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**HOUSE BILL NO. 2060**

Offered January 14, 2015

Prefiled January 14, 2015

*A BILL to amend and reenact §§ 2.2-2814, 30-19.13, and 30-356 of the Code of Virginia, relating to the Virginia Conflict of Interest and Ethics Advisory Council; approval of certain travel expenses of members of the General Assembly required for reimbursement.*

Patrons—Sickles, Futrell, Kory, McQuinn, Plum, Simon and Surovell; Senators: Ebbin, Edwards, Howell and Saslaw

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 2.2-2814, 30-19.13, and 30-356 of the Code of Virginia are amended and reenacted as follows:**

**§ 2.2-2814. How salaries, expenses and other allowances paid; time of payment.**

The salaries, expenses and other allowances, including mileage, mentioned in this chapter, Chapter 1 (§ 2.2-100 et seq.) of this title and Chapter 1.1 (§ 30-19.11 et seq.) of Title 30 shall, except where otherwise specifically provided, be paid out of the state treasury after being duly audited, and the Comptroller shall draw his warrants on the State Treasurer for the payment thereof. Salaries shall be paid every two weeks, semimonthly or monthly, at the discretion of the Comptroller, upon such dates as the Comptroller may prescribe. Expenses shall be paid when they have been incurred, and the other allowances shall be paid when the services have been rendered or the travel has been performed; however, members of the General Assembly and others traveling to the seat of government who would be entitled to mileage for traveling home may receive such mileage before going home. *Pursuant to subsection B of § 30-19.13, certain travel expenses of members of the General Assembly shall not be paid until and unless approved by the Virginia Conflict of Interest and Ethics Advisory Council.*

**§ 30-19.13. Additional provisions for expenses of members and presiding officers of General Assembly.**

A. Each member of the General Assembly shall, during any regular session of the General Assembly or extension thereof, or during any special session of the General Assembly, receive for each day as allowances for expenses such sum as shall be set forth in the general appropriation act and mileage allowance at the rate provided in § 2.2-2823 or actual expenses for all official travel. Such mileage or travel reimbursement shall be allowed only for one round trip each week between the City of Richmond and such person's home.

B. *Any travel expenses, other than those provided for in subsection A, for which reimbursement from the Commonwealth will be sought shall first be submitted to the Virginia Conflict of Interest and Ethics Advisory Council for approval. This requirement shall only apply to those expenses that (i) exceed or are expected to exceed \$500 and (ii) are incurred on official travel. Travel expenses related to the performance of legislative duties during any regular or special session of the General Assembly or incurred in furtherance of carrying out duties imposed by statute or the work of any standing committee of the General Assembly or legislative interim study commission or committee are not required to be submitted for approval prior to reimbursement.*

**§ 30-356. Powers and duties of the Council.**

The Council shall:

1. Review all disclosure forms filed by lobbyists pursuant to Article 3 and by state and local government officers and employees and legislators pursuant to the Acts. The Council shall review all disclosure forms for completeness, which shall include reviewing the information contained on the face of the form to determine if the disclosure form has been fully completed and comparing the disclosures contained in any disclosure form filed by a lobbyist pursuant to § 2.2-426 with other disclosure forms filed with the Council, and ~~be followed by~~ *shall follow up with* requests for amendments to ensure the completeness of and correction of errors in the forms, if necessary;

2. Accept any disclosure forms by computer or electronic means in accordance with the standards approved by the Council and using software meeting standards approved by it. The Council shall provide software to filers without charge and may prescribe the method of execution and certification of electronically filed forms, including the use of an electronic signature as authorized by the Uniform Electronic Transactions Act (§ 59.1-479 et seq.), and the procedures for receiving forms in the office of the Council;

3. Beginning July 1, 2015, establish and maintain a searchable electronic database comprising

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58 disclosure forms filed pursuant to §§ 2.2-426, 2.2-3117, 2.2-3118, and 30-111. Such database shall be  
59 available to the public through the Council's official website;

60 4. Furnish, upon request, formal advisory opinions or guidelines and other appropriate information,  
61 including informal advice, regarding ethics and conflicts issues arising under Article 3 or the Acts to any  
62 person or to any agency of state or local government, in an expeditious manner. Informal advice given  
63 by the Council is confidential, protected by the attorney-client privilege, and is excluded from the  
64 provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.);

65 5. *Review legislators' requests for travel expense reimbursement, including mileage, where such*  
66 *expenses exceed or are expected to exceed \$500 and are incurred on official travel but are not related*  
67 *to the performance of legislative duties during any regular or special session of the General Assembly.*  
68 *The Council shall approve such a request where at least 90 percent of the travel is dedicated to the*  
69 *purpose of economic development, diplomacy, trade relations, or education. Submission of requests for*  
70 *travel expense reimbursement is not required if the travel expenses are incurred in furtherance of*  
71 *carrying out duties imposed by statute or the work of any standing committee of the General Assembly*  
72 *or legislative interim study commission or committee. The Council shall prescribe the standards and*  
73 *procedures for receiving, reviewing, and approving or denying such requests;*

74 6. Conduct training seminars and educational programs for lobbyists, state and local government  
75 officers and employees and, legislators, and other interested persons on the requirements of Article 3 and  
76 the Acts and provide ethics orientation sessions for legislators in compliance with Article 6 (§ 30-129.1  
77 et seq.) of Chapter 13;

78 6- 7. Approve orientation courses conducted pursuant to § 2.2-3128 and, upon request, review the  
79 educational materials and approve any training or course on the requirements of Article 3 and the Acts  
80 conducted for state and local government officers and employees;

81 7- 8. Publish such educational materials as it deems appropriate on the provisions of Article 3 and  
82 the Acts;

83 8- 9. Review actions taken in the General Assembly with respect to the discipline of its members for  
84 the purpose of offering nonbinding advice;

85 9- 10. Request from any agency of state or local government such assistance, services, and  
86 information as will enable the Council to effectively carry out its responsibilities. Information provided  
87 to the Council by an agency of state or local government shall not be released to any other party unless  
88 authorized by such agency; and

89 10- 11. Report on or before December 1 of each year on its activities and findings regarding Article  
90 3 and the Acts, including recommendations for changes in the laws, to the General Assembly and the  
91 Governor. The annual report shall be submitted by the chairman as provided in the procedures of the  
92 Division of Legislative Automated Systems for the processing of legislative documents and reports and  
93 shall be published as a state document.