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HOUSE BILL NO. 1136

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Privileges and Elections
on February 29, 2000)

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

A BILL to amend and reenact §§ 24.2-914, 24.2-915, and 24.2-919 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, and 24.2-919 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.~~

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

SENATE SUBSTITUTE

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60 A. Except as provided in subsection B, any single contribution of more than \$1,000 for a statewide
61 office or more than \$500 for any other office, knowingly received or reported by the candidate or his
62 treasurer on behalf of his candidacy (i) between the thirteenth day preceding a June primary and the
63 primary date, (ii) between the thirteenth day preceding a November election and the election date, or
64 (iii) between the eleventh day preceding any other election in which the individual is a candidate and
65 the election day, shall be reported in writing ~~within seventy-two hours as provided in § 24.2-914 or~~
66 ~~electronically pursuant to § 24.2-914.1, and the report received by the State Board or local electoral~~
67 ~~board, as appropriate, by the end of the next business day;~~ however, any such contribution received
68 within the ~~seventy-two~~ twenty-four hours prior to the election day shall be reported and a report thereof
69 received ~~no later than~~ on the day prior to the election. Statewide and General Assembly candidates shall
70 file all reports required by this section with the State Board and with the electoral board of the locality
71 where the candidate resides. Any candidate for a constitutional or local office shall file such reports with
72 the electoral board of the locality where the candidate resides. Any contribution reported pursuant to this
73 section shall also be reported on the first report required by this article after any election.

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

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

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

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