

# The Disclosure Requirements for Local Officials Who Perform the Duties of Constitutional Officers

July 18, 2017



**VIRGINIA**  
CONFLICT OF INTEREST AND  
ETHICS ADVISORY COUNCIL

# Overview



VIRGINIA  
CONFLICT OF INTEREST AND  
ETHICS ADVISORY COUNCIL

- Background
- Policy Question
- Discussion



# Background

# Background

- Currently, five localities have abolished the constitutional offices of treasurer and commissioner of revenue, replacing these offices with an appointed finance director, who receives compensation from the Compensation Board:
  - Albemarle, Alexandria, Fairfax, Henrico, and Prince William.
  - The City of Richmond is similar, but has only abolished the office of commissioner of revenue.

# Background

- Pursuant to Va. Code § 2.2-3116, constitutional officers file their statements of economic interests electronically with the Council.
- Pursuant to Va. Code § 2.2-3115, those local officers who are required to file a statement of economic interests file them with the clerk of the governing body for that locality.

# Policy Question



VIRGINIA  
CONFLICT OF INTEREST AND  
ETHICS ADVISORY COUNCIL

- Should the finance directors in those six localities file their statements of economic interests with their localities, or with the Council?
  - They perform all of the duties of the constitutional offices which their positions have replaced.
  - However, they are local officials, not popularly elected, and are hired by and subordinate to their local government.
- NOTE: If the recommendation is that these officials should file electronically with the Council, Va. Code § 2.2-3116 should probably be amended.



VIRGINIA  
CONFLICT OF INTEREST AND  
ETHICS ADVISORY COUNCIL

# Discussion