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HOUSE BILL NO. 533

Offered January 8, 2014

Prefiled January 6, 2014

A *BILL to amend the Code of Virginia by adding a section numbered 2.2-119.1, relating to the Governor; use of public media to influence proposed executive or legislative action prohibited; exception.*

Patron—Marshall, R.G.

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-119.1 as follows:

§ 2.2-119.1. Governor to restrict Virginia Department of Transportation's and Commonwealth Transportation Board's use of public media to influence proposed executive or legislative action; exception.

A. The Governor shall ensure that neither the Virginia Department of Transportation nor the Commonwealth Transportation Board uses or attempts to use appropriated funds or grant or contract funds to solicit pressure on state or local government officials in relation to pending or proposed executive or legislative matters relating to any proposed safety-related or congestion management-related highway project or program through the use of public media.

B. The provisions of this section shall not include (i) the publication of notices in accordance with the Virginia Public Procurement Act (§ 2.2-4300 et seq.), the Public-Private Transportation Act of 1995 (§ 56-556 et seq.), or the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.); (ii) the soliciting of public comment or soliciting as may be required or permitted by law; or (iii) other ministerial acts if there is no attempt to use appropriated funds in violation of subsection A.

C. For the purposes of this section:

"Public media" means print, radio, television, and Internet-based communication systems or other methods of communicating information to the public, including digital or other billboards, cards, newspapers, newspaper inserts, magazines, printed material disseminated through the mail, pamphlets, fliers, bumper stickers, periodicals, websites, electronic mail, and outdoor advertising facilities.

2. That the provisions of this act shall not be construed to inhibit the necessary flow of information and communication between the executive and legislative branches of government or between state and local governments, but are intended to prevent any inappropriate or undue influence on executive or legislative matters or processes.

INTRODUCED

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