or local government such assistance, services, and information
2891 as will enable the Council to effectively carry out its responsibilities. Information provided to the
2892 Council by an agency of state or local government shall not be released to any other party unless
2893 authorized by such agency; and

2894 10. Report on or before December 1 of each year on its activities and findings regarding Article 3
2895 and the Acts, including recommendations for changes in the laws, to the General Assembly and the
2896 Governor. The annual report shall be submitted by the chairman as provided in the procedures of the
2897 Division of Legislative Automated Systems for the processing of legislative documents and reports and
2898 shall be published as a state document.

2899 **§ 30-356.1. Advisory opinions.**

2900 A. Upon the request of any person subject to the requirements of Article 3 or the Acts, the Council
2901 shall furnish informal advice or formal advisory opinions or guidance with respect to ethics, conflicts
2902 issues, or such person's duties under Article 3 or the Acts.

2903 B. Formal advisory opinions are public record and shall be published on the Council's website.
2904 Published formal advisory opinions may have such deletions and changes as may be necessary to
2905 protect the identity of the person involved. The informal advice given by the Council is confidential and
2906 excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

2907 C. No person shall be prosecuted, assessed a civil penalty, or otherwise disciplined for a violation of
2908 Article 3 or the Acts if the alleged violation resulted from his good faith reliance on a formal advisory
2909 opinion issued under this section and the opinion was issued after his full disclosure of the material
2910 facts.

2911 **§ 30-356.2. Waivers for travel and certain prohibited gifts.**

2912 A. The Council shall receive, review, and approve or deny requests for waivers submitted by persons
2913 required to file the disclosure form prescribed in § 2.2-3117 or 30-111 to accept any transportation,
2914 lodging, meal, hospitality, or other travel-related thing of value provided by a third party that exceeds
2915 the limitation prescribed in § 2.2-3103.1 or 30-103.1. A waiver shall not be required for acceptance of
2916 travel paid for or provided by the government of the United States, any of its territories, or another
2917 state in the United States or the political subdivision of such other state.

2918 B. The Council shall receive, review, and approve or deny requests for waivers submitted by persons
2919 required to file the disclosure form prescribed in § 2.2-3117 or 30-111 to accept any gift or combination
2920 of gifts provided by a personal friend that exceeds the limitation prescribed in § 2.2-3103.1 or 30-111.

2921 C. Within seven days of receipt of a request for a waiver, the Council shall approve or deny the
2922 waiver, unless additional information has been requested. If additional information has been requested,
2923 the Council shall approve or deny the waiver within seven days of receipt of such information. When
2924 reviewing the request for a waiver, the Council shall consider the purpose of the travel as it relates to
2925 the official duties of the requester. The Council may approve the waiver in whole or in part, which may
2926 include limiting the duration of the trip. Within 10 days of approving a request for a waiver, the
2927 Council shall post the waiver on its website.

2928 D. A request for a waiver pursuant to subsection A or B shall be on a form prescribed by the
2929 Council and made available on its website.

2930 1. The request required by subsection A shall include specific information regarding the travel,
2931 including a detailed agenda and estimated costs. All information included in the request will be subject
2932 to public disclosure.

2933 2. The request required by subsection B shall include specific information regarding the nature and
2934 length of friendship. This request shall be required for gifts provided to the spouse and dependent
2935 children of those persons required to file the disclosure form prescribed in §§ 2.2-3117 and 30-111.

2936 E. No person shall be prosecuted, assessed a civil penalty, or otherwise disciplined for acceptance of
2937 a gift or travel-related thing of value if he accepted such gift or travel-related thing of value after
2938 receiving a waiver under this section and the waiver was granted after his full disclosure of the material
2939 facts.

2940 F. The Council shall provide instructions for completing and submitting a request. It shall prescribe
2941 the procedures for receiving and reviewing requests for waivers and the standards for approving or
2942 denying waivers.

2943 **§ 30-356.3. Audits.**

2944 *The Council shall conduct a semiannual audit of a random sample of the disclosure forms filed*
2945 *pursuant to Article 3 and the Acts. This audit shall be performed by the Council in accordance with*
2946 *generally accepted auditing standards and shall review each disclosure form to determine (i) compliance*
2947 *with applicable disclosure requirements, (ii) compliance with applicable limitations on gifts, (iii) the*
2948 *accuracy of the information disclosed, and (iv) whether filing deadlines were met.*

2949 **§ 30-356.4. Other powers and duties; report.**

2950 *The Council shall:*

2951 *1. Conduct training seminars and educational programs for lobbyists, state and local government*
2952 *officers and employees, legislators, and other interested persons on the requirements of Article 3 and the*
2953 *Acts and provide ethics orientation sessions for legislators in compliance with Article 6 (§ 30-129.1 et*
2954 *seq.) of Chapter 13;*

2955 *2. Approve orientation courses conducted pursuant to § 2.2-3128 and, upon request, review the*
2956 *educational materials and approve any training or course on the requirements of Article 3 and the Acts*
2957 *conducted for state and local government officers and employees;*

2958 *3. Publish such educational materials as it deems appropriate on the provisions of Article 3 and the*
2959 *Acts;*

2960 *4. Review actions taken in the General Assembly with respect to the discipline of its members for the*
2961 *purpose of offering nonbinding advice;*

2962 *5. Request from any agency of state or local government such assistance, services, and information*
2963 *as will enable the Council to effectively carry out its responsibilities. Information provided to the*
2964 *Council by an agency of state or local government shall not be released to any other party unless*
2965 *authorized by such agency; and*

2966 *6. Report on or before December 1 of each year on its activities and findings regarding Article 3*
2967 *and the Acts, including recommendations for changes in the laws, to the General Assembly and the*
2968 *Governor. The annual report shall be submitted by the chairman as provided in the procedures of the*
2969 *Division of Legislative Automated Systems for the processing of legislative documents and reports and*
2970 *shall be published as a state document.*

2971 **§ 30-357. Staff.**

2972 *Staff assistance to the Council shall be provided by the Division of Legislative Services. Staff shall*
2973 *perform those duties assigned to it by the Council, including those duties enumerated in §§ 30-356*
2974 *through 30-356.4. The Council shall employ an executive director. The executive director shall be*
2975 *responsible for the administrative operations of the Council and shall perform other duties as may be*
2976 *delegated or assigned to him by the Council. The executive director shall hire such legal and*
2977 *administrative staff as he determines to be sufficient for carrying out the responsibilities of the Council.*

2978 **§ 30-358. Cooperation of agencies of state and local government.**

2979 *Every department, division, board, bureau, commission, authority, or political subdivision of the*
2980 *Commonwealth shall cooperate with, and provide such assistance to, the Council as the Council may*
2981 *request.*

2982 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
2983 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**
2984 **be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter**
2985 **2 of the Acts of Assembly of 2014, Special Session I, requires the Virginia Criminal Sentencing**
2986 **Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated**
2987 **amount of the necessary appropriation cannot be determined for periods of commitment to the**
2988 **custody of the Department of Juvenile Justice.**