	14101582D
1	SENATE BILL NO. 274
2	Offered January 8, 2014
3	Prefiled January 5, 2014
4	A BILL to amend and reenact §§ 2.2-3103, 2.2-3114, 2.2-3115, 2.2-3117, 30-103, 30-110, and 30-111 of
4 5	the Code of Virginia, relating to State and Local Government Conflict of Interests Act and General
6	Assembly Conflicts of Interests Act; limitations on gifts; disclosure of gifts; ethics expert.
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	Patron—Favola
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9	Referred to Committee on Rules
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11	Be it enacted by the General Assembly of Virginia:
12	1. That §§ 2.2-3103, 2.2-3114, 2.2-3115, 2.2-3117, 30-103, 30-110, and 30-111 of the Code of
13	Virginia are amended and reenacted as follows:
14	§ 2.2-3103. Prohibited conduct.
15	No officer or employee of a state or local governmental or advisory agency shall:
16 17	1. Solicit or accept money or other thing of value for services performed within the scope of his official during expenses or other remuneration paid by the agency of which he
18	official duties, except the compensation, expenses or other remuneration paid by the agency of which he is an officer or employee. This prohibition shall not apply to the acceptance of special benefits that may
19	be authorized by law;
20	2. Offer or accept any money or other thing of value for or in consideration of obtaining
2 1	employment, appointment, or promotion of any person with any governmental or advisory agency;
22	3. Offer or accept any money or other thing of value for or in consideration of the use of his public
23	position to obtain a contract for any person or business with any governmental or advisory agency;
24	4. Use for his own economic benefit or that of another party confidential information that he has
25	acquired by reason of his public position and which is not available to the public;
26	5. Accept any money, loan, gift, favor, service, or business or professional opportunity that
27	reasonably tends to influence him in the performance of his official duties. This subdivision shall not
28	apply to any political contribution actually used for political campaign or constituent service purposes
29	and reported as required by Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;
30	6. Accept any business or professional opportunity when he knows that there is a reasonable
31 32	likelihood that the opportunity is being afforded him to influence him in the performance of his official duties;
33	7. Accept any honoraria for any appearance, speech, or article in which the officer or employee
34	provides expertise or opinions related to the performance of his official duties. The term "honoraria"
35	shall not include any payment for or reimbursement to such person for his actual travel, lodging, or
36	subsistence expenses incurred in connection with such appearance, speech, or article or in the alternative
37	a payment of money or anything of value not in excess of the per diem deduction allowable under § 162
38	of the Internal Revenue Code, as amended from time to time. The prohibition in this subdivision shall
39	apply only to the Governor, Lieutenant Governor, Attorney General, Governor's Secretaries, and heads
40	of departments of state government;
41	8. Accept a gift from a person who has interests that may be substantially affected by the
42	performance of the officer's or employee's official duties under circumstances where the timing and
43	nature of the gift would cause a reasonable person to question the officer's or employee's impartiality in
44 45	the matter affecting the donor. Violations of this subdivision shall not be subject to criminal law
45 46	penalties; or9. Accept gifts from sources on a basis so frequent as to raise an appearance of the use of his public
40 47	office for private gain. Violations of this subdivision shall not be subject to criminal law penalties; or
48	10. Accept in a single calendar year a single gift that has a value in excess of \$100 or multiple gifts
49	that have an aggregate value in excess of \$100. Gifts received by immediate family members of the
50	officer or employee count toward the value limit if those gifts were given to the immediate family
51	member for the purpose of influencing the officer or employee. Gifts given by relatives or nonprofit
52	organizations to the officer or employee, or his immediate family member, do not count toward the
53	value limit. Meals at which a majority of the time was spent discussing work related to the officer or
54	employee's role as a state or local government officer or employee do not count toward the value limit.
55	§ 2.2-3114. Disclosure by state officers and employees.
56	A. The Governor, Lieutenant Governor, Attorney General, Justices of the Supreme Court, judges of
57	the Court of Appeals, judges of any circuit court, judges and substitute judges of any district court,
58	members of the State Corporation Commission, members of the Virginia Workers' Compensation

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59 Commission, members of the Commonwealth Transportation Board, members of the Board of Trustees 60 of the Virginia Retirement System, and members of the State Lottery Board and other persons occupying such offices or positions of trust or employment in state government, including members of 61 62 the governing bodies of authorities, as may be designated by the Governor or, in the case of officers or 63 employees of the legislative branch, by the Joint Rules Committee of the General Assembly, shall file, 64 as a condition to assuming office or employment, a disclosure statement of their personal interests and 65 such other information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement annually on or before January 15. When the filing deadline falls on a Saturday, Sunday, or 66 legal holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or 67 68 legal holiday.

69 B. Nonsalaried citizen members of all policy and supervisory boards, commissions and councils in the executive branch of state government, other than the Commonwealth Transportation Board, members 70 71 of the Board of Trustees of the Virginia Retirement System, and the State Lottery Board, shall file, as a condition to assuming office, a disclosure form of their personal interests and such other information as 72 73 is specified on the form set forth in § 2.2-3118 and thereafter shall file such form annually on or before 74 January 15. When the filing deadline falls on a Saturday, Sunday, or legal holiday, the disclosure 75 statement shall be filed on the next day that is not a Saturday, Sunday, or legal holiday. Nonsalaried citizen members of other boards, commissions and councils, including advisory boards and authorities, 76 77 may be required to file a disclosure form if so designated by the Governor, in which case the form shall 78 be that set forth in § 2.2-3118.

C. The disclosure forms required by subsections A and B shall be provided by the Secretary of the Commonwealth to each officer and employee so designated, including officers appointed by legislative authorities, not later than November 30 of each year. Disclosure forms shall be filed and maintained as public records for five years in the Office of the Secretary of the Commonwealth. An ethics expert shall be designated in the Office of the Secretary of the Commonwealth to respond to any questions from officers and employees required to disclose under this article regarding the provisions herein.

85 D. Candidates for the offices of Governor, Lieutenant Governor or Attorney General shall file a disclosure statement of their personal interests as required by § 24.2-502.

87 E. Any officer or employee of state government who has a personal interest in any transaction before 88 the governmental or advisory agency of which he is an officer or employee and who is disqualified 89 from participating in that transaction pursuant to subdivision A 1 of § 2.2-3112, or otherwise elects to 90 disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full 91 name and address of the business and the address or parcel number for the real estate if the interest 92 involves a business or real estate, and his disclosure shall also be reflected in the public records of the 93 agency for five years in the office of the administrative head of the officer's or employee's governmental agency or advisory agency or, if the agency has a clerk, in the clerk's office. 94

95 F. An officer or employee of state government who is required to declare his interest pursuant to subdivision A 2 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) the 96 nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a 97 98 member of a business, profession, occupation, or group the members of which are affected by the 99 transaction, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public 100 interest. The officer or employee shall either make his declaration orally to be recorded in written 101 minutes for his agency or file a signed written declaration with the clerk or administrative head of his 102 governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for 103 public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in 104 105 the transaction, the officer or employee shall prepare and file the required declaration by the end of the 106 next business day.

107 G. An officer or employee of state government who is required to declare his interest pursuant to 108 subdivision A 3 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a 109 party to the transaction is a client of his firm, (iii) that he does not personally represent or provide 110 services to the client, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest. The officer or employee shall either make his declaration orally to be recorded in 111 112 written minutes for his agency or file a signed written declaration with the clerk or administrative head 113 of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or 114 115 receipt. If reasonable time is not available to comply with the provisions of this subsection prior to 116 participation in the transaction, the officer or employee shall prepare and file the required declaration by 117 the end of the next business day.

§ 2.2-3115. Disclosure by local government officers and employees.

119 A. The members of every governing body and school board of each county and city and of towns 120 with populations in excess of 3,500 shall file, as a condition to assuming office or employment, a

121 disclosure statement of their personal interests and other information as is specified on the form set forth 122 in § 2.2-3117 and thereafter shall file such a statement annually on or before January 15.

123 The members of the governing body of any authority established in any county or city, or part or 124 combination thereof, and having the power to issue bonds or expend funds in excess of \$10,000 in any 125 fiscal year, shall file, as a condition to assuming office, a disclosure statement of their personal interests 126 and other information as is specified on the form set forth in § 2.2-3118 and thereafter shall file such a 127 statement annually on or before January 15, unless the governing body of the jurisdiction that appoints 128 the members requires that the members file the form set forth in § 2.2-3117.

129 Persons occupying such positions of trust appointed by governing bodies and persons occupying such 130 positions of employment with governing bodies as may be designated to file by ordinance of the 131 governing body shall file, as a condition to assuming office or employment, a disclosure statement of 132 their personal interests and other information as is specified on the form set forth in § 2.2-3117 and 133 thereafter shall file such a statement annually on or before January 15.

134 Persons occupying such positions of trust appointed by school boards and persons occupying such 135 positions of employment with school boards as may be designated to file by an adopted policy of the 136 school board shall file, as a condition to assuming office or employment, a disclosure statement of their 137 personal interests and other information as is specified on the form set forth in § 2.2-3117 and thereafter 138 shall file such a statement annually on or before January 15.

139 B. Nonsalaried citizen members of local boards, commissions and councils as may be designated by 140 the governing body shall file, as a condition to assuming office, a disclosure form of their personal 141 interests and such other information as is specified on the form set forth in § 2.2-3118 and thereafter 142 shall file such form annually on or before January 15. 143

C. No person shall be mandated to file any disclosure not otherwise required by this article.

144 D. The disclosure forms required by subsections A and B shall be provided by the Secretary of the 145 Commonwealth to the clerks of the governing bodies and school boards not later than November 30 of each year, and the clerks of the governing body and school board shall distribute the forms to designated individuals no later than December 10 of each year. Forms shall be filed and maintained as 146 147 148 public records for five years in the office of the clerk of the respective governing body or school board. 149 Forms filed by members of governing bodies of authorities shall be filed and maintained as public 150 records for five years in the office of the clerk of the governing body of the county or city. An ethics 151 expert shall be designated in the office of the clerk of the governing body of each county and city to 152 respond to any questions from officers and employees required to disclose under this article regarding 153 the provisions herein.

154 E. Candidates for membership in the governing body or school board of any county, city or town 155 with a population of more than 3,500 persons shall file a disclosure statement of their personal interests 156 as required by § 24.2-502.

157 F. Any officer or employee of local government who has a personal interest in any transaction before 158 the governmental or advisory agency of which he is an officer or employee and who is disqualified 159 from participating in that transaction pursuant to subdivision A 1 of § 2.2-3112 or otherwise elects to 160 disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full 161 name and address of the business and the address or parcel number for the real estate if the interest 162 involves a business or real estate, and his disclosure shall be reflected in the public records of the 163 agency for five years in the office of the administrative head of the officer's or employee's governmental 164 or advisory agency.

165 G. In addition to any disclosure required by subsections A and B, in each county and city and in 166 towns with populations in excess of 3,500, members of planning commissions, boards of zoning appeals, 167 real estate assessors, and all county, city and town managers or executive officers shall make annual 168 disclosures of all their interests in real estate located in the county, city or town in which they are elected, appointed, or employed. Such disclosure shall include any business in which such persons own 169 170 an interest, or from which income is received, if the primary purpose of the business is to own, develop 171 or derive compensation through the sale, exchange or development of real estate in the county, city or 172 town. Such disclosure shall be filed as a condition to assuming office or employment, and thereafter 173 shall be filed annually with the clerk of the governing body of such county, city or town on or before 174 January 15. Such disclosures shall be filed and maintained as public records for five years. Forms for 175 the filing of such reports shall be prepared and distributed by the Secretary of the Commonwealth to the 176 clerk of each governing body.

177 H. An officer or employee of local government who is required to declare his interest pursuant to 178 subdivision A 2 of § 2.2-3112 shall declare his interest by stating (i) the transaction involved, (ii) the 179 nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a 180 member of a business, profession, occupation, or group the members of which are affected by the 181 transaction, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public

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182 interest. The officer or employee shall either make his declaration orally to be recorded in written 183 minutes of his agency or file a signed written declaration with the clerk or administrative head of his 184 governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for 185 public inspection such declaration for a period of five years from the date of recording or receipt. If 186 reasonable time is not available to comply with the provisions of this subsection prior to participation in 187 the transaction, the officer or employee shall prepare and file the required declaration by the end of the 188 next business day. The officer or employee shall also orally disclose the existence of the interest during 189 each meeting of the governmental or advisory agency at which the transaction is discussed and such 190 disclosure shall be recorded in the minutes of the meeting.

191 I. An officer or employee of local government who is required to declare his interest pursuant to 192 subdivision A 3 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a 193 party to the transaction is a client of his firm, (iii) that he does not personally represent or provide 194 services to the client, and (iv) that he is able to participate in the transaction fairly, objectively, and in 195 the public interest. The officer or employee shall either make his declaration orally to be recorded in 196 written minutes for his agency or file a signed written declaration with the clerk or administrative head 197 of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or 198 199 receipt. If reasonable time is not available to comply with the provisions of this subsection prior to 200 participation in the transaction, the officer or employee shall prepare and file the required declaration by 201 the end of the next business day.

§ 2.2-3117. Disclosure form.

203 The disclosure form to be used for filings required by subsections A and D of § 2.2-3114 and subsections A and E of § 2.2-3115 shall be substantially as follows: 204 205

STATEMENT OF ECONOMIC INTERESTS.

206 Name 207 Office or position held or sought 208 Address 209 Names of members of immediate family

210 DEFINITIONS AND EXPLANATORY MATERIAL.

211 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, 212 association, trust or foundation, or any other individual or entity carrying on a business or profession, 213 whether or not for profit.

214 'Close financial association" means an association in which the person filing shares significant 215 financial involvement with an individual and the filer would reasonably be expected to be aware of the 216 individual's business activities and would have access to the necessary records either directly or through the individual. "Close financial association" does not mean an association based on (i) the receipt of 217 218 retirement benefits or deferred compensation from a business by which the person filing this statement is 219 no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an 220 independent contractor of a business that represents an entity before any state governmental agency 221 when the person filing has had no communications with the state governmental agency.

"Contingent liability" means a liability that is not presently fixed or determined, but may become 222 223 fixed or determined in the future with the occurrence of some certain event.

224 "Dependent" means any person, whether or not related by blood or marriage, who receives from the 225 officer or employee, or provides to the officer or employee, more than one-half of his financial support.

226 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item 227 having monetary value. It includes services as well as gifts of transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the 228 expense has been incurred. "Gift" shall not include any offer of a ticket or other admission or pass 229 unless the ticket, admission, or pass is used. "Gift" shall not include honorary degrees and presents from 230 231 relatives. "Relative" means the donee's spouse, child, uncle, aunt, niece, or nephew; a person to whom 232 the donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother, 233 or sister; or the donee's brother's or sister's spouse.

234 "Immediate family" means (i) a spouse and (ii) any other person residing in the same household as 235 the officer or employee, who is a dependent of the officer or employee or of whom the officer or 236 employee is a dependent.

237 TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust, 238 treat the trust's assets as if you own them directly. If you or your immediate family has a proportional 239 interest in a trust, treat that proportion of the trust's assets as if you own them directly. For example, if you and your immediate family have a one-third interest in a trust, complete your Statement as if you 240 own one-third of each of the trust's assets. If you or a member of your immediate family created a trust 241 242 and can revoke it without the beneficiaries' consent, treat its assets as if you own them directly.

- 243 REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required on this 244 Statement must be provided on the basis of the best knowledge, information and belief of the individual 245 filing the Statement as of the date of this report unless otherwise stated.
- 246 COMPLETE ITEMS 1 THROUGH 10. REFER TO SCHEDULES ONLY IF DIRECTED.
- 247 You may attach additional explanatory information.
- 248 1. Offices and Directorships.
- 249 Are you or a member of your immediate family a paid officer or paid director of a business?
- 250 EITHER check NO / / OR check YES / / and complete Schedule A.
- 251 2. Personal Liabilities.
- 252 Do you or a member of your immediate family owe more than \$10,000 to any one creditor including 253 contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property 254 at least equal in value to the loan.)
- 255 EITHER check NO / / OR check YES / / and complete Schedule B.
- 256 3. Securities.

257 Do you or a member of your immediate family, directly or indirectly, separately or together, own 258 securities valued in excess of \$10,000 invested in one business? Account for mutual funds, limited 259 partnerships and trusts.

- 260 EITHER check NO / / OR check YES / / and complete Schedule C.
- 261 4. Payments for Talks, Meetings, and Publications.
- 262 During the past 12 months did you receive lodging, transportation, money, or anything else of value 263 with a combined value exceeding \$200 for a single talk, meeting, or published work in your capacity as 264 an officer or employee of your agency?
- 265 EITHER check NO / / OR check YES / / and complete Schedule D.
- 266 5. Gifts.

267 During the past 12 months did a business, government, or individual other than a relative or personal 268 friend (i) furnish you or a member of your immediate family with any gift or entertainment at a single 269 event, and the value received by you exceeded \$50 in value or (ii) furnish you with or any combination 270 of gifts or entertainment in any combination, and the total value of all gifts and entertainment from all sources received by you exceeded \$100 in total value;, and for which you or the member of your 271 272 *immediate family* neither paid nor rendered services in exchange? Account for entertainment events only 273 if the average value per person attending the event exceeded \$50 in value. Account for all business 274 entertainment (except if related to your the private profession or occupation of you or the member of 275 your immediate family who received such business entertainment) even if unrelated to your official 276 duties.

- EITHER check NO / / OR check YES / / and complete Schedule E.
- 278 6. Salary and Wages.
- 279 List each employer that pays you or a member of your immediate family salary or wages in excess 280 of \$10,000 annually. (Exclude state or local government or advisory agencies.)
- 281 If no reportable salary or wages, check here / /. 282
- 284

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285 7. Business Interests.

- 288 EITHER check NO / / OR check YES / / and complete Schedule F. 289
 - 8. Payments for Representation and Other Services.

290 8A. Did you represent, excluding activity defined as lobbying in § 2.2-419, any businesses before any 291 state governmental agencies, excluding courts or judges, for which you received total compensation during the past 12 months in excess of \$1,000, excluding compensation for other services to such 292 businesses and representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers? (Officers and employees of local governmental and 293 294 295 advisory agencies do NOT need to answer this question or complete Schedule G-1.)

296 EITHER check NO / / OR check YES / / and complete Schedule G-1.

297 8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial 298 association (partners, associates or others) represent, excluding activity defined as lobbying in § 2.2-419, 299 any businesses before any state governmental agency for which total compensation was received during 300 the past 12 months in excess of \$1,000? (Officers and employees of local governmental and advisory 301 agencies do NOT need to answer this question or complete Schedule G-2.)

- EITHER check NO / / OR check YES / / and complete Schedule G-2. 302
- 303 8C. Did you or persons with whom you have a close financial association furnish services to

²⁸⁶ Do you or a member of your immediate family, separately or together, operate your own business, or 287 own or control an interest in excess of \$10,000 in a business?

304 305	businesses operating in Virgin persons with whom you ha	ia pursuant to an agreement betw ve a close financial association	ween you and such businesses, or between n and such businesses for which total
306	compensation in excess of \$1,0	000 was received during the past	12 months?
307 308	9. Real Estate.	check YES / / and complete Sch	hedule G-3.
308 309	9A. State Officers and Emp	plovees.	
310			interest, including a partnership interest,
311	valued at \$10,000 or more in	real property (other than your pr	rincipal residence) for which you have not
312		on Schedule F? Account for real	
313		check YES / / and complete Sch	hedule H-1.
314 315	9B. Local Officers and Em		nterest, including a partnership interest, or
315 316			in real property (other than your principal
317			ess on Schedule F? Account for real estate
318	held in trust.	, , , , , , , , , , , , , , , , , , ,	
319		check YES / / and complete Sch	hedule H-2.
320		vith Governmental Agencies.	
321 322	Do you or a member of you	our immediate family hold an int	terest valued at more than \$10,000 in real on, easement, or land contract, which real
322 323			bleted within the past 12 months, with a
324 324			for the leasing of the property to a
325			e family hold an interest in the real estate
326			whether or not your interest is reported in
327			est in a lease does not apply to an interest
328 329	of the total equity of the busin		e ownership interest exceeds three percent
3 <u>4</u> 9 330		check YES / / and complete Scl	hedule. I
331		terests are open for public inspec	
332	AFFIRMATION BY ALL		
333			and correct to the best of my knowledge.
334	Signature		
335	(Return only if needed to c	—	
336 337		SCHEDULES	
338		to STATEMENT OF ECONOMI	C INTEDFOTO
339	NAME		C INTERESIS.
340	SCHEDULE A - OFFICES		
341		which you or a member of your i	immediate family is a paid officer or paid
342	director.		
343			
344 345	Name of Dusings	Adducer of Duringer	Desition Held
345 346	Name of Business	Address of Business	Position Held
340 347			
348			
349			
350			
351			RETURN TO ITEM 2
352	SCHEDULE B - PERSON	AL LIABILITIES.	
353			t only debts in excess of \$10,000. Do not
354		t. Do not report loans secured by	y recorded liens on property at least equal
355 356	in value to the loan.	balow and indicate which debte	are contingent
350 357	1. My personal debts are as	s below and indicate which debts	are contingent.
357 358	1. My personal debts are as	, 10110 W.S.	
359			
360	Check		Check one
361			
	appropriate		SIU,UUI to More than
362	appropriate categories		\$10,001 to More than \$50,000 \$50,000
	appropriate categories Banks		\$10,001 to More than \$50,000 \$50,000

Savings institutions			
Other loan or finance co	ompanies		
Insurance companies			
Stock, commodity or othe	er brokerage companies		
Other businesses:			
(State principal busines	activity for each		
creditor.)			
Individual creditors:			
(State principal busines	s or		
occupation of each credi	tor.)		
2. The personal debts of the m	nembers of my immediate family	are as follow	s:
Check		Che	eck one
appropriate			More than
categories		\$50,000	\$50,000
Banks			
Savings institutions			
Other loan or finance co Insurance companies	ompanies		
Stock, commodity or othe	er brokerage companies		
Other businesses:	Li biokerage companies		
(State principal busines	ss activity for each		
creditor.)	-		
Individual creditors:			
(State principal busines			
occupation of each credi	ltor.)		
SCHEDULE C - SECURITIE	5	RETU	JRN TO ITEM 3
"Securities" INCLUDES st		es" EXCLUDE	IS .
mutual funds, limited p		ates of dep	
and commodity futures of	_	rket funds,	
contracts, and insurance			
	inia governmental entity in whic		
amily, directly or indirectly, sep each entity and type of security in		es valued in 6	excess of \$10,000.
Do not list U.S. Bonds or oth	er government securities not iss	ued by the Co	ommonwealth of V
or its authorities, agencies, or lo	cal governments. Do not list or	ganizations th	at do not do busin
his Commonwealth, but most ma	Jor businesses conduct business	ın Virginia. A	ccount for securiti
n trust. If no reportable securities, che	ck here / /		
			heck one
There a	Type of Security	\$10,001	\$50,001 Mor to tha
Type of Name of Issuer Entity	(stocks, bonds, mutual funds, etc.)	to \$50,000	to tha \$250,000 \$250,
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List each sou or any other thi exceeding \$200 work in your ca List payment	D - PAYMENTS FOR TALK urce from which you received ng of value (excluding meals of for your presentation of a sin pacity as an officer or employe ts or reimbursements by an adv	during the past 12 or drinks coincide gle talk, participa ee of your agency.	2 months lo nt with a m tion in one	dging, transportation, neeting) with combined meeting, or publication
Do not list i an employer alr	ent even if you donated it to ch nformation about a payment if eady listed under Item 6 or fro nt must be listed, check here /	you returned it w m a source of inco		
Payer	Approximate Value	Circumstan	Ces	Type of payment (e.g. honoraria, travel reimburse ment, etc.)
	siness, governmental entity, or			
List each bu you or a memb value received a combination and member of your event. For those subdivision 10 c Do not list \$50 in value. D you or the mem or other things public position. (§ 24.2-945 et s		with any gift or , or (ii) furnished exceeded \$100 in nor rendered serv e value is not cou ate value as \$0. e average value p ent related to your who received such or personal frien ributions publicly of Virginia. Pursu	entertainme you with total value vices in exc <i>unted towar</i> per person a <i>the</i> private <i>business er</i> d for reaso reported a	past 12 months, (i) fu nt at a single event a gifts or entertainment b; and for which you thange. List each such d the value limit purs attending the event ex- e profession or occupa tiertainment. Do not li- ons clearly unrelated t as required by Chap

478 family, separately or together, own an interest having a value in excess of \$10,000.

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	of Bus ration							Gross Inco	ome
Partn Farm;	ership Addre	ss of	County	Nature (farmin propert	g, law, y, etc.	rental)	\$50,000	\$250,000	More than \$250,00
businesse representa Identi from each by law no	s and a ation reg fy each h such b ot to rev	represen garding t busines business veal the	tation cons he mandato s, the natur You may name of the	sisting sole ory papers f re of the re	ly of the filed by yc presentati pe, rather epresented	e filing ou. on and th than nau d by you.	of mandatone amount ne, of the l	for other second papers a received by business if ye	and subse dollar cat
		Pur- pose			Amo	ount Re	ceived		
	Type	of Repre	Name - of	\$1,001	\$10,001	¢50 00	1 \$100,0		0.0.1
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SCHEDULE G-3 - PAYM Indicate below types of b or persons with whom you have businesses, or between ousinesses and for which to nonths. Identify opposite each cat ervice rendered and (iii) the falling within each category.	usinesse ave a cl persor otal com egory o	s that o ose fina is with ipensation	perate in V ncial assoc whom yo on in exce esses listed	/irginia to iation purs ou have a ess of \$1,0 below (i)	which servi uant to an a close finar 000 was rea the type o	ngreement be ncial associa ceived durin f business,	etween yo ation and ng the pa (ii) the ty
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Electric utilities							
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Water utilities							
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companies							
Interstate							
transportation companies							
Intrastate transportation							
companies							
Oil or gas retail companies							
Banks							
Savings institutions							
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companies (state type of product,							
e.g., textile,							
furniture, etc.)							
Mining companies							
Life insurance companies							
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companies							
Other insurance companies							
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List your real estate interest and the person or entity, including the type of entity, which		
is party to the contract. Describe any management role and	List each governmental	State the annua income from the contract, and t
the percentage	agency which is a	amount, if any,
ownership	party to the contract	income you or a
interest you or your	and indicate the	immediate famil
immediate family	county or city where	member derives
member has in the real	the real estate	annually from t
estate or entity.	is located.	contract.

§ 30-103. Prohibited conduct.

No legislator shall:

680

1. Solicit or accept money or other thing of value for services performed within the scope of his **681** official duties, except the compensation, expenses or other remuneration paid to him by the General **682** Assembly. This prohibition shall not apply to the acceptance of special benefits which may be **683 684** authorized by law;

685 2. Offer or accept any money or other thing of value for or in consideration of obtaining employment, appointment, or promotion of any person with any governmental or advisory agency; **686**

3. Offer or accept any money or other thing of value for or in consideration of the use of his public 687 688 position to obtain a contract for any person or business with any governmental or advisory agency;

689 4. Use for his own economic benefit or that of another party confidential information which he has 690 acquired by reason of his public position and which is not available to the public;

691 5. Accept any money, loan, gift, favor, service, or business or professional opportunity that 692 reasonably tends to influence him in the performance of his official duties. This subdivision shall not apply to any political contribution actually used for political campaign or constituent service purposes 693 and reported as required by Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2; 694

695 6. Accept any business or professional opportunity when he knows that there is a reasonable likelihood that the opportunity is being afforded him to influence him in the performance of his official **696** 697 duties:

698 7. During the one year after the termination of his service as a legislator, represent a client or act in 699 a representative capacity on behalf of any person or group, for compensation, on any matter before the General Assembly or any agency of the legislative branch of government. The prohibitions of this 700 701 subdivision shall apply only to persons engaged in activities that would require registration as a lobbyist under § 2.2-422. Any person subject to the provisions of this subdivision may apply to the Attorney 702 703 General, as provided in § 30-122, for an advisory opinion as to the application of the restriction imposed 704 by this subdivision on any post-public employment position or opportunity;

705 8. Accept any honoraria for any appearance, speech, or article in which the legislator provides expertise or opinions related to the performance of his official duties. The term "honoraria" shall not 706 707 include any payment for or reimbursement to such person for his actual travel, lodging, or subsistence expenses incurred in connection with such appearance, speech, or article or in the alternative a payment 708 709 of money or anything of value not in excess of the per diem deduction allowable under § 162 of the 710 Internal Revenue Code, as amended from time to time;

9. Accept appointment to serve on a body or board of any corporation, company or other legal 711 712 entity, vested with the management of the corporation, company or entity, and on which two other

members of the General Assembly already serve, which is operated for profit and regulated by the State 713

714 Corporation Commission as (i) a financial institution, (ii) a mortgage lender or broker, (iii) any business 715 under Chapter 5 (§ 13.1-501 et seq.) of Title 13.1, (iv) any business under Title 38.2, or (v) any

business under Title 56; 716

717 10. Accept a gift from a person who has interests that may be substantially affected by the 718 performance of the legislator's official duties under circumstances where the timing and nature of the gift 719 would cause a reasonable person to question the legislator's impartiality in the matter affecting the 720 donor. Violations of this subdivision shall not be subject to criminal law penalties; or

721 11. Accept gifts from sources on a basis so frequent as to raise an appearance of the use of his 722 public office for private gain. Violations of this subdivision shall not be subject to criminal law 723 penalties; or

724 12. Accept in a single calendar year a single gift that has a value in excess of \$100 or multiple gifts 725 that have an aggregate value in excess of \$100. Gifts received by immediate family members of the legislator count toward the value limit if those gifts were given to the immediate family member for the 726 727 purpose of influencing the legislator. Gifts given by relatives or nonprofit organizations to the legislator, 728 or his immediate family member, do not count toward the value limit. Meals at which a majority of the time was spent discussing legislation or other work related to the legislator's role as a legislator do not 729 730 count toward the value limit.

731

§ 30-110. Disclosure.

732 A. Every legislator and legislator-elect shall file, as a condition to assuming office, a disclosure 733 statement of his personal interests and such other information as is specified on the form set forth in 734 § 30-111 and thereafter shall file such a statement annually on or before January 8. When the filing 735 deadline falls on a Saturday, Sunday, or legal holiday, the disclosure statement shall be filed on the next 736 day that is not a Saturday, Sunday, or legal holiday. Disclosure forms shall be provided by the clerk of 737 the appropriate house to each legislator and legislator-elect not later than November 30 of each year. Members of the Senate shall file their disclosure forms with the Clerk of the Senate and members of the 738 739 House of Delegates shall file their disclosure forms with the Clerk of the House of Delegates. An ethics 740 expert shall be designated in the offices of the Clerks to respond to any questions from legislators and 741 legislators-elect required to disclose under this article regarding the provisions herein. The disclosure 742 forms of the members of the General Assembly shall be maintained as public records for five years in 743 the office of the clerk of the appropriate house.

744 B. Candidates for the General Assembly shall file a disclosure statement of their personal interests as 745 required by §§ 24.2-500 through 24.2-503.

746 C. Any legislator who has a personal interest in any transaction pending before the General 747 Assembly and who is disqualified from participating in that transaction pursuant to § 30-108 and the 748 rules of his house shall disclose his interest in accordance with the applicable rule of his house. 749

§ 30-111. Disclosure form.

752

750 A. The disclosure form to be used for filings required by subsections A and B of § 30-110 shall be 751 substantially as follows:

STATEMENT OF ECONOMIC INTERESTS.

753 Name 754 Office or position held or sought 755 Home address 756 Names of members of immediate family

DEFINITIONS AND EXPLANATORY MATERIAL. 757

758 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, 759 association, trust or foundation, or any other individual or entity carrying on a business or profession, 760 whether or not for profit.

761 "Close financial association" means an association in which the filer shares significant financial involvement with an individual and the filer would reasonably be expected to be aware of the 762 individual's business activities and would have access to the necessary records either directly or through 763 the individual. "Close financial association" does not mean an association based on (i) the receipt of 764 retirement benefits or deferred compensation from a business by which the legislator is no longer 765 766 employed, or (ii) the receipt of compensation for work performed by the legislator as an independent 767 contractor of a business that represents an entity before any state governmental agency when the 768 legislator has had no communications with the state governmental agency.

769 "Contingent liability" means a liability that is not presently fixed or determined, but may become 770 fixed or determined in the future with the occurrence of some certain event.

771 "Dependent" means any person, whether or not related by blood or marriage, who receives from the 772 legislator, or provides to the legislator, more than one-half of his financial support.

773 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item

774 having monetary value. It includes services as well as gifts of transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. "Gift" shall not include any offer of a ticket or other admission or pass 775 776 777 unless the ticket, admission, or pass is used. "Gift" shall not include honorary degrees and presents from 778 relatives. "Relative" means the donee's spouse, child, uncle, aunt, niece, or nephew; a person to whom 779 the donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother, 780 or sister; or the donee's brother's or sister's spouse.

781

"Immediate family" means (i) a spouse and (ii) any other person residing in the same household as 782 the legislator, who is a dependent of the legislator or of whom the legislator is a dependent.

783 "Lobbyist relationship" means (i) an engagement, agreement, or representation that relates to legal 784 services, consulting services, or public relations services, whether gratuitous or for compensation, between a member or member-elect and any person who is, or has been within the prior calendar year, 785 786 registered as a lobbyist with the Secretary of the Commonwealth, or (ii) a greater than three percent 787 ownership interest by a member or member-elect in a business that employs, or engages as an 788 independent contractor, any person who is, or has been within the prior calendar year, registered as a 789 lobbyist with the Secretary of the Commonwealth. The disclosure of a lobbyist relationship shall not (i) 790 constitute a waiver of any attorney-client or other privilege, (ii) require a waiver of any attorney-client or other privilege for a third party, or (iii) be required where a member or member-elect is employed or 791 792 engaged by a person and such person also employs or engages a person in a lobbyist relationship so 793 long as the member or member-elect has no financial interest in the lobbyist relationship.

794 TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust, 795 treat the trust's assets as if you own them directly. If you or your immediate family has a proportional 796 interest in a trust, treat that proportion of the trust's assets as if you own them directly. For example, if 797 you and your immediate family have a one-third interest in a trust, complete your Statement as if you 798 own one-third of each of the trust's assets. If you or a member of your immediate family created a trust and can revoke it without the beneficiaries' consent, treat its assets as if you own them directly. 799

REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required on this 800 801 Statement must be provided on the basis of the best knowledge, information and belief of the individual 802 filing the Statement as of the date of this report unless otherwise stated.

- COMPLETE ITEMS 1 THROUGH 11. REFER TO SCHEDULES ONLY IF DIRECTED. 803
- 804 You may attach additional explanatory information.
- 805 1. Offices and Directorships.
- 806 Are you or a member of your immediate family a paid officer or paid director of a business?
- 807 EITHER check NO / / OR check YES / / and complete Schedule A.
- 808 2. Personal Liabilities.

809 Do you or a member of your immediate family owe more than \$10,000 to any one creditor including 810 contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property 811 at least equal in value to the loan.)

812 EITHER check NO / / OR check YES / / and complete Schedule B.

813 3. Securities.

814 Do you or a member of your immediate family, directly or indirectly, separately or together, own securities valued in excess of \$10,000 invested in one business? Account for mutual funds, limited 815 816 partnerships and trusts.

- 817 EITHER check NO / / OR check YES / / and complete Schedule C.
- 818 4. Payments for Talks, Meetings, and Publications.

819 During the past 12 months did you receive lodging, transportation, money, or anything else of value 820 with a combined value exceeding \$200 for a single talk, meeting, or published work in your capacity as a legislator? Do not include payments and reimbursements from the Commonwealth for meetings 821 822 attended in your capacity as a legislator; see Question 11 and Schedule D2 to report such meetings.

823 EITHER check NO / / OR check YES / / and complete Schedule D.

824 5. Gifts.

825 During the past 12 months did a business, government, or individual other than a relative or personal 826 friend (i) furnish you or a member of your immediate family with any gift or entertainment at a single 827 event, and the value received by you exceeded \$50 in value or (ii) furnish you with or any combination 828 of gifts or entertainment in any combination, and the total value of all gifts and entertainment from all 829 sources received by you exceeded \$100 in total value;, and for which you or the member of your 830 immediate family neither paid nor rendered services in exchange? Account for entertainment events only if the average value per person attending the event exceeded \$50 in value. Account for all business 831 entertainment (except if related to your the private profession or occupation of you or the member of 832 833 your immediate family who received such business entertainment) even if unrelated to your official 834 duties.

835 EITHER check NO / / OR check YES / / and complete Schedule E. **836** 6. Salary and Wages.

837 List each employer that pays you or a member of your immediate family salary or wages in excess 838 of \$10,000 annually. (Exclude any salary received as a member of the General Assembly pursuant to 839 § 30-19.11.) 840 If no reportable salary or wages, check here / /. 841 842 843 844 7. Business Interests and Lobbyist Relationships. 845 7A. Do you or a member of your immediate family, separately or together, operate your own 846 business, or own or control an interest in excess of \$10,000 in a business? 847 EITHER check NO / / OR check YES / / and complete Schedule F-1. 848 7B. Do you have a lobbyist relationship as that term is defined above? 849 EITHER check NO / / OR check YES / / and complete Schedule F-2. 850 8. Payments for Representation and Other Services. 851 8A. Did you represent any businesses before any state governmental agencies, excluding courts or judges, for which you received total compensation during the past 12 months in excess of \$1,000, 852 853 excluding compensation for other services to such businesses and representation consisting solely of the 854 filing of mandatory papers and subsequent representation regarding the mandatory papers? 855 EITHER check NO / / OR check YES / / and complete Schedule G-1. 856 8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial 857 association (partners, associates or others) represent any businesses before any state governmental agency 858 for which total compensation was received during the past 12 months in excess of \$1,000? 859 EITHER check NO / / OR check YES / / and complete Schedule G-2. 8C. Did you or persons with whom you have a close financial association furnish services to 860 businesses operating in Virginia, pursuant to an agreement between you and such businesses, or between 861 862 persons with whom you have a close financial association and such businesses for which total compensation in excess of \$1,000 was received during the past 12 months? Services reported under this 863 864 provision shall not include services involving the representation of businesses that are reported under 865 question 8A or 8B above. EITHER check NO / / OR check YES / / and complete Schedule G-3. 866 867 9. Real Estate. 868 Do you or a member of your immediate family hold an interest, including a partnership interest, 869 valued at \$10,000 or more in real property (other than your principal residence) for which you have not 870 already listed the full address on Schedule F? Account for real estate held in trust. EITHER check NO / / OR check YES / / and complete Schedule H. 871 872 10. Real Estate Contracts with State Governmental Agencies. 873 Do you or a member of your immediate family hold an interest valued at more than \$10,000 in real 874 estate, including a corporate, partnership, or trust interest, option, easement, or land contract, which real 875 estate is the subject of a contract, whether pending or completed within the past 12 months, with a state 876 governmental agency? 877 If the real estate contract provides for the leasing of the property to a state governmental agency, do 878 you or a member of your immediate family hold an interest in the real estate, including a corporate, 879 partnership, or trust interest, option, easement, or land contract valued at more than \$1,000? Account for 880 all such contracts whether or not your interest is reported in Schedule F or H. This requirement to 881 disclose an interest in a lease does not apply to an interest derived through an ownership interest in a 882 business unless the ownership interest exceeds three percent of the total equity of the business. 883 EITHER check NO / / OR check YES / / and complete Schedule I. 884 11. Payments by the Commonwealth for Meetings. 885 During the past 12 months did you receive lodging, transportation, money, or anything else of value with a combined value exceeding \$200 from the Commonwealth for a single meeting attended 886 887 out-of-state in your capacity as a legislator? Do not include reimbursements from the Commonwealth for 888 meetings attended in the Commonwealth. 889 EITHER check NO / / OR check YES / / and complete Schedule D-2. 890 Statements of Economic Interests are open for public inspection. 891 AFFIRMATION. 892 In accordance with the rules of the house in which I serve, if I receive a request that this disclosure 893 statement be corrected, augmented, or revised in any respect, I hereby pledge that I shall respond 894 promptly to the request. I understand that if a determination is made that the statement is insufficient, I will satisfy such request or be subjected to disciplinary action of my house. 895

896 I swear or affirm that the foregoing information is full, true and correct to the best of my knowledge.

16 of 22

The foregoing digale	to wit: sure form was acknowledged	before mo	
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		Notary Public	
My commission expire	S	-	
(Return only if need	ed to complete Statement.)		
	SCHEDULES		
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Name of Business	Address of Business	Position Held	
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farm, or consulting work), partnership, or corporation in which you or a member of your immediate 1067 family, separately or together, own an interest having a value in excess of \$10,000. If the enterprise is owned or operated under a trade, partnership, or corporate name, list that name; otherwise, merely explain the nature of the enterprise. If rental property is owned or operated under a 1068

1069 1070

Farm; Enterprise Address of City or (farming, \$50,001 More Rental County law, rental \$50,000 to than Property and State property, etc.) or less \$250,000 \$250,000	Name of Busines Corpora	s tion,		Naturo	of		Troca incom	
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through an ownership interest in a business unless the ownership interest exceeds three percent of the
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1271 B. Any legislator who makes a knowing misstatement of a material fact on the Statement of1272 Economic Interests shall be subject to disciplinary action for such violations by the house in which the1273 legislator sits.

1274 C. In accordance with the rules of each house, the Statement of Economic Interests of all members 1275 of each house shall be reviewed. If a legislator's Statement is found to be inadequate as filed, the 1276 legislator shall be notified in writing and directed to file an amended Statement correcting the indicated 1277 deficiencies, and a time shall be set within which such amendment shall be filed. If the Statement of 1278 Economic Interests, in either its original or amended form, is found to be adequate as filed, the 1279 legislator's filing shall be deemed in full compliance with this section as to the information disclosed 1280 thereon.

1281 D. Ten percent of the membership of a house, on the basis of newly discovered facts, may in writing 1282 request the house in which those members sit, in accordance with the rules of that house, to review the Statement of Economic Interests of another member of that house in order to determine the adequacy of 1283 1284 his filing. In accordance with the rules of each house, each Statement of Economic Interests shall be 1285 promptly reviewed, the adequacy of the filing determined, and notice given in writing to the legislator whose Statement is in issue. Should it be determined that the Statement requires correction, 1286 1287 augmentation or revision, the legislator involved shall be directed to make the changes required within 1288 such time as shall be set under the rules of each house.

1289 If a legislator, after having been notified in writing in accordance with the rules of the house in 1290 which he sits that his Statement is inadequate as filed, fails to amend his Statement so as to come into 1291 compliance within the time limit set, he shall be subject to disciplinary action by the house in which he 1292 sits. No legislator shall vote on any question relating to his own Statement.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 806 of the Acts of Assembly of 2013 requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.