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HOUSE BILL NO. 2070**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the Joint Conference Committee
on February 27, 2015)

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

A *BILL to amend and reenact §§ 2.2-115, 2.2-206.2, 2.2-419, 2.2-420, 2.2-424, 2.2-426, 2.2-430, 2.2-431, 2.2-3101, 2.2-3103.1, 2.2-3104, 2.2-3104.01, 2.2-3106, 2.2-3114 through 2.2-3118, 2.2-3121, 2.2-3124, 30-101, 30-103.1, 30-110, 30-111, 30-124, 30-126, 30-355, and 30-356 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-3103.2, by adding in Article 2 of Chapter 13 of Title 30 a section numbered 30-103.2, and by adding a section numbered 30-356.1, relating to the State and Local Government Conflict of Interests Act, the General Assembly Conflicts of Interests Act, and the Virginia Conflict of Interest and Ethics Advisory Council; certain gifts prohibited; approvals required for certain travel.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-115, 2.2-206.2, 2.2-419, 2.2-420, 2.2-424, 2.2-426, 2.2-430, 2.2-431, 2.2-3101, 2.2-3103.1, 2.2-3104, 2.2-3104.01, 2.2-3106, 2.2-3114 through 2.2-3118, 2.2-3121, 2.2-3124, 30-101, 30-103.1, 30-110, 30-111, 30-124, 30-126, 30-355, and 30-356 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 2.2-3103.2, by adding in Article 2 of Chapter 13 of Title 30 a section numbered 30-103.2, and by adding a section numbered 30-356.1 as follows:

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

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

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

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

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

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

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

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

Beginning with the five fiscal years from fiscal year 2006-2007 through fiscal year 2010-2011, and for every five fiscal years' period thereafter, in general, no less than one-third of the moneys appropriated to the Fund in every such five-year period shall be awarded to counties and cities having

60 an annual average unemployment rate that is greater than the final statewide average unemployment rate
61 for the calendar year that immediately precedes the calendar year of the award. However, if such
62 one-third requirement will not be met because economic development prospects in such counties and
63 cities are unable to fulfill the applicable minimum private investment and new jobs requirements set
64 forth in this section, then any funds remaining in the Fund at the end of the five-year period that would
65 have otherwise been awarded to such counties and cities shall be made available for awards in the next
66 five fiscal years' period.

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

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

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

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

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

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

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

119 F. 1. The Virginia Economic Development Partnership shall assist the Governor in developing
120 objective guidelines and criteria that shall be used in awarding grants or making loans from the Fund.
121 The guidelines may require that as a condition of receiving any grant or loan incentive that is based on

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

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

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

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

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

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

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

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

182 4. Notwithstanding any provision in this section or in the guidelines, a political subdivision shall not

183 expend, distribute, pledge, use as security, or otherwise use any award from the Fund unless and until
 184 such contract as described herein is executed with the business beneficiary.

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

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

204 *I. Any person or entity submitting an application for a grant or loan from the Fund shall certify, on*
 205 *a form acceptable to the Virginia Economic Development Partnership, that it shall not provide any*
 206 *contribution, gift, or other item with a value greater than \$100 to the Governor or to his campaign*
 207 *committee or a political action committee established on his behalf during (i) the period in which the*
 208 *person or entity's application for such award is pending and (ii) the one-year period immediately after*
 209 *any such award is made. Any person or entity who so certifies and who receives an award from the*
 210 *Fund shall repay, if such person or entity provided or provides such a contribution, gift, or other item*
 211 *of value during these periods, the amount of the award received within 90 days after receipt of written*
 212 *notice from the Virginia Economic Development Partnership. In addition, any person or entity that*
 213 *knowingly provided or provides such a contribution, gift, or other item of value during these periods in*
 214 *violation of this subsection shall be subject to a civil penalty of \$500 or up to two times the amount of*
 215 *the contribution or gift, whichever is greater, and the contribution, gift, or other item shall be returned*
 216 *to the donor. The attorney for the Commonwealth shall initiate civil proceedings to enforce the civil*
 217 *penalties. Any civil penalties collected shall be payable to the State Treasurer for deposit to the general*
 218 *fund and shall be used exclusively to fund the Virginia Conflict of Interest and Ethics Advisory Council.*
 219 *For purposes of this subsection, "entity" includes individuals who are officers, directors, or owners of or*
 220 *who have a controlling ownership interest in such entity.*

221 **§ 2.2-206.2. Economic incentive grant programs; responsibilities of the Secretary.**

222 A. By July 15 of each year, the agencies listed in subdivisions B 1 through 7 shall report the
 223 information outlined in subsection C to the Secretary of Commerce and Trade for the three prior
 224 calendar or fiscal years, as applicable, so that the Secretary may develop and issue a report on the
 225 effectiveness of economic development incentive grant programs administered by the Commonwealth in
 226 meeting performance goals and stimulating economic activity.

227 By September 15 of each year, the Secretary shall submit the draft report to the Joint Legislative
 228 Audit and Review Commission for its review of the accuracy of the information contained in the report
 229 and the effectiveness of the evaluation methods.

230 The Joint Legislative Audit and Review Commission shall provide its comments on the content of
 231 the report and the Secretary's analysis to the Secretary, and such comments shall be included as an
 232 appendix to the final report, which shall be submitted to the Chairmen of the House Appropriations and
 233 Senate Finance Committees by November 15 of each year.

234 B. The report shall include a review of allocations from the following economic development
 235 incentive programs and funds for the previous three calendar or fiscal years, as applicable, as follows:

236 1. Virginia Economic Development Partnership: Advanced Shipbuilding Training Facility Grant
 237 Program, Aerospace Engine Manufacturing Performance Grant Program, Clean Energy Manufacturing
 238 Incentive Grant Program, Governor's Commonwealth's Development Opportunity Fund, Investment
 239 Partnership Grant subfund, Major Eligible Employer Grant subfund, Semiconductor Memory or Logic
 240 Wafer Manufacturing Performance Grant Program, Specialized Biotechnology Research Performance
 241 Grant Program, Economic Development Incentive Grant subfund, and any customized incentive grants;

242 2. Virginia Economic Development Partnership Authority: Virginia Jobs Investment Program;

243 3. Department of Housing and Community Development: Enterprise Zone Job Creation and Real
 244 Property Investment Grant Programs;

245 4. Tobacco Indemnification and Community Revitalization Commission: Tobacco Region Opportunity
246 Fund;

247 5. Virginia Tourism Authority: Governor's Motion Picture Opportunity Fund;

248 6. Virginia Port Authority: Port of Virginia Economic and Infrastructure Development Grant
249 Program; and

250 7. Innovation and Entrepreneurship Investment Authority: Growth Acceleration Program.

251 C. The report shall assess the effectiveness of allocations made for each program listed in subsection
252 B. Each agency administering programs outlined in subsection B shall submit the applicable data
253 regarding jobs, wages, capital investment, and any other related information requested by the Secretary
254 of Commerce and Trade for purposes of evaluating economic development incentive programs in
255 meeting their performance goals and stimulating economic activity.

256 For each program, the report shall include (i) an explanation of the overall goals of the program,
257 describing whether the program is focused on job creation and capital investment or investments are
258 governed by ancillary goals of community development and revitalization or the development of a
259 particular industry sector in the Commonwealth; (ii) for each of the previous three calendar or fiscal
260 years, as applicable, summary information, including the total amount of grant funding made available
261 for the program, the total dollar amount of the grants awarded, the total number of grants awarded, the
262 average dollar amount approved per job and average wage expected, where applicable, and any grant
263 amounts repaid; (iii) for each of the three previous calendar or fiscal years, as applicable, for projects
264 that have reached completion or a performance milestone, an aggregate comparison of the projects'
265 performance measures, including the actual number of jobs created, the actual average wages paid, and
266 the actual amount of capital investment, with the expected number of jobs, assumed average wage, and
267 planned capital investment when the grant awards were made, and the proportion of projects that met or
268 exceeded the project-specific goals relevant to the program; (iv) for each of the three previous calendar
269 or fiscal years, as applicable, for all projects that have reached completion or a performance milestone,
270 an aggregate assessment of the projects' actual rate of return on the Commonwealth's investment
271 compared with the expected rate of return when the grant awards were made; (v) for each of the three
272 previous calendar or fiscal years, as applicable, for all projects that have reached completion or a
273 performance milestone, an aggregate estimate of the projects' total economic impact measured by the
274 Virginia Economic Development Partnership Authority on the basis of estimated state tax revenues
275 generated directly or indirectly by the projects, where applicable; and (vi) for all projects that reached
276 completion five calendar or fiscal years, as applicable, prior to the year of the report, an aggregate final
277 comparison of jobs reported by companies at the time of completion and jobs at the end of the most
278 recent calendar year, and an aggregate final comparison of the projects' rate of return at the time of
279 completion and a five-year rate of return based on the most recent job levels.

280 **§ 2.2-419. Definitions.**

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

282 "Anything of value" means:

- 283 1. A pecuniary item, including money, or a bank bill or note;
- 284 2. A promissory note, bill of exchange, order, draft, warrant, check, or bond given for the payment
285 of money;
- 286 3. A contract, agreement, promise, or other obligation for an advance, conveyance, forgiveness of
287 indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money;
- 288 4. A stock, bond, note, or other investment interest in an entity;
- 289 5. A receipt given for the payment of money or other property;
- 290 6. A right in action;
- 291 7. A gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel;
- 292 8. A loan or forgiveness of indebtedness;
- 293 9. A work of art, antique, or collectible;
- 294 10. An automobile or other means of personal transportation;
- 295 11. Real property or an interest in real property, including title to realty, a fee simple or partial
296 interest, present or future, contingent or vested within realty, a leasehold interest, or other beneficial
297 interest in realty;
- 298 12. An honorarium or compensation for services;
- 299 13. A rebate or discount in the price of anything of value unless the rebate or discount is made in
300 the ordinary course of business to a member of the public without regard to that person's status as an
301 executive or legislative official, or the sale or trade of something for reasonable compensation that
302 would ordinarily not be available to a member of the public;
- 303 14. A promise or offer of employment; or
- 304 15. Any other thing of value that is pecuniary or compensatory in value to a person.
- 305 "Anything of value" does not mean a campaign contribution properly received and reported pursuant

306 to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2.

307 "Compensation" means:

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

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

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

315 "*Council*" means the Virginia Conflict of Interest and Ethics Advisory Council established in
316 § 30-355.

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

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

324 "Executive official" means:

325 1. The Governor;

326 2. The Lieutenant Governor;

327 3. The Attorney General;

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

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

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

334 "Expenditure" means:

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

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

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

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

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

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

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

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

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

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

361 "Gift" does not mean:

362 1. Printed informational or promotional material;

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

366 3. A gift, devise, or inheritance from an individual's spouse, child, parent, grandparent, brother, sister,
367 parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin or the spouse of

368 that individual, if the donor is not acting as the agent or intermediary for someone other than a person
369 covered by this subdivision; or

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

371 5. Any offer of a ticket, coupon, or other admission or pass unless the ticket, coupon, admission, or
372 pass is used;

373 6. Any food or beverages provided to an individual at an event at which the individual is performing
374 official duties related to his public service;

375 7. Any food and beverages received at or registration or attendance fees waived for any event at
376 which the individual is a featured speaker, presenter, or lecturer;

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

379 9. Any gift from an individual's spouse, child, uncle, aunt, niece, nephew, or first cousin; a person to
380 whom the donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild,
381 brother, sister, step-parent, step-grandparent, step-grandchild, step-brother, or step-sister; or the donee's
382 brother's or sister's spouse;

383 10. Travel provided to facilitate attendance by a legislator at a regular or special session of the
384 General Assembly, a meeting of a legislative committee or commission, or a national conference where
385 attendance is approved by the House or Senate Committee on Rules; or

386 11. Travel related to an official meeting of the Commonwealth, its political subdivisions, or any
387 board, commission, authority, or other entity, or any charitable organization established pursuant to
388 § 501(c)(3) of the Internal Revenue Code affiliated with such entity, to which such person has been
389 appointed or elected or is a member by virtue of his office or employment.

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

392 "Legislative action" means:

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

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

398 3. Action by the General Assembly in overriding or sustaining a veto by the Governor, considering
399 amendments recommended by the Governor, or considering, confirming, or rejecting an appointment of
400 the Governor.

401 "Legislative official" means:

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

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

405 3. Persons employed by the General Assembly or an entity established by and responsible to the
406 General Assembly.

407 "Lobbying" means:

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

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

411 "Lobbying" does not mean:

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

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

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

417 4. Communications between an association and its members and communications between a principal
418 and its lobbyists.

419 "Lobbyist" means:

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

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

425 3. A local government employee who lobbies.

426 "Lobbyist's principal" or "principal" means the entity on whose behalf the lobbyist influences or
427 attempts to influence executive or legislative action. An organization whose employees conduct lobbying
428 activities on its behalf is both a principal and an employer of the lobbyists. In the case of a coalition or

429 association that employs or retains others to conduct lobbying activities on behalf of its membership, the
 430 principal is the coalition or association and not its individual members.

431 "Local government" means:

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

433 2. Any school division;

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

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

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

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

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

445 "*Secretary*" means the Secretary of the Commonwealth.

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

449 "*Widely attended event*" means an event at which at least 25 persons have been invited to attend or
 450 there is a reasonable expectation that at least 25 persons will attend the event and the event is open to
 451 the public or is open to individuals (i) who share a common interest, (ii) who are members of a public,
 452 civic, charitable, or professional organization, (iii) who are from a particular industry or profession, or
 453 (iv) who represent persons interested in a particular issue.

454 **§ 2.2-420. Exemptions.**

455 The registration and reporting provisions of this article shall not apply to:

456 1. The Governor, Lieutenant Governor, Attorney General, and their immediate staffs or the
 457 Governor's Secretaries and their immediate staffs, acting in an official capacity;

458 2. Members of the General Assembly and other legislative officials and legislative employees acting
 459 in an official capacity;

460 3. Local elected officials acting in an official capacity;

461 4. Any employee of a state executive agency acting in an official capacity;

462 5. A duly elected or appointed official or employee of the United States acting in an official
 463 capacity;

464 6. An individual who limits lobbying solely to (i) formal testimony before a public meeting of an
 465 executive agency or legislative body and registers the appearance in the records of the agency or body
 466 and (ii) testimony and information compelled by action of an executive agency or legislative body;

467 7. A person who receives \$500 or less in compensation and reimbursements, excluding personal
 468 living and travel expenses that are not reimbursed from any other source, in a calendar year for his
 469 lobbying activities;

470 8. A person who receives no compensation or anything of value for lobbying, and does not expend
 471 more than \$500, excluding personal living and travel expenses that are not reimbursed from any other
 472 source, in lobbying in the calendar year; or

473 9. An employee of a business, other entity, or local government whose job duties do not regularly
 474 include ~~influencing or attempting to influence legislative or executive action~~ lobbying.

475 **§ 2.2-424. Registration fees.**

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

479 **§ 2.2-426. Lobbyist reporting; penalty.**

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

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

488 C. The report shall be on a form provided by the ~~Virginia Conflict of Interest and Ethics Advisory~~
 489 ~~Council~~, which shall be substantially as follows *similar to the following* and shall be accompanied by
 490 instructions provided by the Council. *All reports shall be submitted electronically and in accordance*

491 with the standards approved by the Council pursuant to the provisions of § 30-356.

492 LOBBYIST'S DISCLOSURE STATEMENT

493 PART I:

494 (1) PRINCIPAL: _____

495 In Part I, item 2a, provide the name of the individual
496 authorizing your employment as a lobbyist. The lobbyist filing
497 this statement MAY NOT list his name in item 2a.

498 (2a) Name: _____

499 (2b) Permanent Business Address: _____

500 (2c) Business Telephone: _____

501 (3) Provide a list of executive and legislative actions (with as
502 much specificity as possible) for which you lobbied and a
503 description of activities conducted.

504 _____

505 _____

506 _____

507 (4) INCORPORATED FILINGS: If you are filing an incorporated
508 disclosure statement, please complete the following:

509 Individual filing financial information: _____

510 Individuals to be included in the filing: _____

511 _____

512 (5) Please indicate which schedules will be attached to your
513 disclosure statement:

514 [] Schedule A: Entertainment Expenses

515 [] Schedule B: Gifts

516 [] Schedule C: Other Expenses

517 (6) EXPENDITURE TOTALS:

518 a) ENTERTAINMENT \$ _____

519 b) GIFTS \$ _____

520 c) COMMUNICATIONS \$ _____

521 d) PERSONAL LIVING AND TRAVEL EXPENSES \$ _____

522 e) COMPENSATION OF LOBBYISTS \$ _____

523 f) HONORARIA \$ _____

524 g) OTHER \$ _____

525 TOTAL \$ _____

526 PART II:

527 (1a) NAME OF LOBBYIST: _____

528 (1b) Permanent Business Address: _____

529 (1c) Business Telephone: _____

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

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

532 [] RETAINED (not on the payroll of the principal, however
533 compensated)

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

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

537 _____

538 _____

539 _____

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

542 _____

543 PLEASE NOTE: Some lobbyists are not individually compensated for
544 lobbying activities. This may occur when several members of a firm
545 represent a single principal. The principal, in turn, makes a single
546 payment to the firm. If this describes your situation, do not answer

547 Part II, items 5a and 5b. Instead, complete Part III, items 1 and 2.

548 (5a) What was the DOLLAR AMOUNT OF YOUR COMPENSATION as a lobbyist?

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

553 (5b) Explain how you arrived at your answer to Part II, item 5a.

554 _____
555 _____
556 _____

557 PART III:

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

560 (1) List all members of your firm, organization, association,
561 corporation, or other entity who furnished lobbying services to
562 your principal.

563 _____
564 _____
565 _____

566 (2) Indicate the total amount paid to your firm, organization,
567 association, corporation or other entity for services rendered.
568 Transfer your answer to this item to Part I, item 6e_____

569 SCHEDULE A

570 ENTERTAINMENT EXPENSES

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

575 Date and Location of Event:

576 _____
577 _____

578 Description of Event (*including whether or not it meets the criteria*
579 *of a widely attended event*):

580 _____
581 _____

582 Total Number of Persons Attending:

583

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

587 _____
588 _____
589 _____
590 _____

591 Food \$ _____

592 Beverages \$ _____

593 Transportation of Legislative and Executive Officials
594 or Members of Their Immediate Families \$ _____

595 Lodging of Legislative and Executive Officials or
596 Members of Their Immediate Families \$ _____

597 Performers, Speakers, Etc. \$ _____

598 Displays \$ _____

599 Rentals \$ _____

600 Service Personnel \$ _____

601 Miscellaneous \$ _____

602 TOTAL \$ _____

603 SCHEDULE B

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GIFTS

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

Date of gift:	Description of gift:	Name of each legislative or executive official or member of his immediate family who is a recipient of a gift:	Cost of individual gift:
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
TOTAL COST TO PRINCIPAL			\$ _____

SCHEDULE C
OTHER EXPENSES

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

DATE OF EXPENSE	DESCRIPTION OF EXPENSE	AMOUNT
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
TOTAL "OTHER" EXPENSES		\$ _____

PART IV: STATEMENTS

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

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

STATEMENT OF LOBBYIST

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

Signature of lobbyist

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Date

STATEMENT OF PRINCIPAL

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

Signature of principal

Date

D. A person who ~~signs~~ knowingly and intentionally makes a false statement of a material fact on the disclosure statement knowing it to contain a material misstatement of fact is guilty of a Class 5 felony.

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

§ 2.2-430. Termination.

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

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

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

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

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

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

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

§ 2.2-3101. Definitions.

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

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

"Affiliated business entity relationship" means a relationship, other than a parent-subsidary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that may be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person owns or manages the two entities, there are common or commingled funds

721 or assets, the business entities share the use of the same offices or employees, or otherwise share
722 activities, resources or personnel on a regular basis, or there is otherwise a close working relationship
723 between the entities.

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

727 "*Candidate*" means a person who seeks or campaigns for an office of the Commonwealth or one of
728 its governmental units in a general, primary, or special election and who is qualified to have his name
729 placed on the ballot for the office. The candidate shall become subject to the provisions of this chapter
730 upon the filing of a statement of qualification pursuant to § 24.2-501. The State Board of Elections or
731 general registrar shall notify each such candidate of the provisions of this chapter. Notification made by
732 the general registrar shall consist of information developed by the State Board of Elections.

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

738 "Council" means the Virginia Conflict of Interest and Ethics Advisory Council established in
739 § 30-355.

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

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

746 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item
747 having monetary value. It includes services as well as gifts of transportation, local travel, lodgings and
748 meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the
749 expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission
750 or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic,
751 merit, or need-based scholarship or any other financial aid awarded by a public or private school,
752 institution of higher education, or other educational program pursuant to such school, institution, or
753 program's financial aid standards and procedures applicable to the general public; (iv) a campaign
754 contribution properly received and reported pursuant to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;
755 (v) any gift related to the private profession or occupation of an officer or employee or of a member of
756 his immediate family; ~~or~~ (vi) *food or beverages consumed while attending an event at which the filer is*
757 *performing official duties related to his public service;* (vii) *food and beverages received at or*
758 *registration or attendance fees waived for any event at which the filer is a featured speaker, presenter,*
759 *or lecturer;* (viii) *unsolicited awards of appreciation or recognition in the form of a plaque, trophy, wall*
760 *memento, or similar item that is given in recognition of public, civic, charitable, or professional service;*
761 *(ix) a devise or inheritance;* (x) *travel disclosed pursuant to the Campaign Finance Disclosure Act*
762 *(§ 24.2-945 et seq.); (xi) travel paid for or provided by the government of the United States, any of its*
763 *territories, or any state or any political subdivision of such state;* (xii) *travel provided to facilitate*
764 *attendance by a legislator at a regular or special session of the General Assembly, a meeting of a*
765 *legislative committee or commission, or a national conference where attendance is approved by the*
766 *House or Senate Committee on Rules;* (xiii) *travel related to an official meeting of the Commonwealth,*
767 *its political subdivisions, or any board, commission, authority, or other entity, or any charitable*
768 *organization established pursuant to § 501(c)(3) of the Internal Revenue Code affiliated with such entity,*
769 *to which such person has been appointed or elected or is a member by virtue of his office or*
770 *employment;* or (xiv) gifts from relatives or personal friends. For the purpose of this definition, "relative"
771 means the donee's spouse, child, uncle, aunt, niece, ~~or~~ nephew, or *first cousin;* a person to whom the
772 donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother, ~~or~~
773 sister, *step-parent, step-grandparent, step-grandchild, step-brother, or step-sister;* or the donee's brother's
774 or sister's spouse. For the purpose of this definition, "personal friend" does not include any person that
775 the filer knows or has reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et
776 seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's principal as defined in § 2.2-419; (c) for an officer or
777 employee of a local governmental or advisory agency, a person, organization, or business who is a party
778 to or is seeking to become a party to a contract with the local agency of which he is an officer or an
779 employee; or (d) for an officer or employee of a state governmental or advisory agency, a person,
780 organization, or business who is a party to or is seeking to become a party to a contract with the
781 Commonwealth. For purposes of this definition, "person, organization, or business" includes individuals

782 who are officers, directors, or owners of or who have a controlling ownership interest in such
783 organization or business.

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

789 "Immediate family" means (i) a spouse and (ii) any ~~child~~ *other person* who resides in the same
790 household as the officer or employee and who is a dependent of the officer or employee.

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

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

796 "Personal interest" means a financial benefit or liability accruing to an officer or employee or to a
797 member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the
798 ownership interest exceeds three percent of the total equity of the business; (ii) annual income that
799 exceeds, or may reasonably be anticipated to exceed, \$5,000 from ownership in real or personal property
800 or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or
801 any combination thereof, paid or provided by a business or governmental agency that exceeds, or may
802 reasonably be anticipated to exceed, \$5,000 annually; (iv) ownership of real or personal property if the
803 interest exceeds \$5,000 in value and excluding ownership in a business, income, or salary, other
804 compensation, fringe benefits or benefits from the use of property; (v) personal liability incurred or
805 assumed on behalf of a business if the liability exceeds three percent of the asset value of the business;
806 or (vi) an option for ownership of a business or real or personal property if the ownership interest will
807 consist of clause (i) or (iv) above.

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

811 "Personal interest in a transaction" means a personal interest of an officer or employee in any matter
812 considered by his agency. Such personal interest exists when an officer or employee or a member of his
813 immediate family has a personal interest in property or a business or governmental agency, or represents
814 or provides services to any individual or business and such property, business or represented or served
815 individual or business (i) is the subject of the transaction or (ii) may realize a reasonably foreseeable
816 direct or indirect benefit or detriment as a result of the action of the agency considering the transaction.
817 Notwithstanding the above, such personal interest in a transaction shall not be deemed to exist where (a)
818 an elected member of a local governing body serves without remuneration as a member of the board of
819 trustees of a not-for-profit entity and such elected member or member of his immediate family has no
820 personal interest related to the not-for-profit entity or (b) an officer, employee, or elected member of a
821 local governing body is appointed by such local governing body to serve on a governmental agency, or
822 an officer, employee, or elected member of a separate local governmental agency formed by a local
823 governing body is appointed to serve on a governmental agency, and the personal interest in the
824 transaction of the governmental agency is the result of the salary, other compensation, fringe benefits, or
825 benefits provided by the local governing body or the separate governmental agency to the officer,
826 employee, elected member, or member of his immediate family.

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

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

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

834 § 2.2-3103.1. Certain gifts prohibited.

835 A. For purposes of this section:

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

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

844 intangible gift.

845 *"Person, organization, or business" includes individuals who are officers, directors, or owners of or*
846 *who have a controlling ownership interest in such organization or business.*

847 *"Widely attended event" means an event at which at least 25 persons have been invited to attend or*
848 *there is a reasonable expectation that at least 25 persons will attend the event and the event is open to*
849 *the public or is open to individuals (i) who share a common interest, (ii) who are members of a public,*
850 *civic, charitable, or professional organization, (iii) who are from a particular industry or profession, or*
851 *(iv) who represent persons interested in a particular issue.*

852 B. ~~A~~ *No officer or employee of a local governmental or advisory agency or candidate required to*
853 *file the disclosure form prescribed in § 2.2-3117 (i) shall not solicit, accept, or receive within any*
854 *calendar year any single tangible gift with a value in excess of \$250 or a combination of tangible gifts*
855 *with an aggregate value in excess of \$250 from any person that he knows or has reason to know is (a) a*
856 *lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4; (b) a lobbyist's principal as*
857 *defined in § 2.2-419; or (c) a person, organization, or business who is a party to or is seeking to become*
858 *a party to a contract with the local agency of which he is an officer or an employee; (ii) shall report any*
859 *tangible gift with a value of \$250 or less or any intangible gift received from any person listed in clause*
860 *(i) on Schedule E of such disclosure form; and (iii) shall report any payments for talks, meetings, and*
861 *publications on Schedule D of such disclosure form or a member of his immediate family shall solicit,*
862 *accept, or receive any single gift for himself or a member of his immediate family with a value in excess*
863 *of \$100 from any person that he or a member of his immediate family knows or has reason to know is*
864 *(i) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4; (ii) a lobbyist's principal*
865 *as defined in § 2.2-419; or (iii) a person, organization, or business who is or is seeking to become a*
866 *party to a contract with the local agency of which he is an officer or employee.*

867 C. ~~A~~ *No officer or employee of a state governmental or advisory agency or candidate required to*
868 *file the disclosure form prescribed in § 2.2-3117 (i) shall not solicit, accept, or receive within any*
869 *calendar year any single tangible gift with a value in excess of \$250 or a combination of tangible gifts*
870 *with an aggregate value in excess of \$250 from any person that he knows or has reason to know is (a) a*
871 *lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4; (b) a lobbyist's principal as*
872 *defined in § 2.2-419; or (c) a person, organization, or business who is a party to or is seeking to become*
873 *a party to a contract with the Commonwealth; (ii) shall report any tangible gift with a value of \$250 or*
874 *less or any intangible gift received from any person listed in clause (i) on Schedule E of such disclosure*
875 *form; and (iii) shall report any payments for talks, meetings, and publications on Schedule D of such*
876 *disclosure form or a member of his immediate family shall solicit, accept, or receive any single gift any*
877 *single gift for himself or a member of his immediate family with a value in excess of \$100 from any*
878 *person that he or a member of his immediate family knows or has reason to know is (i) a lobbyist*
879 *registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4; (ii) a lobbyist's principal as defined in*
880 *§ 2.2-419; or (iii) a person, organization, or business who is or is seeking to become a party to a*
881 *contract with the state governmental or advisory agency of which he is an officer or an employee or*
882 *over which he has the authority to direct such agency's activities.*

883 D. *Notwithstanding the provisions of subsections B and C, such officer, employee, or candidate or a*
884 *member of his immediate family may accept or receive a gift of food and beverages with a value in*
885 *excess of \$100 when such gift is accepted or received while in attendance at a widely attended event.*
886 *Such gifts shall be reported on the disclosure form prescribed in § 2.2-3117.*

887 E. *Notwithstanding the provisions of subsections B and C, such officer or employee or a member of*
888 *his immediate family may accept or receive a gift from a foreign dignitary with a value exceeding \$100*
889 *for which the fair market value or a gift of greater or equal value has not been provided or exchanged.*
890 *Such gift shall be accepted on behalf of the Commonwealth or a locality and archived in accordance*
891 *with guidelines established by the Library of Virginia. Such gift shall be disclosed as having been*
892 *accepted on behalf of the Commonwealth or a locality, but the value of such gift shall not be required*
893 *to be disclosed.*

894 F. *Notwithstanding the provisions of subsection B or C, such officer, employee, or candidate or a*
895 *member of his immediate family may accept or receive certain gifts with a value in excess of \$100 from*
896 *a person listed in subsection B or C if such gift was provided to such officer, employee, or candidate or*
897 *a member of his immediate family on the basis of a personal friendship. Notwithstanding any other*
898 *provision of law, a person listed in subsection B or C may be a personal friend of such officer,*
899 *employee, or candidate or his immediate family for purposes of this subsection. In determining whether*
900 *a person listed in subsection B or C is a personal friend, the following factors shall be considered: (i)*
901 *the circumstances under which the gift was offered; (ii) the history of the relationship between the*
902 *person and the donor, including the nature and length of the friendship and any previous exchange of*
903 *gifts between them; (iii) to the extent known to the person, whether the donor personally paid for the*
904 *gift or sought a tax deduction or business reimbursement for the gift; and (iv) whether the donor has*

905 *given the same or similar gifts to other persons required to file the disclosure form prescribed in*
 906 *§ 2.2-3117 or 30-111.*

907 *G. Notwithstanding the provisions of subsections B and C, such officer, employee, or candidate or a*
 908 *member of his immediate family may accept or receive gifts of travel, including travel-related*
 909 *transportation, lodging, hospitality, food or beverages, or other thing of value, with a value in excess of*
 910 *\$100 that is paid for or provided by a person listed in subsection B or C when the officer, employee, or*
 911 *candidate has submitted a request for approval of such travel to the Council and has received the*
 912 *approval of the Council pursuant to § 30-356.1. Such gifts shall be reported on the disclosure form*
 913 *prescribed in § 2.2-3117.*

914 *H. During the pendency of a civil action in any state or federal court to which the Commonwealth is*
 915 *a party, the Governor or the Attorney General or any employee of the Governor or the Attorney General*
 916 *who is subject to the provisions of this chapter shall not solicit, accept, or receive any tangible gift from*
 917 *any person that he knows or has reason to know is a person, organization, or business who that is a*
 918 *party to such civil action. A person, organization, or business who that is a party to such civil action*
 919 *shall not knowingly give any tangible gift to the Governor or the Attorney General or any of their*
 920 *employees who are subject to the provisions of this chapter.*

921 *E. 1. The ~~\$250~~ \$100 limitation imposed in accordance with this section shall be adjusted by the*
 922 *Council every five years, as of January 1 of that year, in an amount equal to the annual increases for*
 923 *that five-year period in the United States Average Consumer Price Index for all items, all urban*
 924 *consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor,*
 925 *rounded to the nearest whole dollar.*

926 *F. For purposes of this section, "person, organization, or business" includes individuals who are*
 927 *officers, directors, or owners of or who have a controlling ownership interest in such organization or*
 928 *business.*

929 **§ 2.2-3103.2. Return of gifts.**

930 *No person shall be in violation of any provision of this chapter prohibiting the acceptance of a gift if*
 931 *(i) the gift is not used by such person and the gift or its equivalent in money is returned to the donor or*
 932 *delivered to a charitable organization within a reasonable period of time upon the discovery of the*
 933 *value of the gift and is not claimed as a charitable contribution for federal income tax purposes or (ii)*
 934 *consideration is given by the donee to the donor for the value of the gift within a reasonable period of*
 935 *time upon the discovery of the value of the gift provided that such consideration reduces the value of*
 936 *the gift to an amount not in excess of \$100 as provided in subsection B or C of § 2.2-3103.1.*

937 **§ 2.2-3104. Prohibited conduct for certain officers and employees of state government.**

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

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

951 *To the extent this prohibition applies to the Governor's Secretaries, "agency" means all agencies*
 952 *assigned to the Secretary by law or by executive order of the Governor.*

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

956 **§ 2.2-3104.01. Prohibited conduct; bids or proposals under the Virginia Public Procurement**
 957 **Act, Public-Private Transportation Act, and Public-Private Education Facilities and Infrastructure**
 958 **Act; loans or grants from the Commonwealth's Development Opportunity Fund.**

959 *A. Neither the Governor, his political action committee, or the Governor's Secretaries, if the*
 960 *Secretary is responsible to the Governor for an executive branch agency with jurisdiction over the*
 961 *matters at issue, shall knowingly solicit or accept a contribution, gift, or other item with a value greater*
 962 *than \$50 from any bidder, offeror, or private entity, or from an officer or director of such bidder,*
 963 *offeror, or private entity, who has submitted a bid or proposal to an executive branch agency that is*
 964 *directly responsible to the Governor pursuant to the Virginia Public Procurement Act (§ 2.2-4300 et*
 965 *seq.), the Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq.), or the Public-Private*
 966 *Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.) (i) during the period between the*

967 submission of the bid and the award of the public contract under the Virginia Public Procurement Act or
968 (ii) following the submission of a proposal under the Public-Private Transportation Act of 1995 or the
969 Public-Private Education Facilities and Infrastructure Act of 2002 until the execution of a comprehensive
970 agreement thereunder.

971 B. *Neither the Governor, his campaign committee, nor a political action committee established on his*
972 *behalf shall knowingly solicit or accept a contribution, gift, or other item with a value greater than*
973 *\$100 from any person or entity that has submitted an application for a grant or loan from the*
974 *Commonwealth's Development Opportunity Fund during the period in which the person or entity's*
975 *application for such an award is pending and for the one-year period immediately after any such award*
976 *is made. For purposes of this subsection, "entity" includes individuals who are officers, directors, or*
977 *owners of or who have a controlling ownership interest in such entity.*

978 C. The provisions of this section shall apply only for public contracts, proposals, or comprehensive
979 agreements where the stated or expected value of the contract is \$5 million or more *or for grants or*
980 *loans from the Commonwealth's Development Opportunity Fund regardless of the value of the grant or*
981 *loan. The provisions of this section shall not apply to contracts awarded as the result of competitive*
982 *sealed bidding as set forth in § 2.2-4302.1.*

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

988 **§ 2.2-3106. Prohibited contracts by officers and employees of state government and Eastern**
989 **Virginia Medical School.**

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

993 B. No officer or employee of any governmental agency of state government or Eastern Virginia
994 Medical School shall have a personal interest in a contract with any other governmental agency of state
995 government unless such contract is (i) awarded as a result of competitive sealed bidding or competitive
996 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
997 administrative head of the governmental agency that competitive bidding or negotiation is contrary to the
998 best interest of the public.

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

1000 1. An employee's personal interest in additional contracts of employment with his own governmental
1001 agency that accrue to him because of a member of his immediate family, provided the employee does
1002 not exercise any control over the employment or the employment activities of the member of his
1003 immediate family and the employee is not in a position to influence those activities;

1004 2. The personal interest of an officer or employee of a state institution of higher education or the
1005 Eastern Virginia Medical School in additional contracts of employment with his own governmental
1006 agency that accrue to him because of a member of his immediate family, provided (i) the officer or
1007 employee and the immediate family member are engaged in teaching, research or administrative support
1008 positions at the educational institution or the Eastern Virginia Medical School, (ii) the governing board
1009 of the educational institution finds that it is in the best interests of the institution or the Eastern Virginia
1010 Medical School and the Commonwealth for such dual employment to exist, and (iii) after such finding,
1011 the governing board of the educational institution or the Eastern Virginia Medical School ensures that
1012 the officer or employee, or the immediate family member, does not have sole authority to supervise,
1013 evaluate or make personnel decisions regarding the other;

1014 3. An officer's or employee's personal interest in a contract of employment with any other
1015 governmental agency of state government;

1016 4. Contracts for the sale by a governmental agency or the Eastern Virginia Medical School of
1017 services or goods at uniform prices available to the general public;

1018 5. An employee's personal interest in a contract between a public institution of higher education in
1019 Virginia or the Eastern Virginia Medical School and a publisher or wholesaler of textbooks or other
1020 educational materials for students, which accrues to him solely because he has authored or otherwise
1021 created such textbooks or materials;

1022 6. An employee's personal interest in a contract with his or her employing public institution of higher
1023 education to acquire the collections or scholarly works owned by the employee, including manuscripts,
1024 musical scores, poetry, paintings, books or other materials, writings, or papers of an academic, research,
1025 or cultural value to the institution, provided the president of the institution approves the acquisition of
1026 such collections or scholarly works as being in the best interests of the institution's public mission of
1027 service, research, or education;

1028 7. Subject to approval by the board of visitors, an employee's personal interest in a contract between
1029 the Eastern Virginia Medical School or a public institution of higher education in Virginia that operates
1030 a school of medicine or dentistry and a not-for-profit nonstock corporation that operates a clinical
1031 practice within such public institution of higher education or the Eastern Virginia Medical School and of
1032 which such employee is a member or employee;

1033 8. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract
1034 for research and development or commercialization of intellectual property between a public institution
1035 of higher education in Virginia or the Eastern Virginia Medical School and a business in which the
1036 employee has a personal interest, if (i) the employee's personal interest has been disclosed to and
1037 approved by such public institution of higher education or the Eastern Virginia Medical School prior to
1038 the time at which the contract is entered into; (ii) the employee promptly files a disclosure statement
1039 pursuant to § 2.2-3117 and thereafter files such statement annually on or before ~~January~~ *December* 15;
1040 (iii) the institution has established a formal policy regarding such contracts, approved by the State
1041 Council of Higher Education or, in the case of the Eastern Virginia Medical School, a formal policy
1042 regarding such contracts in conformity with any applicable federal regulations that has been approved by
1043 its board of visitors; and (iv) no later than December 31 of each year, the institution or the Eastern
1044 Virginia Medical School files an annual report with the Secretary of the Commonwealth disclosing each
1045 open contract entered into subject to this provision, the names of the parties to each contract, the date
1046 each contract was executed and its term, the subject of each contractual arrangement, the nature of the
1047 conflict of interest, the institution's or the Eastern Virginia Medical School's employee responsible for
1048 administering each contract, the details of the institution's or the Eastern Virginia Medical School's
1049 commitment or investment of resources or finances for each contract, and any other information
1050 requested by the Secretary of the Commonwealth; or

1051 9. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract
1052 between a public institution of higher education in Virginia or the Eastern Virginia Medical School and
1053 a business in which the employee has a personal interest, if (i) the personal interest has been disclosed
1054 to the institution or the Eastern Virginia Medical School prior to the time the contract is entered into;
1055 (ii) the employee files a disclosure statement pursuant to § 2.2-3117 and thereafter annually on or before
1056 ~~January~~ *December* 15; (iii) the employee does not participate in the institution's or the Eastern Virginia
1057 Medical School's decision to contract; (iv) the president of the institution or the Eastern Virginia
1058 Medical School finds and certifies in writing that the contract is for goods and services needed for
1059 quality patient care, including related medical education or research, by the institution's medical center
1060 or the Eastern Virginia Medical School, its affiliated teaching hospitals and other organizations necessary
1061 for the fulfillment of its mission, including the acquisition of drugs, therapies and medical technologies;
1062 and (v) no later than December 31 of each year, the institution or the Eastern Virginia Medical School
1063 files an annual report with the Secretary of the Commonwealth disclosing each open contract entered
1064 subject to this provision, the names of the parties to each contract, the date each contract was executed
1065 and its term, the subject of each contractual arrangement, the nature of the conflict of interest, the
1066 institution's or the Eastern Virginia Medical School's employee responsible for administering each
1067 contract, the details of the institution's or the Eastern Virginia Medical School's commitment or
1068 investment of resources or finances for each contract, and any other information requested by the
1069 Secretary of the Commonwealth.

1070 D. Notwithstanding the provisions of subdivisions C 8 and C 9, if the research and development or
1071 commercialization of intellectual property or the employee's personal interest in a contract with a
1072 business is subject to policies and regulations governing conflicts of interest promulgated by any agency
1073 of the United States government, including the adoption of policies requiring the disclosure and
1074 management of such conflicts of interests, the policies established by the Eastern Virginia Medical
1075 School pursuant to such federal requirements shall constitute compliance with subdivisions C 8 and C 9,
1076 upon notification by the Eastern Virginia Medical School to the Secretary of the Commonwealth by
1077 January 31 of each year of evidence of their compliance with such federal policies and regulations.

1078 E. The board of visitors may delegate the authority granted under subdivision C 8 to the president of
1079 the institution. If the board elects to delegate such authority, the board shall include this delegation of
1080 authority in the formal policy required by clause (iii) of subdivision C 8. In those instances where the
1081 board has delegated such authority, on or before December 1 of each year, the president of the relevant
1082 institution shall file a report with the relevant board of visitors disclosing each open contract entered
1083 into subject to this provision, the names of the parties to each contract, the date each contract was
1084 executed and its term, the subject of each contractual arrangement, the nature of the conflict of interest,
1085 the institution's or the Eastern Virginia Medical School's employee responsible for administering each
1086 contract, the details of the institution's or the Eastern Virginia Medical School's commitment or
1087 investment of resources or finances for each contract, the details of how revenues are to be dispersed,
1088 and any other information requested by the board of visitors.

1089 **§ 2.2-3114. Disclosure by state officers and employees.**

1090 A. The Governor, Lieutenant Governor, Attorney General, Justices of the Supreme Court, judges of
 1091 the Court of Appeals, judges of any circuit court, judges and substitute judges of any district court,
 1092 members of the State Corporation Commission, members of the Virginia Workers' Compensation
 1093 Commission, members of the Commonwealth Transportation Board, members of the Board of Trustees
 1094 of the Virginia Retirement System, *members of the Virginia Alcoholic Beverage Control Board*, and
 1095 members of the Virginia Lottery Board and other persons occupying such offices or positions of trust or
 1096 employment in state government, including members of the governing bodies of authorities, as may be
 1097 designated by the Governor, or, ~~in the case of~~ officers or employees of the legislative branch, *as may be*
 1098 *designated* by the Joint Rules Committee of the General Assembly, shall file with the Council, as a
 1099 condition to assuming office or employment, a disclosure statement of their personal interests and such
 1100 other information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a
 1101 statement semiannually by December 15 for the preceding six-month period complete through the last
 1102 day of October and by June 15 for the preceding six-month period complete through the last day of
 1103 April. When the filing deadline falls on a Saturday, Sunday, or legal holiday, the disclosure statement
 1104 shall be filed on the next day that is not a Saturday, Sunday, or legal holiday.

1105 B. Nonsalaried citizen members of all policy and supervisory boards, commissions and councils in
 1106 the executive branch of state government, other than the Commonwealth Transportation Board, members
 1107 of the Board of Trustees of the Virginia Retirement System, and the Virginia Lottery Board, shall file
 1108 with the Council, as a condition to assuming office, a disclosure form of their personal interests and
 1109 such other information as is specified on the form set forth in § 2.2-3118 and thereafter shall file such
 1110 form annually on or before December 15. When the filing deadline falls on a Saturday, Sunday, or legal
 1111 holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or legal
 1112 holiday. Nonsalaried citizen members of other boards, commissions and councils, including advisory
 1113 boards and authorities, may be required to file a disclosure form if so designated by the Governor, in
 1114 which case the form shall be that set forth in § 2.2-3118.

1115 C. The disclosure forms required by subsections A and B shall be ~~provided~~ *made available* by the
 1116 Council to each officer and employee so designated, including officers appointed by legislative
 1117 authorities at least 30 days prior to the filing deadline. Disclosure forms shall be filed ~~and electronically~~
 1118 *with the Council in accordance with the standards approved by it pursuant to § 30-356. All forms shall*
 1119 *be maintained as public records for five years in the office of the Council. Such forms shall be made*
 1120 *public no later than six weeks after filing.*

1121 D. Candidates for the offices of Governor, Lieutenant Governor or Attorney General shall file a
 1122 disclosure statement of their personal interests as required by § 24.2-502.

1123 E. Any officer or employee of state government who has a personal interest in any transaction before
 1124 the governmental or advisory agency of which he is an officer or employee and who is disqualified
 1125 from participating in that transaction pursuant to subdivision A 1 of § 2.2-3112, or otherwise elects to
 1126 disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full
 1127 name and address of the business and the address or parcel number for the real estate if the interest
 1128 involves a business or real estate, and his disclosure shall also be reflected in the public records of the
 1129 agency for five years in the office of the administrative head of the officer's or employee's governmental
 1130 agency or advisory agency or, if the agency has a clerk, in the clerk's office.

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

1143 G. An officer or employee of state government who is required to declare his interest pursuant to
 1144 subdivision A 3 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a
 1145 party to the transaction is a client of his firm, (iii) that he does not personally represent or provide
 1146 services to the client, and (iv) that he is able to participate in the transaction fairly, objectively, and in
 1147 the public interest. The officer or employee shall either make his declaration orally to be recorded in
 1148 written minutes for his agency or file a signed written declaration with the clerk or administrative head
 1149 of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make
 1150 available for public inspection such declaration for a period of five years from the date of recording or

1151 receipt. If reasonable time is not available to comply with the provisions of this subsection prior to
 1152 participation in the transaction, the officer or employee shall prepare and file the required declaration by
 1153 the end of the next business day.

1154 *H. Notwithstanding any other provision of law, chairs of departments at a public institution of higher*
 1155 *education in the Commonwealth shall not be required to file the disclosure form prescribed by*
 1156 *§ 2.2-3117 or 2.2-3118.*

1157 **§ 2.2-3114.1. Filings of statements of economic interests by General Assembly members.**

1158 The filing of a current statement of economic interests by a General Assembly member,
 1159 member-elect, or candidate for the General Assembly pursuant to §§ 30-110 and 30-111 of the General
 1160 Assembly Conflicts of Interests Act (§ 30-100 et seq.) shall suffice for the purposes of this chapter
 1161 (~~§ 2.2-3100 et seq.~~). The Secretary of the Commonwealth may obtain from the ~~Clerk of the House of~~
 1162 ~~Delegates or the Senate, as appropriate, Council~~ a copy of the statement of a General Assembly member
 1163 who is appointed to a position for which a statement is required pursuant to § 2.2-3114. No General
 1164 Assembly member, member-elect, or candidate shall be required to file a separate statement of economic
 1165 interests for the purposes of § 2.2-3114.

1166 **§ 2.2-3115. Disclosure by local government officers and employees.**

1167 A. The members of every governing body and school board of each county and city and of towns
 1168 with populations in excess of 3,500 shall file ~~with the Council~~, as a condition to assuming office or
 1169 employment, a disclosure statement of their personal interests and other information as is specified on
 1170 the form set forth in § 2.2-3117 and thereafter shall file such a statement semiannually by December 15
 1171 for the preceding six-month period complete through the last day of October and by June 15 for the
 1172 preceding six-month period complete through the last day of April.

1173 The members of the governing body of any authority established in any county or city, or part or
 1174 combination thereof, and having the power to issue bonds or expend funds in excess of \$10,000 in any
 1175 fiscal year, shall file ~~with the Virginia Conflict of Interest and Ethics Advisory Council~~, as a condition
 1176 to assuming office, a disclosure statement of their personal interests and other information as is specified
 1177 on the form set forth in § 2.2-3118 and thereafter shall file such a statement annually on or before
 1178 December 15, unless the governing body of the jurisdiction that appoints the members requires that the
 1179 members file the form set forth in § 2.2-3117 semiannually by December 15 for the preceding six-month
 1180 period complete through the last day of October and by June 15 for the preceding six-month period
 1181 complete through the last day of April.

1182 Persons occupying such positions of trust appointed by governing bodies and persons occupying such
 1183 positions of employment with governing bodies as may be designated to file by ordinance of the
 1184 governing body shall file ~~with the Virginia Conflict of Interest and Ethics Advisory Council~~, as a
 1185 condition to assuming office or employment, a disclosure statement of their personal interests and other
 1186 information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement
 1187 semiannually by December 15 for the preceding six-month period complete through the last day of
 1188 October and by June 15 for the preceding six-month period complete through the last day of April.

1189 Persons occupying such positions of trust appointed by school boards and persons occupying such
 1190 positions of employment with school boards as may be designated to file by an adopted policy of the
 1191 school board shall file ~~with the Virginia Conflict of Interest and Ethics Advisory Council~~, as a condition
 1192 to assuming office or employment, a disclosure statement of their personal interests and other
 1193 information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement
 1194 semiannually by December 15 for the preceding six-month period complete through the last day of
 1195 October and by June 15 for the preceding six-month period complete through the last day of April.

1196 B. Nonsalaried citizen members of local boards, commissions and councils as may be designated by
 1197 the governing body shall file ~~with the Virginia Conflict of Interest and Ethics Advisory Council~~, as a
 1198 condition to assuming office, a disclosure form of their personal interests and such other information as
 1199 is specified on the form set forth in § 2.2-3118 and thereafter shall file such form annually on or before
 1200 December 15.

1201 C. No person shall be mandated to file any disclosure not otherwise required by this article.

1202 D. The disclosure forms required by subsections A and B shall be ~~provided~~ *made available* by the
 1203 Virginia Conflict of Interest and Ethics Advisory Council ~~to the clerks of the governing bodies and~~
 1204 ~~school boards~~ at least 30 days prior to the filing deadline, and the clerks of the governing body and
 1205 school board shall distribute the forms to designated individuals at least 20 days prior to the filing
 1206 deadline. Forms shall be filed and maintained as public records for five years in the office of the
 1207 ~~Virginia Conflict of Interest and Ethics Advisory Council~~ *clerk of the respective governing body or*
 1208 *school board*. Forms filed by members of governing bodies of authorities shall be filed and maintained
 1209 as public records for five years in the office of the ~~Virginia Conflict of Interest and Ethics Advisory~~
 1210 ~~Council~~ *clerk of the governing body of the county or city*. *Such forms shall be made public no later*
 1211 *than six weeks after filing.*

1212 E. Candidates for membership in the governing body or school board of any county, city or town

1213 with a population of more than 3,500 persons shall file a disclosure statement of their personal interests
1214 as required by § 24.2-502.

1215 F. Any officer or employee of local government who has a personal interest in any transaction before
1216 the governmental or advisory agency of which he is an officer or employee and who is disqualified
1217 from participating in that transaction pursuant to subdivision A 1 of § 2.2-3112 or otherwise elects to
1218 disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full
1219 name and address of the business and the address or parcel number for the real estate if the interest
1220 involves a business or real estate, and his disclosure shall be reflected in the public records of the
1221 agency for five years in the office of the administrative head of the officer's or employee's governmental
1222 or advisory agency.

1223 G. In addition to any disclosure required by subsections A and B, in each county and city and in
1224 towns with populations in excess of 3,500, members of planning commissions, boards of zoning appeals,
1225 real estate assessors, and all county, city and town managers or executive officers shall make annual
1226 disclosures of all their interests in real estate located in the county, city or town in which they are
1227 elected, appointed, or employed. Such disclosure shall include any business in which such persons own
1228 an interest, or from which income is received, if the primary purpose of the business is to own, develop
1229 or derive compensation through the sale, exchange or development of real estate in the county, city or
1230 town. Such disclosure shall be filed as a condition to assuming office or employment, and thereafter
1231 shall be filed annually with the ~~Virginia Conflict of Interest and Ethics Advisory Council~~ clerk of the
1232 governing body of such county, city, or town on or before December 15. Such disclosures shall be filed
1233 and maintained as public records for five years. *Such forms shall be made public no later than six weeks*
1234 *after filing.* Forms for the filing of such reports shall be ~~prepared and distributed~~ made available by the
1235 Virginia Conflict of Interest and Ethics Advisory Council to the clerk of each governing body.

1236 H. An officer or employee of local government who is required to declare his interest pursuant to
1237 subdivision A 2 of § 2.2-3112 shall declare his interest by stating (i) the transaction involved, (ii) the
1238 nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a
1239 member of a business, profession, occupation, or group the members of which are affected by the
1240 transaction, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public
1241 interest. The officer or employee shall either make his declaration orally to be recorded in written
1242 minutes of his agency or file a signed written declaration with the clerk or administrative head of his
1243 governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for
1244 public inspection such declaration for a period of five years from the date of recording or receipt. If
1245 reasonable time is not available to comply with the provisions of this subsection prior to participation in
1246 the transaction, the officer or employee shall prepare and file the required declaration by the end of the
1247 next business day. The officer or employee shall also orally disclose the existence of the interest during
1248 each meeting of the governmental or advisory agency at which the transaction is discussed and such
1249 disclosure shall be recorded in the minutes of the meeting.

1250 I. An officer or employee of local government who is required to declare his interest pursuant to
1251 subdivision A 3 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a
1252 party to the transaction is a client of his firm, (iii) that he does not personally represent or provide
1253 services to the client, and (iv) that he is able to participate in the transaction fairly, objectively, and in
1254 the public interest. The officer or employee shall either make his declaration orally to be recorded in
1255 written minutes for his agency or file a signed written declaration with the clerk or administrative head
1256 of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make
1257 available for public inspection such declaration for a period of five years from the date of recording or
1258 receipt. If reasonable time is not available to comply with the provisions of this subsection prior to
1259 participation in the transaction, the officer or employee shall prepare and file the required declaration by
1260 the end of the next business day.

1261 **§ 2.2-3116. Disclosure by certain constitutional officers.**

1262 For the purposes of this chapter, holders of the constitutional offices of treasurer, sheriff, attorney for
1263 the Commonwealth, clerk of the circuit court and commissioner of the revenue of each county and city;
1264 ~~shall be deemed to be local officers and~~ shall be required to file *with the Council, as a condition to*
1265 *assuming office,* the Statement of Economic Interests set forth in § 2.2-3117. These officers shall file
1266 statements ~~pursuant to § 2.2-3115 and candidates~~ *semiannually by December 15 for the preceding*
1267 *six-month period complete through the last day of October and by June 15 for the preceding six-month*
1268 *period complete through the last day of April.* Candidates shall file statements as required by
1269 § 24.2-502. *Statements shall be filed electronically with the Council in accordance with the standards*
1270 *approved by it pursuant to § 30-356.* These officers shall be subject to the prohibition on certain gifts
1271 set forth in subsection B of § 2.2-3103.1.

1272 **§ 2.2-3117. Disclosure form.**

1273 The disclosure form to be used for filings required by subsections A and D of § 2.2-3114 and

1274 subsections A and E of § 2.2-3115 shall be substantially as follows: *similar to the following. Except as*
1275 *otherwise provided in § 2.2-3115, all completed forms shall be filed electronically with the Council in*
1276 *accordance with the standards approved by it pursuant to § 30-356. Any person who knowingly and*
1277 *intentionally makes a false statement of a material fact on the Statement of Economic Interests is guilty*
1278 *of a Class 5 felony.*

1279 STATEMENT OF ECONOMIC INTERESTS.

- 1280 Name
- 1281 Office or position held or sought
- 1282 Address

1283 Names of members of immediate family

1284 DEFINITIONS AND EXPLANATORY MATERIAL.

1285 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
1286 association, trust or foundation, or any other individual or entity carrying on a business or profession,
1287 whether or not for profit.

1288 "Close financial association" means an association in which the person filing shares significant
1289 financial involvement with an individual and the filer would reasonably be expected to be aware of the
1290 individual's business activities and would have access to the necessary records either directly or through
1291 the individual. "Close financial association" does not mean an association based on (i) the receipt of
1292 retirement benefits or deferred compensation from a business by which the person filing this statement is
1293 no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an
1294 independent contractor of a business that represents an entity before any state governmental agency
1295 when the person filing has had no communications with the state governmental agency.

1296 "Contingent liability" means a liability that is not presently fixed or determined, but may become
1297 fixed or determined in the future with the occurrence of some certain event.

1298 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item
1299 having monetary value. It includes services as well as gifts of transportation, lodgings and meals,
1300 whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the
1301 expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission
1302 or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic,
1303 merit, or need-based scholarship or any other financial aid awarded by a public or private school,
1304 institution of higher education, or other educational program pursuant to such school, institution, or
1305 program's financial aid standards and procedures applicable to the general public; (iv) a campaign
1306 contribution properly received and reported pursuant to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;
1307 (v) any gift related to the private profession or occupation of an officer or employee or of a member of
1308 his immediate family; ~~or~~ (vi) *food or beverages consumed while attending an event at which the filer is*
1309 *performing official duties related to his public service;* (vii) *food and beverages received at or*
1310 *registration or attendance fees waived for any event at which the filer is a featured speaker, presenter,*
1311 *or lecturer;* (viii) *unsolicited awards of appreciation or recognition in the form of a plaque, trophy, wall*
1312 *memento, or similar item that is given in recognition of public, civic, charitable, or professional service;*
1313 *(ix) a devise or inheritance;* (x) *travel disclosed pursuant to the Campaign Finance Disclosure Act*
1314 *(§ 24.2-945 et seq.); (xi) travel paid for or provided by the government of the United States, any of its*
1315 *territories, or any state or any political subdivision of such state;* (xii) *travel provided to facilitate*
1316 *attendance by a legislator at a regular or special session of the General Assembly, a meeting of a*
1317 *legislative committee or commission, or a national conference where attendance is approved by the*
1318 *House or Senate Committee on Rules;* (xiii) *travel related to an official meeting of the Commonwealth,*
1319 *its political subdivisions, or any board, commission, authority, or other entity, or any charitable*
1320 *organization established pursuant to § 501(c)(3) of the Internal Revenue Code affiliated with such entity,*
1321 *to which such person has been appointed or elected or is a member by virtue of his office or*
1322 *employment; or (xiv) gifts from relatives or personal friends. "Relative" means the donee's spouse, child,*
1323 *uncle, aunt, niece, ~~or~~ nephew, or first cousin;* a person to whom the donee is engaged to be married; the
1324 donee's or his spouse's parent, grandparent, grandchild, brother, ~~or~~ sister, *step-parent, step-grandparent,*
1325 *step-grandchild, step-brother, or step-sister;* or the donee's brother's or sister's spouse. "Personal friend"
1326 does not include any person that the filer knows or has reason to know is (a) a lobbyist registered
1327 pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's principal as defined in
1328 § 2.2-419; (c) for an officer or employee of a local governmental or advisory agency, a person,
1329 organization, or business who is a party to or is seeking to become a party to a contract with the local
1330 agency of which he is an officer or an employee; or (d) for an officer or employee of a state
1331 governmental or advisory agency, a person, organization, or business who is a party to or is seeking to
1332 become a party to a contract with the Commonwealth. "Person, organization, or business" includes
1333 individuals who are officers, directors, or owners of or who have a controlling ownership interest in
1334 such organization or business.

1335 "Immediate family" means (i) a spouse and (ii) any ~~child~~ *other person* who resides in the same
1336 household as the officer or employee and who is a dependent of the officer or employee.

1337 TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust,
1338 treat the trust's assets as if you own them directly. If you or your immediate family has a proportional
1339 interest in a trust, treat that proportion of the trust's assets as if you own them directly. For example, if
1340 you and your immediate family have a one-third interest in a trust, complete your Statement as if you
1341 own one-third of each of the trust's assets. If you or a member of your immediate family created a trust
1342 and can revoke it without the beneficiaries' consent, treat its assets as if you own them directly.

1343 REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required on this
1344 Statement must be provided on the basis of the best knowledge, information, and belief of the individual
1345 filing the Statement as of the date of this report unless otherwise stated.

1346 COMPLETE ITEMS 1 THROUGH 10. REFER TO SCHEDULES ONLY IF DIRECTED.

1347 You may attach additional explanatory information.

1348 1. Offices and Directorships.

1349 Are you or a member of your immediate family a paid officer or paid director of a business?

1350 EITHER check NO // OR check YES // and complete Schedule A.

1351 2. Personal Liabilities.

1352 Do you or a member of your immediate family owe more than \$5,000 to any one creditor including
1353 contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property
1354 at least equal in value to the loan.)

1355 EITHER check NO // OR check YES // and complete Schedule B.

1356 3. Securities.

1357 Do you or a member of your immediate family, directly or indirectly, separately or together, own
1358 securities valued in excess of \$5,000 invested in one business? Account for mutual funds, limited
1359 partnerships and trusts.

1360 EITHER check NO // OR check YES // and complete Schedule C.

1361 4. Payments for Talks, Meetings, and Publications.

1362 During the past six months did you receive in your capacity as an officer or employee of your
1363 agency lodging, transportation, money, or anything else of value with a combined value exceeding \$200
1364 \$100 (i) for a single talk, meeting, or published work or (ii) for a meeting, conference, or event where
1365 your attendance at the meeting, conference, or event was designed to (a) educate you on issues relevant
1366 to your duties as an officer or employee of your agency or (b) enhance your knowledge and skills
1367 relative to your duties as an officer or employee of your agency?

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

1369 5. Gifts.

1370 During the past six months did a business, government, or individual other than a relative or personal
1371 friend (i) furnish you or a member of your immediate family with any gift or entertainment at a single
1372 event, and the value received exceeded \$50 or (ii) furnish you or a member of your immediate family
1373 with gifts or entertainment in any combination and the total value received exceeded \$100 \$50, and for
1374 which you or the member of your immediate family neither paid nor rendered services in exchange?
1375 Account for entertainment events only if the average value per person attending the event exceeded \$50.
1376 Account for all business entertainment (except if related to the private profession or occupation of you
1377 or the member of your immediate family who received such business entertainment) even if unrelated to
1378 your official duties.

1379 EITHER check NO // OR check YES // and complete Schedule E.

1380 6. Salary and Wages.

1381 List each employer that pays you or a member of your immediate family salary or wages in excess
1382 of \$5,000 annually. (Exclude state or local government or advisory agencies.)

1383 If no reportable salary or wages, check here //.

1384 _____
1385 _____
1386 _____

1387 7. Business Interests.

1388 Do you or a member of your immediate family, separately or together, operate your own business, or
1389 own or control an interest in excess of \$5,000 in a business?

1390 EITHER check NO // OR check YES // and complete Schedule F.

1391 8. Payments for Representation and Other Services.

1392 8A. Did you represent, excluding activity defined as lobbying in § 2.2-419, any businesses before any
1393 state governmental agencies, excluding courts or judges, for which you received total compensation
1394 during the past six months in excess of \$1,000, excluding compensation for other services to such
1395 businesses and representation consisting solely of the filing of mandatory papers and subsequent

1396 representation regarding the mandatory papers? (Officers and employees of local governmental and
1397 advisory agencies do NOT need to answer this question or complete Schedule G-1.)

1398 EITHER check NO // OR check YES // and complete Schedule G-1.

1399 8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial
1400 association (partners, associates or others) represent, excluding activity defined as lobbying in § 2.2-419,
1401 any businesses before any state governmental agency for which total compensation was received during
1402 the past six months in excess of \$1,000? (Officers and employees of local governmental and advisory
1403 agencies do NOT need to answer this question or complete Schedule G-2.)

1404 EITHER check NO // OR check YES // and complete Schedule G-2.

1405 8C. Did you or persons with whom you have a close financial association furnish services to
1406 businesses operating in Virginia pursuant to an agreement between you and such businesses, or between
1407 persons with whom you have a close financial association and such businesses for which total
1408 compensation in excess of \$1,000 was received during the past six months? Services reported under this
1409 provision shall not include services involving the representation of businesses that are reported under
1410 item 8A or 8B.

1411 EITHER check NO // OR check YES // and complete Schedule G-3.

1412 9. Real Estate.

1413 9A. State Officers and Employees.

1414 Do you or a member of your immediate family hold an interest, including a partnership interest,
1415 valued at more than \$5,000 in real property (other than your principal residence) for which you have not
1416 already listed the full address on Schedule F? Account for real estate held in trust.

1417 EITHER check NO // OR check YES // and complete Schedule H-1.

1418 9B. Local Officers and Employees.

1419 Do you or a member of your immediate family hold an interest, including a partnership interest, or
1420 option, easement, or land contract, valued at more than \$5,000 in real property (other than your principal
1421 residence) for which you have not already listed the full address on Schedule F? Account for real estate
1422 held in trust.

1423 EITHER check NO // OR check YES // and complete Schedule H-2.

1424 10. Real Estate Contracts with Governmental Agencies.

1425 Do you or a member of your immediate family hold an interest valued at more than \$5,000 in real
1426 estate, including a corporate, partnership, or trust interest, option, easement, or land contract, which real
1427 estate is the subject of a contract, whether pending or completed within the past six months, with a
1428 governmental agency? If the real estate contract provides for the leasing of the property to a
1429 governmental agency, do you or a member of your immediate family hold an interest in the real estate
1430 valued at more than \$1,000? Account for all such contracts whether or not your interest is reported in
1431 Schedule F, H-1, or H-2. This requirement to disclose an interest in a lease does not apply to an interest
1432 derived through an ownership interest in a business unless the ownership interest exceeds three percent
1433 of the total equity of the business.

1434 EITHER check NO // OR check YES // and complete Schedule I.

1435 Statements of Economic Interests are open for public inspection.

1436 AFFIRMATION BY ALL FILERS.

1437 I swear or affirm that the foregoing information is full, true and correct to the best of my knowledge.

1438 Signature

1439 (Return only if needed to complete Statement.)

1440 SCHEDULES

1441 to

1442 STATEMENT OF ECONOMIC INTERESTS.

1443 NAME

1444 SCHEDULE A - OFFICES AND DIRECTORSHIPS.

1445 Identify each business of which you or a member of your immediate family is a paid officer or paid
1446 director.

1447 _____

1448 _____

1449 Name of Business Address of Business Position Held and by Whom

1450 _____

1451 _____

1452 _____

1453 _____

1454 _____

1455 _____

1456 SCHEDULE B - PERSONAL LIABILITIES. RETURN TO ITEM 2

1457 Report personal liability by checking each category. Report only debts in excess of \$5,000. Do not
1458 report debts to any government. Do not report loans secured by recorded liens on property at least equal
1459 in value to the loan.

1460 Report contingent liabilities below and indicate which debts are contingent.

1461 1. My personal debts are as follows:

1462	<hr/>		
1463			
1464	Check	Check one	
1465	appropriate	\$5,001 to	More than
1466	categories	\$50,000	\$50,000
1467	Banks	_____	_____
1468	Savings institutions	_____	_____
1469	Other loan or finance companies	_____	_____
1470	Insurance companies	_____	_____
1471	Stock, commodity or other brokerage companies	_____	_____
1472	Other businesses:		
1473	(State principal business activity for each		
1474	creditor and its name.)		
1475	_____	_____	_____
1476	_____	_____	_____
1477	_____	_____	_____
1478	Individual creditors:		
1479	(State principal business or occupation of		
1480	each creditor and its name.)		
1481	_____	_____	_____
1482	_____	_____	_____
1483	_____	_____	_____

1485 2. The personal debts of the members of my immediate family are as follows:

1486	<hr/>		
1487			
1488	Check	Check one	
1489	appropriate	\$5,001 to	More than
1490	categories	\$50,000	\$50,000
1491	Banks	_____	_____
1492	Savings institutions	_____	_____
1493	Other loan or finance companies	_____	_____
1494	Insurance companies	_____	_____
1495	Stock, commodity or other brokerage companies	_____	_____
1496	Other businesses:		
1497	(State principal business activity for each		
1498	creditor and its name.)		
1499	_____	_____	_____
1500	_____	_____	_____
1501	_____	_____	_____
1502	Individual creditors:		
1503	(State principal business or occupation of		
1504	each creditor and its name.)		
1505	_____	_____	_____
1506	_____	_____	_____
1507	_____	_____	_____

1508 _____
1509 RETURN TO ITEM 3

1510 SCHEDULE C - SECURITIES.

1511 "Securities" INCLUDES stocks, bonds, mutual funds, limited partnerships, and commodity futures
1512 contracts.

1513 "Securities" EXCLUDES certificates of deposit, money market funds, annuity contracts, and

1514 insurance policies.

1515 Identify each business or Virginia governmental entity in which you or a member of your immediate
1516 family, directly or indirectly, separately or together, own securities valued in excess of \$5,000. Name
1517 each issuer and type of security individually.

1518 Do not list U.S. Bonds or other government securities not issued by the Commonwealth of Virginia
1519 or its authorities, agencies, or local governments. Do not list organizations that do not do business in
1520 this Commonwealth, but most major businesses conduct business in Virginia. Account for securities held
1521 in trust.

1522 If no reportable securities, check here //.

1523 _____

1524 _____

1525 _____

1526 _____

1527 _____

1528 _____

1529 _____

1530 _____

1531 _____

1532 _____

1533 _____

RETURN TO ITEM 4

1534 SCHEDULE D - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

1535 List each source from which you received during the past six months in your capacity as an officer
1536 or employee of your agency lodging, transportation, money, or any other thing of value with combined
1537 value exceeding \$200 \$100 (i) for your presentation of a single talk, participation in one meeting, or
1538 publication of a work or (ii) for your attendance at a meeting, conference, or event where your
1539 attendance at the meeting, conference, or event was designed to (a) educate you on issues relevant to
1540 your duties as an officer or employee of your agency or (b) enhance your knowledge and skills relative
1541 to your duties as an officer or employee of your agency. Any lodging, transportation, money, or other
1542 thing of value received by an officer or employee that does not satisfy the provisions of clause (i), (ii)
1543 (a), or (ii) (b) shall be listed as a gift on Schedule E.

1544 List payments or reimbursements by an advisory or governmental agency only for meetings or travel
1545 outside the Commonwealth.

1546 List a payment even if you donated it to charity.

1547 Do not list information about a payment if you returned it within 60 days or if you received it from
1548 an employer already listed under Item 6 or from a source of income listed on Schedule F.

1549 If no payment must be listed, check here //.

1550 _____

1551 _____

1552 _____

1553 _____

1554 _____

1555 _____

1556 _____

1557 _____

1558 _____

1559 _____

1560 _____

1561 _____

RETURN TO ITEM 5

1562 SCHEDULE E - GIFTS.

1563 List each business, governmental entity, or individual that, during the past six months, (i) furnished
1564 you or a member of your immediate family with any gift or entertainment at a single event, and the
1565 value received exceeded \$50 or (ii) furnished you or a member of your immediate family with gifts or
1566 entertainment in any combination and the total value received exceeded \$100 \$50, and for which you or
1567 the member of your immediate family neither paid nor rendered services in exchange. List each such
1568 gift or event. Do not list entertainment events unless the average value per person attending the event
1569 exceeded \$50. Do not list business entertainment related to the private profession or occupation of you
1570 or the member of your immediate family who received such business entertainment. Do not list gifts or
1571 other things of value given by a relative or personal friend for reasons clearly unrelated to your public
1572 position. Do not list campaign contributions publicly reported as required by Chapter 9.3 (§ 24.2-945 et
1573

1574 seq.) of Title 24.2 of the Code of Virginia.

1575 _____

1576 _____

1577	Name of Business, Organization, or Individual	City or County and State	Exact Gift or Event	Approximate Value
1578	Name of Recipient			
1579				
1580	_____	_____	_____	_____
1581	_____	_____	_____	_____
1582	_____	_____	_____	_____
1583	_____	_____	_____	_____

RETURN TO ITEM 6

1585 SCHEDULE F - BUSINESS INTERESTS.

1586 Complete this Schedule for each self-owned or family-owned business (including rental property, a farm, or consulting work), partnership, or corporation in which you or a member of your immediate family, separately or together, own an interest having a value in excess of \$5,000.

1587 If the enterprise is owned or operated under a trade, partnership, or corporate name, list that name; otherwise, merely explain the nature of the enterprise. If rental property is owned or operated under a trade, partnership, or corporate name, list the name only; otherwise, give the address of each property. Account for business interests held in trust.

1594 _____

1596	Name of Business, Corporation, Partnership, Farm; Rental Property	Address of County and State	City or State	Nature of Enterprise (farming, law, rental property, etc.)	Gross Income \$50,001 or less	\$50,000 to \$250,000	More than \$250,000
1597							
1598							
1599							
1600							
1601	_____	_____	_____	_____	_____	_____	_____
1602	_____	_____	_____	_____	_____	_____	_____
1603	_____	_____	_____	_____	_____	_____	_____
1604	_____	_____	_____	_____	_____	_____	_____

RETURN TO ITEM 8

1606 SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

1607 List the businesses you represented, excluding activity defined as lobbying in § 2.2-419, before any state governmental agency, excluding any court or judge, for which you received total compensation during the past six months in excess of \$1,000, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers filed by you.

1608 Identify each business, the nature of the representation and the amount received by dollar category from each such business. You may state the type, rather than name, of the business if you are required by law not to reveal the name of the business represented by you.

1609 Only STATE officers and employees should complete this Schedule.

1617 _____

1619	Name of Business	Type of Business	Purpose of Representation	Name of Agency	Amount Received \$1,001 to \$10,000	\$10,001 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$250,000	More than \$250,000
1620									
1621									
1622									
1623									
1624									
1625	_____	_____	_____	_____	_____	_____	_____	_____	_____
1626	_____	_____	_____	_____	_____	_____	_____	_____	_____
1627	_____	_____	_____	_____	_____	_____	_____	_____	_____
1628	_____	_____	_____	_____	_____	_____	_____	_____	_____

1630 If you have received \$250,001 or more from a single business within the reporting period, indicate the amount received, rounded to the nearest \$10,000.

Amount Received: _____.

1632
1633 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

1634 List the businesses that have been represented, excluding activity defined as lobbying in § 2.2-419,
1635 before any state governmental agency, excluding any court or judge, by persons who are your partners,
1636 associates or others with whom you have a close financial association and who received total
1637 compensation in excess of \$1,000 for such representation during the past six months, excluding
1638 representation consisting solely of the filing of mandatory papers and subsequent representation
1639 regarding the mandatory papers filed by your partners, associates or others with whom you have a close
1640 financial association.

1641 Identify such businesses by type and also name the state governmental agencies before which such
1642 person appeared on behalf of such businesses.

1643 Only STATE officers and employees should complete this Schedule.

1644 _____

1645 _____

1646 Type of business Name of state governmental agency

1647 _____

1648 _____

1649 _____

1650 _____

1651 _____

1652 SCHEDULE G-3 - PAYMENTS FOR OTHER SERVICES GENERALLY.

1653 Indicate below types of businesses that operate in Virginia to which services were furnished by you
1654 or persons with whom you have a close financial association pursuant to an agreement between you and
1655 such businesses, or between persons with whom you have a close financial association and such
1656 businesses and for which total compensation in excess of \$1,000 was received during the past six
1657 months. Services reported in this Schedule shall not include services involving the representation of
1658 businesses that are reported in Schedule G-1 or G-2.

1659 Identify opposite each category of businesses listed below (i) the type of business, (ii) the type of
1660 service rendered and (iii) the value by dollar category of the compensation received for all businesses
1661 falling within each category.

1662 _____

1663 _____

1664 Check Value of Compensation

1665 if Type

1666 ser- of

1667 vices ser-

1668 were vice \$1,001 \$10,001 \$50,001 \$100,001 \$250,001

1669 ren- ren- to to to to and

1670 dered dered \$10,000 \$50,000 \$100,000 \$250,000 over

1671 Electric utilities _____

1672 Gas utilities _____

1673 Telephone utilities _____

1674 Water utilities _____

1675 Cable television _____

1676 companies _____

1677 Interstate _____

1678 transportation _____

1679 companies _____

1680 Intrastate _____

1681 transportation _____

1682 companies _____

1683 Oil or gas retail _____

1684 companies _____

1685 Banks _____

1686 Savings institutions _____

1687 Loan or finance _____

1688 companies _____

1689 Manufacturing _____

- 1690 companies (state
- 1691 type of product,
- 1692 e.g., textile,
- 1693 furniture, etc.) _____
- 1694 Mining companies _____
- 1695 Life insurance
- 1696 companies _____
- 1697 Casualty insurance
- 1698 companies _____
- 1699 Other insurance
- 1700 companies _____
- 1701 Retail companies _____
- 1702 Beer, wine or liquor
- 1703 companies or
- 1704 distributors _____
- 1705 Trade associations _____
- 1706 Professional
- 1707 associations _____
- 1708 Associations of
- 1709 public employees
- 1710 or officials _____
- 1711 Counties, cities
- 1712 or towns _____
- 1713 Labor organizations _____
- 1714 Other _____
- 1715 _____

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.

1721	1722	1723	1724
1721	1722	1723 Describe the type of real estate you own in each location (business, recreational, apartment, commercial, open land, etc.).	1724 List each location (state, and county or city) where you own real estate.
1725	1726	1727	1728
1729	1730	1731	1732
1733	1734	1735	1736
1737	1738	1739	1740
1741	1742	1743	1744
1745	1746	1747	1748

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.

1741	1742	1743	1744
1741	1742	1743	1744
1745	1746	1747	1748
1749	1750	1751	1752
1753	1754	1755	1756
1757	1758	1759	1760
1761	1762	1763	1764
1765	1766	1767	1768
1769	1770	1771	1772
1773	1774	1775	1776
1777	1778	1779	1780
1781	1782	1783	1784
1785	1786	1787	1788
1789	1790	1791	1792
1793	1794	1795	1796
1797	1798	1799	1800

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1747	or city) where	apartment, com-	other than your	List the names
1748	you own real	mercial, open	own, list that	of any co-owners,
1749	estate.	land, etc.).	name.	if applicable.
1750	_____	_____	_____	_____
1751	_____	_____	_____	_____
1752	_____	_____	_____	_____
1753	_____	_____	_____	_____
1754	_____	_____	_____	_____

1755 _____
 1756 **SCHEDULE I - REAL ESTATE CONTRACTS WITH GOVERNMENTAL AGENCIES.**

1757 List all contracts, whether pending or completed within the past six months, with a governmental
 1758 agency for the sale or exchange of real estate in which you or a member of your immediate family
 1759 holds an interest, including a corporate, partnership or trust interest, option, easement, or land contract,
 1760 valued at more than \$10,000. List all contracts with a governmental agency for the lease of real estate in
 1761 which you or a member of your immediate family holds such an interest valued at more than \$1,000.
 1762 This requirement to disclose an interest in a lease does not apply to an interest derived through an
 1763 ownership interest in a business unless the ownership interest exceeds three percent of the total equity of
 1764 the business.

1765 State officers and employees report contracts with state agencies.
 1766 Local officers and employees report contracts with local agencies.

1767 _____

1768 _____

1769 List your real estate
 1770 interest and the
 1771 person or entity,
 1772 including the type
 1773 of entity, which
 1774 is party to
 1775 the contract.

1776 Describe any
 1777 management role and
 1778 the percentage
 1779 ownership
 1780 interest you or your
 1781 immediate family
 1782 member has in the real
 1783 estate or entity.

List each governmental
 agency which is a
 party to the contract
 and indicate the
 county or city where
 the real estate
 is located.

State the annual
 income from the
 contract, and the
 amount, if any, of
 income you or any
 immediate family
 member derives
 annually from the
 contract.

1784 _____

1785 _____

1786 _____

1787 _____

1788 _____

1789 _____

1790 **§ 2.2-3118. Disclosure form; certain citizen members.**

1791 A. The financial disclosure form to be used for filings required pursuant to subsection B of
 1792 § 2.2-3114 and subsection B of § 2.2-3115 shall be filed in accordance with the provisions of § 30-356.
 1793 The financial disclosure form shall be substantially as follows: *similar to the following. Except as*
 1794 *otherwise provided in § 2.2-3115, all completed forms shall be filed electronically with the Council in*
 1795 *accordance with the standards approved by it pursuant to § 30-356.*

1796 **DEFINITIONS AND EXPLANATORY MATERIAL.**

1797 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
 1798 association, trust or foundation, or any other individual or entity carrying on a business or profession,
 1799 whether or not for profit.

1800 "Close financial association" means an association in which the person filing shares significant
 1801 financial involvement with an individual and the filer would reasonably be expected to be aware of the
 1802 individual's business activities and would have access to the necessary records either directly or through
 1803 the individual. "Close financial association" does not mean an association based on (i) the receipt of
 1804 retirement benefits or deferred compensation from a business by which the person filing this statement is
 1805 no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an

1806 independent contractor of a business that represents an entity before any state governmental agency
1807 when the person filing has no communications with the state governmental agency.

1808 "Contingent liability" means a liability that is not presently fixed or determined, but may become
1809 fixed or determined in the future with the occurrence of some certain event.

1810 "Immediate family" means (i) a spouse and (ii) any ~~child~~ other person who resides in the same
1811 household as the filer and who is a dependent of the filer.

1812 "Personal interest" means, for the purposes of this form only, a personal and financial benefit or
1813 liability accruing to a filer or a member of his immediate family. Such interest shall exist by reason of
1814 (i) ownership in real or personal property, tangible or intangible; (ii) ownership in a business; (iii)
1815 income from a business; or (iv) personal liability on behalf of a business; however, unless the ownership
1816 interest in a business exceeds three percent of the total equity of the business, or the liability on behalf
1817 of a business exceeds three percent of the total assets of the business, or the annual income, and/or
1818 property or use of such property, from the business exceeds \$10,000 or may reasonably be anticipated to
1819 exceed \$10,000, such interest shall not constitute a "personal interest."

1820 Name

1821 Office or position held or to be held

1822

1823 Address

1824 I. FINANCIAL INTERESTS

1825 My personal interests and those of my immediate family are as follows:

1826 Include all forms of personal interests held at the time of filing: real estate, stocks, bonds, equity
1827 interests in proprietorships and partnerships. You may exclude:

1828 1. Deposits and interest bearing accounts in banks, savings institutions and other institutions
1829 accepting such deposits or accounts;

1830 2. Interests in any business, other than a news medium, representing less than three percent of the
1831 total equity value of the business;

1832 3. Liability on behalf of any business representing less than three percent of the total assets of such
1833 business; and

1834 4. Income (other than from salary) less than \$10,000 annually from any business. You need not state
1835 the value of any interest. You must state the name or principal business activity of each business in
1836 which you have a personal interest.

1837 A. My personal interests are:

1838 1. Residence, address, or, if no address, location

1839 2. Other real estate, address, or, if no address, location

1840 3. Name or principal business activity of each business in which stock, bond or equity interest is
1841 held

1842 B. The personal interests of my immediate family are:

1843 1. Real estate, address, or, if no address, location

1844 2. Name or principal business activity of each business in which stock, bond or equity interest is
1845 held

1846 II. OFFICES, DIRECTORSHIPS AND SALARIED EMPLOYMENTS

1847 The paid offices, paid directorships and salaried employments which I hold or which members of my
1848 immediate family hold and the businesses from which I or members of my immediate family receive
1849 retirement benefits are as follows:

1850 (You need not state any dollar amounts.)

1851 A. My paid offices, paid directorships and salaried employments are:

1852 _____

1853 _____

1854 Position held Name of business

1855 _____

1856 _____

1857 _____

1858 _____

1859 B. The paid offices, paid directorships and salaried employments of members of my immediate
1860 family are:

1861 _____

1862 _____

1863 Position held Name of business

1864 _____

1865 _____

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III. BUSINESSES TO WHICH SERVICES WERE FURNISHED

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

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

Name of business	Name of governmental agency
_____	_____
_____	_____
_____	_____

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

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

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

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

Check each category of business to which services were furnished.

- Electric utilities _____
- Gas utilities _____
- Telephone utilities _____
- Water utilities _____
- Cable television companies _____
- Intrastate transportation companies _____
- Interstate transportation companies _____
- Oil or gas retail companies _____
- Banks _____
- Savings institutions _____
- Loan or finance companies _____
- Manufacturing companies (state type _____
- of product, e.g., textile, furniture, _____
- etc.) _____
- Mining companies _____
- Life insurance companies _____
- Casualty insurance companies _____
- Other insurance companies _____
- Retail companies _____
- Beer, wine or liquor companies or _____
- distributors _____
- Trade associations _____

- 1924 Professional associations _____
- 1925 Associations of public employees or _____
- 1926 officials _____
- 1927 Counties, cities or towns _____
- 1928 Labor organizations _____

1929
1930 **IV. COMPENSATION FOR EXPENSES**

1931 The persons, associations, or other sources other than my governmental agency from which I or a
1932 member of my immediate family received remuneration in excess of \$200 \$100 during the preceding
1933 year, in cash or otherwise, as honorariums or payment of expenses in connection with my attendance at
1934 any meeting or other function to which I was invited in my official capacity are as follows:

1935 _____

1936

1937	Description	Amount of remuneration
1938	Name of Source	of occasion
1939		for each occasion
1940	_____	_____
1941	_____	_____
1942	_____	_____

1943 B. The provisions of Part III A and B of the disclosure form prescribed by this section shall not be
1944 applicable to officers and employees of local governmental and local advisory agencies.

1945 C. Except for real estate located within the county, city or town in which the officer or employee
1946 serves or a county, city or town contiguous to the county, city or town in which the officer or employee
1947 serves, officers and employees of local governmental or advisory agencies shall not be required to
1948 disclose under Part I of the form any other interests in real estate.

1949 **§ 2.2-3121. Advisory opinions.**

1950 A. A state officer or employee shall not be prosecuted for a knowing violation of this chapter if the
1951 alleged violation resulted from his good faith reliance on a written opinion of the Attorney General or
1952 the Virginia Conflict of Interest and Ethics Advisory Council made in response to his written request for
1953 such opinion and the opinion was made after a full disclosure of the facts *regardless of whether such*
1954 *opinion is later withdrawn provided the alleged violation occurred prior to the withdrawal of the*
1955 *opinion.*

1956 B. A local officer or employee shall not be prosecuted for a knowing violation of this chapter if the
1957 alleged violation resulted from his good faith reliance on a written opinion of the attorney for the
1958 Commonwealth, *his city, county, or town attorney*, or the Council made in response to his written
1959 request for such opinion and the opinion was made after a full disclosure of the facts *regardless of*
1960 *whether such opinion is later withdrawn provided the alleged violation occurred prior to the withdrawal*
1961 *of the opinion.* The written opinion shall be a public record and shall be released upon request.

1962 C. ~~If any officer or employee serving at the local level of government is charged with a knowing~~
1963 ~~violation of this chapter, and the alleged violation resulted from his reliance upon a written opinion of~~
1964 ~~his city, county or town attorney, made after a full disclosure of the facts, that such action was not in~~
1965 ~~violation of this chapter, then the officer or employee shall have the right to introduce a copy of the~~
1966 ~~opinion at his trial as evidence that he did not knowingly violate this chapter.~~

1967 **§ 2.2-3124. Civil penalty from violation of this chapter.**

1968 A. In addition to any other fine or penalty provided by law, an officer or employee who knowingly
1969 violates any provision of §§ 2.2-3103 through 2.2-3112 shall be subject to a civil penalty in an amount
1970 equal to the amount of money or thing of value received as a result of such violation. If the thing of
1971 value received by the officer or employee in violation of §§ 2.2-3103 through 2.2-3112 increases in
1972 value between the time of the violation and the time of discovery of the violation, the greater value shall
1973 determine the amount of the civil penalty. Further, all money or other things of value received as a
1974 result of such violation shall be forfeited in accordance with the provisions of § 19.2-386.33.

1975 B. *An officer or employee required to file the disclosure form prescribed by § 2.2-3117 who fails to*
1976 *file such form within the time period prescribed shall be assessed a civil penalty in an amount equal to*
1977 *\$250. The Council shall notify the Attorney General of any state officer's or employee's failure to file*
1978 *the required form and the Attorney General shall assess and collect the civil penalty. The clerk of the*
1979 *school board or the clerk of the governing body of the county, city, or town shall notify the attorney for*
1980 *the Commonwealth for the locality in which the officer or employee was elected or is employed of any*
1981 *local officer's or employee's failure to file the required form and the attorney for the Commonwealth*
1982 *shall assess and collect the civil penalty. The Council shall notify the Attorney General and the clerk*
1983 *shall notify the attorney for the Commonwealth within 30 days of the deadline for filing. All civil*

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1984 *penalties collected pursuant to this subsection shall be deposited into the general fund and used*
 1985 *exclusively to fund the Council.*

1986 **§ 30-101. Definitions.**

1987 As used in this chapter, unless the context requires a different meaning:

1988 "Advisory agency" means any board, commission, committee or post which does not exercise any
 1989 sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for
 1990 the purpose of making studies or recommendations, or advising or consulting with a governmental
 1991 agency.

1992 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
 1993 association, trust or foundation, or any other individual or entity carrying on a business or profession,
 1994 whether or not for profit.

1995 "*Candidate*" means a person who seeks or campaigns for election to the General Assembly in a
 1996 general, primary, or special election and who is qualified to have his name placed on the ballot for the
 1997 office. The candidate shall become subject to the provisions of this section upon the filing of a statement
 1998 of qualification pursuant to § 24.2-501. The State Board of Elections shall notify each such candidate of
 1999 the provisions of this chapter.

2000 "Contract" means any agreement to which a governmental agency is a party, or any agreement on
 2001 behalf of a governmental agency that involves the payment of money appropriated by the General
 2002 Assembly or a political subdivision, whether or not such agreement is executed in the name of the
 2003 Commonwealth, or some political subdivision thereof. "Contract" includes a subcontract only when the
 2004 contract of which it is a part is with the legislator's own governmental agency.

2005 "Council" means the Virginia Conflict of Interest and Ethics Advisory Council established in
 2006 § 30-355.

2007 "Financial institution" means any bank, trust company, savings institution, industrial loan association,
 2008 consumer finance company, credit union, broker-dealer as defined in subsection A of § 13.1-501, or
 2009 investment company or advisor registered under the federal Investment Advisors Act or Investment
 2010 Company Act of 1940.

2011 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item
 2012 having monetary value. It includes services as well as gifts of transportation, lodgings and meals,
 2013 whether provided in-kind, by purchase of a ticket, payment in advance, or reimbursement after the
 2014 expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission
 2015 or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic,
 2016 merit, or need-based scholarship or any other financial aid awarded by a public or private school,
 2017 institution of higher education, or other educational program pursuant to such school, institution, or
 2018 program's financial aid standards and procedures applicable to the general public; (iv) a campaign
 2019 contribution properly received and reported pursuant to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;
 2020 (v) any gift related to the private profession or occupation of a legislator or of a member of his
 2021 immediate family; ~~or~~ (vi) *food or beverages consumed while attending an event at which the filer is*
 2022 *performing official duties related to his public service;* (vii) *food and beverages received at or*
 2023 *registration or attendance fees waived for any event at which the filer is a featured speaker, presenter,*
 2024 *or lecturer;* (viii) *unsolicited awards of appreciation or recognition in the form of a plaque, trophy, wall*
 2025 *memento, or similar item that is given in recognition of public, civic, charitable, or professional service;*
 2026 *(ix) a devise or inheritance;* (x) *travel disclosed pursuant to the Campaign Finance Disclosure Act*
 2027 *(§ 24.2-945 et seq.); (xi) travel paid for or provided by the government of the United States, any of its*
 2028 *territories, or any state or any political subdivision of such state;* (xii) *travel provided to facilitate*
 2029 *attendance by a legislator at a regular or special session of the General Assembly, a meeting of a*
 2030 *legislative committee or commission, or a national conference where attendance is approved by the*
 2031 *House or Senate Committee on Rules;* (xiii) *travel related to an official meeting of the Commonwealth,*
 2032 *its political subdivisions, or any board, commission, authority, or other entity, or any charitable*
 2033 *organization established pursuant to § 501(c)(3) of the Internal Revenue Code affiliated with such entity,*
 2034 *to which such person has been appointed or elected or is a member by virtue of his office or*
 2035 *employment;* or (xiv) gifts from relatives or personal friends. For the purpose of this definition, "relative"
 2036 means the donee's spouse, child, uncle, aunt, niece, ~~or~~ nephew, *or first cousin;* a person to whom the
 2037 donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother, ~~or~~
 2038 sister, *step-parent, step-grandparent, step-grandchild, step-brother, or step-sister;* or the donee's brother's
 2039 or sister's spouse. For the purpose of this definition, "personal friend" does not include any person that
 2040 the filer knows or has reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et
 2041 seq.) of Chapter 4 of Title 2.2; or (b) a lobbyist's principal as defined in § 2.2-419; ~~or~~ (c) a person,
 2042 organization, or business who is a party to or is seeking to become a party to a contract with the
 2043 Commonwealth. For purposes of this definition, "person, organization, or business" includes individuals
 2044 who are officers, directors, or owners of or who have a controlling ownership interest in such
 2045 organization or business.

2046 "Governmental agency" means each component part of the legislative, executive or judicial branches
 2047 of state and local government, including each office, department, authority, post, commission,
 2048 committee, and each institution or board created by law to exercise some regulatory or sovereign power
 2049 or duty as distinguished from purely advisory powers or duties.

2050 "Immediate family" means (i) a spouse and (ii) any ~~child~~ other person who resides in the same
 2051 household as the legislator and who is a dependent of the legislator.

2052 "Legislator" means a member of the General Assembly.

2053 "Personal interest" means a financial benefit or liability accruing to a legislator or to a member of his
 2054 immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership
 2055 interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may
 2056 reasonably be anticipated to exceed, \$5,000 from ownership in real or personal property or a business;
 2057 (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination
 2058 thereof, paid or provided by a business or governmental agency that exceeds, or may reasonably be
 2059 anticipated to exceed, \$5,000 annually; (iv) ownership of real or personal property if the interest exceeds
 2060 \$5,000 in value and excluding ownership in a business, income, or salary, other compensation, fringe
 2061 benefits or benefits from the use of property; (v) personal liability incurred or assumed on behalf of a
 2062 business if the liability exceeds three percent of the asset value of the business; or (vi) an option for
 2063 ownership of a business or real or personal property if the ownership interest will consist of clause (i) or
 2064 (iv).

2065 "Personal interest in a contract" means a personal interest that a legislator has in a contract with a
 2066 governmental agency, whether due to his being a party to the contract or due to a personal interest in a
 2067 business that is a party to the contract.

2068 "Personal interest in a transaction" means a personal interest of a legislator in any matter considered
 2069 by the General Assembly. Such personal interest exists when an officer or employee or a member of his
 2070 immediate family has a personal interest in property or a business, or represents or provides services to
 2071 any individual or business and such property, business or represented or served individual or business (i)
 2072 is the subject of the transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or
 2073 detriment as a result of the action of the agency considering the transaction. A "personal interest in a
 2074 transaction" exists only if the legislator or member of his immediate family or an individual or business
 2075 represented or served by the legislator is affected in a way that is substantially different from the general
 2076 public or from persons comprising a profession, occupation, trade, business or other comparable and
 2077 generally recognizable class or group of which he or the individual or business he represents or serves is
 2078 a member.

2079 "Transaction" means any matter considered by the General Assembly, whether in a committee,
 2080 subcommittee, or other entity of the General Assembly or before the General Assembly itself, on which
 2081 official action is taken or contemplated.

2082 **§ 30-103.1. Certain gifts prohibited.**

2083 A. For purposes of this section:

2084 "Intangible gift" means a thing of temporary value or a thing that upon the happening of a certain
 2085 event or expiration of a given date loses its value. "Intangible gift" includes entertainment, hospitality, a
 2086 ticket, admission, or pass, transportation, lodgings, and meals that are reportable on Schedule E of the
 2087 disclosure form prescribed in § 30-111.

2088 "Tangible gift" means a thing of value that does not lose its value upon the happening of a certain
 2089 event or expiration of a given date. "Tangible gift" includes currency, negotiable instruments, securities,
 2090 stock options, or other financial instruments that are reportable on Schedule E of the disclosure form
 2091 prescribed in § 30-111. "Tangible gift" does not include payments or reimbursements received for any
 2092 intangible gift.

2093 "*Widely attended event*" means an event at which at least 25 persons have been invited to attend or
 2094 there is a reasonable expectation that at least 25 persons will attend the event and the event is open to
 2095 the public or is open to individuals (i) who share a common interest, (ii) who are members of a public,
 2096 civic, charitable, or professional organization, (iii) who are from a particular industry or profession, or
 2097 (iv) who represent persons interested in a particular issue.

2098 B. A No legislator or candidate for the General Assembly required to file the disclosure form
 2099 prescribed in § 30-111 (i) shall not solicit, accept, or receive within any calendar year any single
 2100 tangible gift with a value in excess of \$250 or a combination of tangible gifts with an aggregate value
 2101 in excess of \$250 from any person that he knows or has reason to know is (a) a lobbyist registered
 2102 pursuant to Article 3 (§ 2-2-418 et seq.) of Chapter 4 of Title 2-2; (b) a lobbyist's principal as defined in
 2103 § 2-2-419; or (c) a person, organization, or business who is a party to or is seeking to become a party to
 2104 a contract with the Commonwealth; (ii) shall report any tangible gift with a value of \$250 or less or any
 2105 intangible gift received from any person listed in clause (i) on Schedule E of such disclosure form; and
 2106 (iii) shall report any payments for talks, meetings, and publications on Schedule D-1 of such disclosure

2107 form. For purposes of this subsection, "person, organization, or business" includes individuals who are
 2108 officers, directors, or owners of or who have a controlling ownership interest in such organization or
 2109 business or a member of his immediate family shall solicit, accept, or receive any single gift with a
 2110 value in excess of \$100 from any person that he or a member of his immediate family knows or has
 2111 reason to know is (i) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title
 2112 2.2 or (ii) a lobbyist's principal as defined in § 2.2-419.

2113 C. Notwithstanding the provisions of subsection B, a legislator or candidate or a member of his
 2114 immediate family may accept or receive a gift of food or beverages with a value in excess in \$100 when
 2115 such gift is accepted or received while in attendance at a widely attended event. Such gifts shall be
 2116 reported on the disclosure form prescribed in § 30-111.

2117 D. Notwithstanding the provisions of subsection B, a legislator or a member of his immediate family
 2118 may accept or receive a gift from a foreign dignitary with a value exceeding \$100 for which the fair
 2119 market value or a gift of greater or equal value has not been provided or exchanged. Such gift shall be
 2120 accepted on behalf of the Commonwealth and archived in accordance with guidelines established by the
 2121 Library of Virginia. Such gift shall be disclosed as having been accepted on behalf of the
 2122 Commonwealth, but the value of such gift shall not be required to be disclosed.

2123 E. Notwithstanding the provisions of subsection B, a legislator or candidate or a member of his
 2124 immediate family may accept or receive certain gifts with a value in excess of \$100 from a person listed
 2125 in subsection B if such gift was provided to the legislator or candidate or a member of his immediate
 2126 family on the basis of a personal friendship. Notwithstanding any other provision of law, a person listed
 2127 in subsection B may be a personal friend of the legislator or candidate or his immediate family for
 2128 purposes of this subsection. In determining whether a person listed in subsection B is a personal friend,
 2129 the following factors shall be considered: (i) the circumstances under which the gift was offered; (ii) the
 2130 history of the relationship between the person and the donor, including the nature and length of the
 2131 friendship and any previous exchange of gifts between them; (iii) to the extent known to the person,
 2132 whether the donor personally paid for the gift or sought a tax deduction or business reimbursement for
 2133 the gift; and (iv) whether the donor has given the same or similar gifts to other persons required to file
 2134 the disclosure form prescribed in § 2.2-3117 or 30-111.

2135 F. Notwithstanding the provisions of subsection B, a legislator or candidate or a member of his
 2136 immediate family may accept or receive gifts of travel, including travel-related transportation, lodging,
 2137 hospitality, food or beverages, or other thing of value, with a value in excess of \$100 that is paid for or
 2138 provided by a person listed in subsection B when the legislator or candidate has submitted a request for
 2139 approval of such travel to the Council and has received the approval of the Council pursuant to
 2140 § 30-356.1. Such gifts shall be reported on the disclosure form prescribed in § 30-111.

2141 G. The \$250 \$100 limitation imposed in accordance with this section shall be adjusted by the
 2142 Council every five years, as of January 1 of that year, in an amount equal to the annual increases for
 2143 that five-year period in the United States Average Consumer Price Index for all items, all urban
 2144 consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor,
 2145 rounded to the nearest whole dollar.

2146 **§ 30-103.2. Return of gifts.**

2147 No person shall be in violation of any provision of this chapter prohibiting the acceptance of a gift if
 2148 the gift is not used by such person and the gift or its equivalent in money is returned to the donor or
 2149 delivered to a charitable organization within a reasonable period of time upon the discovery of the
 2150 value of the gift and is not claimed as a charitable contribution for federal income tax purposes or (ii)
 2151 consideration is given by the donee to the donor for the value of the gift within a reasonable period of
 2152 time upon the discovery of the value of the gift provided that such consideration reduces the value of
 2153 the gift to an amount not in excess of \$100 as provided in subsection B of § 30-103.1.

2154 **§ 30-110. Disclosure.**

2155 A. Every legislator and legislator-elect shall file, as a condition to assuming office, a disclosure
 2156 statement of his personal interests and such other information as is specified on the form set forth in
 2157 § 30-111 and thereafter shall file such a statement semiannually by December 15 for the preceding
 2158 six-month period complete through the last day of October and by June 15 for the preceding six-month
 2159 period complete through the last day of April. When the filing deadline falls on a Saturday, Sunday, or
 2160 legal holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or
 2161 legal holiday. Disclosure forms shall be ~~provided~~ made available by the Virginia Conflict of Interest and
 2162 Ethics Advisory Council at least 30 days prior to the filing deadline. ~~Members of the Senate and~~
 2163 ~~members of the House of Delegates shall file their disclosure~~ Disclosure forms shall be filed
 2164 electronically with the Virginia Conflict of Interest and Ethics Advisory Council in accordance with the
 2165 standards approved by it pursuant to § 30-356. The disclosure forms of the members of the General
 2166 Assembly shall be maintained as public records for five years in the office of the Virginia Conflict of
 2167 Interest and Ethics Advisory Council. Such forms shall be made public no later than six weeks after
 2168 filing.

2169 B. Candidates for the General Assembly shall file a disclosure statement of their personal interests as
2170 required by §§ 24.2-500 through 24.2-503.

2171 C. Any legislator who has a personal interest in any transaction pending before the General
2172 Assembly and who is disqualified from participating in that transaction pursuant to § 30-108 and the
2173 rules of his house shall disclose his interest in accordance with the applicable rule of his house.

2174 **§ 30-111. Disclosure form.**

2175 A. The disclosure form to be used for filings required by subsections A and B of § 30-110 shall be
2176 substantially as follows: *similar to the following. All completed forms shall be filed electronically with*
2177 *the Council in accordance with the standards approved by it pursuant to § 30-356.*

2178 STATEMENT OF ECONOMIC INTERESTS.

2179 Name

2180 Office or position held or sought

2181 Address

2182 Names of members of immediate family

2183 DEFINITIONS AND EXPLANATORY MATERIAL.

2184 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,
2185 association, trust or foundation, or any other individual or entity carrying on a business or profession,
2186 whether or not for profit.

2187 "Close financial association" means an association in which the filer shares significant financial
2188 involvement with an individual and the filer would reasonably be expected to be aware of the
2189 individual's business activities and would have access to the necessary records either directly or through
2190 the individual. "Close financial association" does not mean an association based on (i) the receipt of
2191 retirement benefits or deferred compensation from a business by which the legislator is no longer
2192 employed, or (ii) the receipt of compensation for work performed by the legislator as an independent
2193 contractor of a business that represents an entity before any state governmental agency when the
2194 legislator has had no communications with the state governmental agency.

2195 "Contingent liability" means a liability that is not presently fixed or determined, but may become
2196 fixed or determined in the future with the occurrence of some certain event.

2197 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item
2198 having monetary value. It includes services as well as gifts of transportation, lodgings and meals,
2199 whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the
2200 expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission
2201 or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic,
2202 merit, or need-based scholarship or any other financial aid awarded by a public or private school,
2203 institution of higher education, or other educational program pursuant to such school, institution, or
2204 program's financial aid standards and procedures applicable to the general public; (iv) a campaign
2205 contribution properly received and reported pursuant to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;
2206 (v) any gift related to the private profession or occupation of a legislator or of a member of his
2207 immediate family; ~~or~~ (vi) *food or beverages consumed while attending an event at which the filer is*
2208 *performing official duties related to his public service;* (vii) *food and beverages received at or*
2209 *registration or attendance fees waived for any event at which the filer is a featured speaker, presenter,*
2210 *or lecturer;* (viii) *unsolicited awards of appreciation or recognition in the form of a plaque, trophy, wall*
2211 *memento, or similar item that is given in recognition of public, civic, charitable, or professional service;*
2212 *(ix) a devise or inheritance;* (x) *travel disclosed pursuant to the Campaign Finance Disclosure Act*
2213 *(§ 24.2-945 et seq.); (xi) travel paid for or provided by the government of the United States, any of its*
2214 *territories, or any state or any political subdivision of such state;* (xii) *travel provided to facilitate*
2215 *attendance by a legislator at a regular or special session of the General Assembly, a meeting of a*
2216 *legislative committee or commission, or a national conference where attendance is approved by the*
2217 *House or Senate Committee on Rules;* (xiii) *travel related to an official meeting of the Commonwealth,*
2218 *its political subdivisions, or any board, commission, authority, or other entity, or any charitable*
2219 *organization established pursuant to § 501(c)(3) of the Internal Revenue Code affiliated with such entity,*
2220 *to which such person has been appointed or elected or is a member by virtue of his office or*
2221 *employment;* or (xiv) gifts from relatives or personal friends. "Relative" means the donee's spouse, child,
2222 uncle, aunt, niece, ~~or~~ nephew, or first cousin; a person to whom the donee is engaged to be married; the
2223 donee's or his spouse's parent, grandparent, grandchild, brother, ~~or~~ sister, *step-parent, step-grandparent,*
2224 *step-grandchild, step-brother, or step-sister;* or the donee's brother's or sister's spouse. "Personal friend"
2225 does not include any person that the filer knows or has reason to know is (a) a lobbyist registered
2226 pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; or (b) a lobbyist's principal as defined
2227 in § 2.2-419; ~~or (c) a person, organization, or business who is a party to or is seeking to become a party~~
2228 ~~to a contract with the Commonwealth. "Person, organization, or business" includes individuals who are~~
2229 ~~officers, directors, or owners of or who have a controlling ownership interest in such organization or~~

2230 business.

2231 "Immediate family" means (i) a spouse and (ii) any ~~child~~ *other person* who resides in the same
2232 household as the legislator and who is a dependent of the legislator.

2233 "Lobbyist relationship" means (i) an engagement, agreement, or representation that relates to legal
2234 services, consulting services, or public relations services, whether gratuitous or for compensation,
2235 between a member or member-elect and any person who is, or has been within the prior calendar year,
2236 registered as a lobbyist with the Secretary of the Commonwealth or (ii) a greater than three percent
2237 ownership interest by a member or member-elect in a business that employs, or engages as an
2238 independent contractor, any person who is, or has been within the prior calendar year, registered as a
2239 lobbyist with the Secretary of the Commonwealth. The disclosure of a lobbyist relationship shall not (a)
2240 constitute a waiver of any attorney-client or other privilege, (b) require a waiver of any attorney-client
2241 or other privilege for a third party, or (c) be required where a member or member-elect is employed or
2242 engaged by a person and such person also employs or engages a person in a lobbyist relationship so
2243 long as the member or member-elect has no financial interest in the lobbyist relationship.

2244 TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust,
2245 treat the trust's assets as if you own them directly. If you or your immediate family has a proportional
2246 interest in a trust, treat that proportion of the trust's assets as if you own them directly. For example, if
2247 you and your immediate family have a one-third interest in a trust, complete your Statement as if you
2248 own one-third of each of the trust's assets. If you or a member of your immediate family created a trust
2249 and can revoke it without the beneficiaries' consent, treat its assets as if you own them directly.

2250 REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required on this
2251 Statement must be provided on the basis of the best knowledge, information, and belief of the individual
2252 filing the Statement as of the date of this report unless otherwise stated.

2253 COMPLETE ITEMS 1 THROUGH 11. REFER TO SCHEDULES ONLY IF DIRECTED.

2254 You may attach additional explanatory information.

2255 1. Offices and Directorships.

2256 Are you or a member of your immediate family a paid officer or paid director of a business?

2257 EITHER check NO // OR check YES // and complete Schedule A.

2258 2. Personal Liabilities.

2259 Do you or a member of your immediate family owe more than \$5,000 to any one creditor including
2260 contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property
2261 at least equal in value to the loan.)

2262 EITHER check NO // OR check YES // and complete Schedule B.

2263 3. Securities.

2264 Do you or a member of your immediate family, directly or indirectly, separately or together, own
2265 securities valued in excess of \$5,000 invested in one business? Account for mutual funds, limited
2266 partnerships and trusts.

2267 EITHER check NO // OR check YES // and complete Schedule C.

2268 4. Payments for Talks, Meetings, and Publications.

2269 During the past six months did you receive in your capacity as a legislator lodging, transportation,
2270 money, or anything else of value with a combined value exceeding ~~\$200~~ \$100 (i) for a single talk,
2271 meeting, or published work or (ii) for a meeting, conference, or event where your attendance at the
2272 meeting, conference, or event was designed to (a) educate you on issues relevant to your duties as a
2273 legislator, including issues faced by your constituents, or (b) enhance your knowledge and skills relative
2274 to your duties as a legislator? Do not include payments and reimbursements from the Commonwealth
2275 for meetings attended in your capacity as a legislator; see Question 11 and Schedule D2 to report such
2276 meetings.

2277 EITHER check NO // OR check YES // and complete Schedule D.

2278 5. Gifts.

2279 During the past six months did a business, government, or individual other than a relative or personal
2280 friend (i) furnish you or a member of your immediate family with any gift or entertainment at a single
2281 event, and the value received exceeded \$50 or (ii) furnish you or a member of your immediate family
2282 with gifts or entertainment in any combination and the total value received exceeded ~~\$400~~ \$50, and for
2283 which you or the member of your immediate family neither paid nor rendered services in exchange?
2284 Account for entertainment events only if the average value per person attending the event exceeded \$50.
2285 Account for all business entertainment (except if related to the private profession or occupation of you
2286 or the member of your immediate family who received such business entertainment) even if unrelated to
2287 your official duties.

2288 EITHER check NO // OR check YES // and complete Schedule E.

2289 6. Salary and Wages.

2290 List each employer that pays you or a member of your immediate family salary or wages in excess
2291 of \$5,000 annually. (Exclude any salary received as a member of the General Assembly pursuant to

2292 § 30-19.11.)

2293 If no reportable salary or wages, check here // .

2294 _____

2295 _____

2296 _____

2297 7. Business Interests and Lobbyist Relationships.

2298 7A. Do you or a member of your immediate family, separately or together, operate your own
2299 business, or own or control an interest in excess of \$5,000 in a business?

2300 EITHER check NO // OR check YES // and complete Schedule F-1.

2301 7B. Do you have a lobbyist relationship as that term is defined above?

2302 EITHER check NO // OR check YES // and complete Schedule F-2.

2303 8. Payments for Representation and Other Services.

2304 8A. Did you represent any businesses before any state governmental agencies, excluding courts or
2305 judges, for which you received total compensation during the past six months in excess of \$1,000,
2306 excluding compensation for other services to such businesses and representation consisting solely of the
2307 filing of mandatory papers and subsequent representation regarding the mandatory papers?

2308 EITHER check NO // OR check YES // and complete Schedule G-1.

2309 8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial
2310 association (partners, associates or others) represent any businesses before any state governmental agency
2311 for which total compensation was received during the past six months in excess of \$1,000?

2312 EITHER check NO // OR check YES // and complete Schedule G-2.

2313 8C. Did you or persons with whom you have a close financial association furnish services to
2314 businesses operating in Virginia, pursuant to an agreement between you and such businesses, or between
2315 persons with whom you have a close financial association and such businesses for which total
2316 compensation in excess of \$1,000 was received during the past six months? Services reported under this
2317 provision shall not include services involving the representation of businesses that are reported under
2318 question 8A or 8B above.

2319 EITHER check NO // OR check YES // and complete Schedule G-3.

2320 9. Real Estate.

2321 Do you or a member of your immediate family hold an interest, including a partnership interest,
2322 valued at more than \$5,000 in real property (other than your principal residence) for which you have not
2323 already listed the full address on Schedule F? Account for real estate held in trust.

2324 EITHER check NO // OR check YES // and complete Schedule H.

2325 10. Real Estate Contracts with State Governmental Agencies.

2326 Do you or a member of your immediate family hold an interest valued at more than \$5,000 in real
2327 estate, including a corporate, partnership, or trust interest, option, easement, or land contract, which real
2328 estate is the subject of a contract, whether pending or completed within the past six months, with a state
2329 governmental agency?

2330 If the real estate contract provides for the leasing of the property to a state governmental agency, do
2331 you or a member of your immediate family hold an interest in the real estate, including a corporate,
2332 partnership, or trust interest, option, easement, or land contract valued at more than \$1,000? Account for
2333 all such contracts whether or not your interest is reported in Schedule F or H. This requirement to
2334 disclose an interest in a lease does not apply to an interest derived through an ownership interest in a
2335 business unless the ownership interest exceeds three percent of the total equity of the business.

2336 EITHER check NO // OR check YES // and complete Schedule I.

2337 11. Payments by the Commonwealth for Meetings.

2338 During the past six months did you receive lodging, transportation, money, or anything else of value
2339 with a combined value exceeding \$200 \$100 from the Commonwealth for a single meeting attended
2340 out-of-state in your capacity as a legislator? Do not include reimbursements from the Commonwealth for
2341 meetings attended in the Commonwealth.

2342 EITHER check NO // OR check YES // and complete Schedule D-2.

2343 For Statements filed in ~~January~~ June 2016 and each two years thereafter, complete the following
2344 statement indicating whether you completed the ethics orientation sessions provided pursuant to law:

2345 I certify that I completed ethics training as required by § 30-129.1. YES // or NO // .

2346 Statements of Economic Interests are open for public inspection.

2347 AFFIRMATION.

2348 In accordance with the rules of the house in which I serve, if I receive a request that this disclosure
2349 statement be corrected, augmented, or revised in any respect, I hereby pledge that I shall respond
2350 promptly to the request. I understand that if a determination is made that the statement is insufficient, I
2351 will satisfy such request or be subjected to disciplinary action of my house.

2352 I swear or affirm that the foregoing information is full, true and correct to the best of my knowledge.

2353 Signature _____ (Such signature shall be deemed to constitute a
2354 valid notarization and shall have the same effect as if performed by a notary public.)
2355 (Return only if needed to complete Statement.)

2356 SCHEDULES
2357 to
2358 STATEMENT OF ECONOMIC INTERESTS.

2359 NAME _____
2360 SCHEDULE A - OFFICES AND DIRECTORSHIPS.

2361 Identify each business of which you or a member of your immediate family is a paid officer or paid
2362 director.

2363 _____

2364 _____

2365 Name of Business Address of Business Position Held and by Whom

2366 _____

2367 _____

2368 _____

2369 _____

2370 _____

2371 _____ RETURN TO ITEM 2

2372 SCHEDULE B - PERSONAL LIABILITIES.

2373 Report personal liability by checking each category. Report only debts in excess of \$5,000. Do not
2374 report debts to any government. Do not report loans secured by recorded liens on property at least equal
2375 in value to the loan.

2376 Report contingent liabilities below and indicate which debts are contingent.

2377 1. My personal debts are as follows:

2378 _____

2379 _____

2380 Check Check one

2381 appropriate \$5,001 to More than

2382 categories \$50,000 \$50,000

2383 Banks _____

2384 Savings institutions _____

2385 Other loan or finance companies _____

2386 Insurance companies _____

2387 Stock, commodity or other brokerage _____

2388 companies _____

2389 Other businesses: _____

2390 (State principal business activity for each _____

2391 creditor and its name.) _____

2392 _____

2393 _____

2394 _____

2395 Individual creditors: _____

2396 (State principal business or occupation of _____

2397 each creditor and its name.) _____

2398 _____

2399 _____

2400 _____

2401 _____

2402 2. The personal debts of the members of my immediate family are as follows:

2403 _____

2404 _____

2405 Check Check one

2406 appropriate \$5,001 to More than

2407 categories \$50,000 \$50,000

2408 Banks _____

2409 Savings institutions _____

2410 Other loan or finance companies _____

2411 Insurance companies _____

2412 Stock, commodity or other brokerage _____

2413 companies _____

2414 Other businesses: _____

2415 (State principal business activity for each _____

2416 creditor and its name.) _____

2417 _____

2418 _____

2419 _____

2420 Individual creditors: _____

2421 (State principal business or occupation of _____

2422 each creditor and its name.) _____

2423 _____

2424 _____

2425 _____

2426 _____

RETURN TO ITEM 3

2427

2428 SCHEDULE C - SECURITIES.

2429 "Securities" INCLUDES stocks, bonds, mutual funds, limited partnerships, and commodity futures

2430 contracts.

2431 "Securities" EXCLUDES certificates of deposit, money market funds, annuity contracts, and

2432 insurance policies.

2433 Identify each business or Virginia governmental entity in which you or a member of your immediate

2434 family, directly or indirectly, separately or together, own securities valued in excess of \$5,000. Name

2435 each issuer and type of security individually.

2436 Do not list U.S. Bonds or other government securities not issued by the Commonwealth of Virginia

2437 or its authorities, agencies, or local governments. Do not list organizations that do not do business in

2438 this Commonwealth, but most major businesses conduct business in Virginia. Account for securities held

2439 in trust.

2440 If no reportable securities, check here / / .

2441 _____

2442 _____

2443 _____

2444 _____

2445 _____

2446 _____

2447 _____

2448 _____

2449 _____

2450 _____

2451 _____

RETURN TO ITEM 4

2452

2453 SCHEDULE D-1 - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

2454 List each source from which you received during the past six months in your capacity as a legislator

2455 lodging, transportation, money, or any other thing of value with a combined value exceeding \$200 \$100

2456 (i) for your presentation of a single talk, participation in one meeting, or publication of a work or (ii)

2457 for your attendance at a meeting, conference, or event where your attendance at the meeting, conference,

2458 or event was designed to (a) educate you on issues relevant to your duties as a legislator, including

2459 issues faced by your constituents, or (b) enhance your knowledge and skills relative to your duties as a

2460 legislator. Any lodging, transportation, money, or other thing of value received by a legislator that does

2461 not satisfy the criteria of clause (i), (ii)(a), or (ii)(b) shall be listed as a gift on Schedule E. Do not list

2462 payments or reimbursements by the Commonwealth. (See Schedule D-2 for such payments or

2463 reimbursements.) List a payment even if you donated it to charity. Do not list information about a

2464 payment if you returned it within 60 days or if you received it from an employer already listed under

2465 Item 6 or from a source of income listed on Schedule F.

2466 If no payment must be listed, check here / / .

2467 _____

2468 _____

2469				Type of Payment
2470				(e.g., Honoraria,
2471				Travel reimburse-
2472	Payer	Approximate Value	Circumstances	ment, etc.)
2473	_____	_____	_____	_____
2474	_____	_____	_____	_____
2475	_____	_____	_____	_____
2476	_____	_____	_____	_____
2477	_____	_____	_____	_____

RETURN TO ITEM 5

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

List each meeting for which the Commonwealth provided payments or reimbursements during the past six months to you for lodging, transportation, money, or any other thing of value with a combined value exceeding \$200 \$100 for your participation in your capacity as a legislator. Do not list payments or reimbursements by the Commonwealth for meetings or travel within the Commonwealth.

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

2485				Type of Payment
2486				(e.g., Travel
2487				reimbursement,
2488				etc.)
2489	Payer	Approximate Value	Circumstances	
2490	_____	_____	_____	_____
2491	_____	_____	_____	_____
2492	_____	_____	_____	_____
2493	_____	_____	_____	_____
2494	_____	_____	_____	_____
2495	_____	_____	_____	_____

SCHEDULE E - GIFTS.

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

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

2509				
2510				
2511	Name of Business,	City or	Exact	
2512	Name of	Organization, or	County	Gift or
2513	Recipient	Individual	and State	Event
2514				Approximate
2515				Value
2516				
2517				
2518				
2519	_____	_____	_____	_____
2520	_____	_____	_____	_____
2521	_____	_____	_____	_____
2522	_____	_____	_____	_____
2523	_____	_____	_____	_____
2524	_____	_____	_____	_____
2525	_____	_____	_____	_____
2526	_____	_____	_____	_____
2527	_____	_____	_____	_____

RETURN TO ITEM 6

SCHEDULE F-1 - BUSINESS INTERESTS.

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

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

2528	_____					
2529	_____					
2530	Name of					
2531	Business					
2532	Corporation,					
2533	Partnership,		Nature of		Gross income	
2534	Farm;		Enterprise			
2535	Address of	City or	(farming,	\$50,001	More	
2536	Rental	County	law, rental	\$50,000	to	than
2537	Property	and State	property, etc.)	or less	\$250,000	\$250,000
2538	_____	_____	_____	_____	_____	_____
2539	_____	_____	_____	_____	_____	_____
2540	_____	_____	_____	_____	_____	_____
2541	_____	_____	_____	_____	_____	_____
2542	_____					

RETURN TO ITEM 8

SCHEDULE F-2 - LOBBYIST RELATIONSHIPS AND PAYMENTS.

Complete this Schedule for each lobbyist relationship with the following:

- 2546 (i) any person who is, or has been within the prior calendar year, registered as a lobbyist with the Secretary of the Commonwealth, or
- 2548 (ii) any business in which you have a greater than three percent ownership interest and that business employs, or engages as an independent contractor, any person who is, or has been within the prior calendar year, registered as a lobbyist with the Secretary of the Commonwealth.

2551	_____				
2552	_____				
2553					
2554	Payments to Lobbyist				
2555	List each person	Describe each	Dates of	\$10,000	More than
2556	or business	relationship	relationship	or less	\$10,000
2557	_____	_____	_____	_____	_____
2558	_____	_____	_____	_____	_____
2559	_____	_____	_____	_____	_____
2560	_____	_____	_____	_____	_____
2561	_____	_____	_____	_____	_____
2562	_____				

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

SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

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

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

2578	_____									
2579	_____									
2580			Pur-							
2581			pose	Amount Received						
2582	Name	Type	of	Name	\$1,001	\$10,001	\$50,001	\$100,001		
2583	of	of	Repre-	of	to	to	to	to	\$250,001	
2584	Busi-	Busi-	senta-	of	to	to	to	to	\$250,001	
2585	ness	ness	tion	Agency	\$10,000	\$50,000	\$100,000	\$250,000	and over	

2586 _____
 2587 _____
 2588 _____
 2589 _____
 2590 _____

2591 If you have received \$250,001 or more from a single business within the reporting period, indicate
 2592 the amount received, rounded to the nearest \$10,000. Amount Received: _____.

2593 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

2594 List the businesses that have been represented before any state governmental agency, excluding any
 2595 court or judge, by persons who are your partners, associates or others with whom you have a close
 2596 financial association and who received total compensation in excess of \$1,000 for such representation
 2597 during the past six months, excluding representation consisting solely of the filing of mandatory papers
 2598 and subsequent representation regarding the mandatory papers filed by your partners, associates or others
 2599 with whom you have a close financial association.

2600 Identify such businesses by type and also name the state governmental agencies before which such
 2601 person appeared on behalf of such businesses.

2602 _____

2603 _____

2604 Type of Business Name of State Governmental Agency

2605 _____

2606 _____

2607 _____

2608 _____

2609 _____

2610 SCHEDULE G-3 - PAYMENTS FOR OTHER SERVICES GENERALLY.

2611 Indicate below types of businesses that operate in Virginia to which services were furnished by you
 2612 or persons with whom you have a close financial association pursuant to an agreement between you and
 2613 such businesses, or between persons with whom you have a close financial association and such
 2614 businesses and for which total compensation in excess of \$1,000 was received during the past six
 2615 months. Services reported in this Schedule shall not include services involving the representation of
 2616 businesses that are reported in Schedule G-1 or G-2 above.

2617 Identify opposite each category of businesses listed below (i) the type of business, (ii) the type of
 2618 service rendered and (iii) the value by dollar category of the compensation received for all businesses
 2619 falling within each category.

2620 _____

2621 _____

2622 Check

2623 if Type

2624 ser- of Value of Compensation

2625 vices ser-

2626 were vice \$1,001 \$10,001 \$50,001 \$100,001

2627 ren- ren- to to to to \$250,001

2628 dered dered \$10,000 \$50,000 \$100,000 \$250,000 and over

2629 Electric utilities _____

2630 Gas utilities _____

2631 Telephone utilities _____

2632 Water utilities _____

2633 Cable television _____

2634 companies _____

2635 Interstate _____

2636 transportation _____

2637 companies _____

2638 Intrastate _____

2639 transportation _____

2640 companies _____

2641 Oil or gas retail _____

2642 companies _____

2643 Banks _____

- 2644 Savings
- 2645 institutions _____
- 2646 Loan or finance
- 2647 companies _____
- 2648 Manufacturing
- 2649 companies (state
- 2650 type of product,
- 2651 e.g., textile,
- 2652 furniture, etc.) _____
- 2653 Mining companies _____
- 2654 Life insurance
- 2655 companies _____
- 2656 Casualty insurance
- 2657 companies _____
- 2658 Other insurance
- 2659 companies _____
- 2660 Retail companies _____
- 2661 Beer, wine or
- 2662 liquor companies
- 2663 or distributors _____
- 2664 Trade associations _____
- 2665 Professional
- 2666 associations _____
- 2667 Associations of
- 2668 public employees
- 2669 or officials _____
- 2670 Counties, cities
- 2671 or towns _____
- 2672 Labor organizations _____
- 2673 Other _____
- 2674 _____

RETURN TO ITEM 9

2675
2676 SCHEDULE H - REAL ESTATE.

2677 List real estate other than your principal residence in which you or a member of your immediate
2678 family holds an interest, including a partnership interest, option, easement, or land contract, valued at
2679 \$5,000 or more. Each parcel shall be listed individually.

2680 _____

2681	2682 Describe the type of real	
2683	estate you own in each	
2684 List the location	location (business,	If the real estate is
2685 (state, and county	recreational, apartment,	owned or recorded in
2686 or city where you	commercial, open land,	a name other than your
2687 own real estate	etc.)	own, list that name
2688 _____	_____	_____
2689 _____	_____	_____
2690 _____	_____	_____
2691 _____	_____	_____
2692 _____	_____	_____
2693 _____	_____	_____

RETURN TO ITEM 10

2694
2695 SCHEDULE I - REAL ESTATE CONTRACTS WITH STATE GOVERNMENTAL AGENCIES.

2696 List all contracts, whether pending or completed within the past six months, with a state
2697 governmental agency for the sale or exchange of real estate in which you or a member of your
2698 immediate family holds an interest, including a corporate, partnership or trust interest, option, easement,
2699 or land contract, valued at more than \$10,000. List all contracts with a state governmental agency for
2700 the lease of real estate in which you or a member of your immediate family holds such an interest

2701 valued at more than \$1,000. This requirement to disclose an interest in a lease does not apply to an
2702 interest derived through an ownership interest in a business unless the ownership interest exceeds three
2703 percent of the total equity of the business.

2704

2705

2706 List your real
2707 estate interest and
2708 the person or entity,
2709 including the type of
2710 entity, which is
2711 party to the contract.

2712 Describe any
2713 management role and
2714 the percentage
2715 ownership interest
2716 you or your immediate
2717 family member has in
2718 the real estate
2719 or entity.

List each
governmental agency
which is a party to
the contract and
indicate the county
or city where the
real estate is located.

State the annual
income from the
contract, and the
amount, if any, of
income you or any
immediate family
member derives
annually from
the contract.

2720

2721

2722

2723

2724

2725

2726 B. Any legislator who *knowingly and intentionally* makes a ~~knowing misstatement~~ false statement of
2727 a material fact on the Statement of Economic Interests *is guilty of a Class 5 felony* and shall be subject
2728 to disciplinary action for such violations by the house in which the legislator sits.

2729 C. The Statement of Economic Interests of all members of each house shall be reviewed by the
2730 Council. If a legislator's Statement is found to be inadequate as filed, the legislator shall be notified in
2731 writing and directed to file an amended Statement correcting the indicated deficiencies, and a time shall
2732 be set within which such amendment shall be filed. If the Statement of Economic Interests, in either its
2733 original or amended form, is found to be adequate as filed, the legislator's filing shall be deemed in full
2734 compliance with this section as to the information disclosed thereon.

2735 D. Ten percent of the membership of a house, on the basis of newly discovered facts, may in writing
2736 request the house in which those members sit, in accordance with the rules of that house, to review the
2737 Statement of Economic Interests of another member of that house in order to determine the adequacy of
2738 his filing. In accordance with the rules of each house, each Statement of Economic Interests shall be
2739 promptly reviewed, the adequacy of the filing determined, and notice given in writing to the legislator
2740 whose Statement is in issue. Should it be determined that the Statement requires correction,
2741 augmentation or revision, the legislator involved shall be directed to make the changes required within
2742 such time as shall be set under the rules of each house.

2743 If a legislator, after having been notified in writing in accordance with the rules of the house in
2744 which he sits that his Statement is inadequate as filed, fails to amend his Statement so as to come into
2745 compliance within the time limit set, he shall be subject to disciplinary action by the house in which he
2746 sits. No legislator shall vote on any question relating to his own Statement.

2747 **§ 30-124. Advisory opinions.**

2748 A legislator shall not be prosecuted or disciplined for a violation of this chapter if his alleged
2749 violation resulted from his good faith reliance on a written opinion of a committee on standards of
2750 conduct established pursuant to § 30-120, an opinion of the Attorney General as provided in § 30-122,
2751 or a formal opinion of the Virginia Conflict of Interest and Ethics Advisory Council established pursuant
2752 to § 30-355, and the opinion was made after his full disclosure of the facts *regardless of whether such*
2753 *opinion is later withdrawn provided the alleged violation occurred prior to the withdrawal of the*
2754 *opinion.*

2755 **§ 30-126. Civil penalty from violation of this chapter.**

2756 A. In addition to any other fine or penalty provided by law, any money or other thing of value
2757 derived by a legislator from a violation of §§ 30-103 through 30-108 shall be forfeited and, in the event
2758 of a knowing violation, there may also be imposed a civil penalty in an amount equal to the amount of
2759 money or thing of value forfeited to the Commonwealth. If the thing of value received by the legislator
2760 in violation of this chapter should enhance in value between the time of the violation and the time of

2761 discovery of the violation, the greater value shall determine the amount of the civil penalty.

2762 *B. A legislator who fails to file the disclosure form required by § 30-111 within the time period*
 2763 *prescribed shall be assessed a civil penalty in an amount equal to \$250. The Council shall notify the*
 2764 *Attorney General of any legislator's failure to file the required form within 30 days of the deadline for*
 2765 *filing and the Attorney General shall assess and collect the civil penalty. All civil penalties collected*
 2766 *pursuant to this subsection shall be deposited into the general fund and used exclusively to fund the*
 2767 *Council.*

2768 **§ 30-355. Virginia Conflict of Interest and Ethics Advisory Council; membership; terms;**
 2769 **quorum; expenses.**

2770 A. The Virginia Conflict of Interest and Ethics Advisory Council (the Council) is hereby created as
 2771 an advisory council in the legislative branch to encourage and facilitate compliance with the State and
 2772 Local Government Conflict of Interests Act (§ 2.2-3100 et seq.) and the General Assembly Conflicts of
 2773 Interests Act (§ 30-100 et seq.) (hereafter the Acts) and the lobbying laws in Article 3 (§ 2.2-418 et
 2774 seq.) of Chapter 4 of Title 2.2 (hereafter Article 3).

2775 B. The Council shall consist of ~~15~~ *nine* members as follows: ~~four~~ *three* members appointed by the
 2776 Speaker of the House of Delegates, ~~one~~ *two* of whom shall be a ~~member~~ *members* of the House of
 2777 Delegates, *and* one of whom shall be a ~~former member~~ *former member* of the House of Delegates, *and* ~~two~~ *two* of whom
 2778 shall be ~~nonlegislative citizen members~~ *retired judge of a court of record*; ~~four~~ *three* members appointed
 2779 by the Senate Committee on Rules, ~~one~~ *two* of whom shall be a ~~member~~ *members* of the Senate, *and*
 2780 one of whom shall be a ~~former member~~ *former member* of the Senate, *and* ~~two~~ *two* of whom shall be ~~nonlegislative citizen~~
 2781 ~~members~~ *retired judge of a court of record*; ~~four~~ *and three* members appointed by the Governor, ~~two~~
 2782 *one* of whom shall be executive branch employees and ~~two~~ *two* of whom shall be ~~nonlegislative citizen~~
 2783 ~~members~~; ~~one~~ *one* member designated by the Attorney General; ~~one~~ *one* member appointed by the Senate
 2784 ~~Committee on Rules~~ *a retired judge of a court of record*, *one of whom shall be appointed* from a list of
 2785 three nominees submitted by the Virginia Association of Counties; *and one member appointed by the*
 2786 ~~Speaker of the House of Delegates~~ *of whom shall be appointed* from a list of three nominees submitted
 2787 by the Virginia Municipal League. *In the appointment to the Council of members of the House of*
 2788 *Delegates made by the Speaker and members of the Senate made by the Senate Committee on Rules,*
 2789 *equal representation shall be given to each of the political parties having the highest and next highest*
 2790 *number of members elected to their respective body. All members of the Council are subject to*
 2791 *confirmation by the General Assembly by a majority vote in each house of (i) the members present of*
 2792 *the majority party and (ii) the members present of the minority party.*

2793 C. All appointments following the initial staggering of terms shall be for terms of four years, except
 2794 that appointments to fill vacancies shall be for the unexpired terms in the same manner as the original
 2795 appointment. No nonlegislative citizen member shall be eligible to serve for more than two successive
 2796 four-year terms. However, after the expiration of a term of three years or less, or after the expiration of
 2797 the remainder of a term to which appointed to fill a vacancy, two additional terms may be served by
 2798 such member if appointed thereto. Legislative members and other state government officials shall serve
 2799 terms coincident with their terms of office. Legislative members may be reappointed for successive
 2800 terms.

2801 D. The members of the Council shall elect from among their membership a chairman and a
 2802 vice-chairman for two-year terms. The chairman and vice-chairman may not succeed themselves to the
 2803 same position. The Council shall hold meetings quarterly or upon the call of the chairman. A majority
 2804 of the Council *appointed* shall constitute a quorum.

2805 E. Members of the Council shall receive no compensation for their services but shall be reimbursed
 2806 for all reasonable and necessary expenses incurred in the performance of their duties as provided in
 2807 §§ 2.2-2813, 2.2-2825, and 30-19.12, as appropriate. Funding for expenses of the members shall be
 2808 provided from existing appropriations to the Council.

2809 **§ 30-356. Powers and duties of the Council.**

2810 The Council shall:

2811 1. Review all disclosure forms filed by lobbyists pursuant to Article 3 and by state ~~and local~~
 2812 ~~government officers and employees and legislators pursuant to the Acts. The Council shall~~ *may* review
 2813 ~~all disclosure forms for completeness, which shall include~~ *including* reviewing the information contained
 2814 on the face of the form to determine if the disclosure form has been fully completed and comparing the
 2815 disclosures contained in any disclosure form filed by a lobbyist pursuant to § 2.2-426 with other
 2816 disclosure forms filed with the Council, ~~and be followed by requests for~~ *requesting any* amendments to
 2817 ensure the completeness of and correction of errors in the forms, if necessary. *If a disclosure form is*
 2818 *found to have not been filed or to have been incomplete as filed, the Council shall notify the filer in*
 2819 *writing and direct the filer to file a completed disclosure form within a prescribed period of time, and*
 2820 *such notification shall be confidential and is excluded from the provisions of the Virginia Freedom of*
 2821 *Information Act (§ 2.2-3700 et seq.);*

2822 2. ~~Accept any~~ Require all disclosure forms by computer or electronic means to be filed electronically
 2823 in accordance with the standards approved by the Council and using software meeting standards
 2824 approved by it. The Council shall provide software or electronic access for filing the required disclosure
 2825 forms to all filers without charge and may. The Council shall prescribe the method of execution and
 2826 certification of electronically filed forms, including the use of an electronic signature as authorized by
 2827 the Uniform Electronic Transactions Act (§ 59.1-479 et seq.); and the procedures for receiving forms in
 2828 the office of the Council;

2829 3. ~~Accept and review any statement received from a filer disputing the receipt by such filer of a gift~~
 2830 ~~that has been disclosed on the form filed by a lobbyist pursuant to Article 3;~~

2831 4. Beginning July 1, ~~2015~~ 2016, establish and maintain a searchable electronic database comprising
 2832 disclosure forms filed pursuant to §§ 2.2-426, 2.2-3117, 2.2-3118, and 30-111. Such database shall be
 2833 available to the public through the Council's official website;

2834 4. 5. Furnish, upon request, formal advisory opinions or guidelines and other appropriate information,
 2835 including informal advice, regarding ethics and, conflicts issues arising under Article 3 or the Acts, or a
 2836 person's duties under Article 3 or the Acts to any person covered by Article 3 or the Acts or to any
 2837 agency of state or local government, in an expeditious manner. The Council may authorize a designee to
 2838 furnish formal opinions or informal advice. Formal advisory opinions are public record and shall be
 2839 published on the Council's website; however, no formal advisory opinion furnished by a designee of the
 2840 Council shall be published until such opinion has been approved by the Council. Published formal
 2841 advisory opinions may have such deletions and changes as may be necessary to protect the identity of
 2842 the person involved. Informal advice given by the Council or the Council's designee is confidential,
 2843 protected by the attorney-client privilege, and is excluded from the provisions of the Virginia Freedom
 2844 of Information Act (§ 2.2-3700 et seq.);

2845 5. 6. Conduct training seminars and educational programs for lobbyists, state and local government
 2846 officers and employees and, legislators, and other interested persons on the requirements of Article 3 and
 2847 the Acts and provide ethics orientation sessions for legislators in compliance with Article 6 (§ 30-129.1
 2848 et seq.) of Chapter 13;

2849 6. 7. Approve orientation courses conducted pursuant to § 2.2-3128 and, upon request, review the
 2850 educational materials and approve any training or course on the requirements of Article 3 and the Acts
 2851 conducted for state and local government officers and employees;

2852 7. 8. Publish such educational materials as it deems appropriate on the provisions of Article 3 and
 2853 the Acts;

2854 8. 9. Review actions taken in the General Assembly with respect to the discipline of its members for
 2855 the purpose of offering nonbinding advice;

2856 9. 10. Request from any agency of state or local government such assistance, services, and
 2857 information as will enable the Council to effectively carry out its responsibilities. Information provided
 2858 to the Council by an agency of state or local government shall not be released to any other party unless
 2859 authorized by such agency; and

2860 11. Redact from any document or form that is to be made available to the public any residential
 2861 address, personal telephone number, or signature contained on that document or form; and

2862 10. 12. Report on or before December 1 of each year on its activities and findings regarding Article
 2863 3 and the Acts, including recommendations for changes in the laws, to the General Assembly and the
 2864 Governor. The annual report shall be submitted by the chairman as provided in the procedures of the
 2865 Division of Legislative Automated Systems for the processing of legislative documents and reports and
 2866 shall be published as a state document.

2867 **§ 30-356.1. Request for approval for certain travel.**

2868 A. The Council shall receive and review a request for the approval of travel submitted by a person
 2869 required to file the disclosure form prescribed in § 2.2-3117 or 30-111 to accept any travel-related
 2870 transportation, lodging, hospitality, food or beverage, or other thing of value that has a value exceeding
 2871 \$100 where such approval is required pursuant to subsection G of § 2.2-3103.1 or subsection F of
 2872 § 30-103.1. A request for the approval of travel shall not be required for the following, but such travel
 2873 shall be disclosed as may be required by the Acts:

2874 1. Travel disclosed pursuant to the Campaign Finance Disclosure Act (§ 24.2-945 et seq.);

2875 2. Travel paid for or provided by the government of the United States, any of its territories, or any
 2876 state or any political subdivision of such state;

2877 3. Travel provided to facilitate attendance by a legislator at a regular or special session of the
 2878 General Assembly, a meeting of a legislative committee or commission, or a national conference where
 2879 attendance is approved by the House or Senate Committee on Rules; or

2880 4. Travel related to an official meeting of the Commonwealth, its political subdivisions, or any
 2881 board, commission, authority, or other entity, or any charitable organization established pursuant to
 2882 § 501(c)(3) of the Internal Revenue Code affiliated with such entity, to which such person has been
 2883 appointed or elected or is a member by virtue of his office or employment.

2884 *B. When reviewing a request for the approval of travel, the Council shall consider the purpose of the*
 2885 *travel as it relates to the official duties of the requester. The Council shall approve any request for*
 2886 *travel that bears a reasonable relationship between the purpose of the travel and the official duties of*
 2887 *the requester. Such travel shall include any meeting, conference, or other event (i) composed primarily*
 2888 *of public officials, (ii) at which public policy related to the duties of the requester will be discussed in a*
 2889 *substantial manner, (iii) reasonably expected to educate the requester on issues relevant to his official*
 2890 *duties or to enhance the requester's knowledge and skills relative to his official duties, or (iv) at which*
 2891 *the requester has been invited to speak regarding matters reasonably related to the requester's official*
 2892 *duties.*

2893 *C. The Council shall not approve any travel requests that bear no reasonable relationship between*
 2894 *the purpose of the proposed travel and the official duties of the requestor. In making such*
 2895 *determination, the Council shall consider the duration of travel, the destination of travel, the estimated*
 2896 *value of travel, and any previous or recurring travel.*

2897 *D. Within five business days of receipt of a request for the approval of travel, the Council shall*
 2898 *grant or deny the request, unless additional information has been requested. If additional information*
 2899 *has been requested, the Council shall grant or deny the request for the approval within five business*
 2900 *days of receipt of such information. If the Council has not granted or denied the request for approval of*
 2901 *travel or requested additional information within such five-day period, such travel shall be deemed to*
 2902 *have been approved by the Council. Nothing in this subsection shall preclude a person from amending*
 2903 *or resubmitting a request for the approval of travel. The Council may authorize a designee to review*
 2904 *and grant or deny requests for the approval of travel.*

2905 *E. A request for the approval of travel shall be on a form prescribed by the Council and made*
 2906 *available on its website. Such form may be submitted by electronic means, facsimile, in-person*
 2907 *submission, or mail or commercial mail delivery.*

2908 *F. No person shall be prosecuted, assessed a civil penalty, or otherwise disciplined for acceptance of*
 2909 *a travel-related thing of value if he accepted the travel-related thing of value after receiving approval*
 2910 *under this section, regardless of whether such approval is later withdrawn provided the travel occurred*
 2911 *prior to the withdrawal of the opinion.*

2912 **§ 30-357. Staff.**

2913 *Staff assistance to the Council shall be provided by the Division of Legislative Services. Staff shall*
 2914 *perform those duties assigned to it by the Council, including those duties enumerated in § 30-356. The*
 2915 *Division of Legislative Services shall employ an executive director, who shall be subject to the*
 2916 *confirmation of the Joint Committee on Rules.*

2917 **2. That the provisions of this act requiring that the disclosure forms prescribed by §§ 2.2-426,**
 2918 **2.2-3117, 2.2-3118, and 30-111 of the Code of Virginia be submitted electronically with the**
 2919 **Virginia Conflict of Interest and Ethics Advisory Council shall become effective on July 1, 2016.**

2920 **3. That the Virginia Conflict of Interest and Ethics Advisory Council shall review the current**
 2921 **statutory disclosure forms located at §§ 2.2-426, 2.2-3117, 2.2-3118, and 30-111 of the Code of**
 2922 **Virginia and make recommendations for the revision of such forms consistent with the provisions**
 2923 **of this act. The Council shall submit its recommendations to the General Assembly on or before**
 2924 **November 15, 2016.**

2925 **4. That the provisions of this act shall become effective on January 1, 2016.**

2926 **5. That the provisions of this act may result in a net increase in periods of imprisonment or**
 2927 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**
 2928 **be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter**
 2929 **2 of the Acts of Assembly of 2014, Special Session I, requires the Virginia Criminal Sentencing**
 2930 **Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated**
 2931 **amount of the necessary appropriation cannot be determined for periods of commitment to the**
 2932 **custody of the Department of Juvenile Justice.**

1 § [2.2-115](#). Commonwealth's Development Opportunity Fund.

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

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

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

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

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

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

28 C. Funds shall be awarded from the Fund by the Governor as grants or loans to
29 political subdivisions. The criteria for making such grants or loans shall include (i) job
30 creation, (ii) private capital investment, and (iii) anticipated additional state tax
31 revenue expected to accrue to the state and affected localities as a result of the capital
32 investment and jobs created. Loans shall be approved by the Governor and made in
33 accordance with guidelines established by the Virginia Economic Development
34 Partnership and approved by the Comptroller. Loans shall be interest-free unless
35 otherwise determined by the Governor and shall be repaid to the Fund. The Governor

36 may establish the interest rate to be charged; otherwise, any interest charged shall be
37 at market rates as determined by the State Treasurer and shall be indicative of the
38 duration of the loan. The Virginia Economic Development Partnership shall be
39 responsible for monitoring repayment of such loans and reporting the receivables to
40 the Comptroller as required.

41 Beginning with the five fiscal years from fiscal year 2006-2007 through fiscal
42 year 2010-2011, and for every five fiscal years' period thereafter, in general, no less
43 than one-third of the moneys appropriated to the Fund in every such five-year period
44 shall be awarded to counties and cities having an annual average unemployment rate
45 that is greater than the final statewide average unemployment rate for the calendar
46 year that immediately precedes the calendar year of the award. However, if such one-
47 third requirement will not be met because economic development prospects in such
48 counties and cities are unable to fulfill the applicable minimum private investment and
49 new jobs requirements set forth in this section, then any funds remaining in the Fund
50 at the end of the five-year period that would have otherwise been awarded to such
51 counties and cities shall be made available for awards in the next five fiscal years'
52 period.

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

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

72 E. 1. a. Except as provided in this subdivision, no grant or loan shall be awarded from
73 the Fund unless the project involves a minimum private investment of \$5 million and

74 creates at least 50 new jobs for which the average wage, excluding fringe benefits, is
75 no less than the prevailing average wage. For projects, including but not limited to
76 projects involving emerging technologies, for which the average wage of the new jobs
77 created, excluding fringe benefits, is at least twice the prevailing average wage for
78 that locality or region, the Governor shall have the discretion to require no less than
79 one-half the number of new jobs as set forth for that locality in this subdivision.

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

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

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

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

112 eligibility for an award from the Fund. Such written finding shall promptly be
113 provided to the chairs of the Senate Committee on Finance and the House Committee
114 on Appropriations.

115 F. 1. The Virginia Economic Development Partnership shall assist the Governor in
116 developing objective guidelines and criteria that shall be used in awarding grants or
117 making loans from the Fund. The guidelines may require that as a condition of
118 receiving any grant or loan incentive that is based on employment goals, a recipient
119 company must provide copies of employer quarterly payroll reports that have been
120 provided to the Virginia Employment Commission to verify the employment status of
121 any position included in the employment goal. The guidelines may include a
122 requirement for the affected locality or localities to provide matching funds which
123 may be cash or in-kind, at the discretion of the Governor. The guidelines and criteria
124 shall include provisions for geographic diversity and a cap on the amount of funds to
125 be provided to any individual project. At the discretion of the Governor, this cap may
126 be waived for qualifying projects of regional or statewide interest. In developing the
127 guidelines and criteria, the Virginia Economic Development Partnership shall use the
128 measure for Fiscal Stress published by the Commission on Local Government of the
129 Department of Housing and Community Development for the locality in which the
130 project is located or will be located as one method of determining the amount of
131 assistance a locality shall receive from the Fund.

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

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

151 including consideration of any layoffs instituted by the business beneficiary over the
152 course of the period covered by the contract.

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

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

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

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

183 3. Notwithstanding any provision in this section or in the guidelines, prior to
184 executing any such contract with a business beneficiary, the political subdivision shall
185 provide a copy of the proposed contract to the Attorney General. The Attorney
186 General shall review the proposed contract (i) for enforceability as to its provisions
187 and (ii) to ensure that it is in appropriate legal form. The Attorney General shall

188 provide any written suggestions to the political subdivision within seven days of his
189 receipt of the copy of the contract. The Attorney General's suggestions shall be
190 limited to the enforceability of the contract's provisions and the legal form of the
191 contract.

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

196 G. Within the 30 days immediately following June 30 and December 30 of each year,
197 the Governor shall provide a report to the Chairmen of the House Committees on
198 Appropriations and Finance and the Senate Committee on Finance which shall
199 include, but is not limited to, the following information regarding grants and loans
200 awarded from the Fund during the immediately preceding six-month period for
201 economic development projects: the name of the company that is the business
202 beneficiary of the grant or loan and the type of business in which it engages; the
203 location (county, city, or town) of the project; the amount of the grant or loan
204 committed from the Fund and the amount of all other funds committed by the
205 Commonwealth from other sources and the purpose for which such grants, loans, or
206 other funds will be used; the amount of all moneys or funds agreed to be provided by
207 political subdivisions and the purposes for which they will be used; the number of
208 new jobs agreed to be created by the business beneficiary; the amount of investment
209 in the project agreed to be made by the business beneficiary; the timetable for the
210 completion of the project and new jobs created; the prevailing average wage; and the
211 average wage (excluding fringe benefits) agreed to be paid in the new jobs.

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

219 *I. Any person or entity submitting an application for a grant or loan from the Fund*
220 *shall certify, on a form acceptable to the Virginia Economic Development*
221 *Partnership, that it shall not provide any contribution, gift, or other item with a value*
222 *greater than \$100 to the Governor or to his campaign committee or a political action*
223 *committee established on his behalf during (i) the period in which the person or*
224 *entity's application for such award is pending and (ii) the one-year period*
225 *immediately after any such award is made. Any person or entity who so certifies and*

226 *who receives an award from the Fund shall repay, if such person or entity provided or*
227 *provides such a contribution, gift, or other item of value during these periods, the*
228 *amount of the award received within 90 days after receipt of written notice from the*
229 *Virginia Economic Development Partnership. In addition, any person or entity that*
230 *knowingly provided or provides such a contribution, gift, or other item of value*
231 *during these periods in violation of this subsection shall be subject to a civil penalty*
232 *of \$500 or up to two times the amount of the contribution or gift, whichever is greater,*
233 *and the contribution, gift, or other item shall be returned to the donor. The attorney*
234 *for the Commonwealth shall initiate civil proceedings to enforce the civil penalties.*
235 *Any civil penalties collected shall be payable to the State Treasurer for deposit to the*
236 *general fund and shall be used exclusively to fund the Virginia Conflict of Interest and*
237 *Ethics Advisory Council. For purposes of this subsection, "entity" includes individuals*
238 *who are officers, directors, or owners of or who have a controlling ownership interest*
239 *in such entity.*

240

1 § [2.2-206.2](#). Economic incentive grant programs; responsibilities of the Secretary.

2 A. By July 15 of each year, the agencies listed in subdivisions B 1 through 7 shall
3 report the information outlined in subsection C to the Secretary of Commerce and
4 Trade for the three prior calendar or fiscal years, as applicable, so that the Secretary
5 may develop and issue a report on the effectiveness of economic development
6 incentive grant programs administered by the Commonwealth in meeting performance
7 goals and stimulating economic activity.

8 By September 15 of each year, the Secretary shall submit the draft report to the Joint
9 Legislative Audit and Review Commission for its review of the accuracy of the
10 information contained in the report and the effectiveness of the evaluation methods.

11 The Joint Legislative Audit and Review Commission shall provide its comments on
12 the content of the report and the Secretary's analysis to the Secretary, and such
13 comments shall be included as an appendix to the final report, which shall be
14 submitted to the Chairmen of the House Appropriations and Senate Finance
15 Committees by November 15 of each year.

16 B. The report shall include a review of allocations from the following economic
17 development incentive programs and funds for the previous three calendar or fiscal
18 years, as applicable, as follows:

19 1. Virginia Economic Development Partnership: Advanced Shipbuilding Training
20 Facility Grant Program, Aerospace Engine Manufacturing Performance Grant
21 Program, Clean Energy Manufacturing Incentive Grant
22 Program, ~~Governor's~~ *Commonwealth's* Development Opportunity Fund, Investment
23 Partnership Grant subfund, Major Eligible Employer Grant subfund, Semiconductor
24 Memory or Logic Wafer Manufacturing Performance Grant Program, Specialized
25 Biotechnology Research Performance Grant Program, Economic Development
26 Incentive Grant subfund, and any customized incentive grants;

27 2. Virginia Economic Development Partnership Authority: Virginia Jobs Investment
28 Program;

29 3. Department of Housing and Community Development: Enterprise Zone Job
30 Creation and Real Property Investment Grant Programs;

31 4. Tobacco Indemnification and Community Revitalization Commission: Tobacco
32 Region Opportunity Fund;

33 5. Virginia Tourism Authority: Governor's Motion Picture Opportunity Fund;

34 6. Virginia Port Authority: Port of Virginia Economic and Infrastructure Development
35 Grant Program; and

36 7. Innovation and Entrepreneurship Investment Authority: Growth Acceleration
37 Program.

38 C. The report shall assess the effectiveness of allocations made for each program
39 listed in subsection B. Each agency administering programs outlined in subsection B
40 shall submit the applicable data regarding jobs, wages, capital investment, and any
41 other related information requested by the Secretary of Commerce and Trade for
42 purposes of evaluating economic development incentive programs in meeting their
43 performance goals and stimulating economic activity.

44 For each program, the report shall include (i) an explanation of the overall goals of the
45 program, describing whether the program is focused on job creation and capital
46 investment or investments are governed by ancillary goals of community development
47 and revitalization or the development of a particular industry sector in the
48 Commonwealth; (ii) for each of the previous three calendar or fiscal years, as
49 applicable, summary information, including the total amount of grant funding made
50 available for the program, the total dollar amount of the grants awarded, the total
51 number of grants awarded, the average dollar amount approved per job and average
52 wage expected, where applicable, and any grant amounts repaid; (iii) for each of the
53 three previous calendar or fiscal years, as applicable, for projects that have reached
54 completion or a performance milestone, an aggregate comparison of the projects'
55 performance measures, including the actual number of jobs created, the actual average
56 wages paid, and the actual amount of capital investment, with the expected number of
57 jobs, assumed average wage, and planned capital investment when the grant awards
58 were made, and the proportion of projects that met or exceeded the project-specific
59 goals relevant to the program; (iv) for each of the three previous calendar or fiscal
60 years, as applicable, for all projects that have reached completion or a performance
61 milestone, an aggregate assessment of the projects' actual rate of return on the
62 Commonwealth's investment compared with the expected rate of return when the
63 grant awards were made; (v) for each of the three previous calendar or fiscal years, as
64 applicable, for all projects that have reached completion or a performance milestone,
65 an aggregate estimate of the projects' total economic impact measured by the Virginia
66 Economic Development Partnership Authority on the basis of estimated state tax
67 revenues generated directly or indirectly by the projects, where applicable; and (vi)
68 for all projects that reached completion five calendar or fiscal years, as applicable,
69 prior to the year of the report, an aggregate final comparison of jobs reported by
70 companies at the time of completion and jobs at the end of the most recent calendar
71 year, and an aggregate final comparison of the projects' rate of return at the time of
72 completion and a five-year rate of return based on the most recent job levels.

1 **§ 2.2-418. Statement of intent and purposes.**

2 The General Assembly finds and declares the following:

3 1. The operation of open and responsible government requires the fullest opportunity to be
4 afforded to the people to petition their government for the redress of grievances and to express
5 freely their opinions on legislative and executive actions.

6 2. The identity and expenditures of certain persons who attempt to influence legislative and
7 executive actions with respect to legislation and executive orders should be publicly identified to
8 preserve and maintain the integrity of government.

9 § [2.2-419](#). Definitions.

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

11 "Anything of value" means:

12 1. A pecuniary item, including money, or a bank bill or note;

13 2. A promissory note, bill of exchange, order, draft, warrant, check, or bond given for
14 the payment of money;

15 3. A contract, agreement, promise, or other obligation for an advance, conveyance,
16 forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or
17 transfer of money;

18 4. A stock, bond, note, or other investment interest in an entity;

19 5. A receipt given for the payment of money or other property;

20 6. A right in action;

21 7. A gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel;

22 8. A loan or forgiveness of indebtedness;

23 9. A work of art, antique, or collectible;

24 10. An automobile or other means of personal transportation;

25 11. Real property or an interest in real property, including title to realty, a fee simple
26 or partial interest, present or future, contingent or vested within realty, a leasehold
27 interest, or other beneficial interest in realty;

28 12. An honorarium or compensation for services;

29 13. A rebate or discount in the price of anything of value unless the rebate or discount
30 is made in the ordinary course of business to a member of the public without regard to
31 that person's status as an executive or legislative official, or the sale or trade of
32 something for reasonable compensation that would ordinarily not be available to a
33 member of the public;

34 14. A promise or offer of employment; or

35 15. Any other thing of value that is pecuniary or compensatory in value to a person.

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

38 "Compensation" means:

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

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

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

47 "*Council*" means the Virginia Conflict of Interest and Ethics Advisory Council
48 established in § [30-355](#).

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

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

57 "Executive official" means:

- 58 1. The Governor;
- 59 2. The Lieutenant Governor;
- 60 3. The Attorney General;
- 61 4. Any officer or employee of the office of the Governor~~or~~, Lieutenant Governor, *or*
62 *Attorney General* other than a clerical or secretarial employee;
- 63 5. The Governor's Secretaries, the Deputy Secretaries, and the chief executive officer
64 of each executive agency; or
- 65 6. Members of supervisory and policy boards, commissions and councils, as defined
66 in § [2.2-2100](#), however selected.

67 "Expenditure" means:

- 68 1. A purchase, payment, distribution, loan, forgiveness of a loan or payment of a loan
69 by a third party, advance, deposit, transfer of funds, a promise to make a payment, or
70 a gift of money or anything of value for any purpose;
- 71 2. A payment to a lobbyist for salary, fee, reimbursement for expenses, or other
72 purpose by a person employing, retaining, or contracting for the services of the
73 lobbyist separately or jointly with other persons;
- 74 3. A payment in support of or assistance to a lobbyist or the lobbyist's activities,
75 including the direct payment of expenses incurred at the request or suggestion of the
76 lobbyist;
- 77 4. A payment that directly benefits an executive or legislative official or a member of
78 the official's immediate family;
- 79 5. A payment, including compensation, payment, or reimbursement for the services,
80 time, or expenses of an employee for or in connection with direct communication with
81 an executive or legislative official;
- 82 6. A payment for or in connection with soliciting or urging other persons to enter into
83 direct communication with an executive or legislative official; or
- 84 7. A payment or reimbursement for categories of expenditures required to be reported
85 pursuant to this chapter.

86 "Expenditure" does not mean a campaign contribution properly received and reported
87 pursuant to Chapter 9.3 (§[24.2-945](#) et seq.) of Title 24.2.

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

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

98 "Gift" does not mean:

- 99 1. Printed informational or promotional material;
- 100 2. A gift that is not used and, no later than 60 days after receipt, is returned to the
101 donor or delivered to a charitable organization and is not claimed as a charitable
102 contribution for federal income tax purposes;
- 103 3. A gift, devise, or inheritance ~~from an individual's spouse, child, parent,~~
104 ~~grandparent, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew,~~
105 ~~niece, aunt, uncle, or first cousin or the spouse of that individual, if the donor is not~~
106 ~~acting as the agent or intermediary for someone other than a person covered by this~~
107 ~~subdivision; or~~
- 108 4. A gift of a value of \$50 or less.;
- 109 5. *Any offer of a ticket, coupon, or other admission or pass unless the ticket, coupon,*
110 *admission, or pass is used;*
- 111 6. *Any food or beverages provided to an individual at an event at which the individual*
112 *is performing official duties related to his public service;*
- 113 7. *Any food and beverages received at or registration or attendance fees waived for*
114 *any event at which the individual is a featured speaker, presenter, or lecturer;*

115 8. *An unsolicited award of appreciation or recognition in the form of a plaque,*
116 *trophy, wall memento, or similar item that is given in recognition of public, civic,*
117 *charitable, or professional service;*

118 9. *Any gift from an individual's spouse, child, uncle, aunt, niece, nephew, or first*
119 *cousin; a person to whom the donee is engaged to be married; the donee's or his*
120 *spouse's parent, grandparent, grandchild, brother, sister, step-parent, step-*
121 *grandparent, step-grandchild, step-brother, or step-sister; or the donee's brother's or*
122 *sister's spouse;*

123 10. *Travel provided to facilitate attendance by a legislator at a regular or special*
124 *session of the General Assembly, a meeting of a legislative committee or commission,*
125 *or a national conference where attendance is approved by the House or Senate*
126 *Committee on Rules; or*

127 11. *Travel related to an official meeting of the Commonwealth, its political*
128 *subdivisions, or any board, commission, authority, or other entity, or any charitable*
129 *organization established pursuant to § 501(c)(3) of the Internal Revenue Code*
130 *affiliated with such entity, to which such person has been appointed or elected or is a*
131 *member by virtue of his office or employment.*

132 "Immediate family" means (i) the spouse and (ii) any ~~child~~ other person who resides
133 in the same household as the executive or legislative official and who is a dependent
134 of the official.

135 "Legislative action" means:

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

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

142 3. Action by the General Assembly in overriding or sustaining a veto by the Governor,
143 considering amendments recommended by the Governor, or considering, confirming,
144 or rejecting an appointment of the Governor.

145 "Legislative official" means:

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

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

150 3. Persons employed by the General Assembly or an entity established by and
151 responsible to the General Assembly.

152 "Lobbying" means:

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

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

156 "Lobbying" does not mean:

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

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

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

164 4. Communications between an association and its members and communications
165 between a principal and its lobbyists.

166 "Lobbyist" means:

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

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

172 3. A local government employee who lobbies.

173 "Lobbyist's principal" or "principal" means the entity on whose behalf the lobbyist
174 influences or attempts to influence executive or legislative action. An organization
175 whose employees conduct lobbying activities on its behalf is both a principal and an

176 employer of the lobbyists. In the case of a coalition or association that employs or
177 retains others to conduct lobbying activities on behalf of its membership, the principal
178 is the coalition or association and not its individual members.

179 "Local government" means:

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

181 2. Any school division;

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

184 4. Any organization composed of members representing entities listed in subdivisions
185 1, 2, or 3 of this definition.

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

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

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

194 *"Secretary" means the Secretary of the Commonwealth.*

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

198 *"Widely attended event" means an event at which at least 25 persons have been*
199 *invited to attend or there is a reasonable expectation that at least 25 persons will*
200 *attend the event and the event [~~is open to the public or~~] is open to individuals (i) who*
201 *share a common interest, (ii) who are members of a public, civic, charitable, or*
202 *professional organization, (iii) who are from a particular industry or profession, or*
203 *(iv) who represent persons interested in a particular issue.*

204 § [2.2-420](#). Exemptions.

205 The registration and reporting provisions of this article shall not apply to:

- 206 1. The Governor, Lieutenant Governor, Attorney General, and their immediate staffs
207 or the Governor's Secretaries and their immediate staffs, acting in an official capacity;
- 208 2. Members of the General Assembly and other legislative officials and legislative
209 employees acting in an official capacity;
- 210 3. Local elected officials acting in an official capacity;
- 211 4. Any employee of a state executive agency acting in an official capacity;
- 212 5. A duly elected or appointed official or employee of the United States acting in an
213 official capacity;
- 214 6. An individual who limits lobbying solely to (i) formal testimony before a public
215 meeting of an executive agency or legislative body and registers the appearance in the
216 records of the agency or body and (ii) testimony and information compelled by action
217 of an executive agency or legislative body;
- 218 7. A person who receives \$500 or less in compensation and reimbursements,
219 excluding personal living and travel expenses that are not reimbursed from any other
220 source, in a calendar year for his lobbying activities;
- 221 8. A person who receives no compensation or anything of value for lobbying, and
222 does not expend more than \$500, excluding personal living and travel expenses that
223 are not reimbursed from any other source, in lobbying in the calendar year; or
- 224 9. An employee of a business, other entity, or local government whose job duties do
225 not regularly include ~~influencing or attempting to influence legislative or executive~~
226 ~~action~~ *lobbying*.

227 **§ 2.2-421. Reporting requirements for certain state agencies.**

228 A. The chief administrative officer of each board, department, institution, or agency of the
229 Commonwealth shall file a registration statement with the Secretary of the Commonwealth on
230 behalf of the officers and employees who will be engaged in lobbying as defined in § 2.2-
231 419 and shall comply with the provisions of this article that require lobbyists to register with the
232 Secretary of the Commonwealth. No fee shall be collected for registrations required by this
233 section.

234 B. Any state governmental body required to file a registration under this section shall comply
235 with the provisions of this article relating to registration.

236 C. The registration requirements of this section shall not apply to:

- 237 1. The Governor, Lieutenant Governor, Attorney General and their immediate staffs, or the
238 Governor's Secretaries and their deputies and immediate staffs, acting in an official capacity;

- 239 2. Members of the General Assembly and other legislative officials and legislative employees
240 acting in an official capacity;
- 241 3. The chief administrative officer of each department or division in the executive branch of state
242 government;
- 243 4. The chief administrative officer of each division of the State Corporation Commission; or
- 244 5. Any state government employee acting in an official capacity.

245 **§ 2.2-422. Registration requirements.**

246 A. A lobbyist shall register with the Secretary of the Commonwealth prior to engaging in
247 lobbying. A lobbyist who engages in lobbying entirely outside the capital city shall comply with
248 this section by registering with the Secretary within fifteen days after first engaging in lobbying.
249 Registration shall be required annually and expire May 1 of each year.

250 B. The chief administrative officer of each local government shall register with the Secretary of
251 the Commonwealth and file a statement pursuant to § 2.2-423 if any local government
252 employees will act as lobbyists on its behalf. No registration fee shall be required. Each local
253 government shall file a consolidated report in accordance with the reporting requirements of
254 § 2.2-426 and shall maintain locally a copy of the report that is available for inspection and
255 copying during regular business hours.

256 **§ 2.2-423. Contents of registration statement.**

257 A. The registration statement shall be on a form provided by the Secretary of the Commonwealth
258 and include the following information:

- 259 1. The name and business address and telephone number of the lobbyist;
- 260 2. The name and business address and telephone number of the person who will keep custody of
261 the lobbyist's and the lobbyist's principal's accounts and records required to comply with this
262 article, and the location and telephone number for the place where the accounts and records are
263 kept;
- 264 3. The name and business address and telephone number of the lobbyist's principal;
- 265 4. The kind of business of the lobbyist's principal;
- 266 5. For each principal, the full name of the individual to whom the lobbyist reports;
- 267 6. For each principal, a statement whether the lobbyist is employed or retained and whether
268 exclusively for the purpose of lobbying;
- 269 7. The position held by the lobbyist if he is a part-time or full-time employee of the principal;
- 270 8. The full name and business address and telephone number of each lobbyist employed by or
271 representing the lobbyist's principal;
- 272 9. An identification of the subject matter (with as much specificity as possible) with regard to
273 which the lobbyist or lobbyist's principal will engage in lobbying;

274 10. The statement of the lobbyist, which shall be signed either originally or by electronic
275 signature as authorized by the Uniform Electronic Transactions Act (§ 59.1-479 et seq.), that the
276 information contained on the registration statement is true and correct; and

277 11. A statement by which a principal may elect to waive the principal signature requirement on
278 disclosure filings submitted by its registered lobbyist after the filing of the registration statement.

279 B. Whenever any change, modification or addition to his status as a lobbyist is made, the
280 lobbyist shall, within one week of such change, modification or addition, furnish full information
281 regarding the same to the Secretary of the Commonwealth on forms provided by the Secretary.

282 C. The Secretary of the Commonwealth shall furnish a copy of this article to any individual
283 offering to register as a lobbyist and shall mail by certified mail a copy of this article and a copy
284 of the information furnished by the lobbyist to the person whom the lobbyist represents to be his
285 principal.

286 D. If the principal to whom the information is sent under subsection C does not, within 10 days
287 of such mailing, file an affidavit, signed by the person or duly authorized agent of the person,
288 denying that the lobbyist appears on his behalf, such person shall be deemed to have appointed
289 the Secretary of the Commonwealth his agent for service of process in any prosecution arising
290 for violation of this article. If such affidavit is filed, the Secretary shall notify the attorney for the
291 Commonwealth of the City of Richmond.

292 § 2.2-424. Registration fees.

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

296 **§ 2.2-425. Registration information to be recorded in legislative**
297 **docket; list of executive officials.**

298 A. The Secretary of the Commonwealth shall maintain in a legislative docket
299 the information filed under § 2.2-423 pertaining to lobbying involving
300 legislative actions during any session of the General Assembly. The Secretary
301 shall furnish current, complete lists thereof to the clerk of each house and to
302 each member of the General Assembly once every two weeks during the
303 session of the General Assembly beginning with the convening of the General
304 Assembly.

305 B. The Secretary of the Commonwealth shall prepare a list of executive
306 officials, their positions and names, to be revised at least semi-annually and
307 made available to lobbyists to assist them in complying with the provisions of
308 this article.

309 § [2.2-426](#). Lobbyist reporting; penalty.

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

315 B. Each principal who expends more than \$500 to employ or compensate multiple
316 lobbyists shall be responsible for filing a consolidated lobbyist report pursuant to this
317 section in any case in which the lobbyists are each exempt under the provisions of
318 subdivision 7 or 8 of § [2.2-420](#) from the reporting requirements of this section.

319 C. The report shall be on a form provided by the ~~Virginia Conflict of Interest and~~
320 ~~Ethics Advisory~~ Council, which shall be substantially as follows *similar to the*
321 *following* and shall be accompanied by instructions provided by the Council. *All*
322 *reports shall be submitted electronically and in accordance with the standards*
323 *approved by the Council pursuant to the provisions of § [30-356](#).*

324
325

326 LOBBYIST'S DISCLOSURE STATEMENT

327
328

PART I:

329
330

(1) PRINCIPAL: _____

331
332

In Part I, item 2a, provide the name of the individual

333
334

authorizing your employment as a lobbyist. The lobbyist filing

335
336

this statement MAY NOT list his name in item 2a.

337
338

(2a) Name: _____

339
340

(2b) Permanent Business Address: _____

341
342

(2c) Business Telephone: _____

343
344

(3) Provide a list of executive and legislative actions (with as

345
346

much specificity as possible) for which you lobbied and a

347
348

description of activities conducted.

349
350

351
352

353

354 _____
355
356 (4) INCORPORATED FILINGS: If you are filing an incorporated
357 disclosure statement, please complete the following:
358
359 Individual filing financial information: _____
360
361 Individuals to be included in the filing: _____
362
363
364 _____

365
366 (5) Please indicate which schedules will be attached to your
367 disclosure statement:
368
369 [] Schedule A: Entertainment Expenses
370
371 [] Schedule B: Gifts
372
373 [] Schedule C: Other Expenses
374
375

376 (6) EXPENDITURE TOTALS:
377
378 a) ENTERTAINMENT \$ _____
379
380 b) GIFTS \$ _____
381
382 c) COMMUNICATIONS \$ _____
383
384 d) PERSONAL LIVING AND TRAVEL EXPENSES \$ _____
385
386 e) COMPENSATION OF LOBBYISTS \$ _____
387
388 f) HONORARIA \$ _____
389
390 g) OTHER \$ _____
391
392 TOTAL \$ _____
393

394 PART II:
395
396 (1a) NAME OF LOBBYIST: _____
397
398 (1b) Permanent Business Address: _____
399
400 (1c) Business Telephone: _____
401

402 (2) As a lobbyist, you are (check one)
403
404 [] EMPLOYED (on the payroll of the principal)
405
406 [] RETAINED (not on the payroll of the principal, however
407 compensated)
408
409

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

411

412 (3) List all lobbyists other than yourself who registered to

413

414 represent your principal.

415

416

417

418

419

420

421

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

423

424 provide your job title.

425

426

427

428 PLEASE NOTE: Some lobbyists are not individually compensated for

429

430 lobbying activities. This may occur when several members of a firm

431

432 represent a single principal. The principal, in turn, makes a single

433

434 payment to the firm. If this describes your situation, do not answer

435

436 Part II, items 5a and 5b. Instead, complete Part III, items 1 and 2.

437

438 (5a) What was the DOLLAR AMOUNT OF YOUR COMPENSATION as a lobbyist?

439

440 (If you have job responsibilities other than those involving

441

442 lobbying, you may have to prorate to determine the part of your

443

444 salary attributable to your lobbying activities.) Transfer your

445

446 answer to this item to Part I, item 6e_____.

447

448 (5b) Explain how you arrived at your answer to Part II, item 5a.

449

450

451

452

453

454

455

456 PART III:

457

458 PLEASE NOTE: If you answered Part II, items 5a and 5b, you WILL NOT

459

460 complete this section.

461

462 (1) List all members of your firm, organization, association,

463

464 corporation, or other entity who furnished lobbying services to

465

466 your principal.

467 _____

468 _____

469 _____

470 _____

471 _____

472 _____

473 _____

474 (2) Indicate the total amount paid to your firm, organization,

475 association, corporation, or other entity for services rendered.

476 _____

477 _____

478 Transfer your answer to this item to Part I, item 6e_____.

479 _____

480 _____

481 _____

482 _____

483 _____

484 _____

485 _____

486 _____

487 _____

488 _____

489 _____

490 _____

491 _____

492 _____

493 _____

494 _____

495 _____

496 _____

497 _____

498 _____

499 _____

500 _____

501 _____

502 _____

503 _____

504 _____

505 _____

506 _____

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508 _____

509 _____

510 _____

511 _____

512 _____

513 _____

514 _____

515 _____

516 _____

517 _____

518 _____

519 _____

520 _____

521 _____

SCHEDULE A

ENTERTAINMENT EXPENSES

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

Date and Location of Event:

Description of Event (including whether or not it meets the criteria of a widely attended event):

Total Number of Persons Attending:

.....

Names of Legislative and Executive Officials or Members of Their

Immediate Families Attending: (List names only if the average value for each person attending the event was greater than \$50.)

522	_____	
523		
524	Food	\$ _____
525		
526	Beverages	\$ _____
527		
528	Transportation of Legislative and Executive Officials	
529		
530	or Members of Their Immediate Families	\$ _____
531		
532	Lodging of Legislative and Executive Officials or	
533		
534	Members of Their Immediate Families	\$ _____
535		
536	Performers, Speakers, Etc.	\$ _____
537		
538	Displays	\$ _____
539		
540	Rentals	\$ _____
541		
542	Service Personnel	\$ _____
543		
544	Miscellaneous	\$ _____
545		
546	TOTAL	\$ _____

SCHEDULE B

GIFTS

551
552 PLEASE NOTE: Any single gift reported in the expense totals of the
553 principal, with a value greater than \$50, should be itemized below.
554
555 (Report meals, entertainment and travel under Schedule A.) Transfer
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577

		Name of each	
		legislative or	
		executive official	
		or member of his	
		immediate family	Cost of
572	Date	who is a recipient	individual
573			
574	of gift:	of a gift:	gift:
575			
576	_____	_____	\$ _____
577			

578 _____ \$ _____
 579 _____
 580 _____ \$ _____
 581 _____
 582 _____ \$ _____
 583 _____
 584 TOTAL COST TO PRINCIPAL \$ _____

585
 586 SCHEDULE C

587
 588 OTHER EXPENSES

589
 590 PLEASE NOTE: This section is provided for any lobbying-related
 591 expenses not covered in Part I, items 6a - 6f. An example of an
 592 expenditure to be listed on schedule C would be the rental of a
 593 bill box during the General Assembly session. Transfer the total
 594 from this schedule to Part I, item 6g. (Please duplicate as needed.)
 595
 596
 597
 598
 599

600 DATE OF EXPENSE	600 DESCRIPTION OF EXPENSE	600 AMOUNT
601 _____	601 _____	601 \$ _____
602 _____	602 _____	602 \$ _____
603 _____	603 _____	603 \$ _____
604 _____	604 _____	604 \$ _____
605 _____	605 _____	605 \$ _____
606 _____	606 _____	606 \$ _____
607 _____	607 _____	607 \$ _____
608 _____	608 _____	608 \$ _____
609 _____	609 _____	609 \$ _____
610 _____	610 _____	610 \$ _____
611 _____	611 _____	611 \$ _____
612 _____	612 _____	612 \$ _____
613 _____	613 _____	613 \$ _____
614 _____	614 _____	614 \$ _____
615 _____	615 _____	615 \$ _____
616 _____	616 _____	616 \$ _____
617 _____	617 _____	617 \$ _____
618 _____	618 _____	618 \$ _____
619 _____	619 _____	619 \$ _____
620 TOTAL "OTHER" EXPENSES	620	620 \$ _____

621
 622 PART IV: STATEMENTS

623
 624 The following items are mandatory and if they are not properly
 625 completed, the entire filing will be rejected and returned to
 626 the lobbyist:
 627
 628

- 629
 630 (1) All signatures on the statement must be ORIGINAL in the format
 631 specified in the instructions provided by the Council that
 632
 633

634 accompany this form. No stamps or other reproductions of the
635 individual's signature will be accepted.

636
637
638 (2) An individual MAY NOT sign the disclosure statement as lobbyist
639 and principal officer.
640

641
642 STATEMENT OF LOBBYIST

643 I, the undersigned registered lobbyist, do state that the information
644 furnished on this disclosure statement and on all accompanying
645 attachments required to be made thereto is, to the best of my
646 knowledge and belief, complete and accurate.
647
648
649
650
651

652
653
654 _____
655
656 Signature of lobbyist

657
658
659
660 _____
661
662 Date

663
664 STATEMENT OF PRINCIPAL

665 I, the undersigned principal (or an authorized official thereof), do
666 state that the information furnished on this disclosure statement
667 and on all accompanying attachments required to be made thereto is,
668 to the best of my knowledge and belief, complete and accurate.
669
670
671
672
673

674
675
676 _____
677
678 Signature of principal

679
680
681
682 _____
683
684 Date

685 D. A person who ~~signs~~ knowingly and intentionally makes a false statement of a
686 material fact on the disclosure statement knowing it to contain a material
687 misstatement of fact is guilty of a Class 5 felony.

688 E. Each lobbyist shall send to each legislative and executive official who is required
689 to be identified by name on Schedule A or B of the Lobbyist's Disclosure Form a copy
690 of Schedule A or B or a summary of the information pertaining to that official. Copies
691 or summaries shall be provided to the official by November 21 for the preceding six-
692 month period complete through the last day of October and by May 21 for the
693 preceding six-month period complete through the last day of April.

694 **§ 2.2-427. Filings; inspection.**

695 Registration statements and lobbying reports shall be open to public
696 inspection and copying during the regular business hours of the office of the
697 Secretary of the Commonwealth.

698 Such statements and reports shall be deemed to have been filed only when
699 actually received in the office of the Secretary or mailed to the Secretary by
700 registered, certified, or regular mail with the sender retaining sufficient proof
701 of mailing, which may be a United States Postal Certificate of Mailing.

702 **§ 2.2-428. Standards for automated preparation and transmittal of**
703 **lobbyist's disclosure statements; database.**

704 A. The Virginia Conflict of Interest and Ethics Advisory Council shall accept
705 any lobbyist's disclosure statements required by § 2.2-426 filed by computer or
706 electronic means in accordance with the standards approved by the Council
707 pursuant to the provisions of § 30-356.

708 B. The Secretary shall establish a lobbyist disclosure database, available to the
709 public, from required disclosure statements filed electronically and may enter
710 into that database information from required disclosure statements filed by
711 other methods. The Secretary shall maintain such database until January 1,
712 2016.

713 **§ 2.2-429. Retention of records by a lobbyist or lobbyist's principal.**

714 A lobbyist and a lobbyist's principal shall preserve for a period of two years all
715 accounts, bills, books, papers, receipts, and other documents and records
716 necessary to substantiate the expenditure reports submitted under this article.

717 § 2.2-430. Termination.

718 A lobbyist may terminate a lobbyist registration *at any time* by filing a report required
719 under § 2.2-426 including information through the last day of lobbying activity. A

720 termination report shall indicate that the lobbyist intends to use the report as the final
721 accounting of lobbying activity *and shall include the effective date of the termination.*

722 § 2.2-431. Penalties; filing of substituted statement.

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

731 B. Every lobbyist's principal whose lobbyist fails to file the statement prescribed by
732 § 2.2-426 shall be assessed a civil penalty of ~~fifty dollars~~ \$50, and shall be assessed an
733 additional civil penalty of ~~fifty dollars~~ \$50 per day from the eleventh day of such
734 default until the statement is filed. *The ~~penalty~~ Council shall notify the Secretary of*
735 *any lobbyist's failure to file the statement within the time prescribed, and the*
736 *penalties shall be assessed and collected by the Secretary. The Attorney General shall*
737 *assist the Secretary in collecting the penalties, upon request.*

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

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

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

750 **§ 2.2-432. Contingent compensation prohibited.**

751 It shall be unlawful for any individual to lobby for compensation that is
752 dependent in any manner upon the outcome of any legislative or executive
753 action.

754 **§ 2.2-433. Prohibited acts; violation a misdemeanor.**

755 A. No lobbyist shall:

756 1. Lobby in violation of the provisions of this article;

757 2. Make any expenditure, or obligate himself to do so, in connection with
758 lobbying, unless he fully discloses the expenditure as required in this article;
759 or

760 3. Misrepresent in any material respect or omit any information required to be
761 reported pursuant to this article.

762 B. No lobbyist's principal shall:

763 1. Fail to file any statement required to be filed by the provisions of this article;

764 2. Misrepresent in any material respect or omit any information required to be
765 reported pursuant to this article; or

766 3. Violate any of the provisions of this article.

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

772 **§ 2.2-434. Employment of lobbyists prohibited; exceptions.**

773 Employment of a lobbyist for compensation by an officer, board, institution or
774 agency of the Commonwealth, is expressly prohibited; however, this section
775 shall not apply to any individual who is a full-time or part-time employee of
776 such office, board, department, institution or agency of the Commonwealth.

777 **§ 2.2-435. Prohibition for state party chairman.**

778 The chairman or any full-time paid employee of a state political party, as
779 defined in § 24.2-101, or a member of his immediate family, as defined in § 2.2-
780 3101, shall not be employed as a lobbyist by any principal.
781

1 **§ 2.2-3100. Policy; application; construction.**

2 The General Assembly, recognizing that our system of representative government is dependent
3 in part upon (i) citizen legislative members representing fully the public in the legislative process
4 and (ii) its citizens maintaining the highest trust in their public officers and employees, finds and
5 declares that the citizens are entitled to be assured that the judgment of public officers and
6 employees will be guided by a law that defines and prohibits inappropriate conflicts and requires
7 disclosure of economic interests. To that end and for the purpose of establishing a single body of
8 law applicable to all state and local government officers and employees on the subject of conflict
9 of interests, the General Assembly enacts this State and Local Government Conflict of Interests
10 Act so that the standards of conduct for such officers and employees may be uniform throughout
11 the Commonwealth.

12 This chapter shall supersede all general and special acts and charter provisions which purport to
13 deal with matters covered by this chapter except that the provisions of §§ [15.2-852](#), [15.2-](#)
14 [2287](#), [15.2-2287.1](#), and [15.2-2289](#) and ordinances adopted pursuant thereto shall remain in force
15 and effect. The provisions of this chapter shall be supplemented but not superseded by the
16 provisions on ethics in public contracting in Article 6 (§ [2.2-4367](#) et seq.) of Chapter 43 of this
17 title and ordinances adopted pursuant to § [2.2-3104.2](#) regulating receipt of gifts.

18 The provisions of this chapter do not preclude prosecution for any violation of any criminal law
19 of the Commonwealth, including Articles 2 (Bribery and Related Offenses, § [18.2-438](#) et seq.)
20 and 3 (Bribery of Public Servants and Party Officials, § [18.2-446](#) et seq.) of Chapter 10 of Title
21 18.2, and do not constitute a defense to any prosecution for such a violation.

22 This chapter shall be liberally construed to accomplish its purpose.

23 **§ 2.2-3100.1. Copy of chapter; review by officers and employees.**

24 Any person required to file a disclosure statement of personal interests pursuant to subsections A
25 or B of § [2.2-3114](#), subsections A or B of § [2.2-3115](#) or § [2.2-3116](#) shall be furnished by the
26 public body's administrator a copy of this chapter within two weeks following the person's
27 election, reelection, employment, appointment or reappointment.

28 All officers and employees shall read and familiarize themselves with the provisions of this
29 chapter.

30 **§ [2.2-3101](#). Definitions.**

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

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

36 "Affiliated business entity relationship" means a relationship, other than a parent-
37 subsidiary relationship, that exists when (i) one business entity has a controlling
38 ownership interest in the other business entity, (ii) a controlling owner in one entity is
39 also a controlling owner in the other entity, or (iii) there is shared management or

40 control between the business entities. Factors that may be considered in determining
41 the existence of an affiliated business entity relationship include that the same person
42 or substantially the same person owns or manages the two entities, there are common
43 or commingled funds or assets, the business entities share the use of the same offices
44 or employees, or otherwise share activities, resources or personnel on a regular basis,
45 or there is otherwise a close working relationship between the entities.

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

49 *"Candidate" means a person who seeks or campaigns for an office of the*
50 *Commonwealth or one of its governmental units in a general, primary, or special*
51 *election and who is qualified to have his name placed on the ballot for the office. The*
52 *candidate shall become subject to the provisions of this chapter upon the filing of a*
53 *statement of qualification pursuant to § 24.2-501. The State Board of Elections or*
54 *general registrar shall notify each such candidate of the provisions of this chapter.*
55 *Notification made by the general registrar shall consist of information developed by*
56 *the State Board of Elections.*

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

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

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

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

71 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan,
72 forbearance, or other item having monetary value. It includes services as well as gifts
73 of transportation, local travel, lodgings and meals, whether provided in-kind, by
74 purchase of a ticket, payment in advance or reimbursement after the expense has been

75 incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission
76 or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees;
77 (iii) any athletic, merit, or need-based scholarship or any other financial aid awarded
78 by a public or private school, institution of higher education, or other educational
79 program pursuant to such school, institution, or program's financial aid standards and
80 procedures applicable to the general public; (iv) a campaign contribution properly
81 received and reported pursuant to Chapter 9.3 (§ [24.2-945](#) et seq.) of Title 24.2; (v) any
82 gift related to the private profession or occupation of an officer or employee or of a
83 member of his immediate family; ~~or~~ (vi) *food or beverages consumed while attending*
84 *an event at which the filer is performing official duties related to his public service;*
85 *(vii) food and beverages received at or registration or attendance fees waived for any*
86 *event at which the filer is a featured speaker, presenter, or lecturer; (viii) unsolicited*
87 *awards of appreciation or recognition in the form of a plaque, trophy, wall memento,*
88 *or similar item that is given in recognition of public, civic, charitable, or professional*
89 *service; (ix) a devise or inheritance; (x) travel disclosed pursuant to the Campaign*
90 *Finance Disclosure Act (§ [24.2-945](#) et seq.); (xi) travel paid for or provided by the*
91 *government of the United States, any of its territories, or any state or any political*
92 *subdivision of such state; (xii) travel provided to facilitate attendance by a legislator*
93 *at a regular or special session of the General Assembly, a meeting of a legislative*
94 *committee or commission, or a national conference where attendance is approved by*
95 *the House or Senate Committee on Rules; (xiii) travel related to an official meeting of*
96 *the Commonwealth, its political subdivisions, or any board, commission, authority, or*
97 *other entity, or any charitable organization established pursuant to § 501(c)(3) of the*
98 *Internal Revenue Code affiliated with such entity, to which such person has been*
99 *appointed or elected or is a member by virtue of his office or*
100 *employment; or (xiv) gifts from relatives or personal friends. For the purpose of this*
101 *definition, "relative" means the donee's spouse, child, uncle, aunt, niece, ~~or~~ nephew,*
102 *or first cousin; a person to whom the donee is engaged to be married; the donee's or*
103 *his spouse's parent, grandparent, grandchild, brother, ~~or~~ sister, *step-parent, step-**
104 *grandparent, step-grandchild, step-brother, or step-sister; or the donee's brother's or*
105 *sister's spouse. For the purpose of this definition, "personal friend" does not include*
106 *any person that the filer knows or has reason to know is (a) a lobbyist registered*
107 *pursuant to Article 3 (§ [2.2-418](#) et seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's*
108 *principal as defined in § [2.2-419](#); (c) for an officer or employee of a local*
109 *governmental or advisory agency, a person, organization, or business who is a party to*
110 *or is seeking to become a party to a contract with the local agency of which he is an*
111 *officer or an employee; or (d) for an officer or employee of a state governmental or*
112 *advisory agency, a person, organization, or business who is a party to or is seeking to*
113 *become a party to a contract with the Commonwealth. For purposes of this definition,*
114 *"person, organization, or business" includes individuals who are officers, directors, or*

115 owners of or who have a controlling ownership interest in such organization or
116 business.

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

123 "Immediate family" means (i) a spouse and (ii) any ~~child~~ *other person* who resides in
124 the same household as the officer or employee and who is a dependent of the officer
125 or employee.

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

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

133 "Personal interest" means a financial benefit or liability accruing to an officer or
134 employee or to a member of his immediate family. Such interest shall exist by reason
135 of (i) ownership in a business if the ownership interest exceeds three percent of the
136 total equity of the business; (ii) annual income that exceeds, or may reasonably be
137 anticipated to exceed, \$5,000 from ownership in real or personal property or a
138 business; (iii) salary, other compensation, fringe benefits, or benefits from the use of
139 property, or any combination thereof, paid or provided by a business or governmental
140 agency that exceeds, or may reasonably be anticipated to exceed, \$5,000 annually;
141 (iv) ownership of real or personal property if the interest exceeds \$5,000 in value and
142 excluding ownership in a business, income, or salary, other compensation, fringe
143 benefits or benefits from the use of property; (v) personal liability incurred or
144 assumed on behalf of a business if the liability exceeds three percent of the asset value
145 of the business; or (vi) an option for ownership of a business or real or personal
146 property if the ownership interest will consist of clause (i) or (iv) above.

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

150 "Personal interest in a transaction" means a personal interest of an officer or employee
151 in any matter considered by his agency. Such personal interest exists when an officer
152 or employee or a member of his immediate family has a personal interest in property
153 or a business or governmental agency, or represents or provides services to any
154 individual or business and such property, business or represented or served individual
155 or business (i) is the subject of the transaction or (ii) may realize a reasonably
156 foreseeable direct or indirect benefit or detriment as a result of the action of the
157 agency considering the transaction. Notwithstanding the above, such personal interest
158 in a transaction shall not be deemed to exist where (a) an elected member of a local
159 governing body serves without remuneration as a member of the board of trustees of a
160 not-for-profit entity and such elected member or member of his immediate family has
161 no personal interest related to the not-for-profit entity or (b) an officer, employee, or
162 elected member of a local governing body is appointed by such local governing body
163 to serve on a governmental agency, or an officer, employee, or elected member of a
164 separate local governmental agency formed by a local governing body is appointed to
165 serve on a governmental agency, and the personal interest in the transaction of the
166 governmental agency is the result of the salary, other compensation, fringe benefits, or
167 benefits provided by the local governing body or the separate governmental agency to
168 the officer, employee, elected member, or member of his immediate family.

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

171 "State filer" means those officers and employees required to file a disclosure
172 statement of their personal interests pursuant to subsection A or B of § [2.2-3114](#).

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

176 § 2.2-3102. Application.

177 This article applies to generally prohibited conduct that shall be unlawful and to state and local
178 government officers and employees.

179 § 2.2-3103. Prohibited conduct.

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

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

- 185 2. Offer or accept any money or other thing of value for or in consideration of obtaining
186 employment, appointment, or promotion of any person with any governmental or advisory
187 agency;
- 188 3. Offer or accept any money or other thing of value for or in consideration of the use of his
189 public position to obtain a contract for any person or business with any governmental or advisory
190 agency;
- 191 4. Use for his own economic benefit or that of another party confidential information that he has
192 acquired by reason of his public position and which is not available to the public;
- 193 5. Accept any money, loan, gift, favor, service, or business or professional opportunity that
194 reasonably tends to influence him in the performance of his official duties. This subdivision shall
195 not apply to any political contribution actually used for political campaign or constituent service
196 purposes and reported as required by Chapter 9.3 (§ [24.2-945](#) et seq.) of Title 24.2;
- 197 6. Accept any business or professional opportunity when he knows that there is a reasonable
198 likelihood that the opportunity is being afforded him to influence him in the performance of his
199 official duties;
- 200 7. Accept any honoraria for any appearance, speech, or article in which the officer or employee
201 provides expertise or opinions related to the performance of his official duties. The term
202 "honoraria" shall not include any payment for or reimbursement to such person for his actual
203 travel, lodging, or subsistence expenses incurred in connection with such appearance, speech, or
204 article or in the alternative a payment of money or anything of value not in excess of the per
205 diem deduction allowable under § 162 of the Internal Revenue Code, as amended from time to
206 time. The prohibition in this subdivision shall apply only to the Governor, Lieutenant Governor,
207 Attorney General, Governor's Secretaries, and heads of departments of state government;
- 208 8. Accept a gift from a person who has interests that may be substantially affected by the
209 performance of the officer's or employee's official duties under circumstances where the timing
210 and nature of the gift would cause a reasonable person to question the officer's or employee's
211 impartiality in the matter affecting the donor. Violations of this subdivision shall not be subject
212 to criminal law penalties; or
- 213 9. Accept gifts from sources on a basis so frequent as to raise an appearance of the use of his
214 public office for private gain. Violations of this subdivision shall not be subject to criminal law
215 penalties.

216 § [2.2-3103.1](#). Certain gifts prohibited.

217 A. For purposes of this section:

218 ~~"Intangible gift" means a thing of temporary value or a thing that upon the happening~~
219 ~~of a certain event or expiration of a given date loses its value. "Intangible gift"~~
220 ~~includes entertainment, hospitality, a ticket, admission, or pass, transportation,~~
221 ~~lodgings, and meals that are reportable on Schedule E of the disclosure form~~
222 ~~prescribed in § [2.2-3117](#).~~

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

228 *"Person, organization, or business" includes individuals who are officers, directors,*
229 *or owners of or who have a controlling ownership interest in such organization or*
230 *business.*

231 *"Widely attended event" means an event at which at least 25 persons have been*
232 *invited to attend or there is a reasonable expectation that at least 25 persons will*
233 *attend the event and the event [~~is open to the public or~~] is open to individuals (i) who*
234 *share a common interest, (ii) who are members of a public, civic, charitable, or*
235 *professional organization, (iii) who are from a particular industry or profession, or*
236 *(iv) who represent persons interested in a particular issue.*

237 ~~B. An~~ *No officer or employee of a local governmental or advisory agency or*
238 *candidate required to file the disclosure form prescribed in § 2.2-3117 (i) shall not*
239 *solicit, accept, or receive within any calendar year any single tangible gift with a value*
240 *in excess of \$250 or a combination of tangible gifts with an aggregate value in excess*
241 *of \$250 from any person that he knows or has reason to know is (a) a lobbyist*
242 *registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4; (b) a lobbyist's*
243 *principal as defined in § 2.2-419; or (c) a person, organization, or business who is a*
244 *party to or is seeking to become a party to a contract with the local agency of which*
245 *he is an officer or an employee; (ii) shall report any tangible gift with a value of \$250*
246 *or less or any intangible gift received from any person listed in clause (i) on Schedule*
247 *E of such disclosure form; and (iii) shall report any payments for talks, meetings, and*
248 *publications on Schedule D of such disclosure form or a member of his immediate*
249 *family shall solicit, accept, or receive any single gift [with a value in excess of \$100*
250 *or any combination of gifts with an aggregate value in excess of \$100 within any*
251 *calendar year] for himself or a member of his immediate family [~~with a value in~~*
252 *excess of \$100] from any person that he or a member of his immediate family knows*
253 *or has reason to know is (i) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et*
254 *seq.) of Chapter 4; (ii) a lobbyist's principal as defined in § 2.2-419; or (iii) a person,*
255 *organization, or business who is or is seeking to become a party to a contract with the*
256 *local agency of which he is an officer or an employee. [Gifts with a value of less than*
257 *\$20 are not subject to aggregation for purposes of this prohibition.]*

258 ~~C. An~~ *No officer or employee of a state governmental or advisory agency or candidate*
259 *required to file the disclosure form prescribed in § 2.2-3117 (i) shall not solicit, accept,*
260 *or receive within any calendar year any single tangible gift with a value in excess of*

261 ~~\$250 or a combination of tangible gifts with an aggregate value in excess of \$250~~
262 ~~from any person that he knows or has reason to know is (a) a lobbyist registered~~
263 ~~pursuant to Article 3 (§ [2.2-418](#) et seq.) of Chapter 4; (b) a lobbyist's principal as~~
264 ~~defined in § [2.2-419](#); or (c) a person, organization, or business who is a party to or is~~
265 ~~seeking to become a party to a contract with the Commonwealth; (ii) shall report any~~
266 ~~tangible gift with a value of \$250 or less or any intangible gift received from any~~
267 ~~person listed in clause (i) on Schedule E of such disclosure form; and (iii) shall report~~
268 ~~any payments for talks, meetings, and publications on Schedule D of such disclosure~~
269 ~~form or a member of his immediate family shall solicit, accept, or receive any single~~
270 ~~gift [with a value in excess of \$100 or any combination of gifts with an aggregate~~
271 ~~value in excess of \$100 within any calendar year] for himself or a member of his~~
272 ~~immediate family [with a value in excess of \$100] from any person that he or a~~
273 ~~member of his immediate family knows or has reason to know is (i) a lobbyist~~
274 ~~registered pursuant to Article 3 (§ [2.2-418](#) et seq.) of Chapter 4; (ii) a lobbyist's~~
275 ~~principal as defined in § [2.2-419](#); or (iii) a person, organization, or business who is or~~
276 ~~is seeking to become a party to a contract with the state governmental or advisory~~
277 ~~agency of which he is an officer or an employee or over which he has the authority to~~
278 ~~direct such agency's activities. [Gifts with a value of less than \$20 are not subject to~~
279 ~~aggregation for purposes of this prohibition.]~~

280 *D. Notwithstanding the provisions of subsections B and C, such officer, employee, or*
281 *candidate or a member of his immediate family may accept or receive a gift of food*
282 *and beverages [, entertainment, or the cost of admission]with a value in excess of*
283 *\$100 when such gift is accepted or received while in attendance at a widely attended*
284 *event[and is associated with the event] . Such gifts shall be reported on the*
285 *disclosure form prescribed in § [2.2-3117](#).*

286 *E. Notwithstanding the provisions of subsections B and C, such officer or employee or*
287 *a member of his immediate family may accept or receive a gift from a foreign*
288 *dignitary with a value exceeding \$100 for which the fair market value or a gift of*
289 *greater or equal value has not been provided or exchanged. Such gift shall be*
290 *accepted on behalf of the Commonwealth or a locality and archived in accordance*
291 *with guidelines established by the Library of Virginia. Such gift shall be disclosed as*
292 *having been accepted on behalf of the Commonwealth or a locality, but the value of*
293 *such gift shall not be required to be disclosed.*

294 *F. Notwithstanding the provisions of subsections B and C, such officer, employee, or*
295 *candidate or a member of his immediate family may accept or receive certain gifts*
296 *with a value in excess of \$100 from a person listed in subsection B or C if such gift*
297 *was provided to such officer, employee, or candidate or a member of his immediate*
298 *family on the basis of a personal friendship. Notwithstanding any other provision of*
299 *law, a person listed in subsection B or C may be a personal friend of such officer,*

300 *employee, or candidate or his immediate family for purposes of this subsection. In*
301 *determining whether a person listed in subsection B or C is a personal friend, the*
302 *following factors shall be considered: (i) the circumstances under which the gift was*
303 *offered; (ii) the history of the relationship between the person and the donor,*
304 *including the nature and length of the friendship and any previous exchange of gifts*
305 *between them; (iii) to the extent known to the person, whether the donor personally*
306 *paid for the gift or sought a tax deduction or business reimbursement for the gift; and*
307 *(iv) whether the donor has given the same or similar gifts to other persons required to*
308 *file the disclosure form prescribed in § [2.2-3117](#) or [30-111](#).*

309 *G. Notwithstanding the provisions of subsections B and C, such officer, employee, or*
310 *candidate or a member of his immediate family may accept or receive gifts of travel,*
311 *including travel-related transportation, lodging, hospitality, food or beverages, or*
312 *other thing of value, with a value in excess of \$100 that is paid for or provided by a*
313 *person listed in subsection B or C when the officer, employee, or candidate has*
314 *submitted a request for approval of such travel to the Council and has received the*
315 *approval of the Council pursuant to § [30-356.1](#). Such gifts shall be reported on the*
316 *disclosure form prescribed in § [2.2-3117](#).*

317 *H. During the pendency of a civil action in any state or federal court to which the*
318 *Commonwealth is a party, the Governor or the Attorney General or any employee of*
319 *the Governor or the Attorney General who is subject to the provisions of this chapter*
320 *shall not solicit, accept, or receive any ~~tangible~~ gift from any person that he knows or*
321 *has reason to know is a person, organization, or business ~~who~~ that is a party to such*
322 *civil action. A person, organization, or business ~~who~~ that is a party to such civil action*
323 *shall not knowingly give any ~~tangible~~ gift to the Governor or the Attorney General or*
324 *any of their employees who are subject to the provisions of this chapter.*

325 ~~E.-I.~~ *The ~~\$250~~ \$100 limitation imposed in accordance with this section shall be*
326 *adjusted by the Council every five years, as of January 1 of that year, in an amount*
327 *equal to the annual increases for that five-year period in the United States Average*
328 *Consumer Price Index for all items, all urban consumers (CPI-U), as published by the*
329 *Bureau of Labor Statistics of the U.S. Department of Labor, rounded to the nearest*
330 *whole dollar.*

331 ~~F. For purposes of this section, "person, organization, or business" includes~~
332 ~~individuals who are officers, directors, or owners of or who have a controlling~~
333 ~~ownership interest in such organization or business.~~

334 *§ [2.2-3103.2](#). Return of gifts.*

335 *No person shall be in violation of any provision of this chapter prohibiting the*
336 *acceptance of a gift if (i) the gift is not used by such person and the gift or its*
337 *equivalent in money is returned to the donor or delivered to a charitable organization*
338 *within a reasonable period of time upon the discovery of the value of the gift and is*
339 *not claimed as a charitable contribution for federal income tax purposes or (ii)*
340 *consideration is given by the donee to the donor for the value of the gift within a*
341 *reasonable period of time upon the discovery of the value of the gift provided that*
342 *such consideration reduces the value of the gift to an amount not in excess of \$100 as*
343 *provided in subsection B or C of §[2.2-3103.1](#).*

344 § [2.2-3104](#). Prohibited conduct for certain officers and employees of state government.

345 For one year after the termination of public employment or service, no state officer or
346 employee shall, before the agency of which he was an officer or employee, represent a
347 client or act in a representative capacity on behalf of any person or group, for
348 compensation, on matters related to legislation, executive orders, or regulations
349 promulgated by the agency of which he was an officer or employee. This prohibition
350 shall be in addition to the prohibitions contained in § [2.2-3103](#).

351 For the purposes of this section, "state officer or employee" shall mean (i) the
352 Governor, Lieutenant Governor, Attorney General, and officers appointed by the
353 Governor, whether confirmation by the General Assembly or by either house thereof
354 is required or not, who are regularly employed on a full-time salaried basis; those
355 officers and employees of executive branch agencies who report directly to the agency
356 head; and those at the level immediately below those who report directly to the agency
357 head and are at a payband 6 or higher and (ii) the officers and professional employees
358 of the legislative branch designated by the joint rules committee of the General
359 Assembly. For the purposes of this section, the General Assembly and the legislative
360 branch agencies shall be deemed one agency.

361 *To the extent this prohibition applies to the Governor's Secretaries, "agency" means*
362 *all agencies assigned to the Secretary by law or by executive order of the Governor.*

363 Any person subject to the provisions of this section may apply to the Council or
364 Attorney General, as provided in §[2.2-3121](#) or [2.2-3126](#), for an advisory opinion as to
365 the application of the restriction imposed by this section on any post-public
366 employment position or opportunity.

367 § [2.2-3104.01](#). Prohibited conduct; bids or proposals under the Virginia Public
368 Procurement Act, Public-Private Transportation Act, and Public-Private Education
369 Facilities and Infrastructure Act; loans or grants from the Commonwealth's
370 Development Opportunity Fund.

371 A. Neither the Governor, his political action committee, or the Governor's Secretaries,
372 if the Secretary is responsible to the Governor for an executive branch agency with
373 jurisdiction over the matters at issue, shall knowingly solicit or accept a contribution,
374 gift, or other item with a value greater than \$50 from any bidder, offeror, or private
375 entity, or from an officer or director of such bidder, offeror, or private entity, who has
376 submitted a bid or proposal to an executive branch agency that is directly responsible
377 to the Governor pursuant to the Virginia Public Procurement Act (§ [2.2-4300](#) et seq.),
378 the Public-Private Transportation Act of 1995 (§ [33.2-1800](#) et seq.), or the Public-
379 Private Education Facilities and Infrastructure Act of 2002 (§ [56-575.1](#) et seq.) (i)
380 during the period between the submission of the bid and the award of the public
381 contract under the Virginia Public Procurement Act or (ii) following the submission of
382 a proposal under the Public-Private Transportation Act of 1995 or the Public-Private
383 Education Facilities and Infrastructure Act of 2002 until the execution of a
384 comprehensive agreement thereunder.

385 *B. Neither the Governor, his campaign committee, nor a political action committee*
386 *established on his behalf shall knowingly solicit or accept a contribution, gift, or*
387 *other item with a value greater than \$100 from any person or entity that has*
388 *submitted an application for a grant or loan from the Commonwealth's Development*
389 *Opportunity Fund during the period in which the person or entity's application for*
390 *such an award is pending and for the one-year period immediately after any such*
391 *award is made. For purposes of this subsection, "entity" includes individuals who are*
392 *officers, directors, or owners of or who have a controlling ownership interest in such*
393 *entity.*

394 C. The provisions of this section shall apply only for public contracts, proposals, or
395 comprehensive agreements where the stated or expected value of the contract is \$5
396 million or more *or for grants or loans from the Commonwealth's Development*
397 *Opportunity Fund regardless of the value of the grant or loan.* The provisions of this
398 section shall not apply to contracts awarded as the result of competitive sealed bidding
399 as set forth in § [2.2-4302.1](#).

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

406 **§ 2.2-3104.02. Prohibited conduct for constitutional officers.**

407 In addition to the prohibitions contained in § [2.2-3103](#), no constitutional officer shall, during the
408 one year after the termination of his public service, act in a representative capacity on behalf of

409 any person or group, for compensation, on any matter before the agency of which he was an
410 officer.

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

412 Any person subject to the provisions of this section may apply to the attorney for the
413 Commonwealth for the jurisdiction where such person was elected as provided in § [2.2-3126](#), for
414 an advisory opinion as to the application of the restriction imposed by this section on any post-
415 public employment position or opportunity.
416 2011, c. [591](#).

417 **§ 2.2-3104.1. Exclusion of certain awards from scope of chapter.**

418 The provisions of this chapter shall not be construed to prohibit or apply to the acceptance by (i)
419 any employee of a local government, or (ii) a teacher or other employee of a local school board
420 of an award or payment in honor of meritorious or exceptional services performed by the teacher
421 or employee and made by an organization exempt from federal income taxation pursuant to the
422 provisions of Section 501(c)(3) of the Internal Revenue Code .

423 **§ 2.2-3104.2. Ordinance regulating receipt of gifts.**

424 The governing body of any county, city, or town may adopt an ordinance setting a monetary
425 limit on the acceptance of any gift by the officers, appointees or employees of the county, city or
426 town and requiring the disclosure by such officers, appointees or employees of the receipt of any
427 gift.

428 **§ 2.2-3105. Application.**

429 This article proscribes certain conduct relating to contracts by state and local government
430 officers and employees. The provisions of this article shall be supplemented but not superseded
431 by the provisions on ethics in public contracting in Article 6 (§ [2.2-4367](#) et seq.) of Chapter 43 of
432 this title.

433 § [2.2-3106](#). Prohibited contracts by officers and employees of state government and
434 Eastern Virginia Medical School.

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

439 B. No officer or employee of any governmental agency of state government or Eastern
440 Virginia Medical School shall have a personal interest in a contract with any other
441 governmental agency of state government unless such contract is (i) awarded as a
442 result of competitive sealed bidding or competitive negotiation as set forth in § [2.2-](#)
443 [4302.1](#) or [2.2-4302.2](#) or (ii) is awarded after a finding, in writing, by the administrative
444 head of the governmental agency that competitive bidding or negotiation is contrary to
445 the best interest of the public.

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

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

452 2. The personal interest of an officer or employee of a state institution of higher
453 education or the Eastern Virginia Medical School in additional contracts of
454 employment with his own governmental agency that accrue to him because of a
455 member of his immediate family, provided (i) the officer or employee and the
456 immediate family member are engaged in teaching, research or administrative support
457 positions at the educational institution or the Eastern Virginia Medical School, (ii) the
458 governing board of the educational institution finds that it is in the best interests of the
459 institution or the Eastern Virginia Medical School and the Commonwealth for such
460 dual employment to exist, and (iii) after such finding, the governing board of the
461 educational institution or the Eastern Virginia Medical School ensures that the officer
462 or employee, or the immediate family member, does not have sole authority to
463 supervise, evaluate or make personnel decisions regarding the other;

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

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

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

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

479 7. Subject to approval by the board of visitors, an employee's personal interest in a
480 contract between the Eastern Virginia Medical School or a public institution of higher

481 education in Virginia that operates a school of medicine or dentistry and a not-for-
482 profit nonstock corporation that operates a clinical practice within such public
483 institution of higher education or the Eastern Virginia Medical School and of which
484 such employee is a member or employee;

485 8. Subject to approval by the relevant board of visitors, an employee's personal
486 interest in a contract for research and development or commercialization of
487 intellectual property between a public institution of higher education in Virginia or the
488 Eastern Virginia Medical School and a business in which the employee has a personal
489 interest, if (i) the employee's personal interest has been disclosed to and approved by
490 such public institution of higher education or the Eastern Virginia Medical School
491 prior to the time at which the contract is entered into; (ii) the employee promptly files
492 a disclosure statement pursuant to § [2.2-3117](#) and thereafter files such statement
493 annually on or before ~~January~~ *December* 15; (iii) the institution has established a
494 formal policy regarding such contracts, approved by the State Council of Higher
495 Education or, in the case of the Eastern Virginia Medical School, a formal policy
496 regarding such contracts in conformity with any applicable federal regulations that has
497 been approved by its board of visitors; and (iv) no later than December 31 of each
498 year, the institution or the Eastern Virginia Medical School files an annual report with
499 the Secretary of the Commonwealth disclosing each open contract entered into subject
500 to this provision, the names of the parties to each contract, the date each contract was
501 executed and its term, the subject of each contractual arrangement, the nature of the
502 conflict of interest, the institution's or the Eastern Virginia Medical School's employee
503 responsible for administering each contract, the details of the institution's or the
504 Eastern Virginia Medical School's commitment or investment of resources or finances
505 for each contract, and any other information requested by the Secretary of the
506 Commonwealth; or

507 9. Subject to approval by the relevant board of visitors, an employee's personal
508 interest in a contract between a public institution of higher education in Virginia or the
509 Eastern Virginia Medical School and a business in which the employee has a personal
510 interest, if (i) the personal interest has been disclosed to the institution or the Eastern
511 Virginia Medical School prior to the time the contract is entered into; (ii) the
512 employee files a disclosure statement pursuant to § [2.2-3117](#) and thereafter annually on
513 or before ~~January~~ *December* 15; (iii) the employee does not participate in the
514 institution's or the Eastern Virginia Medical School's decision to contract; (iv) the
515 president of the institution or the Eastern Virginia Medical School finds and certifies
516 in writing that the contract is for goods and services needed for quality patient care,
517 including related medical education or research, by the institution's medical center or
518 the Eastern Virginia Medical School, its affiliated teaching hospitals and other
519 organizations necessary for the fulfillment of its mission, including the acquisition of

520 drugs, therapies and medical technologies; and (v) no later than December 31 of each
521 year, the institution or the Eastern Virginia Medical School files an annual report with
522 the Secretary of the Commonwealth disclosing each open contract entered subject to
523 this provision, the names of the parties to each contract, the date each contract was
524 executed and its term, the subject of each contractual arrangement, the nature of the
525 conflict of interest, the institution's or the Eastern Virginia Medical School's employee
526 responsible for administering each contract, the details of the institution's or the
527 Eastern Virginia Medical School's commitment or investment of resources or finances
528 for each contract, and any other information requested by the Secretary of the
529 Commonwealth.

530 D. Notwithstanding the provisions of subdivisions C 8 and C 9, if the research and
531 development or commercialization of intellectual property or the employee's personal
532 interest in a contract with a business is subject to policies and regulations governing
533 conflicts of interest promulgated by any agency of the United States government,
534 including the adoption of policies requiring the disclosure and management of such
535 conflicts of interests, the policies established by the Eastern Virginia Medical School
536 pursuant to such federal requirements shall constitute compliance with subdivisions C
537 8 and C 9, upon notification by the Eastern Virginia Medical School to the Secretary
538 of the Commonwealth by January 31 of each year of evidence of their compliance
539 with such federal policies and regulations.

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

553 **§ 2.2-3107. Prohibited contracts by members of county boards of**
554 **supervisors, city councils and town councils.**

555 A. No person elected or appointed as a member of the governing body of a county, city or town
556 shall have a personal interest in (i) any contract with his governing body, or (ii) any contract with
557 any governmental agency that is a component part of his local government and which is subject
558 to the ultimate control of the governing body of which he is a member, or (iii) any contract other

559 than a contract of employment with any other governmental agency if such person's governing
560 body appoints a majority of the members of the governing body of the second governmental
561 agency.

562 B. The provisions of this section shall not apply to:

563 1. A member's personal interest in a contract of employment provided (i) the officer or employee
564 was employed by the governmental agency prior to July 1, 1983, in accordance with the
565 provisions of the former Conflict of Interests Act, Chapter 22 (§ 2.1-347 et seq.) of Title 2.1 as it
566 existed on June 30, 1983, or (ii) the employment first began prior to the member becoming a
567 member of the governing body;

568 2. Contracts for the sale by a governmental agency of services or goods at uniform prices
569 available to the public; or

570 3. A contract awarded to a member of a governing body as a result of competitive sealed bidding
571 where the governing body has established a need for the same or substantially similar goods
572 through purchases prior to the election or appointment of the member to serve on the governing
573 body. However, the member shall have no involvement in the preparation of the specifications
574 for such contract, and the remaining members of the governing body, by written resolution, shall
575 state that it is in the public interest for the member to bid on such contract.

576 § 2.2-3108. Prohibited contracts by members of school boards.

577 A. No person elected or appointed as a member of a local school board shall have a personal
578 interest in (i) any contract with his school board or (ii) any contract with any governmental
579 agency that is subject to the ultimate control of the school board of which he is a member.

580 B. The provisions of this section shall not apply to:

581 1. A member's personal interest in a contract of employment provided the employment first
582 began prior to the member becoming a member of the school board;

583 2. Contracts for the sale by a governmental agency of services or goods at uniform prices
584 available to the public; or

585 3. A contract awarded to a member of a school board as a result of competitive sealed bidding
586 where the school board has established a need for the same or substantially similar goods
587 through purchases prior to the election or appointment of the member to serve on the school
588 board. However, the member shall have no involvement in the preparation of the specifications
589 for such contract, and the remaining members of the school board, by written resolution, shall
590 state that it is in the public interest for the member to bid on such contract.

591 § 2.2-3109. Prohibited contracts by other officers and employees of 592 local governmental agencies.

593 A. No other officer or employee of any governmental agency of local government shall have a
594 personal interest in a contract with the agency of which he is an officer or employee other than
595 his own contract of employment.

596 B. No officer or employee of any governmental agency of local government shall have a
597 personal interest in a contract with any other governmental agency that is a component of the
598 government of his county, city or town unless such contract is (i) awarded as a result of
599 competitive sealed bidding or competitive negotiation as set forth in § [2.2-4302.1](#) or [2.2-](#)
600 [4302.2](#) or is awarded as a result of a procedure embodying competitive principles as authorized
601 by subdivisions A 10 or A 11 of § [2.2-4343](#) or (ii) is awarded after a finding, in writing, by the
602 administrative head of the governmental agency that competitive bidding or negotiation is
603 contrary to the best interest of the public.

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

605 1. An employee's personal interest in additional contracts for goods or services, or contracts of
606 employment with his own governmental agency that accrue to him because of a member of his
607 immediate family, provided the employee does not exercise any control over (i) the employment
608 or the employment activities of the member of his immediate family and (ii) the employee is not
609 in a position to influence those activities or the award of the contract for goods or services;

610 2. An officer's or employee's personal interest in a contract of employment with any other
611 governmental agency that is a component part of the government of his county, city or town;

612 3. Contracts for the sale by a governmental agency of services or goods at uniform prices
613 available to the general public;

614 4. Members of local governing bodies who are subject to § [2.2-3107](#);

615 5. Members of local school boards who are subject to § [2.2-3108](#); or

616 6. Any ownership or financial interest of members of the governing body, administrators, and
617 other personnel serving in a public charter school in renovating, lending, granting, or leasing
618 public charter school facilities, as the case may be, provided such interest has been disclosed in
619 the public charter school application as required by § [22.1-212.8](#).

620 **§ 2.2-3110. Further exceptions.**

621 A. The provisions of Article 3 (§ [2.2-3106](#) et seq.) of this chapter shall not apply to:

622 1. The sale, lease or exchange of real property between an officer or employee and a
623 governmental agency, provided the officer or employee does not participate in any way as such
624 officer or employee in such sale, lease or exchange, and this fact is set forth as a matter of public
625 record by the governing body of the governmental agency or by the administrative head thereof;

626 2. The publication of official notices;

627 3. Contracts between the government or school board of a town or city with a population of less
628 than 10,000 and an officer or employee of that town or city government or school board when
629 the total of such contracts between the town or city government or school board and the officer
630 or employee of that town or city government or school board or a business controlled by him
631 does not exceed \$10,000 per year or such amount exceeds \$10,000 and is less than \$25,000 but
632 results from contracts arising from awards made on a sealed bid basis, and such officer or
633 employee has made disclosure as provided for in § [2.2-3115](#);

634 4. An officer or employee whose sole personal interest in a contract with the governmental
635 agency is by reason of income from the contracting firm or governmental agency in excess of
636 \$10,000 per year, provided the officer or employee or a member of his immediate family does
637 not participate and has no authority to participate in the procurement or letting of such contract

638 on behalf of the contracting firm and the officer or employee either does not have authority to
639 participate in the procurement or letting of the contract on behalf of his governmental agency or
640 he disqualifies himself as a matter of public record and does not participate on behalf of his
641 governmental agency in negotiating the contract or in approving the contract;

642 5. When the governmental agency is a public institution of higher education, an officer or
643 employee whose personal interest in a contract with the institution is by reason of an ownership
644 in the contracting firm in excess of three percent of the contracting firm's equity or such
645 ownership interest and income from the contracting firm is in excess of \$10,000 per year,
646 provided that (i) the officer or employee's ownership interest, or ownership and income interest,
647 and that of any immediate family member in the contracting firm is disclosed in writing to the
648 president of the institution, which writing certifies that the officer or employee has not and will
649 not participate in the contract negotiations on behalf of the contracting firm or the institution, (ii)
650 the president of the institution makes a written finding as a matter of public record that the
651 contract is in the best interests of the institution, (iii) the officer or employee either does not have
652 authority to participate in the procurement or letting of the contract on behalf of the institution or
653 disqualifies himself as a matter of public record, and (iv) does not participate on behalf of the
654 institution in negotiating the contract or approving the contract;

655 6. Except when the governmental agency is the Virginia Retirement System, contracts between
656 an officer's or employee's governmental agency and a public service corporation, financial
657 institution, or company furnishing public utilities in which the officer or employee has a personal
658 interest, provided the officer or employee disqualifies himself as a matter of public record and
659 does not participate on behalf of his governmental agency in negotiating the contract or in
660 approving the contract;

661 7. Contracts for the purchase of goods or services when the contract does not exceed \$500;

662 8. Grants or other payment under any program wherein uniform rates for, or the amounts paid to,
663 all qualified applicants are established solely by the administering governmental agency; or

664 9. An officer or employee whose sole personal interest in a contract with his own governmental
665 agency is by reason of his marriage to his spouse who is employed by the same agency, if the
666 spouse was employed by such agency for five or more years prior to marrying such officer or
667 employee.

668 B. Neither the provisions of this chapter nor, unless expressly provided otherwise, any
669 amendments thereto shall apply to those employment contracts or renewals thereof or to any
670 other contracts entered into prior to August 1, 1987, which were in compliance with either the
671 former Virginia Conflict of Interests Act, Chapter 22 (§ 2.1-347 et seq.) or the former
672 Comprehensive Conflict of Interests Act, Chapter 40 (§ 2.1-599 et seq.) of Title 2.1 at the time of
673 their formation and thereafter. Those contracts shall continue to be governed by the provisions of
674 the appropriate prior Act. Notwithstanding the provisions of subdivision (f) (4) of § 2.1-348 of
675 Title 2.1 in effect prior to July 1, 1983, the employment by the same governmental agency of an
676 officer or employee and spouse or any other relative residing in the same household shall not be
677 deemed to create a material financial interest except when one of such persons is employed in a
678 direct supervisory or administrative position, or both, with respect to such spouse or other
679 relative residing in his household and the annual salary of such subordinate is \$35,000 or more.

680 **§ 2.2-3111. Application.**

681 This article proscribes certain conduct by state and local government officers and employees
682 having a personal interest in a transaction.

683 **§ 2.2-3112. Prohibited conduct concerning personal interest in a**
684 **transaction; exceptions.**

685 A. Each officer and employee of any state or local governmental or advisory agency who has a
686 personal interest in a transaction:

- 687 1. Shall disqualify himself from participating in the transaction if (i) the transaction has
688 application solely to property or a business or governmental agency in which he has a personal
689 interest or a business that has a parent-subsidiary or affiliated business entity relationship with
690 the business in which he has a personal interest or (ii) he is unable to participate pursuant to
691 subdivision 2, 3 or 4. Any disqualification under the provisions of this subdivision shall be
692 recorded in the public records of the officer's or employee's governmental or advisory agency.
693 The officer or employee shall disclose his personal interest as required by subsection E of § [2.2-](#)
694 [3114](#) or subsection F of § [2.2-3115](#) and shall not vote or in any manner act on behalf of his
695 agency in the transaction. The officer or employee shall be prohibited from (i) attending any
696 portion of a closed meeting authorized by the Virginia Freedom of Information Act (§ [2.2-](#)
697 [3700](#) et seq.) when the matter in which he has a personal interest is discussed and (ii) discussing
698 the matter in which he has a personal interest with other governmental officers or employees at
699 any time;
- 700 2. May participate in the transaction if he is a member of a business, profession, occupation, or
701 group of three or more persons the members of which are affected by the transaction, and he
702 complies with the declaration requirements of subsection F of § [2.2-3114](#) or subsection H of
703 § [2.2-3115](#);
- 704 3. May participate in the transaction when a party to the transaction is a client of his firm if he
705 does not personally represent or provide services to such client and he complies with the
706 declaration requirements of subsection G of § [2.2-3114](#) or subsection I of § [2.2-3115](#); or
- 707 4. May participate in the transaction if it affects the public generally, even though his personal
708 interest, as a member of the public, may also be affected by that transaction.

709 B. Disqualification under the provisions of this section shall not prevent any employee having a
710 personal interest in a transaction in which his agency is involved from representing himself or a
711 member of his immediate family in such transaction provided he does not receive compensation
712 for such representation and provided he complies with the disqualification and relevant
713 disclosure requirements of this chapter.

714 C. Notwithstanding any other provision of law, if disqualifications of officers or employees in
715 accordance with this section leave less than the number required by law to act, the remaining
716 member or members shall constitute a quorum for the conduct of business and have authority to
717 act for the agency by majority vote, unless a unanimous vote of all members is required by law,
718 in which case authority to act shall require a unanimous vote of remaining members.
719 Notwithstanding any provisions of this chapter to the contrary, members of a local governing
720 body whose sole interest in any proposed sale, contract of sale, exchange, lease or conveyance is
721 by virtue of their employment by a business involved in a proposed sale, contract of sale,
722 exchange, lease or conveyance, and where such member's or members' vote is essential to a

723 constitutional majority required pursuant to Article VII, Section 9 of the Constitution of Virginia
724 and § [15.2-2100](#), such member or members of the local governing body may vote and participate
725 in the deliberations of the governing body concerning whether to approve, enter into or execute
726 such sale, contract of sale, exchange, lease or conveyance. Official action taken under
727 circumstances that violate this section may be rescinded by the agency on such terms as the
728 interests of the agency and innocent third parties require.

729 D. The provisions of subsection A shall not prevent an officer or employee from participating in
730 a transaction merely because such officer or employee is a party in a legal proceeding of a civil
731 nature concerning such transaction.

732 E. The provisions of subsection A shall not prevent an employee from participating in a
733 transaction regarding textbooks or other educational material for students at state institutions of
734 higher education, when those textbooks or materials have been authored or otherwise created by
735 the employee.

736 § 2.2-3113. Application.

737 This article requires disclosure of certain personal and financial interests by state and local
738 government officers and employees.

739 § [2.2-3114](#). Disclosure by state officers and employees.

740 A. The Governor, Lieutenant Governor, Attorney General, Justices of the Supreme
741 Court, judges of the Court of Appeals, judges of any circuit court, judges and
742 substitute judges of any district court, members of the State Corporation Commission,
743 members of the Virginia Workers' Compensation Commission, members of the
744 Commonwealth Transportation Board, members of the Board of Trustees of the
745 Virginia Retirement System, *members of the Virginia Alcoholic Beverage Control*
746 *Board*, and members of the Virginia Lottery Board and other persons occupying such
747 offices or positions of trust or employment in state government, including members of
748 the governing bodies of authorities, as may be designated by the Governor, or, ~~in the~~
749 ~~ease of~~ officers or employees of the legislative branch, *as may be designated* by the
750 Joint Rules Committee of the General Assembly, shall file with the Council, as a
751 condition to assuming office or employment, a disclosure statement of their personal
752 interests and such other information as is specified on the form set forth in § [2.2-](#)
753 [3117](#) and thereafter shall file such a statement semiannually by December 15 for the
754 preceding six-month period complete through the last day of October and by June 15
755 for the preceding six-month period complete through the last day of April. When the
756 filing deadline falls on a Saturday, Sunday, or legal holiday, the disclosure statement
757 shall be filed on the next day that is not a Saturday, Sunday, or legal holiday.

758 B. Nonsalaried citizen members of all policy and supervisory boards, commissions
759 and councils in the executive branch of state government, other than the
760 Commonwealth Transportation Board, members of the Board of Trustees of the
761 Virginia Retirement System, and the Virginia Lottery Board, shall file with the

762 Council, as a condition to assuming office, a disclosure form of their personal
763 interests and such other information as is specified on the form set forth in § [2.2-](#)
764 [3118](#) and thereafter shall file such form annually on or before December 15. When the
765 filing deadline falls on a Saturday, Sunday, or legal holiday, the disclosure statement
766 shall be filed on the next day that is not a Saturday, Sunday, or legal holiday.
767 Nonsalaried citizen members of other boards, commissions and councils, including
768 advisory boards and authorities, may be required to file a disclosure form if so
769 designated by the Governor, in which case the form shall be that set forth in § [2.2-](#)
770 [3118](#).

771 C. The disclosure forms required by subsections A and B shall be ~~provided~~ *made*
772 *available* by the Council to each officer and employee so designated, including
773 ~~officers appointed by legislative authorities~~ at least 30 days prior to the filing
774 deadline. Disclosure forms shall be filed ~~and~~ *electronically with the Council in*
775 *accordance with the standards approved by it pursuant to § [30-356](#). All forms shall*
776 *be maintained as public records for five years in the office of the Council. Such forms*
777 *shall be made public no later than six weeks after filing.*

778 D. Candidates for the offices of Governor, Lieutenant Governor or Attorney General
779 shall file a disclosure statement of their personal interests as required by § [24.2-502](#).

780 E. Any officer or employee of state government who has a personal interest in any
781 transaction before the governmental or advisory agency of which he is an officer or
782 employee and who is disqualified from participating in that transaction pursuant to
783 subdivision A 1 of § [2.2-3112](#), or otherwise elects to disqualify himself, shall forthwith
784 make disclosure of the existence of his interest, including the full name and address of
785 the business and the address or parcel number for the real estate if the interest
786 involves a business or real estate, and his disclosure shall also be reflected in the
787 public records of the agency for five years in the office of the administrative head of
788 the officer's or employee's governmental agency or advisory agency or, if the agency
789 has a clerk, in the clerk's office.

790 F. An officer or employee of state government who is required to declare his interest
791 pursuant to subdivision A 2 of § [2.2-3112](#), shall declare his interest by stating (i) the
792 transaction involved, (ii) the nature of the officer's or employee's personal interest
793 affected by the transaction, (iii) that he is a member of a business, profession,
794 occupation, or group the members of which are affected by the transaction, and (iv)
795 that he is able to participate in the transaction fairly, objectively, and in the public
796 interest. The officer or employee shall either make his declaration orally to be
797 recorded in written minutes for his agency or file a signed written declaration with the
798 clerk or administrative head of his governmental or advisory agency, as appropriate,
799 who shall, in either case, retain and make available for public inspection such

800 declaration for a period of five years from the date of recording or receipt. If
801 reasonable time is not available to comply with the provisions of this subsection prior
802 to participation in the transaction, the officer or employee shall prepare and file the
803 required declaration by the end of the next business day.

804 G. An officer or employee of state government who is required to declare his interest
805 pursuant to subdivision A 3 of § [2.2-3112](#), shall declare his interest by stating (i) the
806 transaction involved, (ii) that a party to the transaction is a client of his firm, (iii) that
807 he does not personally represent or provide services to the client, and (iv) that he is
808 able to participate in the transaction fairly, objectively, and in the public interest. The
809 officer or employee shall either make his declaration orally to be recorded in written
810 minutes for his agency or file a signed written declaration with the clerk or
811 administrative head of his governmental or advisory agency, as appropriate, who
812 shall, in either case, retain and make available for public inspection such declaration
813 for a period of five years from the date of recording or receipt. If reasonable time is
814 not available to comply with the provisions of this subsection prior to participation in
815 the transaction, the officer or employee shall prepare and file the required declaration
816 by the end of the next business day.

817 *H. Notwithstanding any other provision of law, chairs of departments at a public*
818 *institution of higher education in the Commonwealth shall not be required to file the*
819 *disclosure form prescribed by § [2.2-3117](#) or [2.2-3118](#)*

820 § [2.2-3114.1](#). Filings of statements of economic interests by General Assembly
821 members.

822 The filing of a current statement of economic interests by a General Assembly
823 member, member-elect, or candidate for the General Assembly pursuant to §§ [30-](#)
824 [110](#) and [30-111](#) of the General Assembly Conflicts of Interests Act (§[30-100](#) et seq.)
825 shall suffice for the purposes of this chapter (~~§ [2.2-3100](#) et seq.~~). The Secretary of the
826 Commonwealth may obtain from the ~~Clerk of the House of Delegates or the Senate,~~
827 ~~as appropriate,~~ *Council* a copy of the statement of a General Assembly member who
828 is appointed to a position for which a statement is required pursuant to § [2.2-3114](#). No
829 General Assembly member, member-elect, or candidate shall be required to file a
830 separate statement of economic interests for the purposes of § [2.2-3114](#).

831 § [2.2-3115](#). Disclosure by local government officers and employees.

832 A. The members of every governing body and school board of each county and city
833 and of towns with populations in excess of 3,500 shall file ~~with the Council,~~ as a
834 condition to assuming office or employment, a disclosure statement of their personal
835 interests and other information as is specified on the form set forth in § [2.2-3117](#) and

836 thereafter shall file such a statement semiannually by December 15 for the preceding
837 six-month period complete through the last day of October and by June 15 for the
838 preceding six-month period complete through the last day of April.

839 The members of the governing body of any authority established in any county or
840 city, or part or combination thereof, and having the power to issue bonds or expend
841 funds in excess of \$10,000 in any fiscal year, shall file ~~with the Virginia Conflict of~~
842 ~~Interest and Ethics Advisory Council~~, as a condition to assuming office, a disclosure
843 statement of their personal interests and other information as is specified on the form
844 set forth in § [2.2-3118](#) and thereafter shall file such a statement annually on or before
845 December 15, unless the governing body of the jurisdiction that appoints the members
846 requires that the members file the form set forth in § [2.2-3117](#) semiannually by
847 December 15 for the preceding six-month period complete through the last day of
848 October and by June 15 for the preceding six-month period complete through the last
849 day of April.

850 Persons occupying such positions of trust appointed by governing bodies and persons
851 occupying such positions of employment with governing bodies as may be designated
852 to file by ordinance of the governing body shall file ~~with the Virginia Conflict of~~
853 ~~Interest and Ethics Advisory Council~~, as a condition to assuming office or
854 employment, a disclosure statement of their personal interests and other information
855 as is specified on the form set forth in § [2.2-3117](#) and thereafter shall file such a
856 statement semiannually by December 15 for the preceding six-month period complete
857 through the last day of October and by June 15 for the preceding six-month period
858 complete through the last day of April.

859 Persons occupying such positions of trust appointed by school boards and persons
860 occupying such positions of employment with school boards as may be designated to
861 file by an adopted policy of the school board shall file ~~with the Virginia Conflict of~~
862 ~~Interest and Ethics Advisory Council~~, as a condition to assuming office or
863 employment, a disclosure statement of their personal interests and other information
864 as is specified on the form set forth in § [2.2-3117](#) and thereafter shall file such a
865 statement semiannually by December 15 for the preceding six-month period complete
866 through the last day of October and by June 15 for the preceding six-month period
867 complete through the last day of April.

868 B. Nonsalaried citizen members of local boards, commissions and councils as may be
869 designated by the governing body shall file ~~with the Virginia Conflict of Interest and~~
870 ~~Ethics Advisory Council~~, as a condition to assuming office, a disclosure form of their
871 personal interests and such other information as is specified on the form set forth in
872 § [2.2-3118](#) and thereafter shall file such form annually on or before December 15.

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

875 D. The disclosure forms required by subsections A and B shall be ~~provided~~ *made*
876 *available* by the Virginia Conflict of Interest and Ethics Advisory Council ~~to the~~
877 ~~clerks of the governing bodies and school boards~~ at least 30 days prior to the filing
878 deadline, and the clerks of the governing body and school board shall distribute the
879 forms to designated individuals at least 20 days prior to the filing deadline. Forms
880 shall be filed and maintained as public records for five years in the office of
881 ~~the Virginia Conflict of Interest and Ethics Advisory Council~~ *clerk of the respective*
882 *governing body or school board*. Forms filed by members of governing bodies of
883 authorities shall be filed and maintained as public records for five years in the office
884 of ~~the Virginia Conflict of Interest and Ethics Advisory Council~~ *clerk of the governing*
885 *body of the county or city*. *Such forms shall be made public no later than six weeks*
886 *after filing*.

887 E. Candidates for membership in the governing body or school board of any county,
888 city or town with a population of more than 3,500 persons shall file a disclosure
889 statement of their personal interests as required by § [24.2-502](#).

890 F. Any officer or employee of local government who has a personal interest in any
891 transaction before the governmental or advisory agency of which he is an officer or
892 employee and who is disqualified from participating in that transaction pursuant to
893 subdivision A 1 of § [2.2-3112](#) or otherwise elects to disqualify himself, shall forthwith
894 make disclosure of the existence of his interest, including the full name and address of
895 the business and the address or parcel number for the real estate if the interest
896 involves a business or real estate, and his disclosure shall be reflected in the public
897 records of the agency for five years in the office of the administrative head of the
898 officer's or employee's governmental or advisory agency.

899 G. In addition to any disclosure required by subsections A and B, in each county and
900 city and in towns with populations in excess of 3,500, members of planning
901 commissions, boards of zoning appeals, real estate assessors, and all county, city and
902 town managers or executive officers shall make annual disclosures of all their
903 interests in real estate located in the county, city or town in which they are elected,
904 appointed, or employed. Such disclosure shall include any business in which such
905 persons own an interest, or from which income is received, if the primary purpose of
906 the business is to own, develop or derive compensation through the sale, exchange or
907 development of real estate in the county, city or town. Such disclosure shall be filed as
908 a condition to assuming office or employment, and thereafter shall be filed annually
909 with ~~the Virginia Conflict of Interest and Ethics Advisory Council~~ *clerk of the*
910 *governing body of such county, city, or town* on or before December 15. Such

911 disclosures shall be filed and maintained as public records for five years. *Such forms*
912 *shall be made public no later than six weeks after filing.* Forms for the filing of such
913 reports shall be ~~prepared and distributed~~ *made available* by the Virginia Conflict of
914 Interest and Ethics Advisory Council to the clerk of each governing body.

915 H. An officer or employee of local government who is required to declare his interest
916 pursuant to subdivision A 2 of § [2.2-3112](#) shall declare his interest by stating (i) the
917 transaction involved, (ii) the nature of the officer's or employee's personal interest
918 affected by the transaction, (iii) that he is a member of a business, profession,
919 occupation, or group the members of which are affected by the transaction, and (iv)
920 that he is able to participate in the transaction fairly, objectively, and in the public
921 interest. The officer or employee shall either make his declaration orally to be
922 recorded in written minutes ~~of~~ *for* his agency or file a signed written declaration with
923 the clerk or administrative head of his governmental or advisory agency, as
924 appropriate, who shall, in either case, retain and make available for public inspection
925 such declaration for a period of five years from the date of recording or receipt. If
926 reasonable time is not available to comply with the provisions of this subsection prior
927 to participation in the transaction, the officer or employee shall prepare and file the
928 required declaration by the end of the next business day. The officer or employee shall
929 also orally disclose the existence of the interest during each meeting of the
930 governmental or advisory agency at which the transaction is discussed and such
931 disclosure shall be recorded in the minutes of the meeting.

932 I. An officer or employee of local government who is required to declare his interest
933 pursuant to subdivision A 3 of § [2.2-3112](#), shall declare his interest by stating (i) the
934 transaction involved, (ii) that a party to the transaction is a client of his firm, (iii) that
935 he does not personally represent or provide services to the client, and (iv) that he is
936 able to participate in the transaction fairly, objectively, and in the public interest. The
937 officer or employee shall either make his declaration orally to be recorded in written
938 minutes for his agency or file a signed written declaration with the clerk or
939 administrative head of his governmental or advisory agency, as appropriate, who
940 shall, in either case, retain and make available for public inspection such declaration
941 for a period of five years from the date of recording or receipt. If reasonable time is
942 not available to comply with the provisions of this subsection prior to participation in
943 the transaction, the officer or employee shall prepare and file the required declaration
944 by the end of the next business day.

945 § [2.2-3116](#). Disclosure by certain constitutional officers.

946 For the purposes of this chapter, holders of the constitutional offices of treasurer,
947 sheriff, attorney for the Commonwealth, clerk of the circuit court, and commissioner
948 of the revenue of each county and city, ~~shall be deemed to be local officers and shall~~

949 be required to file *with the Council, as a condition to assuming office*, the Statement
950 of Economic Interests set forth in § [2.2-3117](#). These officers shall file
951 statements ~~pursuant to § [2.2-3115](#) and candidates~~ *semiannually by December 15 for the*
952 *preceding six-month period complete through the last day of October and by June 15*
953 *for the preceding six-month period complete through the last day of April.*
954 *Candidates* shall file statements as required by § [24.2-502](#). *Statements shall be filed*
955 *electronically with the Council in accordance with the standards approved by it*
956 *pursuant to § [30-356](#).* These officers shall be subject to the prohibition on certain gifts
957 set forth in subsection B of § [2.2-3103.1](#).

958 § [2.2-3117](#). Disclosure form.

959 The disclosure form to be used for filings required by subsections A and D of § [2.2-](#)
960 [3114](#) and subsections A and E of § [2.2-3115](#) shall be substantially ~~as follows:~~ *similar to*
961 *the following. Except as otherwise provided in § [2.2-3115](#), all completed forms shall be*
962 *filed electronically with the Council in accordance with the standards approved by it*
963 *pursuant to § [30-356](#). Any person who knowingly and intentionally makes a false*
964 *statement of a material fact on the Statement of Economic Interests is guilty of a Class*
965 *5 felony.*

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STATEMENT OF ECONOMIC INTERESTS.

Name

Office or position held or sought

Address

Names of members of immediate family

977 DEFINITIONS AND EXPLANATORY MATERIAL.

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

981 "Close financial association" means an association in which the person filing shares
982 significant financial involvement with an individual and the filer would reasonably be
983 expected to be aware of the individual's business activities and would have access to
984 the necessary records either directly or through the individual. "Close financial
985 association" does not mean an association based on (i) the receipt of retirement
986 benefits or deferred compensation from a business by which the person filing this
987 statement is no longer employed, or (ii) the receipt of compensation for work

988 performed by the person filing as an independent contractor of a business that
989 represents an entity before any state governmental agency when the person filing has
990 had no communications with the state governmental agency.

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

994 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan,
995 forbearance, or other item having monetary value. It includes services as well as gifts
996 of transportation, lodgings and meals, whether provided in-kind, by purchase of a
997 ticket, payment in advance or reimbursement after the expense has been incurred.
998 "Gift" does not include (i) any offer of a ticket, coupon, or other admission or pass
999 unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any
1000 athletic, merit, or need-based scholarship or any other financial aid awarded by a
1001 public or private school, institution of higher education, or other educational program
1002 pursuant to such school, institution, or program's financial aid standards and
1003 procedures applicable to the general public; (iv) a campaign contribution properly
1004 received and reported pursuant to Chapter 9.3 (§ [24.2-945](#) et seq.) of Title 24.2; (v) any
1005 gift related to the private profession or occupation of an officer or employee or of a
1006 member of his immediate family; ~~(vi) food or beverages consumed while attending~~
1007 ~~an event at which the filer is performing official duties related to his public service;~~
1008 ~~(vii) food and beverages received at or registration or attendance fees waived for any~~
1009 ~~event at which the filer is a featured speaker, presenter, or lecturer; (viii) unsolicited~~
1010 ~~awards of appreciation or recognition in the form of a plaque, trophy, wall memento,~~
1011 ~~or similar item that is given in recognition of public, civic, charitable, or professional~~
1012 ~~service; (ix) a devise or inheritance; (x) travel disclosed pursuant to the Campaign~~
1013 ~~Finance Disclosure Act (§ [24.2-945](#) et seq.); (xi) travel paid for or provided by the~~
1014 ~~government of the United States, any of its territories, or any state or any political~~
1015 ~~subdivision of such state; (xii) travel provided to facilitate attendance by a legislator~~
1016 ~~at a regular or special session of the General Assembly, a meeting of a legislative~~
1017 ~~committee or commission, or a national conference where attendance is approved by~~
1018 ~~the House or Senate Committee on Rules; (xiii) travel related to an official meeting of~~
1019 ~~the Commonwealth, its political subdivisions, or any board, commission, authority, or~~
1020 ~~other entity, or any charitable organization established pursuant to § 501(c)(3) of the~~
1021 ~~Internal Revenue Code affiliated with such entity, to which such person has been~~
1022 ~~appointed or elected or is a member by virtue of his office or~~
1023 ~~employment; or (xiv) gifts from relatives or personal friends. "Relative" means the~~
1024 ~~donee's spouse, child, uncle, aunt, niece, ~~or~~ nephew, or first cousin; a person to whom~~
1025 ~~the donee is engaged to be married; the donee's or his spouse's parent, grandparent,~~
1026 ~~grandchild, brother, ~~or~~ sister, *step-parent, step-grandparent, step-grandchild, step-*~~

1027 *brother, or step-sister*; or the donee's brother's or sister's spouse. "Personal friend"
1028 does not include any person that the filer knows or has reason to know is (a) a lobbyist
1029 registered pursuant to Article 3 (§ [2.2-418](#) et seq.) of Chapter 4 of Title 2.2; (b) a
1030 lobbyist's principal as defined in § [2.2-419](#); (c) for an officer or employee of a local
1031 governmental or advisory agency, a person, organization, or business who is a party to
1032 or is seeking to become a party to a contract with the local agency of which he is an
1033 officer or an employee; or (d) for an officer or employee of a state governmental or
1034 advisory agency, a person, organization, or business who is a party to or is seeking to
1035 become a party to a contract with the Commonwealth. "Person, organization, or
1036 business" includes individuals who are officers, directors, or owners of or who have a
1037 controlling ownership interest in such organization or business.

1038 "Immediate family" means (i) a spouse and (ii) any ~~child~~ *other person* who resides in
1039 the same household as the officer or employee and who is a dependent of the officer
1040 or employee.

1041 TRUST. If you or your immediate family, separately or together, are the only
1042 beneficiaries of a trust, treat the trust's assets as if you own them directly. If you or
1043 your immediate family has a proportional interest in a trust, treat that proportion of the
1044 trust's assets as if you own them directly. For example, if you and your immediate
1045 family have a one-third interest in a trust, complete your Statement as if you own one-
1046 third of each of the trust's assets. If you or a member of your immediate family created
1047 a trust and can revoke it without the beneficiaries' consent, treat its assets as if you
1048 own them directly.

1049 REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required
1050 on this Statement must be provided on the basis of the best knowledge, information,
1051 and belief of the individual filing the Statement as of the date of this report unless
1052 otherwise stated.

1053 COMPLETE ITEMS 1 THROUGH 10. REFER TO SCHEDULES ONLY IF
1054 DIRECTED.

1055 You may attach additional explanatory information.

1056 1. Offices and Directorships.

1057 Are you or a member of your immediate family a paid officer or paid director of a
1058 business?

1059 EITHER check NO // OR check YES // and complete Schedule A.

1060 2. Personal Liabilities.

1061 Do you or a member of your immediate family owe more than \$5,000 to any one
1062 creditor including contingent liabilities? (Exclude debts to any government and loans
1063 secured by recorded liens on property at least equal in value to the loan.)

1064 EITHER check NO // OR check YES // and complete Schedule B.

1065 3. Securities.

1066 Do you or a member of your immediate family, directly or indirectly, separately or
1067 together, own securities valued in excess of \$5,000 invested in one business? Account
1068 for mutual funds, limited partnerships and trusts.

1069 EITHER check NO // OR check YES // and complete Schedule C.

1070 4. Payments for Talks, Meetings, and Publications.

1071 During the past six months did you receive in your capacity as an officer or employee
1072 of your agency lodging, transportation, money, or anything else of value with a
1073 combined value exceeding ~~\$200~~ \$100 (i) for a single talk, meeting, or published work
1074 or (ii) for a meeting, conference, or event where your attendance at the meeting,
1075 conference, or event was designed to (a) educate you on issues relevant to your duties
1076 as an officer or employee of your agency or (b) enhance your knowledge and skills
1077 relative to your duties as an officer or employee of your agency?

1078 EITHER check NO // OR check YES // and complete Schedule D.

1079 5. Gifts.

1080 During the past six months did a business, government, or individual other than a
1081 relative or personal friend (i) furnish you or a member of your immediate family with
1082 any gift or entertainment at a single event, and the value received exceeded \$50 or (ii)
1083 furnish you or a member of your immediate family with gifts or entertainment in any
1084 combination and the total value received exceeded ~~\$100~~ \$50, and for which you or the
1085 member of your immediate family neither paid nor rendered services in exchange?
1086 Account for entertainment events only if the average value per person attending the
1087 event exceeded \$50. Account for all business entertainment (except if related to the
1088 private profession or occupation of you or the member of your immediate family who
1089 received such business entertainment) even if unrelated to your official duties.

1090 EITHER check NO // OR check YES // and complete Schedule E.

1091 6. Salary and Wages.

1092 List each employer that pays you or a member of your immediate family salary or
1093 wages in excess of \$5,000 annually. (Exclude state or local government or advisory
1094 agencies.)

1095 If no reportable salary or wages, check here //.

1096 _____

1097 _____

1098 _____

1099 7. Business Interests.

1100 Do you or a member of your immediate family, separately or together, operate your
1101 own business, or own or control an interest in excess of \$5,000 in a business?

1102 EITHER check NO // OR check YES // and complete Schedule F.

1103 8. Payments for Representation and Other Services.

1104 8A. Did you represent, excluding activity defined as lobbying in § [2.2-419](#), any
1105 businesses before any state governmental agencies, excluding courts or judges, for
1106 which you received total compensation during the past six months in excess of
1107 \$1,000, excluding compensation for other services to such businesses and
1108 representation consisting solely of the filing of mandatory papers and subsequent
1109 representation regarding the mandatory papers? (Officers and employees of local
1110 governmental and advisory agencies do NOT need to answer this question or
1111 complete Schedule G-1.)

1112 EITHER check NO // OR check YES // and complete Schedule G-1.

1113 8B. Subject to the same exceptions as in 8A, did persons with whom you have a close
1114 financial association (partners, associates or others) represent, excluding activity
1115 defined as lobbying in § [2.2-419](#), any businesses before any state governmental agency
1116 for which total compensation was received during the past six months in excess of
1117 \$1,000? (Officers and employees of local governmental and advisory agencies do
1118 NOT need to answer this question or complete Schedule G-2.)

1119 EITHER check NO // OR check YES // and complete Schedule G-2.

1120 8C. Did you or persons with whom you have a close financial association furnish
1121 services to businesses operating in Virginia pursuant to an agreement between you
1122 and such businesses, or between persons with whom you have a close financial
1123 association and such businesses for which total compensation in excess of \$1,000 was
1124 received during the past six months? Services reported under this provision shall not
1125 include services involving the representation of businesses that are reported under
1126 item 8A or 8B.

1127 EITHER check NO // OR check YES // and complete Schedule G-3.

1128 9. Real Estate.

1129 9A. State Officers and Employees.

1130 Do you or a member of your immediate family hold an interest, including a
1131 partnership interest, valued at more than \$5,000 in real property (other than your
1132 principal residence) for which you have not already listed the full address on Schedule
1133 F? Account for real estate held in trust.

1134 EITHER check NO // OR check YES // and complete Schedule H-1.

1135 9B. Local Officers and Employees.

1136 Do you or a member of your immediate family hold an interest, including a
1137 partnership interest, or option, easement, or land contract, valued at more than \$5,000
1138 in real property (other than your principal residence) for which you have not already
1139 listed the full address on Schedule F? Account for real estate held in trust.

1140 EITHER check NO // OR check YES // and complete Schedule H-2.

1141 10. Real Estate Contracts with Governmental Agencies.

1142 Do you or a member of your immediate family hold an interest valued at more than
1143 \$5,000 in real estate, including a corporate, partnership, or trust interest, option,
1144 easement, or land contract, which real estate is the subject of a contract, whether
1145 pending or completed within the past six months, with a governmental agency? If the
1146 real estate contract provides for the leasing of the property to a governmental agency,
1147 do you or a member of your immediate family hold an interest in the real estate valued
1148 at more than \$1,000? Account for all such contracts whether or not your interest is
1149 reported in Schedule F, H-1, or H-2. This requirement to disclose an interest in a lease
1150 does not apply to an interest derived through an ownership interest in a business
1151 unless the ownership interest exceeds three percent of the total equity of the business.

1152 EITHER check NO // OR check YES // and complete Schedule I.

1153 Statements of Economic Interests are open for public inspection.

1154 AFFIRMATION BY ALL FILERS.

1155 I swear or affirm that the foregoing information is full, true and correct to the best of
1156 my knowledge.

1157 Signature

1158 (Return only if needed to complete Statement.)

1159

1160

1161

1162

1163

1164

1165

SCHEDULES

to

STATEMENT OF ECONOMIC INTERESTS.

1166 NAME

1167 SCHEDULE A - OFFICES AND DIRECTORSHIPS.

1168 Identify each business of which you or a member of your immediate family is a paid
1169 officer or paid director.

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RETURN TO ITEM 2

1189 SCHEDULE B - PERSONAL LIABILITIES.

1190 Report personal liability by checking each category. Report only debts in excess of
 1191 \$5,000. Do not report debts to any government. Do not report loans secured by
 1192 recorded liens on property at least equal in value to the loan.

1193 Report contingent liabilities below and indicate which debts are contingent.

1194 1. My personal debts are as follows:

1195 _____
 1196
 1197

1198
 1199

1200	1201 Check	1202 Check one	
	1203 appropriate	1204 \$5,001 to	1205 More than
	1206 categories	1207 \$50,000	1208 \$50,000

1207 Banks _____

1208

1209 Savings institutions _____

1210

1211 Other loan or finance companies _____

1212

1213 Insurance companies _____

1214

1215 Stock, commodity or other brokerage companies _____

1216

1217 Other businesses:

1218

1219 (State principal business activity for each

1220 creditor and its name.)

1221 _____

1222 _____

1223 _____

1224 _____

1225 _____

1226 _____

1227 _____

1228

1229 Individual creditors:

1230

1231 (State principal business or occupation of

1232 each creditor and its name.)

1233 _____

1234 _____

1235 _____

1236 _____

1237 _____

1238 _____

1239 _____

1240 _____

1241 _____

1242 2. The personal debts of the members of my immediate family are as follows:

1243
1244
1245 _____

1246
1247

1248
1249 Check Check one

1250 appropriate \$5,001 to More than

1251 categories \$50,000 \$50,000

1252
1253
1254

1255 Banks _____

1256 Savings institutions _____

1257 Other loan or finance companies _____

1258 Insurance companies _____

1259 Stock, commodity or other brokerage companies _____

1260 Other businesses:

1261 (State principal business activity for each

1262 creditor and its name.)

1263 _____

1264 _____

1265 _____

1266 Individual creditors:

1267 (State principal business or occupation of

1268 each creditor and its name.)

1269 _____

1270 _____

1271 _____

1272 _____

1273 _____

1274 _____

1275 _____

1276 _____

1277 _____

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RETURN TO ITEM 3

1292 SCHEDULE C - SECURITIES.

1293 "Securities" INCLUDES stocks, bonds, mutual funds, limited partnerships, and
1294 commodity futures contracts.

1295 "Securities" EXCLUDES certificates of deposit, money market funds, annuity
1296 contracts, and insurance policies.

1297 Identify each business or Virginia governmental entity in which you or a member of
1298 your immediate family, directly or indirectly, separately or together, own securities
1299 valued in excess of \$5,000. Name each issuer and type of security individually.

1300 Do not list U.S. Bonds or other government securities not issued by the
1301 Commonwealth of Virginia or its authorities, agencies, or local governments. Do not
1302 list organizations that do not do business in this Commonwealth, but most major
1303 businesses conduct business in Virginia. Account for securities held in trust.

1304 If no reportable securities, check here //.

1305
1306
1307 _____

1308
1309
1310

1311 Check one

1312

1313 Type of Security \$5,001 \$50,001 More

1314 (stocks, bonds, mutual to to than

1315 funds, etc.) \$50,000 \$250,000 \$250,000

1316

1317 Name of Issuer _____ _____ _____ _____ _____

1318

1319 _____

1320 _____

1321 _____

1322 _____

1323 _____

1324 _____

1325 _____

1326 _____

1327 _____

1328

1329 RETURN TO ITEM 4

1330 **SCHEDULE D - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.**

1331 List each source from which you received during the past six months in your capacity
1332 as an officer or employee of your agency lodging, transportation, money, or any other
1333 thing of value with combined value exceeding ~~\$200~~ \$100(i) for your presentation of a
1334 single talk, participation in one meeting, or publication of a work or (ii) for your

1335 attendance at a meeting, conference, or event where your attendance at the meeting,
 1336 conference, or event was designed to (a) educate you on issues relevant to your duties
 1337 as an officer or employee of your agency or (b) enhance your knowledge and skills
 1338 relative to your duties as an officer or employee of your agency. Any lodging,
 1339 transportation, money, or other thing of value received by an officer or employee that
 1340 does not satisfy the provisions of clause (i), (ii) (a), or (ii) (b) shall be listed as a gift
 1341 on Schedule E.

1342 List payments or reimbursements by an advisory or governmental agency only for
 1343 meetings or travel outside the Commonwealth.

1344 List a payment even if you donated it to charity.

1345 Do not list information about a payment if you returned it within 60 days or if you
 1346 received it from an employer already listed under Item 6 or from a source of income
 1347 listed on Schedule F.

1348 If no payment must be listed, check here //.

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 1350
 1351 _____

1352
 1353
 1354
 1355 Type of payment
 1356
 1357 (e.g. honoraria,
 1358
 1359 travel reimburse-
 1360 ment, etc.)

Payer	Approximate Value	Circumstances	
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

1372
 1373 RETURN TO ITEM 5

1374 **SCHEDULE E - GIFTS.**

1375 List each business, governmental entity, or individual that, during the past six months,
 1376 (i) furnished you or a member of your immediate family with any gift or

1377 entertainment at a single event, and the value received exceeded \$50 or (ii) furnished
 1378 you or a member of your immediate family with gifts or entertainment in any
 1379 combination and the total value received exceeded ~~\$100~~ \$50, and for which you or the
 1380 member of your immediate family neither paid nor rendered services in exchange.
 1381 List each such gift or event. Do not list entertainment events unless the average value
 1382 per person attending the event exceeded \$50. Do not list business entertainment
 1383 related to the private profession or occupation of you or the member of your
 1384 immediate family who received such business entertainment. Do not list gifts or other
 1385 things of value given by a relative or personal friend for reasons clearly unrelated to
 1386 your public position. Do not list campaign contributions publicly reported as required
 1387 by Chapter 9.3 (§ [24.2-945](#) et seq.) of Title 24.2 of the Code of Virginia.

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 1390 _____
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 1392
 1393

1394	Name of Business,	City or	Exact		
1395	Organization, or	County	Gift or	Approximate	
1396	Name of	Individual	and State	Event	Value
1397	Recipient				
1398	_____	_____	_____	_____	_____
1399	_____	_____	_____	_____	_____
1400	_____	_____	_____	_____	_____
1401	_____	_____	_____	_____	_____
1402	_____	_____	_____	_____	_____
1403	_____	_____	_____	_____	_____
1404	_____	_____	_____	_____	_____
1405	_____	_____	_____	_____	_____
1406	_____	_____	_____	_____	_____
1407	_____	_____	_____	_____	_____
1408	_____	_____	_____	_____	_____

1409
 1410 RETURN TO ITEM 6

1411 **SCHEDULE F - BUSINESS INTERESTS.**

1412 Complete this Schedule for each self-owned or family-owned business (including
 1413 rental property, a farm, or consulting work), partnership, or corporation in which you
 1414 or a member of your immediate family, separately or together, own an interest having
 1415 a value in excess of \$5,000.

1416 If the enterprise is owned or operated under a trade, partnership, or corporate name,
 1417 list that name; otherwise, merely explain the nature of the enterprise. If rental property
 1418 is owned or operated under a trade, partnership, or corporate name, list the name only;
 1419 otherwise, give the address of each property. Account for business interests held in
 1420 trust.

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1447

Name of Business,			Gross Income		
Corporation,	Partnership,	City or Nature of Enterprise	\$50,001	to	More
Farm; Address of County	(farming, law, rental	\$50,000	to	than	
Rental Property and State property, etc.)	or less	\$250,000	\$250,000		
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

RETURN TO ITEM 8

1448 **SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.**

1449 List the businesses you represented, excluding activity defined as lobbying in § [2.2-](#)
1450 [419](#), before any state governmental agency, excluding any court or judge, for which
1451 you received total compensation during the past six months in excess of \$1,000,
1452 excluding compensation for other services to such businesses and representation
1453 consisting solely of the filing of mandatory papers and subsequent representation
1454 regarding the mandatory papers filed by you.

1455 Identify each business, the nature of the representation and the amount received by
1456 dollar category from each such business. You may state the type, rather than name, of
1457 the business if you are required by law not to reveal the name of the business
1458 represented by you.

1459 Only STATE officers and employees should complete this Schedule.

1460
1461
1462
1463
1464
1465

				Amount Received				
Pur- pose								
Name	Type	of	Name					
of	of	Repre-	of	\$1,001	\$10,001	\$50,001	\$100,001	\$250,001
Busi-	Busi-	senta-	Agen-	to	to	to	to	and
ness	ness	tion	cy	\$10,000	\$50,000	\$100,000	\$250,000	over
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____

1487 If you have received \$250,001 or more from a single business within the reporting
1488 period, indicate the amount received, rounded to the nearest \$10,000.

1489
1490
1491 Amount Received: _____.

1492 **SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.**

1493 List the businesses that have been represented, excluding activity defined as lobbying
1494 in § [2.2-419](#), before any state governmental agency, excluding any court or judge, by
1495 persons who are your partners, associates or others with whom you have a close
1496 financial association and who received total compensation in excess of \$1,000 for
1497 such representation during the past six months, excluding representation consisting
1498 solely of the filing of mandatory papers and subsequent representation regarding the
1499 mandatory papers filed by your partners, associates or others with whom you have a
1500 close financial association.

1501 Identify such businesses by type and also name the state governmental agencies
1502 before which such person appeared on behalf of such businesses.

1503 Only STATE officers and employees should complete this Schedule.

1504
1505
1506 _____
1507

1508		
1509		
1510	Type of business	Name of state governmental agency
1511		
1512	_____	_____
1513		
1514	_____	_____
1515		
1516	_____	_____
1517		
1518	_____	_____
1519		
1520	_____	_____

1521 SCHEDULE G-3 - PAYMENTS FOR OTHER SERVICES GENERALLY.

1522 Indicate below types of businesses that operate in Virginia to which services were
 1523 furnished by you or persons with whom you have a close financial association
 1524 pursuant to an agreement between you and such businesses, or between persons with
 1525 whom you have a close financial association and such businesses and for which total
 1526 compensation in excess of \$1,000 was received during the past six months. Services
 1527 reported in this Schedule shall not include services involving the representation of
 1528 businesses that are reported in Schedule G-1 or G-2.

1529 Identify opposite each category of businesses listed below (i) the type of business, (ii)
 1530 the type of service rendered and (iii) the value by dollar category of the compensation
 1531 received for all businesses falling within each category.

1532 _____
 1533
 1534

1535								
1536								
1537								
1538		Check					Value of Compensation	
1539		if	Type					
1540		ser-	of					
1541		vices	ser-					
1542		were	vice	\$1,001	\$10,001	\$50,001	\$100,001	\$250,001
1543		ren-	ren-	to	to	to	to	and
1544		dered	dered	\$10,000	\$50,000	\$100,000	\$250,000	over
1545								
1546	Electric utilities	_____	_____	_____	_____	_____	_____	_____
1547								
1548	Gas utilities	_____	_____	_____	_____	_____	_____	_____
1549								
1550								
1551								
1552								
1553								
1554								
1555								

1556	Telephone utilities	_____	_____	_____	_____	_____	_____
1557							
1558	Water utilities	_____	_____	_____	_____	_____	_____
1559							
1560	Cable television						
1561							
1562	companies	_____	_____	_____	_____	_____	_____
1563							
1564	Interstate						
1565							
1566	transportation						
1567							
1568	companies	_____	_____	_____	_____	_____	_____
1569							
1570	Intrastate						
1571							
1572	transportation						
1573							
1574	companies	_____	_____	_____	_____	_____	_____
1575							
1576	Oil or gas retail						
1577							
1578	companies	_____	_____	_____	_____	_____	_____
1579							
1580	Banks	_____	_____	_____	_____	_____	_____
1581							
1582	Savings institutions	_____	_____	_____	_____	_____	_____
1583							
1584	Loan or finance						
1585							
1586	companies	_____	_____	_____	_____	_____	_____
1587							
1588	Manufacturing						
1589							
1590	companies (state						
1591							
1592	type of product,						
1593							
1594	e.g., textile,						
1595							
1596	furniture, etc.)	_____	_____	_____	_____	_____	_____
1597							
1598	Mining companies	_____	_____	_____	_____	_____	_____
1599							
1600	Life insurance						
1601							
1602	companies	_____	_____	_____	_____	_____	_____
1603							
1604	Casualty insurance						
1605							
1606	companies	_____	_____	_____	_____	_____	_____
1607							
1608	Other insurance						
1609							
1610	companies	_____	_____	_____	_____	_____	_____
1611							

1612 Retail companies _____
 1613
 1614 Beer, wine or liquor _____
 1615
 1616 companies or _____
 1617
 1618 distributors _____
 1619
 1620 Trade associations _____
 1621
 1622 Professional _____
 1623
 1624 associations _____
 1625
 1626 Associations of _____
 1627
 1628 public employees _____
 1629
 1630 or officials _____
 1631
 1632 Counties, cities _____
 1633
 1634 or towns _____
 1635
 1636 Labor organizations _____
 1637
 1638 Other _____
 1639
 1640 _____
 1641
 1642

RETURN TO ITEM 9

1643 **SCHEDULE H-1 - REAL ESTATE - STATE OFFICERS AND EMPLOYEES.**

1644 List real estate other than your principal residence in which you or a member of your
 1645 immediate family holds an interest, including a partnership interest, option, easement,
 1646 or land contract, valued at more than \$5,000. Each parcel shall be listed individually.

1647
 1648
 1649 _____

1651 1652 1653 1654 1655 1656 1657 1658 1659 1660 1661 1662	Describe the type of real List each location (state, and county or city) where you own real estate.	estate you own in each location (business, recre- ational, apartment, com- mercial, open land, etc.).	If the real estate is owned or recorded in a name other than your own, list that name.
--	---	--	---

1663 _____
 1664 _____
 1665 _____
 1666 _____
 1667 _____
 1668 _____
 1669 _____
 1670 _____
 1671 _____
 1672 _____
 1673 _____

1674 **SCHEDULE H-2 - REAL ESTATE - LOCAL OFFICERS AND EMPLOYEES.**

1675 List real estate other than your principal residence in which you or a member of your
 1676 immediate family holds an interest, including a partnership interest or option,
 1677 easement, or land contract, valued at more than \$5,000. Each parcel shall be listed
 1678 individually. Also list the names of any co-owners of such property, if applicable.

1679 _____
 1680 _____
 1681 _____

1682
 1683
 1684
 1685 Describe the type
 1686 of real estate
 1687 you own in
 1688 each location If the real estate
 1689 List each location (business, is owned or rec-
 1690 (state, and county recreational, orded in a name
 1691 or city) where apartment, com- other than your List the names
 1692 you own real mercial, open own, list that of any co-owners,
 1693 estate. land, etc.). name. if applicable.
 1694
 1695
 1696
 1697
 1698
 1699
 1700
 1701
 1702

1703 _____
 1704 _____
 1705 _____
 1706 _____
 1707 _____
 1708 _____
 1709 _____
 1710 _____
 1711 _____
 1712 _____
 1713 _____

1714 SCHEDULE I - REAL ESTATE CONTRACTS WITH GOVERNMENTAL
1715 AGENCIES.

1716 List all contracts, whether pending or completed within the past six months, with a
1717 governmental agency for the sale or exchange of real estate in which you or a member
1718 of your immediate family holds an interest, including a corporate, partnership or trust
1719 interest, option, easement, or land contract, valued at more than \$10,000. List all
1720 contracts with a governmental agency for the lease of real estate in which you or a
1721 member of your immediate family holds such an interest valued at more than \$1,000.
1722 This requirement to disclose an interest in a lease does not apply to an interest derived
1723 through an ownership interest in a business unless the ownership interest exceeds
1724 three percent of the total equity of the business.

1725 State officers and employees report contracts with state agencies.

1726 Local officers and employees report contracts with local agencies.

1727
1728
1729 _____

1730			
1731			
1732			
1733	List your real estate		
1734	interest and the		
1735	person or entity,		
1736	including the type		
1737	of entity, which		
1738	is party to		
1739	the contract.		State the annual
1740			
1741	Describe any		income from the
1742	management role and	List each governmental	contract, and the
1743	the percentage	agency which is a	amount, if any, of
1744	ownership	party to the contract	income you or any
1745	interest you or your	and indicate the	immediate family
1746	immediate family	county or city where	member derives
1747	member has in the real	the real estate	annually from the
1748			
1749			
1750			
1751			
1752			
1753			
1754			
1755			
1756			
1757			
1758			
1759			
1760			

1761	estate or entity.	is located.	contract.
1762			
1763	_____	_____	_____
1764			
1765	_____	_____	_____
1766			
1767	_____	_____	_____
1768			
1769	_____	_____	_____
1770			
1771	_____	_____	_____
1772			
1773	_____	_____	_____

1774 § [2.2-3118](#). Disclosure form; certain citizen members.

1775 A. The financial disclosure form to be used for filings required pursuant to subsection
1776 B of § [2.2-3114](#) and subsection B of § [2.2-3115](#) shall be filed in accordance with the
1777 provisions of § [30-356](#). The financial disclosure form shall be substantially-as
1778 ~~follows:~~ *similar to the following. Except as otherwise provided in § [2.2-3115](#), all*
1779 *completed forms shall be filed electronically with the Council in accordance with the*
1780 *standards approved by it pursuant to § [30-356](#).*

1781 DEFINITIONS AND EXPLANATORY MATERIAL.

1782 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise,
1783 franchise, association, trust or foundation, or any other individual or entity carrying on
1784 a business or profession, whether or not for profit.

1785 "Close financial association" means an association in which the person filing shares
1786 significant financial involvement with an individual and the filer would reasonably be
1787 expected to be aware of the individual's business activities and would have access to
1788 the necessary records either directly or through the individual. "Close financial
1789 association" does not mean an association based on (i) the receipt of retirement
1790 benefits or deferred compensation from a business by which the person filing this
1791 statement is no longer employed, or (ii) the receipt of compensation for work
1792 performed by the person filing as an independent contractor of a business that
1793 represents an entity before any state governmental agency when the person filing has
1794 no communications with the state governmental agency.

1795 "Contingent liability" means a liability that is not presently fixed or determined, but
1796 may become fixed or determined in the future with the occurrence of some certain
1797 event.

1798 "Immediate family" means (i) a spouse and (ii) any ~~child~~ *other person* who resides in
1799 the same household as the filer and who is a dependent of the filer.

1800 "Personal interest" means, for the purposes of this form only, a personal and financial
1801 benefit or liability accruing to a filer or a member of his immediate family. Such
1802 interest shall exist by reason of (i) ownership in real or personal property, tangible or
1803 intangible; (ii) ownership in a business; (iii) income from a business; or (iv) personal
1804 liability on behalf of a business; however, unless the ownership interest in a business
1805 exceeds three percent of the total equity of the business, or the liability on behalf of a
1806 business exceeds three percent of the total assets of the business, or the annual
1807 income, and/or property or use of such property, from the business exceeds \$10,000 or
1808 may reasonably be anticipated to exceed \$10,000, such interest shall not constitute a
1809 "personal interest."

1810
1811
1812 Name

1813
1814 Office or position held or to be held
1815
1816

1817
1818 Address

1819 I. FINANCIAL INTERESTS

1820 My personal interests and those of my immediate family are as follows:

1821 Include all forms of personal interests held at the time of filing: real estate, stocks,
1822 bonds, equity interests in proprietorships and partnerships. You may exclude:

1823 1. Deposits and interest bearing accounts in banks, savings institutions and other
1824 institutions accepting such deposits or accounts;

1825 2. Interests in any business, other than a news medium, representing less than three
1826 percent of the total equity value of the business;

1827 3. Liability on behalf of any business representing less than three percent of the total
1828 assets of such business; and

1829 4. Income (other than from salary) less than \$10,000 annually from any business. You
1830 need not state the value of any interest. You must state the name or principal business
1831 activity of each business in which you have a personal interest.

1832 A. My personal interests are:

- 1833 1. Residence, address, or, if no address, location
- 1834 2. Other real estate, address, or, if no address, location
- 1835 3. Name or principal business activity of each business in which stock, bond or equity
- 1836 interest is held

1837 B. The personal interests of my immediate family are:

- 1838 1. Real estate, address or, if no address, location
- 1839 2. Name or principal business activity of each business in which stock, bond or equity
- 1840 interest is held

1841 II. OFFICES, DIRECTORSHIPS AND SALARIED EMPLOYMENTS

1842 The paid offices, paid directorships and salaried employments which I hold or which

1843 members of my immediate family hold and the businesses from which I or members

1844 of my immediate family receive retirement benefits are as follows:

1845 (You need not state any dollar amounts.)

1846 A. My paid offices, paid directorships and salaried employments are:

1847

1848

1849 _____

1850

1851

1852 Position held	1853 Name of business
1854	1855
1856	1857
1858	1859
1860	1861

1862 B. The paid offices, paid directorships and salaried employments of members of my

1863 immediate family are:

1864

1865

1866 _____

1867

1868
1869
1870
1871
1872
1873
1874
1875
1876
1877
1878

Position held	Name of business
_____	_____
_____	_____
_____	_____
_____	_____

1879 **III. BUSINESSES TO WHICH SERVICES WERE FURNISHED**

1880 A. The businesses I have represented, excluding activity defined as lobbying in § [2.2-](#)
1881 [419](#), before any state governmental agency, excluding any court or judge, for which I
1882 have received total compensation in excess of \$1,000 during the preceding year,
1883 excluding compensation for other services to such businesses and representation
1884 consisting solely of the filing of mandatory papers, are as follows:

1885 Identify businesses by name and name the state governmental agencies before which
1886 you appeared on behalf of such businesses.

1887
1888
1889
1890
1891
1892
1893
1894
1895
1896
1897
1898
1899
1900
1901

Name of business	Name of governmental agency
_____	_____
_____	_____
_____	_____
_____	_____

1902 B. The businesses that, to my knowledge, have been represented, excluding activity
1903 defined as lobbying in § [2.2-419](#), before any state governmental agency, excluding any
1904 court or judge, by persons with whom I have a close financial association and who
1905 received total compensation in excess of \$1,000 during the preceding year, excluding
1906 compensation for other services to such businesses and representation consisting
1907 solely of the filing of mandatory papers, are as follows:

1908 Identify businesses by type and name the state governmental agencies before which
1909 such person appeared on behalf of such businesses.

1910		
1911		
1912		
1913		
1914		
1915		
1916	Type of business	Name of state governmental agency
1917		
1918		
1919		
1920		
1921		
1922		
1923		
1924		

1925 C. All other businesses listed below that operate in Virginia to which services were
 1926 furnished pursuant to an agreement between you and such businesses and for which
 1927 total compensation in excess of \$1,000 was received during the preceding year:

1928 Check each category of business to which services were furnished.

1929		
1930		
1931		
1932		
1933		
1934		
1935	Electric utilities	_____
1936		
1937	Gas utilities	_____
1938		
1939	Telephone utilities	_____
1940		
1941	Water utilities	_____
1942		
1943	Cable television companies	_____
1944		
1945	Intrastate transportation companies	_____
1946		
1947	Interstate transportation companies	_____
1948		
1949	Oil or gas retail companies	_____
1950		
1951	Banks	_____
1952		
1953	Savings institutions	_____
1954		
1955	Loan or finance companies	_____
1956		
1957	Manufacturing companies (state type	
1958		
1959	of product, e.g., textile, furniture,	
1960		

1961 etc.) _____
 1962 _____
 1963 Mining companies _____
 1964 _____
 1965 Life insurance companies _____
 1966 _____
 1967 Casualty insurance companies _____
 1968 _____
 1969 Other insurance companies _____
 1970 _____
 1971 Retail companies _____
 1972 _____
 1973 Beer, wine or liquor companies or
 1974 _____
 1975 distributors _____
 1976 _____
 1977 Trade associations _____
 1978 _____
 1979 Professional associations _____
 1980 _____
 1981 Associations of public employees or
 1982 _____
 1983 officials _____
 1984 _____
 1985 Counties, cities or towns _____
 1986 _____
 1987 Labor organizations _____
 1988 _____
 1989 _____

1990 **IV. COMPENSATION FOR EXPENSES**

1991 The persons, associations, or other sources other than my governmental agency from
 1992 which I or a member of my immediate family received remuneration in excess
 1993 of ~~\$200~~ \$100 during the preceding year, in cash or otherwise, as honorariums or
 1994 payment of expenses in connection with my attendance at any meeting or other
 1995 function to which I was invited in my official capacity are as follows:

1996 _____
 1997 _____
 1998 _____
 1999 _____

2001	Description	Amount of remuneration
2002		
2003		
2004	Name of Source	of occasion
2005		for each occasion
2006	_____	_____
2007	_____	_____
2008	_____	_____
2009	_____	_____
2010	_____	_____
2011	_____	_____

2012

2013 B. The provisions of Part III A and B of the disclosure form prescribed by this section
2014 shall not be applicable to officers and employees of local governmental and local
2015 advisory agencies.

2016 C. Except for real estate located within the county, city or town in which the officer or
2017 employee serves or a county, city or town contiguous to the county, city or town in
2018 which the officer or employee serves, officers and employees of local governmental
2019 or advisory agencies shall not be required to disclose under Part I of the form any
2020 other interests in real estate.

2021 **§ 2.2-3118.1. Special provisions for individuals serving in or seeking**
2022 **multiple positions or offices; reappointees.**

2023 A. The filing of a single current statement of economic interests by a state officer or employee
2024 required to file the form prescribed in § [2.2-3117](#) shall suffice for the purposes of this chapter as
2025 filing for all state positions or offices held or sought by such individual during a single reporting
2026 period. The filing of a single current financial disclosure statement by a state officer or employee
2027 required to file the form prescribed in § [2.2-3118](#) shall suffice for the purposes of this chapter as
2028 filing for all state positions or offices held or sought by such individual and requiring the filing
2029 of the § [2.2-3118](#) form during a single reporting period.

2030 B. Any individual who has met the requirement for periodically filing a statement provided in
2031 § [2.2-3117](#) or [2.2-3118](#) shall not be required to file an additional statement upon such
2032 individual's reappointment to the same office or position for which he is required to file,
2033 provided such reappointment occurs within six months after filing a statement pursuant to § [2.2-](#)
2034 [3117](#) and within 12 months after filing a statement pursuant to § [2.2-3118](#).

2035 **§ 2.2-3119. Additional provisions applicable to school boards and**
2036 **employees of school boards; exceptions.**

2037 A. Notwithstanding any other provision of this chapter, it shall be unlawful for the school board
2038 of any county or city or of any town constituting a separate school division to employ or pay any
2039 teacher or other school board employee from the public funds, federal, state or local, or for a
2040 division superintendent to recommend to the school board the employment of any teacher or
2041 other employee, if the teacher or other employee is the father, mother, brother, sister, spouse,
2042 son, daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law of the superintendent,
2043 or of any member of the school board.

2044 This section shall apply to any person employed by any school board in the operation of the
2045 public free school system, adult education programs or any other program maintained and
2046 operated by a local county, city or town school board.

2047 B. This section shall not be construed to prohibit the employment, promotion, or transfer within a
2048 school division of any person within a relationship described in subsection A when such person:

2049 1. Has been employed pursuant to a written contract with a school board or employed as a
2050 substitute teacher or teacher's aide by a school board prior to the taking of office of any member
2051 of such board or division superintendent of schools; or

2052 2. Has been employed pursuant to a written contract with a school board or employed as a
2053 substitute teacher or teacher's aide by a school board prior to the inception of such relationship;
2054 or

2055 3. Was employed by a school board at any time prior to June 10, 1994, and had been employed at
2056 any time as a teacher or other employee of any Virginia school board prior to the taking of office
2057 of any member of such school board or division superintendent of schools.

2058 C. A person employed as a substitute teacher may not be employed to any greater extent than he
2059 was employed by the school board in the last full school year prior to the taking of office of such
2060 board member or division superintendent or to the inception of such relationship. The exceptions
2061 in subdivisions B 1, B 2, and B 3 shall apply only if the prior employment has been in the same
2062 school divisions where the employee and the superintendent or school board member now seek
2063 to serve simultaneously.

2064 D. If any member of the school board or any division superintendent knowingly violates these
2065 provisions, he shall be personally liable to refund to the local treasury any amounts paid in
2066 violation of this law, and the funds shall be recovered from the individual by action or suit in the
2067 name of the Commonwealth on the petition of the attorney for the Commonwealth. Recovered
2068 funds shall be paid into the local treasury for the use of the public schools.

2069 E. The provisions of this section shall not apply to employment by a school district located in
2070 Planning Districts 3, 11, 12, and 13 of the father, mother, brother, sister, spouse, son, daughter,
2071 son-in-law, daughter-in-law, sister-in-law, or brother-in-law of any member of the school board
2072 provided (i) the member certifies that he had no involvement with the hiring decision and (ii) the
2073 superintendent certifies to the remaining members of the governing body in writing that the
2074 employment is based upon merit and fitness and the competitive rating of the qualifications of
2075 the individual and that no member of the board had any involvement with the hiring decision.

2076 **§ 2.2-3120. Knowing violation of chapter a misdemeanor.**

2077 Any person who knowingly violates any of the provisions of Articles 2 through 6 (§§ [2.2-](#)
2078 [3102](#) through [2.2-3119](#)) of this chapter shall be guilty of a Class 1 misdemeanor, except that any
2079 member of a local governing body who knowingly violates subsection A of § [2.2-3112](#) or
2080 subsection D or F of § [2.2-3115](#) shall be guilty of a Class 3 misdemeanor. A knowing violation
2081 under this section is one in which the person engages in conduct, performs an act or refuses to
2082 perform an act when he knows that the conduct is prohibited or required by this chapter.

2083 **§ [2.2-3121](#). Advisory opinions.**

2084 A. A state officer or employee shall not be prosecuted for a knowing violation of this
2085 chapter if the alleged violation resulted from his good faith reliance on a written
2086 opinion of the Attorney General or the Virginia Conflict of Interest and Ethics
2087 Advisory Council made in response to his written request for such opinion and the

2088 opinion was made after a full disclosure of the facts *regardless of whether such*
2089 *opinion is later withdrawn provided the alleged violation occurred prior to the*
2090 *withdrawal of the opinion.*

2091 B. A local officer or employee shall not be prosecuted for a knowing violation of this
2092 chapter if the alleged violation resulted from his good faith reliance on a written
2093 opinion of the attorney for the Commonwealth, *his county, city, or town attorney*, or
2094 the Council made in response to his written request for such opinion and the opinion
2095 was made after a full disclosure of the facts *regardless of whether such opinion is*
2096 *later withdrawn provided the alleged violation occurred prior to the withdrawal of the*
2097 *opinion.* The written opinion shall be a public record and shall be released upon
2098 request.

2099 ~~C. If any officer or employee serving at the local level of government is charged with~~
2100 ~~a knowing violation of this chapter, and the alleged violation resulted from his~~
2101 ~~reliance upon a written opinion of his city, county or town attorney, made after a full~~
2102 ~~disclosure of the facts, that such action was not in violation of this chapter, then the~~
2103 ~~officer or employee shall have the right to introduce a copy of the opinion at his trial~~
2104 ~~as evidence that he did not knowingly violate this chapter.~~

2105 **§ 2.2-3122. Knowing violation of chapter constitutes malfeasance in**
2106 **office or employment.**

2107 Any person who knowingly violates any of the provisions of this chapter shall be guilty of
2108 malfeasance in office or employment. Upon conviction thereof, the judge or jury trying the case,
2109 in addition to any other fine or penalty provided by law, may order the forfeiture of such office
2110 or employment.

2111 **§ 2.2-3123. Invalidation of contract; rescision of sales.**

2112 A. Any contract made in violation of § [2.2-3103](#) or §§ [2.2-3106](#) through [2.2-3109](#) may be
2113 declared void and may be rescinded by the governing body of the contracting or selling
2114 governmental agency within five years of the date of such contract. In cases in which the
2115 contract is invalidated, the contractor shall retain or receive only the reasonable value, with no
2116 increment for profit or commission, of the property or services furnished prior to the date of
2117 receiving notice that the contract has been voided. In cases of rescision of a contract of sale, any
2118 refund or restitution shall be made to the contracting or selling governmental agency.

2119 B. Any purchase by an officer or employee made in violation of § [2.2-3103](#) or §§ [2.2-](#)
2120 [3106](#) through [2.2-3109](#) may be rescinded by the governing body of the contracting or selling
2121 governmental agency within five years of the date of such purchase.

2122 **§ [2.2-3124](#). Civil penalty from violation of this chapter.**

2123 A. In addition to any other fine or penalty provided by law, an officer or employee
2124 who knowingly violates any provision of §§ [2.2-3103](#) through [2.2-3112](#) shall be subject

2125 to a civil penalty in an amount equal to the amount of money or thing of value
2126 received as a result of such violation. If the thing of value received by the officer or
2127 employee in violation of §§ [2.2-3103](#) through [2.2-3112](#) increases in value between the
2128 time of the violation and the time of discovery of the violation, the greater value shall
2129 determine the amount of the civil penalty. Further, all money or other things of value
2130 received as a result of such violation shall be forfeited in accordance with the
2131 provisions of § [19.2-386.33](#).

2132 *B. An officer or employee required to file the disclosure form prescribed by § [2.2-](#)*
2133 *[3117](#) who fails to file such form within the time period prescribed shall be assessed a*
2134 *civil penalty in an amount equal to \$250. The Council shall notify the Attorney*
2135 *General of any state officer's or employee's failure to file the required form and the*
2136 *Attorney General shall assess and collect the civil penalty. The clerk of the school*
2137 *board or the clerk of the governing body of the county, city, or town shall notify the*
2138 *attorney for the Commonwealth for the locality in which the officer or employee was*
2139 *elected or is employed of any local officer's or employee's failure to file the required*
2140 *form and the attorney for the Commonwealth shall assess and collect the civil penalty.*
2141 *The Council shall notify the Attorney General and the clerk shall notify the attorney*
2142 *for the Commonwealth within 30 days of the deadline for filing. All civil penalties*
2143 *collected pursuant to this subsection shall be deposited into the general fund and used*
2144 *exclusively to fund the Council.*

2145 **§ 2.2-3125. Limitation of actions.**

2146 The statute of limitations for the criminal prosecution of a person for violation of any provision
2147 of this chapter shall be one year from the time the Attorney General, if the violation is by a state
2148 officer or employee, or the attorney for the Commonwealth, if the violation is by a local officer
2149 or employee, has actual knowledge of the violation or five years from the date of the violation,
2150 whichever event occurs first. Any prosecution for malfeasance in office shall be governed by the
2151 statute of limitations provided by law.

2152 **§ 2.2-3126. Enforcement.**

2153 A. The provisions of this chapter relating to an officer or employee serving at the state level of
2154 government shall be enforced by the Attorney General.

2155 In addition to any other powers and duties prescribed by law, the Attorney General shall have the
2156 following powers and duties within the area for which he is responsible under this section:

2157 1. He shall advise the agencies of state government and officers and employees serving at the
2158 state level of government on appropriate procedures for complying with the requirements of this
2159 chapter. He may review any disclosure statements, without notice to the affected person, for the
2160 purpose of determining satisfactory compliance, and shall investigate matters that come to his
2161 attention reflecting possible violations of the provisions of this chapter by officers and
2162 employees serving at the state level of government;

2163 2. If he determines that there is a reasonable basis to conclude that any officer or employee
2164 serving at the state level of government has knowingly violated any provision of this chapter, he
2165 shall designate an attorney for the Commonwealth who shall have complete and independent
2166 discretion in the prosecution of such officer or employee;

2167 3. He shall render advisory opinions to any state officer or employee who seeks advice as to
2168 whether the facts in a particular case would constitute a violation of the provisions of this
2169 chapter. He shall determine which opinions or portions thereof are of general interest to the
2170 public and may, from time to time, be published.

2171 Irrespective of whether an opinion of the Attorney General has been requested and rendered, any
2172 person has the right to seek a declaratory judgment or other judicial relief as provided by law.

2173 B. The provisions of this chapter relating to an officer or employee serving at the local level of
2174 government shall be enforced by the attorney for the Commonwealth within the political
2175 subdivision for which he is elected.

2176 Each attorney for the Commonwealth shall be responsible for prosecuting violations by an
2177 officer or employee serving at the local level of government and, if the Attorney General
2178 designates such attorney for the Commonwealth, violations by an officer or employee serving at
2179 the state level of government. In the event the violation by an officer or employee serving at the
2180 local level of government involves more than one local jurisdiction, the Attorney General shall
2181 designate which of the attorneys for the Commonwealth of the involved local jurisdictions shall
2182 enforce the provisions of this chapter with regard to such violation.

2183 Each attorney for the Commonwealth shall establish an appropriate written procedure for
2184 implementing the disclosure requirements of local officers and employees of his county, city or
2185 town, and for other political subdivisions, whose principal offices are located within the
2186 jurisdiction served by such attorney for the Commonwealth. The attorney for the Commonwealth
2187 shall provide a copy of this act to all local officers and employees in the jurisdiction served by
2188 such attorney who are required to file a disclosure statement pursuant to Article 5 (§ [2.2-3113](#) et
2189 seq.) of this chapter. Failure to receive a copy of the act shall not be a defense to such officers
2190 and employees if they are prosecuted for violations of the act.

2191 Each attorney for the Commonwealth shall render advisory opinions as to whether the facts in a
2192 particular case would constitute a violation of the provisions of this chapter to the governing
2193 body and any local officer or employee in his jurisdiction and to political subdivisions other than
2194 a county, city or town, including regional political subdivisions whose principal offices are
2195 located within the jurisdiction served by such attorney for the Commonwealth. If the advisory
2196 opinion is written, then such written opinion shall be a public record and shall be released upon
2197 request. In case the opinion given by the attorney for the Commonwealth indicates that the facts
2198 would constitute a violation, the officer or employee affected thereby may request that the
2199 Attorney General review the opinion. A conflicting opinion by the Attorney General shall act to
2200 revoke the opinion of the attorney for the Commonwealth. The Attorney General shall determine
2201 which of his reviewing opinions or portions thereof are of general interest to the public and may,
2202 from time to time, be published.

2203 Irrespective of whether an opinion of the attorney for the Commonwealth or the Attorney
2204 General has been requested and rendered, any person has the right to seek a declaratory judgment
2205 or other judicial relief as provided by law.

2206 **§ 2.2-3127. Venue.**

2207 Any prosecution for a violation involving an officer serving at the state level of government shall
2208 be brought in the Circuit Court of the City of Richmond. Any prosecution for a violation
2209 involving an employee serving at the state level of government shall be within the jurisdiction in
2210 which the employee has his principal place of state employment.

2211 Any proceeding provided in this chapter shall be brought in a court of competent jurisdiction
2212 within the county or city in which the violation occurs if the violation involves an officer or
2213 employee serving at the local level of government.

2214 **§ 2.2-3128. Semiannual orientation course.**

2215 Each state agency shall offer at least semiannually to each of its state filers an orientation course
2216 on this chapter, on ethics in public contracting pursuant to Article 6 (§ [2.2-4367](#) et seq.) of
2217 Chapter 43 of this title, if applicable to the filer, and on any other applicable regulations that
2218 govern the official conduct of state officers and employees.

2219 **§ 2.2-3129. Records of attendance.**

2220 Each state agency shall maintain records indicating the specific attendees, each attendee's job
2221 title, and dates of their attendance for each orientation course offered pursuant to § [2.2-3128](#) for a
2222 period of not less than five years after each course is given. These records shall be public records
2223 subject to inspection and copying consistent with § [2.2-3704](#).

2224 **§ 2.2-3130. Attendance requirements.**

2225 Except as set forth in § [2.2-3131](#), each state filer shall attend the orientation course required in
2226 § [2.2-3128](#), as follows:

2227 1. For a state filer who holds a position with the agency on January 1, 2004, not later than
2228 December 31, 2004 and, thereafter, at least once during each consecutive period of two calendar
2229 years commencing on January 1, 2006.

2230 2. For a person who becomes a state filer with the agency after January 1, 2004, within two
2231 months after he or she becomes a state filer and at least once during each consecutive period of
2232 two calendar years commencing on the first odd-numbered year thereafter.

2233 **§ 2.2-3131. Exemptions.**

2234 A. The requirements of § [2.2-3130](#) shall not apply to state filers with a state agency who have
2235 taken an equivalent ethics orientation course through another state agency within the time
2236 periods set forth in subdivision 1 or 2 of § [2.2-3130](#), as applicable.

2237 B. State agencies may jointly conduct and state filers from more than one state agency may
2238 jointly attend an orientation course required by § [2.2-3128](#), as long as the course content is
2239 relevant to the official duties of the attending state filers.

2240 C. Before conducting each orientation course required by § [2.2-3128](#), state agencies shall consult
2241 with the Attorney General and the Virginia Conflict of Interest and Ethics Advisory Council
2242 regarding appropriate course content.

2243

1 **§ 30-100. Declaration of legislative policy; construction.**

2 The General Assembly, recognizing that our system of representative government is dependent
3 in part upon (i) citizen legislative members representing fully the public in the legislative process
4 and (ii) its citizens maintaining the highest trust in their public officers, finds and declares that
5 the citizens are entitled to be assured that the judgment of the members of the General Assembly
6 will not be compromised or affected by inappropriate conflicts.

7 The provisions of this chapter do not preclude prosecution for any violation of any criminal law
8 of the Commonwealth, including Articles 2 (Bribery and Related Offenses, § 18.2-438 et seq.)
9 and 3 (Bribery of Public Servants and Party Officials, § 18.2-446 et seq.) of Chapter 10 of Title
10 18.2, and do not constitute a defense to any prosecution for such a violation.

11 This chapter shall apply to the members of the General Assembly.

12 This chapter shall be liberally construed to accomplish its purpose.

13 **§ 30-101. Definitions.**

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

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

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

22 *"Candidate" means a person who seeks or campaigns for election to the General*
23 *Assembly in a general, primary, or special election and who is qualified to have his*
24 *name placed on the ballot for the office. The candidate shall become subject to the*
25 *provisions of this section upon the filing of a statement of qualification pursuant to*
26 *§ 24.2-501. The State Board of Elections shall notify each such candidate of the*
27 *provisions of this chapter.*

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

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

36 "Financial institution" means any bank, trust company, savings institution, industrial
37 loan association, consumer finance company, credit union, broker-dealer as defined in
38 subsection A of § [13.1-501](#), or investment company or advisor registered under the
39 federal Investment Advisors Act or Investment Company Act of 1940.

40 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan,
41 forbearance, or other item having monetary value. It includes services as well as gifts
42 of transportation, lodgings and meals, whether provided in-kind, by purchase of a
43 ticket, payment in advance, or reimbursement after the expense has been incurred.
44 "Gift" does not include (i) any offer of a ticket, coupon, or other admission or pass
45 unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any
46 athletic, merit, or need-based scholarship or any other financial aid awarded by a
47 public or private school, institution of higher education, or other educational program
48 pursuant to such school, institution, or program's financial aid standards and
49 procedures applicable to the general public; (iv) a campaign contribution properly
50 received and reported pursuant to Chapter 9.3 (§ [24.2-945](#) et seq.) of Title 24.2; (v) any
51 gift related to the private profession or occupation of a legislator or of a member of his
52 immediate family; ~~or~~ (vi) *food or beverages consumed while attending an event at*
53 *which the filer is performing official duties related to his public service; (vii) food and*
54 *beverages received at or registration or attendance fees waived for any event at which*
55 *the filer is a featured speaker, presenter, or lecturer; (viii) unsolicited awards of*
56 *appreciation or recognition in the form of a plaque, trophy, wall memento, or similar*
57 *item that is given in recognition of public, civic, charitable, or professional service;*
58 *(ix) a devise or inheritance; (x) travel disclosed pursuant to the Campaign Finance*
59 *Disclosure Act (§ [24.2-945](#) et seq.); (xi) travel paid for or provided by the government*
60 *of the United States, any of its territories, or any state or any political subdivision of*
61 *such state; (xii) travel provided to facilitate attendance by a legislator at a regular or*
62 *special session of the General Assembly, a meeting of a legislative committee or*
63 *commission, or a national conference where attendance is approved by the House or*
64 *Senate Committee on Rules; (xiii) travel related to an official meeting of the*
65 *Commonwealth, its political subdivisions, or any board, commission, authority, or*
66 *other entity, or any charitable organization established pursuant to § 501(c)(3) of the*
67 *Internal Revenue Code affiliated with such entity, to which such person has been*
68 *appointed or elected or is a member by virtue of his office or*
69 *employment; or (xiv) gifts from relatives or personal friends. For the purpose of this*
70 *definition, "relative" means the donee's spouse, child, uncle, aunt, niece, ~~or~~ nephew,*
71 *or first cousin; a person to whom the donee is engaged to be married; the donee's or*
72 *his spouse's parent, grandparent, grandchild, brother, ~~or~~ sister, step-parent, step-*
73 *grandparent, step-grandchild, step-brother, or step-sister; or the donee's brother's or*
74 *sister's spouse. For the purpose of this definition, "personal friend" does not include*
75 *any person that the filer knows or has reason to know is (a) a lobbyist registered*

76 pursuant to Article 3 (§ [2.2-418](#) et seq.) of Chapter 4 of Title 2.2; *or* (b) a lobbyist's
77 principal as defined in § [2.2-419](#); ~~or (c) a person, organization, or business who is a~~
78 ~~party to or is seeking to become a party to a contract with the Commonwealth. For~~
79 ~~purposes of this definition, "person, organization, or business" includes individuals~~
80 ~~who are officers, directors, or owners of or who have a controlling ownership interest~~
81 ~~in such organization or business.~~

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

87 "Immediate family" means (i) a spouse and (ii) any ~~child~~ *other person* who resides in
88 the same household as the legislator and who is a dependent of the legislator.

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

90 "Personal interest" means a financial benefit or liability accruing to a legislator or to a
91 member of his immediate family. Such interest shall exist by reason of (i) ownership
92 in a business if the ownership interest exceeds three percent of the total equity of the
93 business; (ii) annual income that exceeds, or may reasonably be anticipated to exceed,
94 \$5,000 from ownership in real or personal property or a business; (iii) salary, other
95 compensation, fringe benefits, or benefits from the use of property, or any
96 combination thereof, paid or provided by a business or governmental agency that
97 exceeds, or may reasonably be anticipated to exceed, \$5,000 annually; (iv) ownership
98 of real or personal property if the interest exceeds \$5,000 in value and excluding
99 ownership in a business, income, or salary, other compensation, fringe benefits or
100 benefits from the use of property; (v) personal liability incurred or assumed on behalf
101 of a business if the liability exceeds three percent of the asset value of the business; or
102 (vi) an option for ownership of a business or real or personal property if the ownership
103 interest will consist of clause (i) or (iv).

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

107 "Personal interest in a transaction" means a personal interest of a legislator in any
108 matter considered by the General Assembly. Such personal interest exists when an
109 officer or employee or a member of his immediate family has a personal interest in
110 property or a business, or represents or provides services to any individual or business
111 and such property, business or represented or served individual or business (i) is the

112 subject of the transaction or (ii) may realize a reasonably foreseeable direct or indirect
113 benefit or detriment as a result of the action of the agency considering the transaction.
114 A "personal interest in a transaction" exists only if the legislator or member of his
115 immediate family or an individual or business represented or served by the legislator
116 is affected in a way that is substantially different from the general public or from
117 persons comprising a profession, occupation, trade, business or other comparable and
118 generally recognizable class or group of which he or the individual or business he
119 represents or serves is a member.

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

123 § 30-102. Application.

124 This article applies to generally prohibited conduct which shall be unlawful.

125 § 30-103. Prohibited conduct.

126 No legislator shall:

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

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

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

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

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

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

146 7. During the one year after the termination of his service as a legislator, represent a client or act
147 in a representative capacity on behalf of any person or group, for compensation, on any matter
148 before the General Assembly or any agency of the legislative branch of government. The

149 prohibitions of this subdivision shall apply only to persons engaged in activities that would
150 require registration as a lobbyist under § [2.2-422](#). Any person subject to the provisions of this
151 subdivision may apply to the Attorney General, as provided in § [30-122](#), for an advisory opinion
152 as to the application of the restriction imposed by this subdivision on any post-public
153 employment position or opportunity;

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

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

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

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

174 § [30-103.1](#). Certain gifts prohibited.

175 A. For purposes of this section:

176 ~~"Intangible gift" means a thing of temporary value or a thing that upon the happening~~
177 ~~of a certain event or expiration of a given date loses its value. "Intangible gift"~~
178 ~~includes entertainment, hospitality, a ticket, admission, or pass, transportation,~~
179 ~~lodgings, and meals that are reportable on Schedule E of the disclosure form~~
180 ~~prescribed in § [30-111](#).~~

181 ~~"Tangible gift" means a thing of value that does not lose its value upon the happening~~
182 ~~of a certain event or expiration of a given date. "Tangible gift" includes currency,~~
183 ~~negotiable instruments, securities, stock options, or other financial instruments that~~
184 ~~are reportable on Schedule E of the disclosure form prescribed in § [30-111](#). "Tangible~~
185 ~~gift" does not include payments or reimbursements received for any intangible gift.~~

186 *"Widely attended event" means an event at which at least 25 persons have been*
187 *invited to attend or there is a reasonable expectation that at least 25 persons will*
188 *attend the event and the event [~~is open to the public or~~] is open to individuals (i) who*
189 *share a common interest, (ii) who are members of a public, civic, charitable, or*
190 *professional organization, (iii) who are from a particular industry or profession, or*
191 *(iv) who represent persons interested in a particular issue.*

192 ~~B. A~~ *No legislator or candidate for the General Assembly required to file the*
193 *disclosure form prescribed in § 30-111(i) shall not solicit, accept, or receive within any*
194 *calendar year any single tangible gift with a value in excess of \$250 or a combination*
195 *of tangible gifts with an aggregate value in excess of \$250 from any person that he*
196 *knows or has reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-*
197 *418 et seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's principal as defined in § 2.2-419;*
198 *or (c) a person, organization, or business who is a party to or is seeking to become a*
199 *party to a contract with the Commonwealth; (ii) shall report any tangible gift with a*
200 *value of \$250 or less or any intangible gift received from any person listed in clause*
201 *(i) on Schedule E of such disclosure form; and (iii) shall report any payments for*
202 *talks, meetings, and publications on Schedule D-1 of such disclosure form. For*
203 *purposes of this subsection, "person, organization, or business" includes individuals*
204 *who are officers, directors, or owners of or who have a controlling ownership interest*
205 *in such organization or business or a member of his immediate family shall solicit,*
206 *accept, or receive any single gift [for himself or a member of his immediate*
207 *family]with a value in excess of \$100 [or any combination of gifts with an aggregate*
208 *value in excess of \$100 within any calendar year for himself or a member of his*
209 *immediate family] from any person that he or a member of his immediate family*
210 *knows or has reason to know is (i) a lobbyist registered pursuant to Article 3 (§ 2.2-*
211 *418 et seq.) of Chapter 4 of Title 2.2 or (ii) a lobbyist's principal as defined in § 2.2-*
212 *419.*

213 *[Gifts with a value of less than \$20 are not subject to aggregation for purposes of this*
214 *prohibition.]*

215 *C. Notwithstanding the provisions of subsection B, a legislator or candidate or a*
216 *member of his immediate family may accept or receive a gift of*
217 *food [~~or~~ and] beverages [, entertainment, or the cost of admission] with a value in*
218 *excess in \$100 when such gift is accepted or received while in attendance at a widely*
219 *attended event [and is associated with the event] . Such gifts shall be reported on the*
220 *disclosure form prescribed in § 30-111.*

221 *D. Notwithstanding the provisions of subsection B, a legislator or a member of his*
222 *immediate family may accept or receive a gift from a foreign dignitary with a value*
223 *exceeding \$100 for which the fair market value or a gift of greater or equal value has*

224 *not been provided or exchanged. Such gift shall be accepted on behalf of the*
225 *Commonwealth and archived in accordance with guidelines established by the*
226 *Library of Virginia. Such gift shall be disclosed as having been accepted on behalf of*
227 *the Commonwealth, but the value of such gift shall not be required to be disclosed.*

228 *E. Notwithstanding the provisions of subsection B, a legislator or candidate or a*
229 *member of his immediate family may accept or receive certain gifts with a value in*
230 *excess of \$100 from a person listed in subsection B if such gift was provided to the*
231 *legislator or candidate or a member of his immediate family on the basis of a*
232 *personal friendship. Notwithstanding any other provision of law, a person listed in*
233 *subsection B may be a personal friend of the legislator or candidate or his immediate*
234 *family for purposes of this subsection. In determining whether a person listed in*
235 *subsection B is a personal friend, the following factors shall be considered: (i) the*
236 *circumstances under which the gift was offered; (ii) the history of the relationship*
237 *between the person and the donor, including the nature and length of the friendship*
238 *and any previous exchange of gifts between them; (iii) to the extent known to the*
239 *person, whether the donor personally paid for the gift or sought a tax deduction or*
240 *business reimbursement for the gift; and (iv) whether the donor has given the same or*
241 *similar gifts to other persons required to file the disclosure form prescribed in § [2.2-](#)*
242 *[3117](#) or [30-111](#).*

243 *F. Notwithstanding the provisions of subsection B, a legislator or candidate or a*
244 *member of his immediate family may accept or receive gifts of travel, including travel-*
245 *related transportation, lodging, hospitality, food or beverages, or other thing of value,*
246 *with a value in excess of \$100 that is paid for or provided by a person listed in*
247 *subsection B when the legislator or candidate has submitted a request for approval of*
248 *such travel to the Council and has received the approval of the Council pursuant to*
249 *§ [30-356.1](#). Such gifts shall be reported on the disclosure form prescribed in § [30-111](#).*

250 *G. The ~~\$250~~ \$100 limitation imposed in accordance with this section shall be adjusted*
251 *by the Council every five years, as of January 1 of that year, in an amount equal to the*
252 *annual increases for that five-year period in the United States Average Consumer*
253 *Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of*
254 *Labor Statistics of the U.S. Department of Labor, rounded to the nearest whole dollar.*

255 *§ [30-103.2](#). Return of gifts.*

256 *No person shall be in violation of any provision of this chapter prohibiting the*
257 *acceptance of a gift if the gift is not used by such person and the gift or its equivalent*
258 *in money is returned to the donor or delivered to a charitable organization within a*
259 *reasonable period of time upon the discovery of the value of the gift and is not*
260 *claimed as a charitable contribution for federal income tax purposes or (ii)*

261 *consideration is given by the donee to the donor for the value of the gift within a*
262 *reasonable period of time upon the discovery of the value of the gift provided that*
263 *such consideration reduces the value of the gift to an amount not in excess of \$100 as*
264 *provided in subsection B of § [30-103.1](#).*

265 **§ 30-104. Application.**

266 This article proscribes certain conduct relating to contracts.

267 **§ 30-105. Prohibited contracts by legislators.**

268 A. No legislator shall have a personal interest in a contract with the legislative branch of state
269 government.

270 B. No legislator shall have a personal interest in a contract with any governmental agency of the
271 executive or judicial branches of state government, other than in a contract of regular
272 employment, unless such contract is awarded as a result of competitive sealed bidding or
273 competitive negotiation as set forth in § [2.2-4302.1](#) or [2.2-4302.2](#).

274 C. No legislator shall have a personal interest in a contract with any governmental agency of
275 local government, other than in a contract of regular employment, unless such contract is (i)
276 awarded as a result of competitive sealed bidding or competitive negotiation as set forth in § [2.2-](#)
277 [4302.1](#) or [2.2-4302.2](#) or is awarded as a result of a procedure embodying competitive principles
278 as authorized by subdivision A 10 or A 11 of § [2.2-4343](#), or (ii) is awarded after a finding, in
279 writing, by the administrative head of the local governmental agency that competitive bidding or
280 negotiation is contrary to the best interest of the public.

281 D. The provisions of this section shall not apply to contracts for the sale by a governmental
282 agency of services or goods at uniform prices available to the general public.

283 E. The provisions of this section shall not apply to a legislator's personal interest in a contract
284 between a public institution of higher education in Virginia and a publisher or wholesaler of
285 textbooks or other educational materials for students, which accrues to him solely because he has
286 authored or otherwise created such textbooks or materials.

287 **§ 30-106. Further exceptions.**

288 A. The provisions of § [30-105](#) shall not apply to:

289 1. The sale, lease or exchange of real property between a legislator and a governmental agency,
290 provided the legislator does not participate in any way as a legislator in such sale, lease or
291 exchange, and this fact is set forth as a matter of public record by the governing body of the
292 governmental agency or by the administrative head thereof. The legislator shall disclose any
293 lease with a state governmental agency in his statement of economic interests as provided in
294 § [30-111](#);

295 2. The publication of official notices;

296 3. A legislator whose sole personal interest in a contract with an agency of the legislative branch
297 is by reason of income from the contracting firm or General Assembly in excess of \$10,000 per
298 year, provided the legislator or member of his immediate family does not participate and has no
299 authority to participate in the procurement or letting of the contract on behalf of the contracting
300 firm and the legislator either does not have authority to participate in the procurement or letting

301 of the contract on behalf of the agency or he disqualifies himself as a matter of public record and
302 does not participate on behalf of the agency in negotiating the contract or in approving the
303 contract;

304 4. Contracts between a legislator's governmental agency and a public service corporation,
305 financial institution, or company furnishing public utilities in which the legislator has a personal
306 interest, provided he disqualifies himself as a matter of public record and does not participate on
307 behalf of the agency in negotiating the contract or in approving the contract;

308 5. Contracts for the purchase of goods or services when the contract does not exceed \$500; or

309 6. Grants or other payments under any program wherein uniform rates for, or the amounts paid
310 to, all qualified applicants are established solely by the administering governmental agency.

311 B. Neither the provisions of this chapter nor, unless expressly provided otherwise, any
312 amendments thereto shall apply to those employment contracts or renewals thereof or to any
313 other contracts entered into prior to August 1, 1987, which were in compliance with either the
314 former Virginia Conflict of Interests Act, Chapter 22 (§ 2.1-347 et seq.) or the former
315 Comprehensive Conflict of Interests Act, Chapter 40 (§ 2.1-599 et seq.) of Title 2.1 at the time of
316 their formation and thereafter. Those contracts shall continue to be governed by the provisions of
317 the appropriate prior Act. Notwithstanding the provisions of subdivision (f) (4) of former § 2.1-
318 348 of Chapter 22 of Title 2.1 in effect prior to July 1, 1983, the employment by the same
319 governmental agency of a legislator and spouse or any other relative residing in the same
320 household shall not be deemed to create a material financial interest except when one of such
321 persons is employed in a direct supervisory or administrative position, or both, with respect to
322 such spouse or other relative residing in his household, and the annual salary of such subordinate
323 is \$15,000 or more.

324 **§ 30-107. Application.**

325 This article relates to conduct by legislators having a personal interest in a transaction.

326 **§ 30-108. Prohibited conduct concerning personal interest in a 327 transaction.**

328 A legislator who has a personal interest in a transaction shall disqualify himself from
329 participating in the transaction.

330 Unless otherwise prohibited by the rules of his house, the disqualification requirement of this
331 section shall not prevent any legislator from participating in discussions and debates, provided (i)
332 he verbally discloses the fact of his personal interest in the transaction at the outset of the
333 discussion or debate or as soon as practicable thereafter and (ii) he does not vote on the
334 transaction in which he has a personal interest.

335 **§ 30-109. Application.**

336 This article requires disclosure of certain personal and financial interests by legislators.

337 **§ [30-110](#). Disclosure.**

338 A. Every legislator and legislator-elect shall file, as a condition to assuming office, a
339 disclosure statement of his personal interests and such other information as is
340 specified on the form set forth in § [30-111](#) and thereafter shall file such a statement
341 semiannually by December 15 for the preceding six-month period complete through
342 the last day of October and by June 15 for the preceding six-month period complete
343 through the last day of April. When the filing deadline falls on a Saturday, Sunday, or
344 legal holiday, the disclosure statement shall be filed on the next day that is not a
345 Saturday, Sunday, or legal holiday. Disclosure forms shall be ~~provided~~ *made*
346 *available* by the Virginia Conflict of Interest and Ethics Advisory Council at least 30
347 days prior to the filing deadline. ~~Members of the Senate and members of the House of~~
348 ~~Delegates shall file their disclosure~~ *Disclosure forms shall be filed electronically* with
349 the Virginia Conflict of Interest and Ethics Advisory Council *in accordance with the*
350 *standards approved by it pursuant to § [30-356](#).* The disclosure forms of the members
351 of the General Assembly shall be maintained as public records for five years in the
352 office of the Virginia Conflict of Interest and Ethics Advisory Council. *Such forms*
353 *shall be made public no later than six weeks after filing.*

354 B. Candidates for the General Assembly shall file a disclosure statement of their
355 personal interests as required by §§[24.2-500](#) through [24.2-503](#).

356 C. Any legislator who has a personal interest in any transaction pending before the
357 General Assembly and who is disqualified from participating in that transaction
358 pursuant to § [30-108](#) and the rules of his house shall disclose his interest in accordance
359 with the applicable rule of his house.

360 § [30-111](#). Disclosure form.

361 A. The disclosure form to be used for filings required by subsections A and B of § [30-](#)
362 [110](#) shall be substantially ~~as follows:~~ *similar to the following. All completed forms*
363 *shall be filed electronically with the Council in accordance with the standards*
364 *approved by it pursuant to § [30-356](#).*

365
366
367 STATEMENT OF ECONOMIC INTERESTS.
368
369 Name
370
371 Office or position held or sought
372
373 Address
374
375 Names of members of immediate family

376 DEFINITIONS AND EXPLANATORY MATERIAL.

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

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

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

393 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan,
394 forbearance, or other item having monetary value. It includes services as well as gifts
395 of transportation, lodgings and meals, whether provided in-kind, by purchase of a
396 ticket, payment in advance or reimbursement after the expense has been incurred.
397 "Gift" does not include (i) any offer of a ticket, coupon, or other admission or pass
398 unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any
399 athletic, merit, or need-based scholarship or any other financial aid awarded by a
400 public or private school, institution of higher education, or other educational program
401 pursuant to such school, institution, or program's financial aid standards and
402 procedures applicable to the general public; (iv) a campaign contribution properly
403 received and reported pursuant to Chapter 9.3 (§ [24.2-945](#) et seq.) of Title 24.2; (v) any
404 gift related to the private profession or occupation of a legislator or of a member of his
405 immediate family; ~~or~~ (vi) *food or beverages consumed while attending an event at
406 which the filer is performing official duties related to his public service; (vii) food and
407 beverages received at or registration or attendance fees waived for any event at which
408 the filer is a featured speaker, presenter, or lecturer; (viii) unsolicited awards of
409 appreciation or recognition in the form of a plaque, trophy, wall memento, or similar
410 item that is given in recognition of public, civic, charitable, or professional service;
411 (ix) a devise or inheritance; (x) travel disclosed pursuant to the Campaign Finance
412 Disclosure Act (§ [24.2-945](#) et seq.); (xi) travel paid for or provided by the government
413 of the United States, any of its territories, or any state or any political subdivision of
414 such state; (xii) travel provided to facilitate attendance by a legislator at a regular or
415 special session of the General Assembly, a meeting of a legislative committee or*

416 *commission, or a national conference where attendance is approved by the House or*
417 *Senate Committee on Rules; (xiii) travel related to an official meeting of the*
418 *Commonwealth, its political subdivisions, or any board, commission, authority, or*
419 *other entity, or any charitable organization established pursuant to § 501(c)(3) of the*
420 *Internal Revenue Code affiliated with such entity, to which such person has been*
421 *appointed or elected or is a member by virtue of his office or*
422 *employment; or (xiv) gifts from relatives or personal friends. "Relative" means the*
423 *donee's spouse, child, uncle, aunt, niece, ~~or~~ nephew, or first cousin; a person to whom*
424 *the donee is engaged to be married; the donee's or his spouse's parent, grandparent,*
425 *grandchild, brother, ~~or~~ sister, step-parent, step-grandparent, step-grandchild, step-*
426 *brother, or step-sister; or the donee's brother's or sister's spouse. "Personal friend"*
427 *does not include any person that the filer knows or has reason to know is (a) a lobbyist*
428 *registered pursuant to Article 3 (§ [2.2-418](#) et seq.) of Chapter 4 of Title 2.2; or (b) a*
429 *lobbyist's principal as defined in § [2.2-419](#); or (c) a person, organization, or business*
430 *who is a party to or is seeking to become a party to a contract with the*
431 *Commonwealth. "Person, organization, or business" includes individuals who are*
432 *officers, directors, or owners of or who have a controlling ownership interest in such*
433 *organization or business.*

434 "Immediate family" means (i) a spouse and (ii) any ~~child~~ *other person* who resides in
435 the same household as the legislator and who is a dependent of the legislator.

436 "Lobbyist relationship" means (i) an engagement, agreement, or representation that
437 relates to legal services, consulting services, or public relations services, whether
438 gratuitous or for compensation, between a member or member-elect and any person
439 who is, or has been within the prior calendar year, registered as a lobbyist with the
440 Secretary of the Commonwealth or (ii) a greater than three percent ownership interest
441 by a member or member-elect in a business that employs, or engages as an
442 independent contractor, any person who is, or has been within the prior calendar year,
443 registered as a lobbyist with the Secretary of the Commonwealth. The disclosure of a
444 lobbyist relationship shall not (a) constitute a waiver of any attorney-client or other
445 privilege, (b) require a waiver of any attorney-client or other privilege for a third
446 party, or (c) be required where a member or member-elect is employed or engaged by
447 a person and such person also employs or engages a person in a lobbyist relationship
448 so long as the member or member-elect has no financial interest in the lobbyist
449 relationship.

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

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

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

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

464 You may attach additional explanatory information.

465 1. Offices and Directorships.

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

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

469 2. Personal Liabilities.

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

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

474 3. Securities.

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

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

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

480 During the past six months did you receive in your capacity as a legislator lodging,
481 transportation, money, or anything else of value with a combined value
482 exceeding ~~\$200~~ \$100 (i) for a single talk, meeting, or published work or (ii) for a
483 meeting, conference, or event where your attendance at the meeting, conference, or

484 event was designed to (a) educate you on issues relevant to your duties as a legislator,
485 including issues faced by your constituents, or (b) enhance your knowledge and skills
486 relative to your duties as a legislator? Do not include payments and reimbursements
487 from the Commonwealth for meetings attended in your capacity as a legislator; see
488 Question 11 and Schedule D2 to report such meetings.

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

490 5. Gifts.

491 During the past six months did a business, government, or individual other than a
492 relative or personal friend (i) furnish you or a member of your immediate family with
493 any gift or entertainment at a single event, and the value received exceeded \$50 or (ii)
494 furnish you or a member of your immediate family with gifts or entertainment in any
495 combination and the total value received exceeded ~~\$100~~ \$50, and for which you or the
496 member of your immediate family neither paid nor rendered services in exchange?
497 Account for entertainment events only if the average value per person attending the
498 event exceeded \$50. Account for all business entertainment (except if related to the
499 private profession or occupation of you or the member of your immediate family who
500 received such business entertainment) even if unrelated to your official duties.

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

502 6. Salary and Wages.

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

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

507 _____
508 _____
509 _____

510 7. Business Interests and Lobbyist Relationships.

511 7A. Do you or a member of your immediate family, separately or together, operate
512 your own business, or own or control an interest in excess of \$5,000 in a business?

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

514 7B. Do you have a lobbyist relationship as that term is defined above?

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

516 8. Payments for Representation and Other Services.

517 8A. Did you represent any businesses before any state governmental agencies,
518 excluding courts or judges, for which you received total compensation during the past
519 six months in excess of \$1,000, excluding compensation for other services to such
520 businesses and representation consisting solely of the filing of mandatory papers and
521 subsequent representation regarding the mandatory papers?

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

523 8B. Subject to the same exceptions as in 8A, did persons with whom you have a close
524 financial association (partners, associates or others) represent any businesses before
525 any state governmental agency for which total compensation was received during the
526 past six months in excess of \$1,000?

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

528 8C. Did you or persons with whom you have a close financial association furnish
529 services to businesses operating in Virginia, pursuant to an agreement between you
530 and such businesses, or between persons with whom you have a close financial
531 association and such businesses for which total compensation in excess of \$1,000 was
532 received during the past six months? Services reported under this provision shall not
533 include services involving the representation of businesses that are reported under
534 question 8A or 8B above.

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

536 9. Real Estate.

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

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

542 10. Real Estate Contracts with State Governmental Agencies.

543 Do you or a member of your immediate family hold an interest valued at more than
544 \$5,000 in real estate, including a corporate, partnership, or trust interest, option,
545 easement, or land contract, which real estate is the subject of a contract, whether
546 pending or completed within the past six months, with a state governmental agency?

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

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

556 11. Payments by the Commonwealth for Meetings.

557 During the past six months did you receive lodging, transportation, money, or
558 anything else of value with a combined value exceeding ~~\$200~~ \$100 from the
559 Commonwealth for a single meeting attended out-of-state in your capacity as a
560 legislator? Do not include reimbursements from the Commonwealth for meetings
561 attended in the Commonwealth.

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

563 For Statements filed in ~~January~~ *June* 2016 and each two years thereafter, complete the
564 following statement indicating whether you completed the ethics orientation sessions
565 provided pursuant to law:

566 I certify that I completed ethics training as required by § [30-129.1](#). YES // or NO // .

567 Statements of Economic Interests are open for public inspection.

568 AFFIRMATION.

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

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

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

579 (Return only if needed to complete Statement.)

580
581
582
583
584
585
586

SCHEDULES
to
STATEMENT OF ECONOMIC INTERESTS.

587 NAME _____

588 SCHEDULE A - OFFICES AND DIRECTORSHIPS.

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

591
592
593 _____

594	595	596	597
Name of Business	Address of Business	Position Held and by Whom	
598	599	600	601
602	603	604	605
606	607	608	609

RETURN TO ITEM 2

610 SCHEDULE B - PERSONAL LIABILITIES.

611 Report personal liability by checking each category. Report only debts in excess of
612 \$5,000. Do not report debts to any government. Do not report loans secured by
613 recorded liens on property at least equal in value to the loan.

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

615 1. My personal debts are as follows:

616
617
618 _____
619
620
621

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.)		
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

666			
667			
668	<hr/>		
669			
670			
671			
672	Check		Check one
673			
674	appropriate	\$5,001 to	More than
675			
676	categories	\$50,000	\$50,000
677			
678	Banks	_____	_____
679			
680	Savings institutions	_____	_____
681			
682	Other loan or finance companies	_____	_____
683			
684	Insurance companies	_____	_____
685			
686	Stock, commodity or other brokerage		
687			
688	companies	_____	_____
689			
690	Other businesses:		
691			
692	(State principal business activity for each		
693	creditor and its name.)		
694			
695	_____	_____	_____
696			
697	_____	_____	_____
698			
699	_____	_____	_____
700			
701			
702	Individual creditors:		
703			
704	(State principal business or occupation of		
705	each creditor and its name.)		
706			
707	_____	_____	_____
708			
709	_____	_____	_____
710			
711	_____	_____	_____
712			
713	_____	_____	_____
714			
715	<hr/>		
716			RETURN TO ITEM 3

717 **SCHEDULE C - SECURITIES.**

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

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

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

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

729 If no reportable securities, check here // .

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732 _____
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Name of Issuer	Type of Security (stocks, bonds, mutual funds, etc.)	Check one		
		\$5,001 to \$50,000	\$50,001 to \$250,000	More than \$250,000
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

RETURN TO ITEM 4

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

757 List each source from which you received during the past six months in your capacity
758 as a legislator lodging, transportation, money, or any other thing of value with a
759 combined value exceeding ~~\$200~~ \$100 (i) for your presentation of a single talk,

760 participation in one meeting, or publication of a work or (ii) for your attendance at a
 761 meeting, conference, or event where your attendance at the meeting, conference, or
 762 event was designed to (a) educate you on issues relevant to your duties as a legislator,
 763 including issues faced by your constituents, or (b) enhance your knowledge and skills
 764 relative to your duties as a legislator. Any lodging, transportation, money, or other
 765 thing of value received by a legislator that does not satisfy the criteria of clause (i),
 766 (ii)(a), or (ii)(b) shall be listed as a gift on Schedule E. Do not list payments or
 767 reimbursements by the Commonwealth. (See Schedule D-2 for such payments or
 768 reimbursements.) List a payment even if you donated it to charity. Do not list
 769 information about a payment if you returned it within 60 days or if you received it
 770 from an employer already listed under Item 6 or from a source of income listed on
 771 Schedule F.

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

773
774
775 _____
776
777
778
779 Type of Payment
780 (e.g., Honoraria,
781 Travel reimburse-
782 ment, etc.)
783
784

Payer	Approximate Value	Circumstances	
785 _____	785 _____	785 _____	785 _____
786 _____	786 _____	786 _____	786 _____
787 _____	787 _____	787 _____	787 _____
788 _____	788 _____	788 _____	788 _____
789 _____	789 _____	789 _____	789 _____
790 _____	790 _____	790 _____	790 _____
791 _____	791 _____	791 _____	791 _____
792 _____	792 _____	792 _____	792 _____
793 _____	793 _____	793 _____	793 _____
794 _____	794 _____	794 _____	794 _____
795 _____	795 _____	795 _____	795 _____

796
797 RETURN TO ITEM 5

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

799 List each meeting for which the Commonwealth provided payments or
 800 reimbursements during the past six months to you for lodging, transportation, money,
 801 or any other thing of value with a combined value exceeding ~~\$200~~ \$100 for your
 802 participation in your capacity as a legislator. Do not list payments or reimbursements
 803 by the Commonwealth for meetings or travel within the Commonwealth.

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

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Payer	Approximate Value	Circumstances	Type of Payment (e.g., Travel reimbursement, etc.)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

828 **SCHEDULE E - GIFTS.**

829 List each business, governmental entity, or individual that, during the past six months,
830 (i) furnished you or a member of your immediate family with any gift or
831 entertainment at a single event; and the value received exceeded \$50 or (ii) furnished
832 you or a member of your immediate family with gifts or entertainment in any
833 combination and the total value received exceeded ~~\$100~~ \$50, and for which you or the
834 member of your immediate family neither paid nor rendered services in exchange.
835 List each such gift or event.

836 Do not list entertainment events unless the average value per person attending the
837 event exceeded \$50. Do not list business entertainment related to the private
838 profession or occupation of you or the member of your immediate family who
839 received such business entertainment. Do not list gifts or other things of value given
840 by a relative or personal friend for reasons clearly unrelated to your public position.
841 Do not list campaign contributions publicly reported as required by Chapter 9.3
842 (§ [24.2-945](#) et seq.) of Title 24.2 of the Code of Virginia.

843
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845
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848

849		Name of Business,	City or	Exact	
850					
851	Name of	Organization, or	County	Gift or	Approximate
852					
853	Recipient	Individual	and State	Event	Value
854					
855	_____	_____	_____	_____	_____
856					
857	_____	_____	_____	_____	_____
858					
859	_____	_____	_____	_____	_____
860					
861	_____	_____	_____	_____	_____
862					
863	_____				
864					
865					RETURN TO ITEM 6

866 **SCHEDULE F-1 - BUSINESS INTERESTS.**

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

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

876
877
878 _____

881
882 Name of
883 Business
884 Corporation,
885 Partnership,
886 Farm;
887 Nature of Enterprise
888 Gross income
889
890 Address of City or (farming, \$50,001 More
891 Rental County law, rental \$50,000 to than
892
893
894
895

896 Property and State property, etc.) or less \$250,000 \$250,000
 897
 898 _____
 899 _____
 900 _____
 901 _____
 902 _____
 903 _____
 904 _____
 905 _____
 906 _____
 907
 908 RETURN TO ITEM 8

909 SCHEDULE F-2 - LOBBYIST RELATIONSHIPS AND PAYMENTS.

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

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

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

917
 918
 919 _____
 920
 921
 922
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 924
 925
 926
 927 List each person Describe each Dates of \$10,000 More than
 928 or business relationship relationship or less \$10,000
 929
 930
 931 _____
 932 _____
 933 _____
 934 _____
 935 _____
 936 _____
 937 _____
 938 _____
 939 _____
 940 _____
 941 _____

942 THE DISCLOSURE OF A LOBBYIST RELATIONSHIP SHALL NOT (I)
 943 CONSTITUTE A WAIVER OF ANY ATTORNEY-CLIENT OR OTHER
 944 PRIVILEGE, (II) REQUIRE A WAIVER OF ANY ATTORNEY-CLIENT OR
 945 OTHER PRIVILEGE FOR A THIRD PARTY, OR (III) BE REQUIRED WHERE A
 946 MEMBER OR MEMBER-ELECT IS EMPLOYED OR ENGAGED BY A PERSON
 947 AND SUCH PERSON ALSO EMPLOYS OR ENGAGES A PERSON IN A
 948 LOBBYIST RELATIONSHIP SO LONG AS THE MEMBER OR MEMBER-
 949 ELECT HAS NO FINANCIAL INTEREST IN THE LOBBYIST RELATIONSHIP.

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

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

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

960
 961
 962 _____
 963
 964
 965

			Pur-		Amount Received				
			pose						
Name	Type	of	of	Repre-	\$1,001	\$10,001	\$50,001	\$100,001	\$250,001
of	of	Repre-	Name	\$1,001	\$10,001	\$50,001	\$100,001	\$250,001	and over
Busi-	Busi-	senta-	of	to	to	to	to	to	\$250,001
ness	ness	tion	Agency	\$10,000	\$50,000	\$100,000	\$250,000	\$250,000	and over
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

978
 979
 980
 981
 982
 983
 984
 985
 986 _____

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

990 **SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.**

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

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

1000
1001
1002 _____
1003
1004
1005

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

1016

1017 **SCHEDULE G-3 - PAYMENTS FOR OTHER SERVICES GENERALLY.**

1018 Indicate below types of businesses that operate in Virginia to which services were
1019 furnished by you or persons with whom you have a close financial association
1020 pursuant to an agreement between you and such businesses, or between persons with
1021 whom you have a close financial association and such businesses and for which total
1022 compensation in excess of \$1,000 was received during the past six months. Services
1023 reported in this Schedule shall not include services involving the representation of
1024 businesses that are reported in Schedule G-1 or G-2 above.

1025 Identify opposite each category of businesses listed below (i) the type of business, (ii)
 1026 the type of service rendered and (iii) the value by dollar category of the compensation
 1027 received for all businesses falling within each category.

1028
 1029
 1030 _____
 1031
 1032
 1033
 1034 Check
 1035
 1036 if Type
 1037
 1038 ser- of Value of Compensation
 1039
 1040 vices ser-
 1041
 1042 were vice \$1,001 \$10,001 \$50,001 \$100,001
 1043
 1044 ren- ren- to to to to \$250,001
 1045
 1046 dered dered \$10,000 \$50,000 \$100,000 \$250,000 and over
 1047
 1048 Electric utilities _____
 1049
 1050 Gas utilities _____
 1051
 1052 Telephone utilities _____
 1053
 1054 Water utilities _____
 1055
 1056 Cable television
 1057
 1058 companies _____
 1059
 1060 Interstate
 1061
 1062 transportation
 1063
 1064 companies _____
 1065
 1066 Intrastate
 1067
 1068 transportation
 1069
 1070 companies _____
 1071
 1072 Oil or gas retail
 1073
 1074 companies _____
 1075
 1076 Banks _____
 1077

1078	Savings						
1079							
1080	institutions	_____	_____	_____	_____	_____	_____
1081							
1082	Loan or finance						
1083							
1084	companies	_____	_____	_____	_____	_____	_____
1085							
1086	Manufacturing						
1087							
1088	companies (state						
1089							
1090	type of product,						
1091							
1092	e.g., textile,						
1093							
1094	furniture, etc.)	_____	_____	_____	_____	_____	_____
1095							
1096	Mining companies	_____	_____	_____	_____	_____	_____
1097							
1098	Life insurance						
1099							
1100	companies	_____	_____	_____	_____	_____	_____
1101							
1102	Casualty insurance						
1103							
1104	companies	_____	_____	_____	_____	_____	_____
1105							
1106	Other insurance						
1107							
1108	companies	_____	_____	_____	_____	_____	_____
1109							
1110	Retail companies	_____	_____	_____	_____	_____	_____
1111							
1112	Beer, wine or						
1113							
1114	liquor companies						
1115							
1116	or distributors	_____	_____	_____	_____	_____	_____
1117							
1118	Trade associations	_____	_____	_____	_____	_____	_____
1119							
1120	Professional						
1121							
1122	associations	_____	_____	_____	_____	_____	_____
1123							
1124	Associations of						
1125							
1126	public employees						
1127							
1128	or officials	_____	_____	_____	_____	_____	_____
1129							
1130	Counties, cities						
1131							
1132	or towns	_____	_____	_____	_____	_____	_____
1133							

1134 Labor organizations _____
 1135
 1136 Other _____
 1137 _____
 1138 _____
 1139
 1140

RETURN TO ITEM 9

1141 **SCHEDULE H - REAL ESTATE.**

1142 List real estate other than your principal residence in which you or a member of your
 1143 immediate family holds an interest, including a partnership interest, option, easement,
 1144 or land contract, valued at \$5,000 or more. Each parcel shall be listed individually.

1145 _____
 1146
 1147

	Describe the type of real estate you own in each location (business, recreational, apartment, commercial, open land, etc.)	If the real estate is owned or recorded in a name other than your own, list that name
1151		
1152		
1153		
1154		
1155		
1156		
1157		
1158		
1159		
1160		
1161		
1162		
1163		
1164		
1165		
1166		
1167		
1168		
1169		
1170		
1171		
1172		
1173		

RETURN TO ITEM 10

1176 **SCHEDULE I - REAL ESTATE CONTRACTS WITH STATE GOVERNMENTAL AGENCIES.**

1178 List all contracts, whether pending or completed within the past six months, with a
 1179 state governmental agency for the sale or exchange of real estate in which you or a
 1180 member of your immediate family holds an interest, including a corporate, partnership

1181 or trust interest, option, easement, or land contract, valued at more than \$10,000. List
1182 all contracts with a state governmental agency for the lease of real estate in which you
1183 or a member of your immediate family holds such an interest valued at more than
1184 \$1,000. This requirement to disclose an interest in a lease does not apply to an interest
1185 derived through an ownership interest in a business unless the ownership interest
1186 exceeds three percent of the total equity of the business.

1187
1188
1189 _____

1190
1191
1192 List your real
1193 estate interest and
1194 the person or entity,
1195 including the type of
1196 entity, which is
1197 party to the contract.

1200 Describe any
1201 management role and
1202 the percentage
1203 ownership interest
1204 you or your immediate
1205 family member has in
1206 the real estate
1207 or entity.

1208 List each
1209 governmental agency
1210 which is a party to
1211 the contract and
1212 indicate the county
1213 or city where the
1214 real estate is located.

1215 State the annual
1216 income from the
1217 contract, and the
1218 amount, if any, of
1219 income you or any
1220 immediate family
1221 member derives
1222 annually from
1223 the contract.

1221 _____
1222 _____
1223 _____
1224 _____
1225 _____
1226 _____
1227 _____
1228 _____
1229 _____
1230 _____
1231 _____

1232 B. Any legislator who *knowingly and intentionally* makes a ~~knowing~~
1233 ~~misstatement~~ *false statement* of a material fact on the Statement of Economic
1234 Interests *is guilty of a Class 5 felony* and shall be subject to disciplinary action for
1235 such violations by the house in which the legislator sits.

1236 C. The Statement of Economic Interests of all members of each house shall be
1237 reviewed by the Council. If a legislator's Statement is found to be inadequate as filed,
1238 the legislator shall be notified in writing and directed to file an amended Statement
1239 correcting the indicated deficiencies, and a time shall be set within which such
1240 amendment shall be filed. If the Statement of Economic Interests, in either its original
1241 or amended form, is found to be adequate as filed, the legislator's filing shall be
1242 deemed in full compliance with this section as to the information disclosed thereon.

1243 D. Ten percent of the membership of a house, on the basis of newly discovered facts,
1244 may in writing request the house in which those members sit, in accordance with the
1245 rules of that house, to review the Statement of Economic Interests of another member
1246 of that house in order to determine the adequacy of his filing. In accordance with the
1247 rules of each house, each Statement of Economic Interests shall be promptly
1248 reviewed, the adequacy of the filing determined, and notice given in writing to the
1249 legislator whose Statement is in issue. Should it be determined that the Statement
1250 requires correction, augmentation or revision, the legislator involved shall be directed
1251 to make the changes required within such time as shall be set under the rules of each
1252 house.

1253 If a legislator, after having been notified in writing in accordance with the rules of the
1254 house in which he sits that his Statement is inadequate as filed, fails to amend his
1255 Statement so as to come into compliance within the time limit set, he shall be subject
1256 to disciplinary action by the house in which he sits. No legislator shall vote on any
1257 question relating to his own Statement

1258 **§ 30-112. Senate and House Ethics Advisory Panels; membership;**
1259 **terms; quorum; compensation and expenses.**

1260 A. The Senate Ethics Advisory Panel and the House Ethics Advisory Panel are established in the
1261 legislative branch of state government. The provisions of §§ [30-112](#) through [30-119](#) shall be
1262 applicable to each panel.

1263 B. The Senate Ethics Advisory Panel shall be composed of five nonlegislative citizen members:
1264 three of whom shall be former members of the Senate; and two of whom shall be citizens of the
1265 Commonwealth at large who have not previously held such office. All members of the Panel
1266 shall be citizens of the Commonwealth. No member shall engage in activities requiring him to
1267 register as a lobbyist under § [2.2-422](#) during his tenure on the Panel.

1268 The members shall be nominated by the Committee on Rules of the Senate and confirmed by the
1269 Senate by a majority vote of (i) the members present of the majority party and (ii) the members
1270 present of the minority party. After initial appointments, all appointments shall be for terms of

1271 four years each except for unexpired terms. Nominations shall be made so as to assure bipartisan
1272 representation on the Panel.

1273 C. The House Ethics Advisory Panel shall be composed of five nonlegislative citizen members:
1274 one of whom shall be a retired justice or judge of a court of record; two of whom shall be former
1275 members of the House of Delegates; and two of whom shall be citizens of the Commonwealth at
1276 large, at least one of whom shall not have previously held such office. All members of the Panel
1277 shall be citizens of the Commonwealth. No member shall engage in activities requiring him to
1278 register as a lobbyist under § [2.2-422](#) during his tenure on the Panel.

1279 The members shall be nominated by the Speaker of the House of Delegates and confirmed by the
1280 House of Delegates by a majority vote of (i) the members present of the majority party and (ii)
1281 the members present of the minority party. After initial appointments, all appointments shall be
1282 for terms of four years each except for unexpired terms. Nominations shall be made so as to
1283 assure bipartisan representation on the Panel.

1284 D. Each panel shall elect its own chairman and vice-chairman from among its membership.

1285 E. No member shall serve more than three successive four-year terms. Vacancies shall be filled
1286 only for the unexpired term. Vacancies shall be filled in the same manner as the original
1287 appointments. The remainder of any term to which a member is appointed to fill a vacancy shall
1288 not constitute a term in determining the member's eligibility for reappointment.

1289 F. Three members shall constitute a quorum on each panel. A vacancy shall not impair the right
1290 of the remaining members to exercise all powers of the Panel. Meetings of each panel shall be
1291 held at the call of the chairman or whenever the majority of the members so request.

1292 G. The members of each panel, while serving on the business of the Panel, are performing
1293 legislative duties and shall be entitled to the compensation and reimbursement of expenses to
1294 which members of the General Assembly are entitled when performing legislative duties
1295 pursuant to §§ [2.2-2813](#), [2.2-2825](#), and [30-19.12](#). Funding for the cost of compensation and
1296 expenses of the members of the Senate Ethics Advisory Panel shall be provided by the Office of
1297 the Clerk of the Senate and the funding for the cost of compensation and expenses of the House
1298 Ethics Advisory Panel shall be provided by the Office of the Clerk of the House of Delegates.

1299 **§ 30-113. Powers and duties of Panel.**

1300 The powers and duties of the Panel shall be applied and used only in relation to members of the
1301 respective house of the General Assembly for which it is created. The Panel shall establish its
1302 rules of procedure, including rules for the conduct of open meetings and hearings.

1303 **§ 30-113.1. Records.**

1304 If a complaint is dismissed during the preliminary investigation, such records shall remain
1305 confidential and be retained for a period of five years and then destroyed. Records related to a
1306 complaint that has proceeded to an inquiry beyond a preliminary investigation shall be made
1307 available to the public and retained in a manner prescribed by the Virginia Public Records Act
1308 (§ [42.1-76](#) et seq.).

1309 **§ 30-114. Filing of complaints; procedures; disposition.**

1310 A. In response to the signed and sworn complaint of any citizen of the Commonwealth, which is
1311 subscribed by the maker as true under penalty of perjury, submitted to the Panel, the Panel shall

1312 inquire into any alleged violation of Articles 2 (§ [30-102](#) et seq.) through 5 (§ [30-109](#) et seq.) by
1313 any member of the respective house of the General Assembly in his current term or his
1314 immediate prior term. Complaints shall be filed with the Virginia Conflict of Interest and Ethics
1315 Advisory Council, which shall promptly (i) submit the complaint to the chairman of the
1316 appropriate Panel and (ii) forward a copy of the complaint to the legislator named in the
1317 complaint. The chairman shall promptly notify the Panel of the complaint. No complaint shall be
1318 filed with the Panel 60 or fewer days before a primary election or other nominating event or
1319 before a general election in which the cited legislator is running for office, and the Panel shall
1320 not accept or act on any complaint received during this period.

1321 B. The Panel shall determine, during its preliminary investigation, whether the facts stated in the
1322 complaint taken as true are sufficient to show a violation of Articles 2 (§ [30-102](#) et seq.) through
1323 5 (§ [30-109](#) et seq.). If the facts, as stated in the complaint, fail to give rise to such a violation,
1324 then the Panel shall dismiss the complaint. If the facts, as stated in the complaint, give rise to
1325 such a violation, then the Panel shall request that the complainant appear and testify under oath
1326 as to the complaint and the allegations therein. After hearing the testimony and reviewing any
1327 other evidence provided by the complainant, the Panel shall dismiss the complaint if the Panel
1328 fails to find by a preponderance of the evidence that such violation has occurred. If the Panel
1329 finds otherwise, it shall proceed with the inquiry.

1330 C. If after such preliminary investigation, the Panel determines to proceed with an inquiry into
1331 the conduct of any legislator, the Panel (i) shall immediately notify in writing the individual who
1332 filed the complaint and the cited legislator as to the fact of the inquiry and the charges against the
1333 legislator and (ii) shall schedule one or more hearings on the matter. The legislator shall have the
1334 right to present evidence, cross-examine witnesses, face and examine the accuser, and be
1335 represented by counsel at any hearings. In its discretion, the Panel may grant the legislator any
1336 other rights or privileges not specifically enumerated in this subsection. Once the Panel has
1337 determined to proceed with an inquiry, its meetings and hearings shall be open to the public.

1338 D. Once the Panel determines to proceed with an inquiry into the conduct of any legislator, the
1339 Panel shall complete its investigations and dispose of the matter as provided in § [30-](#)
1340 [116](#) notwithstanding the resignation of the legislator during the course of the Panel's
1341 proceedings.

1342 **§ 30-115. Subpoenas.**

1343 The Panel may issue subpoenas to compel the attendance of witnesses or the production of
1344 documents, books or other records. The Panel may apply to the Circuit Court of the City of
1345 Richmond to compel obedience to the subpoenas of the Panel. Notwithstanding any other
1346 provisions of law, every state and local governmental agency, and units and subdivisions thereof
1347 shall make available to the Panel any documents, records, data, statements or other information,
1348 except tax returns or information relating thereto, which the Panel designates as being necessary
1349 for the exercise of its powers and duties.

1350 **§ 30-116. Disposition of cases.**

1351 Within 120 days of the chairman's forwarding the signed and sworn complaint to the Panel, the
1352 Panel, or a majority of its members acting in its name, shall dispose of the matter in one of the
1353 following ways:

1354 1. a. If the Panel determines in its preliminary investigation that the complaint is without merit,
1355 the Panel shall dismiss the complaint, so advise the complainant and legislator, and take no

1356 further action. In such case, the Panel shall retain its records and findings in confidence unless
1357 the legislator under inquiry requests in writing that the records and findings be made public.

1358 b. If the Panel determines in the course of its proceedings that the facts and evidence show that
1359 the complaint is without merit, the Panel shall dismiss the complaint, so advise the complainant
1360 and legislator, and report its action to the Clerk of the appropriate house, for the information of
1361 the House or Senate.

1362 2. If the Panel determines that there is a reasonable basis to conclude that the legislator has
1363 violated the provisions of this chapter but that the violation was not made knowingly, the Panel
1364 shall refer the matter by a written report setting forth its findings and the reasons therefor to the
1365 appropriate house of the General Assembly for appropriate action. All Panel reports, which are
1366 advisory only, shall be delivered to the Clerk of the appropriate house, who shall refer the report
1367 to the Committee on Privileges and Elections in accordance with the rules of the appropriate
1368 house. Said Committee shall in all cases report, after due hearings and consideration, its
1369 determination of the matter and its recommendations and reasons for its resolves to the
1370 appropriate house. If the Committee deems disciplinary action warranted, it shall report a
1371 resolution to express such action. The appropriate house as a whole shall then consider the
1372 resolution, and if it finds the legislator in violation of any provision of this chapter, it may by
1373 recorded vote take such disciplinary action as it deems warranted.

1374 3. If the Panel determines that there is a reasonable basis to conclude that the legislator
1375 knowingly violated any provision of Article 2 (§ [30-102](#) et seq.), 3 (§ [30-104](#) et seq.), 4 (§ [30-
1376 107](#) et seq.) or 5 (§ [30-109](#) et seq.) of this chapter, except § [30-108](#) or subsection C of § [30-110](#),
1377 it shall refer the matter by a written report setting forth its findings and the reasons therefor to the
1378 Attorney General for such action he deems appropriate. The Panel shall also file its report with
1379 the Clerk of the appropriate house, who shall refer the report in accordance with the rules of his
1380 house. In the event the Attorney General determines not to prosecute the alleged violation, he
1381 shall notify the Clerk of the appropriate house of his determination and the Clerk shall send the
1382 report to the Committee on Privileges and Elections. The matter shall thereafter be handled in
1383 accordance with the provisions of subdivision 2.

1384 4. If the Panel determines that there is a reasonable basis to conclude that the legislator has
1385 violated § [30-108](#) or subsection C of § [30-110](#), it shall refer the matter by a written report to the
1386 appropriate house pursuant to subdivision 2. As its first order of business other than
1387 organizational matters and committee work, the house in which the member sits shall
1388 immediately upon the convening of the next regular or special session take up and dispose of the
1389 matter by taking one or more of the following actions: (i) dismiss the complaint; (ii) sustain the
1390 complaint and reprimand the member; (iii) sustain the complaint, censure the member, and strip
1391 the member of his seniority; (iv) sustain the complaint and expel the member by a two-thirds
1392 vote of the elected members; (v) in the event the house finds a knowing violation, it shall refer
1393 the matter to the Attorney General pursuant to subdivision 3.

1394 5. The Panel shall make public any report that it makes pursuant to the provisions of subdivision
1395 1 b, 2, 3 or 4 on the date it refers its report.

1396 § 30-117. Confidentiality of proceedings.

1397 All proceedings during the investigation of any complaint by the Panel shall be confidential. This
1398 rule of confidentiality shall apply to Panel members and their staff, the Committee on Privileges
1399 and Elections and its staff, and the Virginia Conflict of Interest and Ethics Advisory Council.

1400 **§ 30-118. Staff for Panel.**

1401 The Panel may hire staff and outside counsel to assist the Panel and to conduct examinations of
1402 witnesses, subject to the approval of the President Pro Tempore of the Senate for the Senate
1403 Ethics Advisory Panel and subject to the approval of the Speaker of the House of Delegates for
1404 the House Ethics Advisory Panel.

1405 **§ 30-119. Jurisdiction of Panel.**

1406 The Senate and House Ethics Advisory Panels shall have jurisdiction over any complaint
1407 alleging a violation of Articles 2 (§ [30-102](#) et seq.) through 5 (§ [30-109](#) et seq.) of this chapter
1408 that occurs on or after August 1, 1987, and over any complaint alleging a violation of the
1409 Comprehensive Conflict of Interests Act occurring after July 1, 1984, and prior to August 1,
1410 1987.

1411 **§ 30-120. Senate and House Committees on Standards of Conduct.**

1412 Either house of the General Assembly may establish, in its rules, a Committee on Standards of
1413 Conduct to be appointed as provided in its rules and consisting of three members, one of whom
1414 shall be a member of the minority party. The Committee shall consider any request by a member
1415 of its house for an advisory opinion as to whether the facts in a particular case would constitute a
1416 violation of the provisions of this chapter and may consider other matters assigned to it pursuant
1417 to the rules of its house.

1418 **§ 30-121. Adoption of rules governing procedures and disciplinary 1419 sanctions.**

1420 Each house of the General Assembly shall adopt rules governing procedures and disciplinary
1421 sanctions for members who have committed alleged violations of this chapter.

1422 **§ 30-122. Enforcement.**

1423 The provisions of this chapter shall be enforced by the Attorney General. In addition to any other
1424 powers and duties prescribed by law, the Attorney General shall have the following powers and
1425 duties:

1426 1. If he determines that any legislator has knowingly violated any provision of this chapter, he
1427 shall designate an attorney for the Commonwealth who shall have complete and independent
1428 discretion in the prosecution of the legislator; and

1429 2. He shall render advisory opinions to any legislator who seeks advice as to whether the facts in
1430 a particular case would constitute a violation of the provisions of this chapter. He shall determine
1431 which of his opinions or portions thereof are of general interest to the public and which may,
1432 from time to time, be published.

1433 Irrespective of whether an opinion of the Attorney General has been requested and rendered, any
1434 legislator has the right to seek a declaratory judgment or other judicial relief as provided by law.

1435 **§ 30-123. Knowing violation of chapter a misdemeanor.**

1436 Any legislator who knowingly violates any of the provisions of Articles 2 through 5 (§§ [30-](#)
1437 [102](#) through [30-111](#)) of this chapter shall be guilty of a Class 1 misdemeanor. A knowing
1438 violation under this section is one in which the person engages in conduct, performs an act or
1439 refuses to perform an act when he knows that the conduct is prohibited or required by this
1440 chapter. There shall be no prosecution for a violation of § [30-108](#) or subsection C of § [30-](#)
1441 [110](#) unless the house in which the member sits has referred the matter to the Attorney General as
1442 provided in subdivision 4 of § [30-116](#).

1443 § [30-124](#). Advisory opinions.

1444 A legislator shall not be prosecuted or disciplined for a violation of this chapter if his
1445 alleged violation resulted from his good faith reliance on a written opinion of a
1446 committee on standards of conduct established pursuant to § [30-120](#), an opinion of the
1447 Attorney General as provided in § [30-122](#), or a formal opinion of the Virginia Conflict
1448 of Interest and Ethics Advisory Council established pursuant to § [30-355](#), and the
1449 opinion was made after his full disclosure of the facts *regardless of whether such*
1450 *opinion is later withdrawn provided the alleged violation occurred prior to the*
1451 *withdrawal of the opinion.*

1452 § 30-125. Invalidation of contract; rescision of sales.

1453 A. Any contract made in violation of § [30-103](#) or § [30-105](#) may be declared void and may be
1454 rescinded by the contracting or selling governmental authority within five years of the date of the
1455 contract. In cases in which the contract is invalidated, the contractor shall retain or receive only
1456 the reasonable value, with no increment for profit or commission, of the property or services
1457 furnished prior to the date of receiving notice that the contract has been voided. In cases of
1458 rescision of a contract of sale, any refund or restitution shall be made to the contracting or selling
1459 governmental agency.

1460 B. Any purchase made in violation of § [30-103](#) or § [30-105](#) may be rescinded by the contracting
1461 or selling governmental agency within five years of the date of the purchase.

1462 § [30-126](#). Civil penalty from violation of this chapter.

1463 A. In addition to any other fine or penalty provided by law, any money or other thing
1464 of value derived by a legislator from a violation of §§ [30-103](#) through [30-108](#) shall be
1465 forfeited and, in the event of a knowing violation, there may also be imposed a civil
1466 penalty in an amount equal to the amount of money or thing of value forfeited to the
1467 Commonwealth. If the thing of value received by the legislator in violation of this
1468 chapter should enhance in value between the time of the violation and the time of
1469 discovery of the violation, the greater value shall determine the amount of the civil
1470 penalty.

1471 B. A legislator who fails to file the disclosure form required by § [30-111](#) within the
1472 time period prescribed shall be assessed a civil penalty in an amount equal to \$250.

1473 *The Council shall notify the Attorney General of any legislator's failure to file the*
1474 *required form within 30 days of the deadline for filing and the Attorney General shall*
1475 *assess and collect the civil penalty. All civil penalties collected pursuant to this*
1476 *subsection shall be deposited into the general fund and used exclusively to fund the*
1477 *Council.*

1478 **§ 30-127. Criminal prosecutions.**

1479 A. Violations of this chapter may be prosecuted notwithstanding the jurisdiction of, or any
1480 pending proceeding before, the House or Senate Ethics Advisory Panel.

1481 B. Nothing in this chapter shall limit or affect the application of other criminal statutes and
1482 penalties as provided in the Code of Virginia, including but not limited to bribery,
1483 embezzlement, perjury, conspiracy, fraud, and violations of the Campaign Finance Disclosure
1484 Act Chapter 9.3 (§ [24.2-945](#) et seq.) of Title 24.2.

1485 **§ 30-128. Limitation of actions.**

1486 The statute of limitations for the criminal prosecution of a legislator for violation of any
1487 provision of this chapter shall be one year from the time the Attorney General has actual
1488 knowledge of the violation or five years from the date of the violation, whichever event first
1489 occurs.

1490 **§ 30-129. Venue.**

1491 Any prosecution for a violation of this chapter shall be brought in the circuit court of the
1492 jurisdiction in which the legislator resides, or the jurisdiction in which he resided at the time of
1493 the alleged violation if he is no longer a resident of the Commonwealth.

1494 **§ 30-129.1. Orientation sessions on ethics and conflicts of interests.**

1495 The Virginia Conflict of Interest and Ethics Advisory Council shall conduct an orientation
1496 session (i) for new and returning General Assembly members preceding each even-numbered
1497 year regular session and (ii) for any new General Assembly member who is elected in a special
1498 election and whose term commences after the date of the orientation session provided for in
1499 clause (i) and at least six months before the date of the next such orientation session within three
1500 months of his election. Attendance at the full orientation session shall be mandatory for newly
1501 elected members. Attendance at a refresher session lasting at least two hours shall be mandatory
1502 for returning members and may be accomplished by online participation. There shall be no
1503 penalty for the failure of a member to attend the full or refresher orientation session, but the
1504 member must disclose his attendance pursuant to § [30-111](#).

1505 **§ 30-129.2. Content of orientation sessions.**

1506 The orientation session shall provide information and training for the members on ethics and
1507 conflicts of interests, on the provisions of the General Assembly Conflicts of Interests Act (§ [30-](#)
1508 [100](#) et seq.), on relevant federal law provisions, and on related issues involving lobbying.
1509 Refresher sessions may be offered online.

1510 **§ 30-129.3. Orientation session preparations.**

1511 Those conducting the orientation sessions may call on other agencies in the legislative or
1512 executive branches for assistance, may invite experts to assist in the sessions, and shall, upon

1513 request of a member who holds a professional license or certification, apply for continuing
1514 education credits with the appropriate licensing or certifying entity for the sessions.

1515

1 § 30-355. Virginia Conflict of Interest and Ethics Advisory Council; membership;
2 terms; quorum; expenses.

3 A. The Virginia Conflict of Interest and Ethics Advisory Council (the Council) is
4 hereby created as an advisory council in the legislative branch to encourage and
5 facilitate compliance with the State and Local Government Conflict of Interests Act
6 (§ 2.2-3100 et seq.) and the General Assembly Conflicts of Interests Act (§ 30-100 et
7 seq.) (hereafter the Acts) and the lobbying laws in Article 3 (§ 2.2-418 et seq.) of
8 Chapter 4 of Title 2.2 (hereafter Article 3).

9 B. The Council shall consist of ~~15~~ *nine* members as follows: ~~four~~ *three* members
10 appointed by the Speaker of the House of Delegates, ~~one~~ *two* of whom shall be a
11 ~~member~~ *members* of the House of Delegates, ~~and~~ *and* one of whom shall be a ~~former~~
12 ~~member of the House of Delegates, and two of whom shall be nonlegislative citizen~~
13 ~~members~~ *[retired former] judge of a court of record*; ~~four~~ *three* members appointed
14 by the Senate Committee on Rules, ~~one~~ *two* of whom shall be a ~~member~~ *members*
15 of the Senate, ~~and~~ *and* one of whom shall be a ~~former member of the Senate, and two of~~
16 ~~whom shall be nonlegislative citizen members~~ *[retired former] judge of a court of*
17 *record*; ~~four~~ *and three* members appointed by the Governor, ~~two~~ *one* of whom shall
18 be ~~executive branch employees and two of whom shall be nonlegislative citizen~~
19 ~~members; one member designated by the Attorney General; one member appointed by~~
20 ~~the Senate Committee on Rules~~ *[a retired judge of a court of record a current or*
21 *former executive branch employee] , one of whom shall be appointed from a list of*
22 *three nominees submitted by the Virginia Association of Counties;*, and one ~~member~~
23 ~~appointed by the Speaker of the House of Delegates of whom shall be appointed from~~
24 ~~a list of three nominees submitted by the Virginia Municipal League. In the~~
25 ~~appointment to the Council of members of the House of Delegates made by the~~
26 ~~Speaker and members of the Senate made by the Senate Committee on Rules, equal~~
27 ~~representation shall be given to each of the political parties having the highest and~~
28 ~~next highest number of members elected to their respective body. All members of the~~
29 ~~Council are subject to confirmation by the General Assembly by a majority vote in~~
30 ~~each house of (i) the members present of the majority party and (ii) the members~~
31 ~~present of the minority party.~~

32 C. All appointments following the initial staggering of terms shall be for terms of four
33 years, except that appointments to fill vacancies shall be for the unexpired terms in the
34 same manner as the original appointment. No nonlegislative citizen member shall be
35 eligible to serve for more than two successive four-year terms. However, after the
36 expiration of a term of three years or less, or after the expiration of the remainder of a
37 term to which appointed to fill a vacancy, two additional terms may be served by such
38 member if appointed thereto. Legislative members and other state government

39 officials shall serve terms coincident with their terms of office. Legislative members
40 may be reappointed for successive terms.

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

46 E. Members of the Council shall receive no compensation for their services but shall
47 be reimbursed for all reasonable and necessary expenses incurred in the performance
48 of their duties as provided in §§ [2.2-2813](#), [2.2-2825](#), and [30-19.12](#), as appropriate.
49 Funding for expenses of the members shall be provided from existing appropriations
50 to the Council.

51 § [30-356](#). Powers and duties of the Council.

52 The Council shall:

53 1. Review all disclosure forms filed by lobbyists pursuant to Article 3 and by state ~~and~~
54 ~~local~~ government officers and employees and legislators pursuant to the Acts. The
55 Council ~~shall may~~ review ~~all~~ disclosure forms for completeness, ~~which shall~~
56 ~~include~~ *including* reviewing the information contained on the face of the form to
57 determine if the disclosure form has been fully completed and comparing the
58 disclosures contained in any disclosure form filed by a lobbyist pursuant to § [2.2-](#)
59 [426](#) with other disclosure forms filed with the Council, and ~~be followed by requests~~
60 ~~for~~ *requesting any* amendments to ensure the completeness of and correction of errors
61 in the forms, if necessary. *If a disclosure form is found to have not been filed or to*
62 *have been incomplete as filed, the Council shall notify the filer in writing and direct*
63 *the filer to file a completed disclosure form within a prescribed period of time, and*
64 *such notification shall be confidential and is excluded from the provisions of the*
65 *Virginia Freedom of Information Act (§ [2.2-3700 et seq.](#));*

66 2. ~~Accept any~~ *Require all* disclosure forms ~~by computer or electronic means to be~~
67 *filed electronically* in accordance with the standards approved by the Council ~~and~~
68 ~~using software meeting standards approved by it.~~ The Council shall provide
69 *software or electronic access for filing the required disclosure forms to all filers*
70 *without charge and may.* *The Council shall* prescribe the method of execution and
71 certification of electronically filed forms, including the use of an electronic signature
72 as authorized by the Uniform Electronic Transactions Act (§ [59.1-479 et seq.](#)), ~~and the~~
73 ~~procedures for receiving forms in the office of the Council;~~

74 3. Accept and review any statement received from a filer disputing the receipt by such
75 filer of a gift that has been disclosed on the form filed by a lobbyist pursuant to Article
76 3;

77 4. Beginning July 1, ~~2015~~ 2016, establish and maintain a searchable electronic
78 database comprising disclosure forms filed pursuant to §§ [2.2-426](#), [2.2-3117](#), [2.2-3118](#),
79 and [30-111](#). Such database shall be available to the public through the Council's
80 official website;

81 ~~4-5~~. Furnish, upon request, formal advisory opinions or guidelines and other
82 appropriate information, including informal advice, regarding ethics ~~and~~, conflicts
83 issues arising under Article 3 or the Acts, *or a person's duties under Article 3 or the*
84 *Acts* to any person *covered by Article 3 or the Acts* or to any agency of state or local
85 government, in an expeditious manner. *The Council may authorize a designee to*
86 *furnish formal opinions or informal advice. Formal advisory opinions are public*
87 *record and shall be published on the Council's website; however, no formal advisory*
88 *opinion furnished by a designee of the Council shall be published until such opinion*
89 *has been approved by the Council. Published formal advisory opinions may have such*
90 *deletions and changes as may be necessary to protect the identity of the person*
91 *involved.* Informal advice given by the Council *or the Council's designee* is
92 confidential, protected by the attorney-client privilege, and is excluded from the
93 provisions of the Virginia Freedom of Information Act (§ [2.2-3700](#) et seq.);

94 ~~5-6~~. Conduct training seminars and educational programs for lobbyists, state and local
95 government officers and employees ~~and~~, legislators, and other interested persons on
96 the requirements of Article 3 and the Acts and provide ethics orientation sessions for
97 legislators in compliance with Article 6 (§ [30-129.1](#) et seq.) of Chapter 13;

98 ~~6-7~~. Approve orientation courses conducted pursuant to § [2.2-3128](#) and, upon request,
99 review the educational materials and approve any training or course on the
100 requirements of Article 3 and the Acts conducted for state and local government
101 officers and employees;

102 ~~7-8~~. Publish such educational materials as it deems appropriate on the provisions of
103 Article 3 and the Acts;

104 ~~8-9~~. Review actions taken in the General Assembly with respect to the discipline of
105 its members for the purpose of offering nonbinding advice;

106 ~~9-10~~. Request from any agency of state or local government such assistance, services,
107 and information as will enable the Council to effectively carry out its responsibilities.

108 Information provided to the Council by an agency of state or local government shall
109 not be released to any other party unless authorized by such agency; ~~and~~

110 *11. Redact from any document or form that is to be made available to the public any*
111 *residential address, personal telephone number, or signature contained on that*
112 *document or form; and*

113 ~~10-12.~~ Report on or before December 1 of each year on its activities and findings
114 regarding Article 3 and the Acts, including recommendations for changes in the laws,
115 to the General Assembly and the Governor. The annual report shall be submitted by
116 the chairman as provided in the procedures of the Division of Legislative Automated
117 Systems for the processing of legislative documents and reports and shall be published
118 as a state document.

119 § [30-356.1](#). *Request for approval for certain travel.*

120 *A. The Council shall receive and review a request for the approval of travel submitted*
121 *by a person required to file the disclosure form prescribed in § [2.2-3117](#) or [30-111](#) to*
122 *accept any travel-related transportation, lodging, hospitality, food or beverage, or*
123 *other thing of value that has a value exceeding \$100 where such approval is required*
124 *pursuant to subsection G of § [2.2-3103.1](#) or subsection F of § [30-103.1](#). A request for the*
125 *approval of travel shall not be required for the following, but such travel shall be*
126 *disclosed as may be required by the Acts:*

127 *1. Travel disclosed pursuant to the Campaign Finance Disclosure Act (§ [24.2-945](#) et*
128 *seq.);*

129 *2. Travel paid for or provided by the government of the United States, any of its*
130 *territories, or any state or any political subdivision of such state;*

131 *3. Travel provided to facilitate attendance by a legislator at a regular or special*
132 *session of the General Assembly, a meeting of a legislative committee or commission,*
133 *or a national conference where attendance is approved by the House or Senate*
134 *Committee on Rules; or*

135 *4. Travel related to an official meeting of the Commonwealth, its political*
136 *subdivisions, or any board, commission, authority, or other entity, or any charitable*
137 *organization established pursuant to § 501(c)(3) of the Internal Revenue Code*
138 *affiliated with such entity, to which such person has been appointed or elected or is a*
139 *member by virtue of his office or employment.*

140 *B. When reviewing a request for the approval of travel, the Council shall consider the*
141 *purpose of the travel as it relates to the official duties of the requester. The Council*
142 *shall approve any request for travel that bears a reasonable relationship between the*
143 *purpose of the travel and the official duties of the requester. Such travel shall include*
144 *any meeting, conference, or other event (i) composed primarily of public officials, (ii)*
145 *at which public policy related to the duties of the requester will be discussed in a*
146 *substantial manner, (iii) reasonably expected to educate the requester on issues*
147 *relevant to his official duties or to enhance the requester's knowledge and skills*
148 *relative to his official duties, or (iv) at which the requester has been invited to speak*
149 *regarding matters reasonably related to the requester's official duties.*

150 *C. The Council shall not approve any travel requests that bear no reasonable*
151 *relationship between the purpose of the proposed travel and the official duties of the*
152 *requester. In making such determination, the Council shall consider the duration of*
153 *travel, the destination of travel, the estimated value of travel, and any previous or*
154 *recurring travel.*

155 *D. Within five business days of receipt of a request for the approval of travel, the*
156 *Council shall grant or deny the request, unless additional information has been*
157 *requested. If additional information has been requested, the Council shall grant or*
158 *deny the request for the approval within five business days of receipt of such*
159 *information. If the Council has not granted or denied the request for approval of*
160 *travel or requested additional information within such five-day period, such travel*
161 *shall be deemed to have been approved by the Council. Nothing in this subsection*
162 *shall preclude a person from amending or resubmitting a request for the approval of*
163 *travel. The Council may authorize a designee to review and grant or deny requests for*
164 *the approval of travel.*

165 *E. A request for the approval of travel shall be on a form prescribed by the Council*
166 *and made available on its website. Such form may be submitted by electronic means,*
167 *facsimile, in-person submission, or mail or commercial mail delivery.*

168 *F. No person shall be prosecuted, assessed a civil penalty, or otherwise disciplined*
169 *for acceptance of a travel-related thing of value if he accepted the travel-related thing*
170 *of value after receiving approval under this section, regardless of whether such*
171 *approval is later withdrawn, provided the travel occurred prior to the withdrawal of*
172 *the[~~opinion~~ approval] .*

173 § [30-357](#). Staff.

174 Staff assistance to the Council shall be provided by the Division of Legislative
175 Services. Staff shall perform those duties assigned to it by the Council, including

176 those duties enumerated in § [30-356](#). *The Division of Legislative Services shall employ*
177 *an executive director, who shall be subject to the confirmation of the Joint Committee*
178 *on Rules.*

179 2. That the provisions of this act requiring that the disclosure forms prescribed by
180 §§ [2.2-426](#), [2.2-3117](#), [2.2-3118](#), and [30-111](#) of the Code of Virginia be submitted
181 electronically with the Virginia Conflict of Interest and Ethics Advisory Council shall
182 become effective on July 1, 2016.

183 3. That the Virginia Conflict of Interest and Ethics Advisory Council shall review the
184 current statutory disclosure forms located at §§ [2.2-426](#), [2.2-3117](#), [2.2-3118](#), and [30-111](#) of
185 the Code of Virginia and make recommendations for the revision of such forms
186 consistent with the provisions of this act. The Council shall submit its
187 recommendations to the General Assembly on or before November 15, 2016.

188 4. That the provisions of this act shall become effective on January 1, 2016 [, except
189 that the provisions of this act amending §§ [30-355](#), [30-356](#), and [30-357](#) shall become
190 effective on July 1, 2015] .

191 5. [Notwithstanding the sixth enactment of Chapters 792 and 804 of the Acts of
192 Assembly of 2014, that any filer required to file a disclosure form pursuant to § [2.2-](#)
193 [3115](#) shall file such form with the applicable clerk of the governing body of the
194 county, city, or town or the clerk of the school board.

195 6.] That the provisions of this act may result in a net increase in periods of
196 imprisonment or commitment. Pursuant to § [30-19.1:4](#), the estimated amount of the
197 necessary appropriation cannot be determined for periods of imprisonment in state
198 adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2014,
199 Special Session I, requires the Virginia Criminal Sentencing Commission to assign a
200 minimum fiscal impact of \$50,000. Pursuant to § [30-19.1:4](#), the estimated amount of
201 the necessary appropriation cannot be determined for periods of commitment to the
202 custody of the Department of Juvenile Justice.

203 [7. That the initial terms of the nonlegislative citizen members of the Virginia
204 Conflict of Interest and Ethics Advisory Council appointed pursuant to this act shall
205 be staggered as follows: (i) the appointed representative of the Virginia Municipal
206 League for a term of one year; (ii) one former judge of a court of record appointed by
207 the Speaker of the House for a term of two years; (iii) the former executive branch
208 employee, if any, for a term of two years; (iv) one former judge of a court of record
209 appointed by the Senate Committee on Rules for a term of three years; and (v) the
210 appointed representative of the Virginia Association of Counties for a term of four
211 years.

212 8. That, if the General Assembly is not in session when initial appointments to the
213 Virginia Conflict of Interest and Ethics Advisory Council are made pursuant to this
214 act, such initial appointments shall be confirmed at the next succeeding regular
215 session of the General Assembly following such appointments and the Council may
216 exercise all powers and perform all duties set forth in this act notwithstanding any
217 provisions of this act requiring confirmation of members appointed to the Council by
218 the General Assembly.]

219 **§ 30-358. Cooperation of agencies of state and local government.**

220 Every department, division, board, bureau, commission, authority, or political subdivision of the
221 Commonwealth shall cooperate with, and provide such assistance to, the Council as the Council
222 may request.

223