

Pete W. Stout, III  
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## MEMORANDUM

**To: Virginia Conflict of Interest and Ethics Advisory Council**

**From: Stewart Petoe, Executive Director**

**Date: November 19, 2019**

**Re: Procedures for destruction of old disclosure forms**

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The Virginia Conflict of Interest and Ethics Advisory Council staff recommends that the Council adopt the following procedures for the destruction of disclosure forms that have been kept for longer than five years:

1. All annual filings submitted on or before February 1, pursuant to Va. Code §§ 2.2-3114, 2.2-3116, or 30-110, shall be kept for five calendar years. The filings will then be deleted on or as soon as practicable after the Council publishes the current year's annual filings, in accordance with Va. Code §§ 2.2-3114(C) and 30-110(A).
2. All filings submitted by an official or employee as a condition of assuming his office or position, pursuant to Va. Code §§ 2.2-3114, 2.2-3116, or 30-110, shall be kept for five calendar years. The filings will then be deleted on or as soon as practicable after the Council publishes the current year's annual filings, in accordance with Va. Code §§ 2.2-3114(C) and 30-110(A).
3. All session gift reports submitted pursuant to Va. Code §§ 2.2-3114.2 or 30-110.1 shall be kept for five calendar years. The session gift reports will then be deleted on or as soon as practicable after the Council publishes the current year's annual filings, in accordance with Va. Code §§ 2.2-3114(C) and 30-110(A).

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## MEMORANDUM

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**From: Stewart Petoe, Executive Director**

**Date: November 19, 2019**

**Re: Procedure regarding disclosure forms erroneously filed by officials and employees**

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The Virginia Conflict of Interest and Ethics Advisory Council staff recommends that the Council adopt the following procedures when officials and employees erroneously file disclosure forms when they were not required to do so.

1. When the Council is notified in writing by a governmental agency that an official or employee has erroneously filed a disclosure form, the Council will delete the form, if the notification is received before the form is published.
2. When the Council is notified by a governmental agency that an official or employee has erroneously filed a disclosure form but the form has already been published, the Council will not remove the form from its website. The form will remain publicly available on the Council's website and will be deleted in accordance with the standard five-year retention policy adopted by the Council.