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HOUSE BILL NO. 1634

House Amendments in [] - January 16, 2009

A *BILL to amend and reenact § 24.2-954 of the Code of Virginia, relating to campaign finance; prohibited activities during regular sessions of the General Assembly.*

Patron Prior to Engrossment—Delegate Saxman

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:**1. That § 24.2-954 of the Code of Virginia is amended and reenacted as follows:**

§ 24.2-954. Campaign fundraising; legislative sessions; penalties.

A. No member of the General Assembly or statewide official and no campaign committee of a member of the General Assembly or statewide official shall solicit or accept a contribution for the campaign committee of any member of the General Assembly or statewide official, or for any political committee, from any person or political committee on and after the first day of a regular session of the General Assembly through adjournment sine die of that session. *No member of the General Assembly or statewide official shall attend any [fundraising] event on and after the first day of a regular session of the General Assembly through adjournment sine die of that session that is sponsored by a political party committee, a lobbyist registered pursuant to § 2.2-418 et seq., or any organization, group, or person from whom that member or statewide official had received a campaign contribution during the period preceding the regular session including the immediately preceding calendar year and any portion of the year of the regular session.*

B. No person or political committee shall make or promise to make a contribution to a member of the General Assembly or statewide official or his campaign committee on and after the first day of a regular session of the General Assembly through adjournment sine die of that session.

C. The restrictions of this section shall not apply to a contribution (i) made by a member of the General Assembly or statewide official from his personal funds or (ii) made to the campaign committee of a candidate in a special election.

D. As used in this section:

"Adjournment sine die" means adjournment on the last legislative day of the regular session, and such session does not include the ensuing reconvened session;

"Campaign committee," "contribution," ["*expenditure*,"] "person," and "political committee" 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;

["*Fundraising event*" means any event that generates any contributions that are reportable, or is paid for in whole or in part by any expenditures that are reportable, under the terms of the Campaign Finance Disclosure Act, Chapter 9.3 (§ 24.2-945 et seq.) of this title or under federal law and within the jurisdiction of the Federal Election Commission.]

"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; and

"Statewide official" means the Governor, Lieutenant Governor, and Attorney General.

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 contribution or promised contribution or \$500, whichever amount is greater. The attorney for the Commonwealth shall initiate civil proceedings to enforce the civil penalty provided herein. Any civil penalties collected shall be payable to the State Treasurer for deposit to the general fund.

ENGROSSED

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