

Commonwealth of Virginia

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Virginia Conflict of Interest and Ethics Advisory Council

M E M O R A N D U M

TO: **Council Members**

FROM: **Chris Piper, Executive Director**

DATE: **December 10, 2015**

RE: **Procedures for Disputing Gifts**

Suggested Motion for Council: I move that we accept the staff recommendation for procedures for disputing gifts.

Discussion:

The Virginia Conflict of Interest and Ethics Advisory Council staff recommends the Council adopt the following procedures for disputing gifts:

1. The Council shall accept and review any statement from a filer disputing the receipt of a gift from a lobbyist.
2. After receiving the statement, the Council shall contact the lobbyist who disclosed the gift to inform him of the dispute.
3. If the lobbyist who disclosed the gift acknowledges that the disclosure was incorrect, the Council shall instruct the lobbyist to correct and resubmit the applicable disclosure form. The Council shall also notify the filer who disputed the disclosure that the lobbyist's disclosure statement is being updated and resubmitted.
4. If the lobbyist who disclosed the gift maintains that the disclosure is accurate, the Council will attach a copy of the statement disputing the gift to both the lobbyist's and the filer's disclosure statements and be made available online. The Council will notify both the lobbyist and the filer that the statement is being attached to their disclosure forms.
5. All statements disputing the receipt of a gift shall be retained by the Council for five years after the filing period in which the statement was submitted.

Applicable Code:

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

The Council shall:

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

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