

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 2.2-3117 of the Code of Virginia, relating to statements of economic interests; judges.

[S 165]

Approved

Be it enacted by the General Assembly of Virginia:**1. That § 2.2-3117 of the Code of Virginia is amended and reenacted as follows:**

§ 2.2-3117. Disclosure form.

The disclosure form to be used for filings required by § 2.2-3114 A and D, and § 2.2-3115 A and D shall be substantially as follows:

STATEMENT OF ECONOMIC INTERESTS.

Name

Office or position held or sought

~~Home address~~ Address

Names of members of immediate family

DEFINITIONS AND EXPLANATORY MATERIAL.

"Immediate family" means (i) a spouse and (ii) any other person residing in the same household as the officer or employee, who is a dependent of the officer or employee or of whom the officer or employee is a dependent.

"Dependent" means any person, whether or not related by blood or marriage, who receives from the officer or employee, or provides to the officer or employee, more than one-half of his financial support.

"Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust or foundation, or any other individual or entity carrying on a business or profession, whether or not for profit.

"Close financial association" does not mean an association based on the receipt of retirement benefits or deferred compensation from a business by which the person filing this statement is no longer employed. "Close financial association" does not include an association based on the receipt of compensation for work performed by the person filing as an independent contractor of a business that represents an entity before any state governmental agency when the person filing has had no communications with the state governmental agency.

"Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. "Gift" shall not include any offer of a ticket or other admission or pass unless the ticket, admission, or pass is used. "Gift" shall not include honorary degrees and presents from relatives. "Relative" means the donee's spouse, child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother, or sister; or the donee's brother's or sister's spouse.

TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust, treat the trust's assets as if you own them directly. If you or your immediate family has a proportional interest in a trust, treat that proportion of the trust's assets as if you own them directly. For example, if you and your immediate family have a one-third interest in a trust, complete your Statement as if you own one-third of each of the trust's assets. If you or a member of your immediate family created a trust and can revoke it without the beneficiaries' consent, treat its assets as if you own them directly.

REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required on this Statement must be provided on the basis of the best knowledge, information and belief of the individual filing the Statement as of the date of this report unless otherwise stated.

COMPLETE ITEMS 1 THROUGH 10. REFER TO SCHEDULES ONLY IF DIRECTED.

You may attach additional explanatory information.

1. Offices and Directorships.

Are you or a member of your immediate family a paid officer or paid director of a business?

EITHER check NO / / OR check YES / / and complete Schedule A.

2. Personal Liabilities.

Do you or a member of your immediate family owe more than \$10,000 to any

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one creditor including contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property at least equal in value to the loan.)

EITHER check NO / / OR check YES / / and complete Schedule B.

3. Securities.

Do you or a member of your immediate family, directly or indirectly, separately or together, own securities valued in excess of \$10,000 invested in one business? Account for mutual funds, limited partnerships and trusts.

EITHER check NO / / OR check YES / / and complete Schedule C.

4. Payments for Talks, Meetings, and Publications.

During the past 12 months did you receive lodging, transportation, money, or anything else of value with a combined value exceeding \$200 for a single talk, meeting, or published work in your capacity as an officer or employee of your agency?

EITHER check NO / / OR check YES / / and complete Schedule D.

5. Gifts.

During the past 12 months did a business, government, or individual other than a relative or personal friend (i) furnish you with any gift or entertainment at a single event, and the value received by you exceeded \$50 in value or (ii) furnish you with gifts or entertainment in any combination and the value received by you exceeded \$100 in total value; and for which you neither paid nor rendered services in exchange? Account for entertainment events only if the average value per person attending the event exceeded \$50 in value. Account for all business entertainment (except if related to your private profession or occupation) even if unrelated to your official duties.

EITHER check NO / / OR check YES / / and complete Schedule E.

6. Salary and Wages.

List each employer that pays you or a member of your immediate family salary or wages in excess of \$10,000 annually. (Exclude state or local government or advisory agencies.)

If no reportable salary or wages, check here / /.

.....
.....
.....

7. Business Interests.

Do you or a member of your immediate family, separately or together, operate your own business, or own or control an interest in excess of \$10,000 in a business?

EITHER check NO / / OR check YES / / and complete Schedule F.

8. Payments for Representation and Other Services.

8A. Did you represent any businesses before any state governmental agencies, excluding courts or judges, for which you received total compensation during the past 12 months in excess of \$1,000, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers? (Officers and employees of local governmental and advisory agencies do NOT need to answer this question or complete Schedule G-1.)

EITHER check NO / / OR check YES / / and complete Schedule G-1.

8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial association (partners, associates or others) represent any businesses before any state governmental agency for which total compensation was received during the past 12 months in excess of \$1,000? (Officers and employees of local governmental and advisory agencies do

- 112 NOT need to answer this question or complete Schedule G-2.)
 113 EITHER check NO / / OR check YES / / and complete Schedule G-2.
 114 8C. Did you or persons with whom you have a close financial association
 115 furnish services to businesses operating in Virginia for which total
 116 compensation in excess of \$1,000 was received during the past 12 months?
 117 EITHER check NO / / OR check YES / / and complete Schedule G-3.
 118 9. Real Estate.
 119 9A. State Officers and Employees.
 120 Do you or a member of your immediate family hold an interest, including
 121 a partnership interest, valued at \$10,000 or more in real property
 122 (other than your principal residence) for which you have not already
 123 listed the full address on Schedule F? Account for real estate held in
 124 trust.
 125 EITHER check NO / / OR check YES / / and complete Schedule H-1.
 126 9B. Local Officers and Employees.
 127 Do you or a member of your immediate family hold an interest, including
 128 a partnership interest, valued at \$10,000 or more in real property
 129 located in the county, city or town in which you serve or in a county,
 130 city or town contiguous to the county, city or town in which you serve
 131 (other than your principal residence) for which you have not already
 132 listed the full address on Schedule F? Account for real estate held in
 133 trust.
 134 EITHER check NO / / OR check YES / / and complete Schedule H-2.
 135 10. Real Estate Contracts with Governmental Agencies.
 136 Do you or a member of your immediate family hold an interest valued at
 137 more than \$10,000 in real estate, including a corporate, partnership, or
 138 trust interest, option, easement, or land contract, which real estate is
 139 the subject of a contract, whether pending or completed within the past
 140 12 months, with a governmental agency? If the real estate contract
 141 provides for the leasing of the property to a governmental agency, do
 142 you or a member of your immediate family hold an interest in the real
 143 estate valued at more than \$1,000? Account for all such contracts
 144 whether or not your interest is reported in Schedule F, H-1, or H-2.
 145 This requirement to disclose an interest in a lease does not apply to an
 146 interest derived through an ownership interest in a business unless the
 147 ownership interest exceeds three percent of the total equity of the
 148 business.
 149 EITHER check NO / / OR check YES / / and complete Schedule I.
 150 Statements of Economic Interests are open for public inspection.

151 AFFIRMATION BY ALL FILERS.

152 I swear or affirm that the foregoing information is full, true and correct
 153 to the best of my knowledge.
 154 Signature
 155 Commonwealth of Virginia
 156 of to wit:
 157 The foregoing disclosure form was acknowledged before me
 158 This day of, 20. . . , by
 159 Notary Public
 160 My commission expires
 161 (Return only if needed to complete Statement.)

162 SCHEDULES 163 To 164 STATEMENT OF ECONOMIC INTERESTS.

NAME

SCHEDULE A - OFFICES AND DIRECTORSHIPS.

Identify each business of which you or a member of your immediate family is a paid officer or paid director.

Name of Business	Address of Business	Position Held
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----

RETURN TO ITEM 2

SCHEDULE B - PERSONAL LIABILITIES.

Report personal liability by checking each category. Report only debts in excess of \$10,000. Do not report debts to any government. Do not report loans secured by recorded liens on property at least equal in value to the loan.

Report contingent liabilities below and indicate which debts are contingent.

1. My personal debts are as follows:

Check appropriate categories	Check one \$10,001 to \$50,000	Check one More than \$50,000
Banks	-----	-----
Savings institutions	-----	-----
Other loan or finance companies	-----	-----
Insurance companies	-----	-----
Stock, commodity or other brokerage companies	-----	-----
Other businesses: (State principal business activity for each creditor.)	-----	-----
-----	-----	-----
Individual creditors: (State principal business or occupation of each creditor.)	-----	-----
-----	-----	-----

2. The personal debts of the members of my immediate family are as follows:

Check appropriate categories	Check one \$10,001 to \$50,000	Check one More than \$50,000
Banks	-----	-----
Savings institutions	-----	-----
Other loan or finance companies	-----	-----
Insurance companies	-----	-----
Stock, commodity or other brokerage companies	-----	-----
Other businesses:	-----	-----

221 (State principal business activity
222 for each creditor.)

225 Individual creditors:

226 (State principal business or
227 occupation of each creditor.)

RETURN TO ITEM 3

230 SCHEDULE C - SECURITIES.

232 "Securities" INCLUDES stocks, bonds,
233 mutual funds, limited partnerships,
234 and commodity futures contracts.

"Securities" EXCLUDES
certificates of deposit,
money market funds, annuity
contracts, and insurance
policies.

237 Identify each business or Virginia governmental entity in which you or a
238 member of your immediate family, directly or indirectly, separately or
239 together, own securities valued in excess of \$10,000.

241 Do not list U.S. Bonds or other government securities not issued by the
242 Commonwealth of Virginia or its authorities, agencies, or local
243 governments. Do not list organizations that do not do business in this
244 Commonwealth, but most major businesses conduct business in Virginia.
245 Account for securities held in trust.

246 If no reportable securities, check here / /.

				Check one
		Type of Security		More
		(stocks, bonds, mutual	\$10,001 to	than
Name of Issuer	Type of Entity	funds, etc.)	\$50,000	\$50,000
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----

RETURN TO ITEM 4

261 SCHEDULE D - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

262 List each source from which you received during the past 12 months
263 lodging, transportation, money, or any other thing of value (excluding
264 meals or drinks coincident with a meeting) with combined value exceeding
265 \$200 for your presentation of a single talk, participation in one
266 meeting, or publication of a work in your capacity as an officer or
267 employee of your agency.

269 List payments or reimbursements by an advisory or governmental agency
270 only for meetings or travel outside the Commonwealth.

272 List a payment even if you donated it to charity.

273 Do not list information about a payment if you returned it within 60
274 days or if you received it from an employer already listed under Item 6
275 or from a source of income listed on Schedule F.

276 If no payment must be listed, check here / /.

277	-----	-----	-----	-----
278	-----	-----	-----	-----
279				Type of payment
280				(e.g. honoraria,
281				travel reimburse-
282	Payer	Approximate Value	Circumstances	ment, etc.)
283	-----	-----	-----	-----
284	-----	-----	-----	-----
285	-----	-----	-----	-----
286	-----	-----	-----	-----
287	-----	-----	-----	-----
288	-----	-----	-----	-----

RETURN TO ITEM 5

SCHEDULE E - GIFTS.

List each business, governmental entity, or individual that, during the past 12 months, (i) furnished you with any gift or entertainment at a single event and the value received by you exceeded \$50 in value, or (ii) furnished you with gifts or entertainment in any combination and the value received by you exceeded \$100 in total value; and for which you neither paid nor rendered services in exchange. List each such gift or event. Do not list entertainment events unless the average value per person attending the event exceeded \$50 in value. Do not list business entertainment related to your private profession or occupation. Do not list gifts or other things of value given by a relative or personal friend for reasons clearly unrelated to your public position. Do not list campaign contributions publicly reported as required by ~~Chapter 9~~ (~~§ 24.2-900 et seq.~~) Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2 of the Code of Virginia.

305	-----	-----	-----	-----
306	-----	-----	-----	-----
307	Name of Business,	City or		
308	Organization, or	County	Gift or	
309	Individual	and State	Event	Approximate Value
310	-----	-----	-----	-----
311	-----	-----	-----	-----
312	-----	-----	-----	-----
313	-----	-----	-----	-----
314	-----	-----	-----	-----
315	-----	-----	-----	-----

RETURN TO ITEM 6

SCHEDULE F - BUSINESS INTERESTS.

Complete this Schedule for each self-owned or family-owned business (including rental property, a farm, or consulting work), partnership, or corporation in which you or a member of your immediate family, separately or together, own an interest having a value in excess of \$10,000.

If the enterprise is owned or operated under a trade, partnership, or corporate name, list that name; otherwise, merely explain the nature of the enterprise. If rental property is owned or operated under a trade, partnership, or corporate name, list the name only; otherwise, give the address of each property. Account for business interests held in trust.

329	-----	-----
330	-----	-----
331	Name of Business,	Gross income
332	Corporation,	

Partnership, Farm; Address of Rental Property	City or County and State	Nature of Enterprise (farming, law, rental property, etc.)	\$50,000 or less	More than \$50,000
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----

RETURN TO ITEM 8

SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

List the businesses you represented before any state governmental agency, excluding any court or judge, for which you received total compensation during the past 12 months in excess of \$1,000, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers filed by you.

Identify each business, the nature of the representation and the amount received by dollar category from each such business. You may state the type, rather than name, of the business if you are required by law not to reveal the name of the business represented by you.

Only STATE officers and employees should complete this Schedule.

Name of Busi- ness	Type of Busi- ness	Pur- pose of Repre- senta- tion	Name of Agen- cy	\$1,001 to \$10,000	\$10,001 to \$50,000	\$50,001 to \$100,000	Amount Received \$100,001 to \$250,000	\$250,001 and over
-----	-----	-----	-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----	-----	-----	-----

SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

List the businesses that have been represented before any state governmental agency, excluding any court or judge, by persons who are your partners, associates or others with whom you have a close financial association and who received total compensation in excess of \$1,000 for such representation during the past 12 months, excluding representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers filed by your partners, associates or others with whom you have a close financial association.

Identify such businesses by type and also name the state governmental agencies before which such person appeared on behalf of such businesses.

Only STATE officers and employees should complete this Schedule.

389	Type of business	Name of state governmental agency					
390	-----	-----					
391	-----	-----					
392	-----	-----					
393	-----	-----					
394	-----	-----					
395	-----	-----					
396	SCHEDULE G-3 - PAYMENTS FOR SERVICES GENERALLY.						
397	Indicate below types of businesses that operate in Virginia to which						
398	services were furnished by you or persons with whom you have a close						
399	financial association and for which total compensation in excess of						
400	\$1,000 was received during the past 12 months.						
401	Identify opposite each category of businesses listed below (i) the type						
402	of business, (ii) the type of service rendered and (iii) the value by						
403	dollar category of the compensation received for all businesses falling						
404	within each category.						
405	-----						
406	-----						
407							
408							Value of Compensation
409		Check	Type				
410		if	of				
411		ser-	ser-				
412		vices	vice				
413		were	ren-				
414		ren-	dered				
415		dered		\$1,001	\$10,001	\$50,001	\$100,001 \$250,001
416				to	to	to	to and
417				\$10,000	\$50,000	\$100,000	\$250,000 over
418	Electric utilities	-----	----	-----	-----	-----	-----
419	Gas utilities	-----	----	-----	-----	-----	-----
420	Telephone utilities	-----	----	-----	-----	-----	-----
421	Water utilities	-----	----	-----	-----	-----	-----
422	Cable television						
423	companies	-----	----	-----	-----	-----	-----
424	Interstate						
425	transportation						
426	companies	-----	----	-----	-----	-----	-----
427	Intrastate						
428	transportation						
429	companies	-----	----	-----	-----	-----	-----
430	Oil or gas retail						
431	companies	-----	----	-----	-----	-----	-----
432	Banks	-----	----	-----	-----	-----	-----
433	Savings						
434	institutions	-----	----	-----	-----	-----	-----
435	Loan or finance						
436	companies	-----	----	-----	-----	-----	-----
437	Manufacturing						
438	companies						
439	(state type						
440	of product,						
441	e.g., textile,						
442	furniture, etc.)	-----	----	-----	-----	-----	-----
443	Mining companies	-----	----	-----	-----	-----	-----
444	Life insurance						

445 companies -----
 446 Casualty insurance -----
 447 companies -----
 448 Other insurance -----
 449 companies -----
 450 Retail companies -----
 451 Beer, wine or -----
 452 liquor companies -----
 453 or distributors -----
 454 Trade associations -----
 455 Professional -----
 456 associations -----
 457 Associations of -----
 458 public employees -----
 459 or officials -----
 460 Counties, cities -----
 461 or towns -----
 462 Labor organizations -----
 463 Other -----
 464 -----
 465 -----
 466 -----
 467 -----

RETURN TO ITEM 9

468 SCHEDULE H-1 - REAL ESTATE - STATE OFFICERS AND EMPLOYEES.

469 List real estate other than your principal residence in which you or a
 470 member of your immediate family holds an interest, including a
 471 partnership interest, option, easement, or land contract, valued at
 472 \$10,000 or more. You may list each parcel of real estate individually if
 473 you wish.
 474 -----
 475 -----

477 List each location	Describe the type of real	If the real estate is
478 (state, and county	estate you own in each	owned or recorded in
479 or city) where you	location (business, recre-	a name other than
480 own real estate.	ational, apartment, com-	your own, list that
481	mercial, open land, etc.).	name.
482 -----	-----	-----
483 -----	-----	-----
484 -----	-----	-----
485 -----	-----	-----
486 -----	-----	-----
487 -----	-----	-----
488 -----	-----	-----
489 -----	-----	-----
490 -----	-----	-----

492 SCHEDULE H-2 - REAL ESTATE - LOCAL OFFICERS AND EMPLOYEES.

493 List real estate located in your county, city, or town, and any
 494 contiguous county, city, or town other than your principal residence in
 495 which you or a member of your immediate family holds an interest,
 496 including a partnership interest, option, easement, or land contract,
 497 valued at \$10,000 or more. You may list each parcel of real estate
 498 individually if you wish.
 499 -----
 500 -----

501			
502	List each location	Describe the type of real	If the real estate is
503	(state, and county	estate you own in each	owned or recorded in
504	or city) where you	location (business, recre-	a name other than
505	own real estate.	ational, apartment, com-	your own, list that
506		mercial, open land, etc.).	name.
507	-----	-----	-----
508	-----	-----	-----
509	-----	-----	-----
510	-----	-----	-----
511	-----	-----	-----
512	-----	-----	-----
513	-----	-----	-----
514	-----	-----	-----
515	-----	-----	-----

516

517 RETURN TO ITEM 10

518 SCHEDULE I - REAL ESTATE CONTRACTS WITH GOVERNMENTAL AGENCIES.

519 List all contracts, whether pending or completed within the past 12

520 months, with a governmental agency for the sale or exchange of real

521 estate in which you or a member of your immediate family holds an

522 interest, including a corporate, partnership or trust interest, option,

523 easement, or land contract, valued at \$10,000 or more. List all

524 contracts with a governmental agency for the lease of real estate in

525 which you or a member of your immediate family holds such an interest

526 valued at \$1,000 or more. This requirement to disclose an interest in a

527 lease does not apply to an interest derived through an ownership

528 interest in a business unless the ownership interest exceeds three

529 percent of the total equity of the business.

530 State officers and employees report contracts with state agencies.

531 Local officers and employees report contracts with local agencies.

532 -----

533 -----

534			
535	List your real estate	List each governmental	State the annual
536	interest and the	agency which is a	income from the
537	person or entity,	party to the contract	contract, and the
538	including the type	and indicate the	amount, if any, of
539	of entity, which	county or city where	income you or any
540	is party to	the real estate	immediate family
541	the contract.	is located.	member derives
542	Describe any		annually from the
543	management role and		contract.
544	the percentage		
545	ownership		
546	interest you or your		
547	immediate family		
548	member has in the real		
549	estate or entity.		
550	-----	-----	-----
551	-----	-----	-----
552	-----	-----	-----
553	-----	-----	-----
554	-----	-----	-----
555	-----	-----	-----
556	-----	-----	-----