

007011796

## HOUSE BILL NO. 1136

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the House Committee on Privileges and Elections  
on February 13, 2000)

(Patron Prior to Substitute—Delegate Jones, S. C.)

*A BILL to amend and reenact §§ 24.2-914, 24.2-915 through 24.2-919, and 24.2-924 of the Code of Virginia, relating to the Campaign Finance Disclosure Act; definitions; reports of contributions and expenditures; and filing deadlines.*

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 24.2-914, 24.2-915 through 24.2-919, and 24.2-924 of the Code of Virginia are amended and reenacted as follows:**

§ 24.2-914. Information to be included on report of contributions and expenditures.

A. The report required by this chapter shall be filed on a form prescribed by the State Board and shall include all contributions and expenditures. All completed forms shall be submitted in typed, printed, or legibly hand printed format or as provided in § 24.2-914.1. *Reports required by this chapter shall be received by the State Board, local electoral board, or both, by the deadline for filing the report. The State Board shall provide instructions to filers for delivery of reports within the time periods prescribed by law.* Persons submitting the forms shall do so subject to felony penalties for making false statements pursuant to § 24.2-1016.

B. The report of receipts shall include:

1. The total number of contributors, each of whom has contributed an aggregate of \$100 or less, including cash and in-kind contributions, as of the date of the report, and the total amount of contributions from all such contributors;

2. For each contributor who has contributed an aggregate of more than \$100, including cash and in-kind contributions, as of the date of the report, the name of the contributor, listed alphabetically, the address of the contributor, the occupation, including name of employer or principal business, and the principal place of business of the contributor, the amount of the contribution included in the schedule of receipts, the aggregate amount of contributions from the contributor to date, and the date of the last contribution. For each such contributor that is a corporation or other entity, it shall be sufficient to list the address of the contributor one time on the report of receipts.

C. The report of disbursements shall include all expenditures and give:

1. The name and address of the person paid;
2. A brief description of the purpose of the expenditure;
3. The name of the person contracting for or arranging the expenditure;
4. The amount of the expenditure; and
5. The date of the expenditure.

D. Each report for a candidate shall list separately those receipts and expenditures reported to the candidate or his treasurer by any person, political committee, or political party committee pursuant to § 24.2-907 and shall set forth in each instance the source of the information reported.

E. The report shall list separately all loans and, for each loan, shall give:

1. The date the loan was made;
2. The name and address of the person making the loan and any person who is a co-borrower, guarantor, or endorser of the loan;
3. The amount of the loan;
4. The date and amount of any repayment of the loan; and
5. For any loan or part of a loan which is forgiven by the lender, the amount forgiven listed as both a contribution and loan repayment.

§ 24.2-915. With whom candidates to file reports; responsibility for reporting.

Reports shall be filed by candidates for nomination or election (i) for statewide office, with the State Board, (ii) for the General Assembly, with the State Board and with the electoral board of the locality where the candidate resides, except as otherwise provided in § 24.2-919, and (iii) for any other office, with the electoral board of the locality in which the candidate resides.

It is the joint responsibility of the candidate and his treasurer that the report of a candidate be filed ~~and~~, that the report be in full and accurate detail, *and that the report be received by the State Board, local electoral board, or both, by the deadline for filing the report.* Any report to be filed with the State Board may be mailed. If mailed, the report must be postmarked not later than the deadline for filing, except as provided in § 24.2-919 for certain large pre-election contributions ~~received within seventy-two hours of election day.~~

§ 24.2-916. Filing schedule for candidates for office generally.

HOUSE SUBSTITUTE

HB1136H1

60 A candidate for any office, other than as provided in § 24.2-917 for a local office to be filled at a  
61 May general election or in § 24.2-918 for certain special elections, shall file the prescribed reports of  
62 contributions and expenditures as follows:

- 63 1. Not later than July 15/10 in a nonelection year for the period January 1 through June 30;
- 64 2. Not later than January 15/10 following a nonelection year for the period July 1 through December  
65 31;
- 66 3. In an election year, not later than April 15/10 for the period January 1 through March 31 and  
67 pursuant to subdivisions 4 through 9 of this section;
- 68 4. Not later than the eighth day before the June primary date complete through the thirteenth day  
69 before the primary date;
- 70 5. Not later than July 15/10 complete through June 30;
- 71 6. Not later than September 15/10 complete through August 31;
- 72 7. Not later than October 15/10 complete through September 30;
- 73 8. Not later than the eighth day before the November election date complete through the thirteenth  
74 day before the election date;
- 75 9. Not later than the thirtieth day after the November election date complete through the ~~twenty-third~~  
76 *twenty-fifth* day after the election date; and
- 77 10. Not later than January 15/10 following an election year complete through December 31, and then  
78 in accordance with subdivisions 1 and 2 or subdivisions 3 through 9, as appropriate, of this section until  
79 a final report is filed.

80 Any candidate shall also file the report of certain large pre-election contributions required by  
81 § 24.2-919, if applicable. ~~The report required by subdivision 9 of this section shall not be applicable to~~  
82 ~~political party committees.~~

83 § 24.2-917. Filing schedule for candidates for offices filled at May general elections.

84 Any candidate for election to a local office to be filled at a May general election shall file the  
85 prescribed reports of contributions and expenditures as follows:

- 86 1. For municipal primary candidates only, not later than the eighth day before the primary date  
87 complete through the eleventh day before the primary;
- 88 2. Not later than the eighth day before the election date complete through the eleventh day before the  
89 election date;
- 90 3. Not later than June 15 of the election year complete through June 10;
- 91 4. Not later than July 15/10 of the election year complete through June 30; and
- 92 5. Not later than the following January 15/10 complete through December 31 and annually thereafter  
93 until a final report is filed as provided in § 24.2-920.

94 Any candidate shall also file the report of certain large pre-election contributions required by  
95 § 24.2-919, if applicable.

96 § 24.2-918. Filing requirements for special elections.

97 A. Candidates for nomination or election to an office to be filled by a special election held on a  
98 regular election date shall file the prescribed reports of contributions and expenditures which apply to  
99 regularly scheduled elections for that office.

100 B. In the case of a special election held on a date other than a regularly scheduled general election,  
101 the candidate shall file as follows:

- 102 1. A report not later than the eighth day before the special election date complete through the  
103 eleventh day before that date;
- 104 2. The reports required by § 24.2-919;
- 105 3. A post-election report no later than the thirtieth day after the election and prior to taking office;  
106 and
- 107 4. A post-election report not later than January 15/10 and July 15/10 each year until a final report is  
108 filed as provided in § 24.2-920.

109 § 24.2-919. Special report required of certain large pre-election contributions.

110 A. Except as provided in subsection B, any single contribution of more than \$1,000 for a statewide  
111 office or more than \$500 for any other office, knowingly received or reported by the candidate or his  
112 treasurer on behalf of his candidacy (i) between the thirteenth day preceding a June primary and the  
113 primary date, (ii) between the thirteenth day preceding a November election and the election date, or  
114 (iii) between the eleventh day preceding any other election in which the individual is a candidate and  
115 the election day, shall be reported in writing ~~within seventy-two hours as provided in § 24.2-914 or~~  
116 ~~electronically pursuant to § 24.2-914.1, and the report received by the State Board or local electoral~~  
117 ~~board, as appropriate, by the end of the next business day; however, any such contribution received~~  
118 ~~within the seventy-two~~ *twenty-four* hours prior to the election day shall be reported and a report thereof  
119 received ~~no later than~~ on the day prior to the election. Statewide and General Assembly candidates shall  
120 file all reports required by this section with the State Board and with the electoral board of the locality  
121 where the candidate resides. Any candidate for a constitutional or local office shall file such reports with

122 the electoral board of the locality where the candidate resides. Any contribution reported pursuant to this  
123 section shall also be reported on the first report required by this article after any election.

124 B. The reports required by subsection A of this section shall also be required of any candidate for  
125 nomination by a political party to serve as the party's nominee in a general or special election if (i) the  
126 party nominates by convention or any method other than a primary and (ii) there are at least two  
127 candidates for nomination pursuant to the rules and procedures of the party. In such case, candidates for  
128 nomination shall be required to file the reports required by subsection A for the thirteen-day or  
129 eleven-day period, as specified by subsection A, immediately preceding:

130 1. The caucus, mass meeting, convention, or other nominating event at which the party's nomination  
131 shall be finally determined pursuant to the rules and procedures of the party; and

132 2. Any caucus, mass meeting, convention, or other nominating event, other than that at which the  
133 party's nomination shall be finally determined, at which delegates are chosen who are pledged to support  
134 a specified candidate on at least one ballot at a subsequent district or state convention required as part  
135 of the nominating process.

136 No report shall be required pursuant to this subsection if the candidate is or has become, by virtue of  
137 the withdrawal of any opponent or the operation of the rules and procedures of the party, unopposed for  
138 nomination at the time such report otherwise would be required to be made.

139 § 24.2-924. Filing schedule for inaugural fund committees.

140 An inaugural fund committee shall file the prescribed reports of contributions and expenditures as  
141 follows:

142 1. Not later than March ~~15~~10 immediately following the inauguration for all contributions and  
143 expenditures made prior to the preceding March 1;

144 2. Not later than July ~~15~~ 10 of the inauguration year complete through June 30;

145 3. Not later than the following January ~~15~~ 10 complete through December 31; and

146 4. Annually thereafter until a final report is filed.

147 The final report shall set forth (i) all receipts and disbursements not previously reported, (ii) an  
148 accounting of the retirement of all debts, and (iii) the disposition of all surplus funds. The final report  
149 shall include a termination statement, signed by an officer of the committee, that all reporting is  
150 complete and final.