

VIRGINIA ACTS OF ASSEMBLY -- 2004 SESSION

CHAPTER 441

An Act to amend and reenact §§ 24.2-904 and 24.2-908 of the Code of Virginia, relating to information required of candidates, campaign committees, and other persons and committees under the Campaign Finance Disclosure Act.

[H 682]

Approved April 12, 2004

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-904 and 24.2-908 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-904. Appointment of campaign treasurer; designation of campaign committee and depository.

A. Upon accepting any contribution for his candidacy, each candidate for nomination or election shall appoint a single campaign treasurer and may designate not more than one campaign committee to receive all contributions and make all expenditures for him or on his behalf in connection with his nomination or election and to file the reports required by this chapter. The payment of a primary filing fee by the candidate constitutes the acceptance of a contribution for the purposes of this section. At the same time he shall designate a campaign depository in a financial institution within the Commonwealth. He shall provide, on a form prescribed by the State Board, the name and address of the campaign treasurer, the name of the financial institution ~~and account number~~ for his campaign depository, and, if one, the name of the campaign committee. In the case of any candidate who seeks election for successive terms in the same office, the form filed by the candidate shall continue in effect for such successive elections, but the candidate shall file notice of any changes in the information provided on the form within 10 days of the change with the State Board, local electoral board, or both, as appropriate.

He shall file the form with the (i) electoral board of the county or city in which he resides if he is a candidate for local office, (ii) electoral board of the county or city in which he resides and the State Board if he is a candidate for the General Assembly, or (iii) State Board if he is a candidate for statewide office. Every treasurer so appointed shall accept the appointment, in writing on the form, prior to the filing thereof. No individual shall act as treasurer unless the required statement of appointment shall have been filed. No individual shall be appointed or act as treasurer in any election who is not a qualified voter of the Commonwealth. The same person may serve as campaign treasurer for more than one candidate.

B. In the event of the death, resignation, removal, or change of the treasurer, the candidate shall designate a successor and file the name and address of the successor within 10 days of the change with the State Board, local electoral board, or both, as provided in subsection A.

C. Any candidate who fails to appoint and report the appointment of a treasurer or successor treasurer shall be deemed to have appointed himself treasurer and shall comply as such with the provisions of this chapter.

§ 24.2-908. Statement of organization.

A. Except as provided in subsection B, each political committee which anticipates receiving contributions or making expenditures in excess of \$200 in a calendar year shall file with the State Board a statement of organization (i) within ~~ten~~ 10 days after its organization or, if later, within ~~ten~~ 10 days after the date on which it has information which causes the committee to anticipate it will receive contributions or make expenditures in excess of \$200 or on which it otherwise becomes subject to the provisions of this chapter, and (ii) annually thereafter by January 15.

The statement of organization shall include:

1. The name of the committee and its address in the Commonwealth;
2. The names, addresses, and relationships of affiliated or connected organizations;
3. The area, scope, or jurisdiction of the committee;
4. The name, business address, and position of the custodian, if any, of books and accounts and his residence address in the Commonwealth;
5. The name, residence address, and position of other principal officers, including officers and members of the finance committee, if any, and including at least one principal officer who is a resident of the Commonwealth, who serves as treasurer or chief executive officer of the committee, and who shall be deemed the agent of the committee for the purpose of service of process on the committee;
6. The name, address, office sought, and party affiliation of each individual whom the committee is supporting or opposing for nomination or for election to any public office whatever or, if supporting the entire ticket of any party, the name of the party;
7. In the event the committee is promoting or opposing a referendum, the subject of the referendum, the date and location of the election, and a statement whether the committee is promoting or opposing

the referendum question;

8. In the case of an inaugural fund committee, the name, address, and office to which elected of the person on whose behalf the committee is organized;

9. A statement whether the committee is a continuing one;

10. The disposition of residual funds which will be made in the event of dissolution;

11. The designated sole depository to be used for the receipt and holding of funds and contributions received by the committee, in an account in a financial institution within the Commonwealth; and

12. Such other information as shall be required by the State Board *except that the account number for the designated sole depository account shall not be required.*

Any change in information previously submitted in a statement of organization shall be reported to the State Board within ~~ten~~ 10 days following the change.

Any committee which, after having filed one or more statements of organization, disbands or determines it will no longer receive contributions or make expenditures during the calendar year in an aggregate amount exceeding \$200 shall so notify the State Board.

B. Notwithstanding the provisions of subsection A, a political committee that is established or controlled by a corporation doing business in Virginia or a national political party committee shall provide the following information in its statement of organization in lieu of the information required in subdivisions 1, 4, 5, and 11 of subsection A:

1. The name and address of the committee;

2. The name, residence and business addresses, and position of the custodian, if any, of books and accounts;

3. The name, residence address, and position of other principal officers, including officers and members of the finance committee, if any; and

4. A listing of all banks, safe-deposit boxes, or other repositories used.