

2001 SESSION

LEGISLATION NOT PREPARED BY DLS INTRODUCED

019816406

SENATE BILL NO. 1383

Offered January 19, 2001

A BILL to amend and reenact § 24.2-940, of the Code of Virginia, relating to campaign fundraising; legislative sessions

Patrons—Byrne, Barry, Couric, Edwards, Hanger, Howell, Lambert, Lucas, Marsh, Marye, Maxwell, Miller, Y.B., Puckett, Puller, Reynolds, Saslaw and Whipple

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-940 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-940. Campaign fundraising; legislative sessions; penalties.

A. No member of the General Assembly or statewide official and no campaign committee of a member of the General Assembly or statewide official shall solicit or accept a contribution for the campaign committee of any member of the General Assembly or statewide official, or *solicit or accept a contribution* for any political committee, from any person or political committee on and after the first day of a regular session of the General Assembly through adjournment sine die of that session.

B. No person or political committee shall make or promise to make a contribution to a member of the General Assembly or statewide official or his campaign committee *or make or promise to make a contribution to any political committee in response to a solicitation from any such member or official* on and after the first day of a regular session of the General Assembly through adjournment sine die of that session.

C. The restrictions of this section shall not apply to a contribution (i) made by a member of the General Assembly or statewide official from his personal funds or (ii) made to the campaign committee of a candidate in a special election.

D. As used in this section:

"Adjournment sine die" means adjournment on the last legislative day of the regular session, and such session does not include the ensuing reconvened session;

"Campaign committee," "contribution," "person," and "political committee" shall be defined as provided in § 24.2-901 except that "contribution" shall not include money, services, or things of value in any way provided by a candidate to his own campaign and the payment by the candidate of any primary filing fee;

"Solicit" means request a contribution, orally or in writing, but shall not include a request for support of a candidate or his position on an issue; and

"Statewide official" means the Governor, Lieutenant Governor, and Attorney General, *any member of the Governor's cabinet or employee of a cabinet secretary and any employee of the offices of the Governor, Lieutenant Governor and Attorney General.*

E. Any person who violates, or aids, abets, or participates in the violation of, this section shall be subject to a civil penalty equal to the amount of the prohibited contribution or promised contribution or \$500, whichever amount is greater. The attorney for the Commonwealth shall initiate civil proceedings to enforce the civil penalty provided herein. Any civil penalties collected shall be payable to the State Treasurer for deposit to the general fund.

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SB1383