

Commonwealth of Virginia

Chris Piper, Executive Director



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Virginia Conflict of Interest and Ethics Advisory Council

MEMORANDUM

TO: Council Members
FROM: Chris Piper
DATE: September 28, 2015
RE: Council Staff Internal Processes for Conflict of Interest Disclosures

Suggested Motion for Council: I move that we adopt the following forms and internal processes for Conflict of Interest Disclosures - Review and Notification Process.

- A disclosure submitted on paper will be considered delivered timely if received in the Council office by 5 p.m. on the date of the filing deadline, June 15 or December 15, or the next business day should the filing deadline fall on a legal holiday or weekend. Paper disclosures will be date stamped as received by Council staff. This will not prohibit Council staff from requesting further documentation from the filer if necessary.
- A disclosure submitted via the online disclosure portal will be considered submitted timely if submitted by 11:59 p.m. on the date of the filing deadline (as determined by the time received by the Council's servers), June 15 and December 15, or the next business day should the filing deadline fall on a legal holiday or weekend.
- Council staff will identify and work with Agency Coordinators (the primary contact within each agency who communicates directly with the required filers in their agency) to ensure filers are properly identified and notified of filing procedures, requirements, and late fees.
- Council staff will be the Agency Coordinator for General Assembly members.
- Council staff will communicate with Agency Coordinators to ensure filers are notified of filing deadlines as follows:
 - Notification to Agency Coordinators to ensure lists are up to date and accurate will be sent October 15 and April 15 or the next business day if such dates fall on a legal holiday or weekend.

The Honorable Walter S. Felton, Jr.
The Honorable Janet D. Howell
The Honorable Thomas K. Norment, Jr.

The Honorable Todd Gilbert
The Honorable Jennifer L. McClellan
The Honorable Patricia L. West

Walter C. Erwin
Bernard L. Henderson, Jr.
Sharon E. Pandak

- Notification to Agency Coordinators to send reminder emails to filers of upcoming deadlines will be sent November 1 and May 1 or the next business day if such dates fall on a legal holiday or weekend.
 - Notification of forms available to clerks of localities and school board members will be sent by November 1 and May 1.
 - A reminder email to General Assembly members will be sent by Council staff for upcoming filing deadlines November 1 and May 1 or the next business day if such dates fall on a legal holiday or weekend.
 - Filers who have not filed disclosure forms by December 1 and June 1 will be sent a reminder email and notified of civil penalty of \$250 imposed for late filings.
 - A final reminder will be sent to outstanding filers one week prior to the filing deadlines.
 - Late notices will be sent to all filers with outstanding disclosures as soon as all paper disclosures have been processed following the filing deadlines.
 - Council staff will provide reports on outstanding disclosures to the Attorney General's office for collection of late fees as applicable.
- Council staff will review disclosures for completeness.
 - If a disclosure is found to be incomplete, Council staff will notify the filer via email of the information or documentation required. The filer has five business days from the date of the request to provide the Council with the required documentation.
 - Should the disclosure be found incomplete after the reporting deadline, a request for additional information will be made to the filer via email giving the filer five business days from the date of the request to respond with the additional information.

No penalty will be assessed to the filer if the additional information is received by the Council within five business days of the request. If the filer does not respond within five business days, the disclosure will be considered late and the filer will be assessed the prescribed penalty of \$250.

 - Only disclosures that are submitted on Council-approved forms will be accepted. Disclosures submitted on other forms will be considered incomplete, and filers will be notified via email that they have five business days from the date of the notification to complete their disclosure on the appropriate forms.
 - Unsigned disclosures will not be accepted.