

42 may authorize a designee to furnish formal opinions or informal advice. Formal advisory
43 opinions are public record and shall be published on the Council's website; however, no formal
44 advisory opinion furnished by a designee of the Council shall be available to the public or
45 published until such opinion has been approved by the Council. Published formal advisory
46 opinions may have such deletions and changes as may be necessary to protect the identity of the
47 person involved or other persons supplying information. Informal advice given by the Council or
48 the Council's designee is confidential and is excluded from the mandatory disclosure provisions
49 of the Virginia Freedom of Information Act (§ [2.2-3700](#) et seq.); however, if the recipient
50 invokes the immunity provisions of § [2.2-3121](#) or [30-124](#), the record of the request and the
51 informal advice given shall be deemed to be a public record and shall be released upon request.
52 Other records relating to formal advisory opinions or informal advice, including records of
53 requests, notes, correspondence, and draft versions of such opinions or advice, shall also be
54 confidential and excluded from the mandatory disclosure provisions of the Virginia Freedom of
55 Information Act;

56
57 7. Conduct training seminars and educational programs for lobbyists, state and local government
58 officers and employees, legislators, and other interested persons on the requirements of Article 3
59 and the Acts and provide training sessions for local elected officials in compliance with Article 9
60 (§ [2.2-3132](#)) of Chapter 31 of Title 2.2 and ethics orientation sessions for legislators in
61 compliance with Article 6 (§ [30-129.1](#) et seq.) of Chapter 13;

62
63 8. Approve orientation courses conducted pursuant to § [2.2-3128](#) and, upon request, review the
64 educational materials and approve any training or course on the requirements of Article 3 and the
65 Acts conducted for state and local government officers and employees;

66
67 9. Publish such educational materials as it deems appropriate on the provisions of Article 3 and
68 the Acts;

69 10. Review actions taken in the General Assembly with respect to the discipline of its members
70 for the purpose of offering nonbinding advice;

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

75
76 12. Redact from any document or form that is to be made available to the public any residential
77 address, personal telephone number, *email address*, or signature contained on that document or
78 form; and

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

84 Proposed Legislative Change: Specifically authorize the Council to provide guidance on
85 Virginia's "revolving door" statutes.

86

87 **§ 2.2-3104.02. Prohibited conduct for constitutional officers.**

88 In addition to the prohibitions contained in § 2.2-3103, no constitutional officer shall, during the
89 one year after the termination of his public service, act in a representative capacity on behalf of
90 any person or group, for compensation, on any matter before the agency of which he was an
91 officer.

92

93 The provisions of this section shall not apply to any attorney for the Commonwealth.

94 Any person subject to the provisions of this section may apply to the *Council or the* attorney for
95 the Commonwealth for the jurisdiction where such person was elected as provided in § 2.2-3126,
96 for an advisory opinion as to the application of the restriction imposed by this section on any
97 post-public employment position or opportunity.

98

99 **§ 30-103. Prohibited conduct.**

100 No legislator shall:

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

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

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

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

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

117

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

121

122 7. During the one year after the termination of his service as a legislator, represent a client or act
123 in a representative capacity on behalf of any person or group, for compensation, on any matter
124 before the General Assembly or any agency of the legislative branch of government. The
125 prohibitions of this subdivision shall apply only to persons engaged in activities that would
126 require registration as a lobbyist under § 2.2-422. Any person subject to the provisions of this
127 subdivision may apply to the *Council, as provided for in § 30-356, or the* Attorney General, as
128 provided in § 30-122, for an advisory opinion as to the application of the restriction imposed by
129 this subdivision on any post-public employment position or opportunity;

130
131 8. Accept any honoraria for any appearance, speech, or article in which the legislator provides
132 expertise or opinions related to the performance of his official duties. The term "honoraria" shall
133 not include any payment for or reimbursement to such person for his actual travel, lodging, or
134 subsistence expenses incurred in connection with such appearance, speech, or article or in the
135 alternative a payment of money or anything of value not in excess of the per diem deduction
136 allowable under § 162 of the Internal Revenue Code, as amended from time to time;

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

143
144 10. Accept a gift from a person who has interests that may be substantially affected by the
145 performance of the legislator's official duties under circumstances where the timing and nature of
146 the gift would cause a reasonable person to question the legislator's impartiality in the matter
147 affecting the donor. Violations of this subdivision shall not be subject to criminal law penalties;
148 or

149
150 11. Accept gifts from sources on a basis so frequent as to raise an appearance of the use of his
151 public office for private gain. Violations of this subdivision shall not be subject to criminal law
152 penalties.

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