

2007 SESSION

LEGISLATION NOT PREPARED BY DLS
INTRODUCED

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HOUSE BILL NO. 3012

Offered January 10, 2007

Prefiled January 10, 2007

A BILL to amend the Code of Virginia by adding in Title 24.2 a chapter numbered 9.4:1, consisting of a section numbered 24.2-954.1, relating to certain prohibited campaign contributions to members of local governing bodies; disclosure requirements; civil penalties.

Patron—Frederick

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 Title 24.2 a chapter numbered 9.4:1, consisting of a section numbered 24.2-954.1, as follows:

CHAPTER 9.4:1.

PROHIBITED CAMPAIGN CONTRIBUTIONS TO LOCAL GOVERNING BODY MEMBERS; SPECIAL DISCLOSURE REQUIREMENTS.

§ 24.2-954.1. Certain campaign contributions prohibited.

A. No member of the governing body of any county, city, or town and no campaign committee of a member of the governing body of any county, city, or town shall solicit or accept a contribution for the campaign of the member from any person who has a personal interest in a transaction pending before the governing body while such matter is pending or during the 90 days following final action by the governing body on the matter.

B. No person shall make or promise to make a contribution to a member of the governing body of any county, city, or town or to the campaign committee of a member of the governing body of any county, city, or town if that person has a personal interest in a transaction pending before the governing body while such matter is pending or during the 90 days following action by the governing body on the matter.

C. Prior to voting on a transaction, a member of the governing body of any county, city, or town shall be required to disclose to the best of his knowledge and belief the fact that he has received, at any time during the year before the time for the vote on the transaction, campaign contributions totaling \$500 or more from any person who has a personal interest in the pending transaction. The member shall state (i) the transaction involved, (ii) the amount of contributions received, and (iii) the name of the person making the contributions. The disclosure statement shall be made a part of the public record and be retained with the records of the governing body for a period of five years. The member who makes such disclosure shall not be required to disqualify himself from voting on the transaction by reason of such disclosure.

D. As used in this section:

"Campaign committee," "contribution," and "person," shall be defined as provided in § 24.2-945.1 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;

"Personal interest in a transaction" shall be defined as provided in § 2.2-3101; and

"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.

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, promised, or disclosed contribution or \$500, whichever amount is greater. The attorney for the Commonwealth for the appropriate county, city, or town shall initiate civil proceedings to enforce the civil penalty provided herein. Any civil penalties collected shall be payable to the treasurer of the county, city, or town for deposit to the general fund of the county, city, or town.

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