

VIRGINIA ACTS OF ASSEMBLY -- 2011 SESSION

CHAPTER 163

An Act to amend and reenact § 12.1-10 of the Code of Virginia, relating to State Corporation Commission conflicts of interests.

[S 1131]

Approved March 15, 2011

Be it enacted by the General Assembly of Virginia:

1. That § 12.1-10 of the Code of Virginia is amended and reenacted as follows:

§ 12.1-10. Prohibited conflicts of interests.

A. As used in this section, "member of the immediate family of a member, subordinate, or employee of the Commission" means (i) a spouse of a member, subordinate, or employee of the Commission or (ii) any other person who resides in the same household as a member, subordinate, or employee of the Commission and (a) who is a dependent of a member, subordinate, or employee of the Commission or (b) of whom a member, subordinate, or employee of the Commission is a dependent.

B. The members of the Commission and its subordinates and employees shall not, directly or indirectly, own any securities of, have any pecuniary interest in, or hold any position with any ~~corporation~~ entity whose rates, services, or financial ability to meet its obligations to the public are subject to supervision or regulation by the Commission; nor shall any such person engage in the private practice of law. *If a member of the immediate family of a member, subordinate, or employee of the Commission is employed by any entity whose rates, services, or financial ability to meet its obligations to the public is subject to supervision or regulation by the Commission, the member, subordinate, or employee of the Commission shall recuse himself from and not participate in any regulatory matter at the Commission in which such entity is a party.*

C. This section shall not prevent any such person from being a policyholder in any insurance company; from being a depositor in any bank, savings institution, or similar institution; or from being a holder of a security issued by a unit investment trust or management company as those terms are defined in the Investment Company Act of 1940 and in accordance with such rules as the Commission may adopt.

D. Any member of the Commission who violates this section may be censured or removed from office in the manner provided by Article VI, Section 10 of the Constitution of Virginia. Any subordinate or employee of the Commission who violates this section may be removed from office by the Commission.