

VIRGINIA ACTS OF ASSEMBLY -- 2004 SESSION

CHAPTER 26

An Act to amend and reenact §§ 24.2-916, 24.2-917, and 24.2-923 of the Code of Virginia, relating to the Campaign Finance Disclosure Act; filing schedules.

[H 850]

Approved March 2, 2004

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-916, 24.2-917, and 24.2-923 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-916. Filing schedule for candidates for office generally.

A candidate for any office, other than as provided in § 24.2-917 for a local office to be filled at a May general election or in § 24.2-918 for certain special elections, shall file the prescribed reports of contributions and expenditures as follows:

1. Not later than July 15 in a nonelection year for the period January 1 through June 30;
2. Not later than January 15 following a nonelection year for the period July 1 through December 31;
3. In an election year, not later than April 15 for the period January 1 through March 31 and pursuant to subdivisions 4 through 9 of this section;
4. Not later than the eighth day before the June primary date complete through the thirteenth day before the primary date;
5. Not later than July 15 complete through June 30;
6. Not later than September 15 complete through August 31;
7. Not later than October 15 complete through September 30;
8. Not later than the eighth day before the November election date complete through the thirteenth day before the election date;
9. Not later than the thirtieth day after the November election date complete through the twenty-third day after the election date; and
10. Not later than January 15 following an election year complete through December 31, and then in accordance with subdivisions 1 and 2 or subdivisions 3 through 9, as appropriate, of this section until a final report is filed.

Any candidate, who was subject to the election year filing schedule set out in subdivisions 3 through 9 and who has not filed a final report, shall file reports in any subsequent election year for the same office in accordance with the election year filing schedule set out in subdivisions 3 through 9.

Any candidate shall also file the report of certain large pre-election contributions required by § 24.2-919, if applicable. The report required by subdivision 9 of this section shall not be applicable to political party committees.

§ 24.2-917. Filing schedule for candidates for offices filled at May general elections.

Any candidate for election to a local office to be filled at a May general election shall file the prescribed reports of contributions and expenditures as follows:

1. For municipal primary candidates only, not later than the eighth day before the primary date complete through the eleventh day before the primary;
2. Not later than the eighth day before the election date complete through the eleventh day before the election date;
3. Not later than June 15 of the election year complete through June 10;
4. Not later than July 15 of the election year complete through June 30; and
5. Not later than the following January 15 complete through December 31 and ~~annually~~ *semi-annually* thereafter, *not later than July 15 complete through June 30 and not later than January 15 complete through December 31*, until a final report is filed as provided in § 24.2-920.

Any candidate, who was subject to the election year filing schedule set out in subdivisions 1 through 5 and who has not filed a final report, shall file reports in any subsequent election year for the same office in accordance with the election year filing schedule set out in subdivisions 1 through 5.

Any candidate shall also file the report of certain large pre-election contributions required by § 24.2-919, if applicable.

§ 24.2-923. Filing schedule for persons and political committees.

A. Persons and political committees shall file the prescribed reports of contributions and expenditures with the State Board in accordance with the applicable schedule set out in subsections C, D, and E. The first filed report shall be complete for the entire period from the time the committee was organized or contributions were received. Each political party committee for a county, city, or local district that is required to file the prescribed reports shall also file the report with the local electoral board for its

jurisdiction.

B. The reporting requirements shall continue in effect for each committee until a final report is filed that sets forth (i) all receipts and disbursements not previously reported, (ii) an accounting of the retirement of all debts, and (iii) the disposition of all residual funds. The final report shall include a termination statement, signed by an officer of the committee, that all reporting is complete and final.

C. Persons and political committees shall file the prescribed reports of contributions and expenditures as follows:

1. Not later than July 15 complete from the preceding report through June 30; and

2. Not later than January 15 complete from the preceding report through December 31, and then continuing in accordance with this subsection until a final report is filed.

D. In addition to the semi-annual reports required by subsection C, persons and political committees shall file a pre-election report not later than the eighth day before the election date complete from the preceding report through the thirteenth day before the election date: (i) if previously unreported expenditures relating to a primary, special or general election totaling \$500 or more have been made to or on behalf of a single candidate for local office, \$1,000 or more have been made to or on behalf of a single candidate for the General Assembly, or \$5,000 or more have been made to or on behalf of a single candidate for Governor, Lieutenant Governor, or Attorney General; (ii) if previously unreported expenditures relating to a primary, special or general election totaling \$1,000 or more have been made to or on behalf of candidates for local office in a single locality, totaling \$2,500 or more have been made to or on behalf of candidates for the General Assembly, or \$7,500 or more have been made to or on behalf of candidates for Governor, Lieutenant Governor, and Attorney General; or (iii) if any previously unreported expenditure of \$500 or more has been made in the form of a contribution to any political committee or any political party committee, including any state, district, county, city, or local political party committee. Any person or political committee that would ~~be~~ *have been* required to file a pre-election report pursuant to this subsection except for the fact that ~~an expenditure made by it occurs~~ *its expenditures did not meet the criteria of this subsection until* after the thirteenth day before the election shall file a pre-election report ~~in accordance with the filing schedule and procedures set out in § 24.2-919 for certain large pre-election contributions complete from the preceding report filed by it through the day the criteria were met, within 24 hours of meeting the criteria; and such reports shall be reported in writing as provided in § 24.2-914 or electronically pursuant to § 24.2-914.1 and received by the State Board or local electoral board, as appropriate, by the end of the next business day.~~

E. Persons and political committees shall also file reports in accordance with the schedule for a general, special, or primary election set out in § 24.2-919 for certain large pre-election contributions only for the general, special, or primary election to which the contribution pertains.

F. The State Board shall provide for a "no activity" report that may be filed for any period set out in subsection C in which the filer has no activity to report.