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**SENATE BILL NO. 268**

Offered January 14, 2004

Prefiled January 14, 2004

*A BILL to amend the Code of Virginia by adding in Article 2 of Chapter 9 of Title 24.2 a section numbered 24.2-907.1 and to add in Article 5 of Chapter 9 of Title 24.2 a section numbered 24.2-931, relating to the Campaign Finance Disclosure Act; in-kind contributions and penalties.*

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Patron—Potts

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Referred to Committee on Privileges and Elections

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 2 of Chapter 9 of Title 24.2 a section numbered 24.2-907.1 and to add in Article 5 of Chapter 9 of Title 24.2 a section numbered 24.2-931, as follows:**

*§ 24.2-907.1. Candidate authorization for in-kind contributions.*

*No in-kind contribution having a value of more than \$1,000 shall be made to a candidate in support of his campaign without the written authorization of the candidate. The in-kind contribution shall be reported by the candidate, and if so required shall be reported by the maker of the in-kind contribution, in accordance with the reporting requirements of this chapter. A copy of the candidate's written authorization shall be retained by the candidate and by the maker of the in-kind contribution. For the purposes of this section, in-kind contributions may include, without limitation, advertisements as defined in § 24.2-942.*

*§ 24.2-931. Civil penalty for failure to report in-kind contributions.*

*In addition to the penalties provided in §§ 24.2-929 and 24.2-930, the State Board shall assess a civil penalty of \$50,000 against any candidate who fails to report the receipt of an in-kind contribution having a value of more than \$1,000 and against any person or any political committee who fails to report the making of an in-kind contribution having a value of more than \$1,000 to the candidate as provided in § 24.2-907 and as otherwise required to be reported pursuant to the provisions of this chapter. Upon notice by the State Board of an assessment pursuant to this section, the attorney for the Commonwealth of the City of Richmond shall initiate civil proceedings to enforce the civil penalty provided herein. Any civil penalty collected pursuant to this section shall be payable to the State Treasurer for deposit to the general fund. The State Board shall notify the public through the Internet of any penalty assessed pursuant to this section and the identity of the candidate, person, or committee subject to the assessment.*

INTRODUCED

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