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SENATE BILL NO. 1277

Senate Amendments in [] — January 30, 2001

A *BILL to amend and reenact §§ 24.2-914 [, ~~24.2-914.1~~,] and 24.2-915 of the Code of Virginia, relating to the Campaign Finance Disclosure Act; reports of contributions and expenditures; and filing methods and requirements.*

Patrons Prior to Engrossment—Senators Wagner and Rerras

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

That §§ 24.2-914 [, ~~24.2-914.1~~,] and 24.2-915 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 computer-printed format or as provided in § 24.2-914.1. *A candidate who has received less than \$2,500 in contributions during the campaign, including the transfer of surplus funds from a prior campaign, may submit the form in legibly hand-printed format.* 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. *The State Board or local electoral board shall be authorized to accept a hand-printed form pending receipt of a typed or computer-printed form in the case of an emergency found by the Board or board sufficient to justify the temporary waiver of the requirement for a typed or computer-printed form for a period not to exceed five days.* 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 individual contributor, the occupation of the contributor, the name of his employer or principal business, and the locality where employed or where his business is located. For each such contributor, other than an individual, the place of business and principal business activity of the contributor.* For each such contributor ~~that is a corporation or other entity other than an individual,~~ 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 *specific* 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.

The report of disbursements shall itemize any expenditure made by credit card payment.

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.

[~~§ 24.2-914.1. Standards and requirements for electronic preparation and transmittal of campaign~~

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59 finance disclosure reports; database.

60 A. The State Board of Elections shall review or cause to be developed and shall approve standards
61 for the preparation, production, and transmittal by computer or electronic means of the reports of
62 contributions and expenditures required by this article (§~~24.2-914 et seq.~~). The State Board may
63 prescribe the method of execution and certification of electronically filed statements and the procedures
64 for receiving statements in the office of the State Board or by the local electoral boards.

65 B. 1. The State Board shall accept any report of contributions and expenditures filed by candidates
66 for the General Assembly, Governor, Lieutenant Governor, and Attorney General by computer or
67 electronic means in accordance with the standards approved by the State Board and using software
68 meeting standards approved by it.

69 2. A local electoral board may accept reports of contributions and expenditures filed by computer or
70 electronic means from any candidate or political committee that is required to file reports with that
71 board. Such reports shall be filed in accordance with, and using software that meets, standards approved
72 by the State Board. The electoral board shall promptly make the information that it accepts in this
73 manner available to the public through the global information system known as the Internet.

74 3. The State Board may provide software to filers without charge or at a reasonable cost.

75 C. On and after January 1, 2001, the State Board shall enter or cause to be entered into a campaign
76 finance database, available to the public through the global information system known as the Internet,
77 the information from required reports of contributions and expenditures filed by computer, electronic, or
78 other means by candidates for the General Assembly, Governor, Lieutenant Governor, and Attorney
79 General.

80 D. Candidates for Governor, Lieutenant Governor, and Attorney General shall file by computer or
81 electronic means in accordance with the standards approved by the State Board the reports required by
82 this article. Candidates for the General Assembly may file the reports required by this article with the
83 State Board by computer or electronic means in accordance with the standards approved by the State
84 Board. *On and after January 1, 2003, any candidate for the General Assembly who receives*
85 *contributions of more than \$10,000 during the campaign, including the transfer of surplus funds from a*
86 *prior campaign, shall file thereafter by computer or electronic means, in accordance with the standards*
87 *approved by the State Board, the reports required by this article.* This information shall be made
88 available to the public promptly by the State Board through the global information system known as the
89 Internet.

90 E. Other committee reports required by this chapter to be filed with the State Board or a local
91 electoral board, or both, may be filed electronically on terms agreed to by the committee and Board.]

92 § 24.2-915. With whom candidates to file reports; responsibility for reporting.

93 Electronic reports shall be filed by candidates for nomination or election for statewide office and the
94 General Assembly with the State Board. Nonelectronic reports for the General Assembly shall be filed
95 with the State Board and with the electoral board of the locality where the candidate resides, except as
96 otherwise provided in § 24.2-919. For any other office, candidates shall file with the electoral board of
97 the locality in which the candidate resides.

98 It is the joint responsibility of the candidate and his treasurer that the report of a candidate be filed,
99 that the report be in full and accurate detail, and that the report be received by the State Board, local
100 electoral board, or both, by the deadline for filing the report. [*Any report to be filed with the State*
101 *Board may be mailed. A candidate who has received less than \$2,500 in contributions during the*
102 *campaign, including the transfer of surplus funds from a prior campaign, may mail the report to the*
103 *State Board.* If mailed, the report must be postmarked not later than the deadline for filing, except as
104 provided in §~~24.2-919~~ for certain large pre-election contributions. *Any report to be filed with the State*
105 *Board may be mailed subject to the requirements of § 24.2-919 for certain large pre-election*
106 *contributions. If mailed, the report shall be (i) received by the State Board by the deadline for filing the*
107 *report or (ii) be transmitted to the State Board by telephonic transmission to a facsimile device by the*
108 *deadline for filing the report with an original copy of the report mailed to the State Board and*
109 *postmarked by the deadline for filing the report.*]