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HOUSE BILL NO. 1635

House Amendments in [] - February 6, 2009

A *BILL to amend and reenact § 30-123 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 30-111.1, relating to the General Assembly Conflicts of Interests Act; special reports for gifts made to legislators during a session; penalties.*

Patron Prior to Engrossment—Delegate Saxman

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That § 30-123 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 30-111.1 as follows:

[§ 30-111.1. Special reports for gifts made to legislators during a session.

Each member of the General Assembly who receives a gift during a regular, special, or reconvened session that will be reportable on Schedule E of the annual disclosure form set out in § 30-111 shall file with the clerk of his house a special Schedule E disclosure form to report the receipt of the gift on the day following his receipt of the gift. Special Schedule E disclosure forms shall be provided by the clerk of each house.

The special Schedule E disclosure form filed pursuant to this section shall not require notarization but shall conclude with the signature of the member following the statement: "I swear or affirm that the foregoing information is full, true, and correct to the best of my knowledge."

Any member who makes a knowing misstatement of a material fact on a special Schedule E disclosure form filed pursuant to this section or who fails to file a special Schedule E disclosure form required by this section shall be subject to disciplinary action by his house for such violation.

§ 30-111.1. Gifts made to legislators prohibited.

No member of the General Assembly may receive a gift as defined in § 30-111 during a regular, special, or reconvened session of the General Assembly.]

§ 30-123. Knowing violation of chapter a misdemeanor.

Any legislator who knowingly violates any of the provisions of Articles 2 through 5 (§§ 30-102 through 30-114) 30-111.1 of this chapter shall be guilty of a Class 1 misdemeanor. A knowing violation under this section is one in which the person engages in conduct, performs an act or refuses to perform an act when he knows that the conduct is prohibited or required by this chapter. There shall be no prosecution for a violation of § 30-108 or subsection C of § 30-110 unless the house in which the member sits has referred the matter to the Attorney General as provided in subdivision 4 of § 30-116.

[2. That an emergency exists and this act is in force from its passage.]

ENGROSSED

HB1635E