

009037796

HOUSE BILL NO. 1141

House Amendments in [] — February 14, 2000

A BILL to amend the Code of Virginia by adding a section numbered 24.2-1014.1, relating to political campaign telephone calls; penalties.

Patrons—Jones, S.C., Albo, Bryant, Devolites, Landes, McQuigg, Nixon and Plum

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 24.2-1014.1 as follows:

§ 24.2-1014.1. Identifying persons responsible for campaign telephone calls; penalties.

A. As used in this section, the term "campaign telephone calls" means a series of telephone calls [, electronic or otherwise,] made (i) to twenty-five or more telephone numbers in the Commonwealth, (ii) during the 180 days before a general or special election or during the ninety days before a primary, (iii) conveying or soliciting information relating to any candidate, [~~potential candidate~~ person who has announced the formation of an exploratory committee or other public statement of interest in becoming a candidate] , or political party participating in the election or primary; and (iv) under an agreement to compensate the telephone callers.

B. It shall be unlawful for any person to make campaign telephone calls unless he discloses, before the conclusion of each telephone call, information to identify the person who has authorized and is paying for the calls.

The person making the campaign telephone calls shall disclose the following identifying information:

1. The name of the candidate if the calls are authorized by the candidate or his campaign committee;

2. The name of the political party committee if the calls are authorized by that committee; or

3. If authorized by any person other than a candidate, his campaign committee, or a political party committee, either:

a. In the case of a committee that has filed a statement of organization under § 24.2-908, the full name of the committee and a registration number provided by the State Board, or

b. In any other case, the full name and residence address of the individual responsible for the campaign telephone calls.

C. It shall be unlawful for any person [~~supervising campaign telephone calls~~ who contracts for campaign telephone calls] to fail to provide to the persons making the telephone calls the identifying information required by this section.

D. It shall be unlawful for any person to provide a false or fictitious name or address when providing the identifying information required under subsection B.

E. Any person violating any provision of this section shall be subject to a civil penalty not to exceed [~~five~~ twenty-five hundred] dollars; and, in the case of a willful violation, he shall be guilty of a Class 1 misdemeanor. The procedure to enforce the civil penalty provided in this section shall be as stated in § 24.2-929. The violation of this section shall not void any election.

ENGROSSED

HB1141E