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SENATE BILL NO. 570

Offered January 24, 2000

A BILL to amend and reenact § 24.2-928 of the Code of Virginia, relating to the Campaign Finance Disclosure Act; reporting and investigating violations.

Patrons—Rerras; Delegate: Jones, S.C.

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:**1. That § 24.2-928 of the Code of Virginia is amended and reenacted as follows:**

§ 24.2-928. Reporting of certain violations.

A. It shall be the duty of the State Board to report any violation of §§ 24.2-912, 24.2-915, 24.2-916, 24.2-917, 24.2-918, 24.2-919, 24.2-920, 24.2-923, and 24.2-924 to the appropriate attorney for the Commonwealth.

B. It shall be the duty of the electoral board of a county or city to report any violation of §§ 24.2-915, 24.2-916, 24.2-917, 24.2-918, 24.2-919, and 24.2-920 relating to an election for the General Assembly or for any constitutional or local office or to a local referendum to the attorney for the Commonwealth for the county or city in which the electoral board has jurisdiction.

C. In order to fulfill its duty to report violations, the Board shall establish and implement a system for receiving and cataloging reports filed pursuant to §§ 24.2-915 through 24.2-920 and 24.2-923 and for verifying that reports are complete and submitted on time. As part of the system referred to in this subsection, the general registrar for each county and city, or the secretary of the electoral board in any county or city in which the electoral board chooses to perform the duties stated in this subsection, shall be required, in accordance with instructions provided by the Board, to catalog the reports filed with the local electoral board and to verify that the reports are complete and submitted on time. The Board's instructions shall provide that the general registrar, or secretary of the electoral board if the electoral board has so determined, shall notify, no later than seven days after the report due date, any person submitting an incomplete report of the need for additional information.

D. No local electoral board shall be required to retain any reports longer than one year from the date of filing the final report required by §§ 24.2-915 through 24.2-920 and 24.2-923, or any successor provision thereto, or the next general election for the office to which the report relates, whichever is later, unless a court of competent jurisdiction shall order their retention for a longer period.

E. In addition to its powers under § 24.2-104, the State Board may conduct its own investigation of a possible violation of the provisions of this chapter or Chapter 9.1 (§ 24.2-940) when it is of the opinion that the public interest will be served. In the conduct of its investigation, the Board shall have the authority to audit, or have audited, the reports and records of any person required to file reports by the provisions of this chapter and to compel the production of all financial records and statements necessary for the completion of its investigation or audit.

INTRODUCED

SB570