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## SENATE BILL NO. 1278

Offered January 14, 2015

Prefiled January 14, 2015

A BILL to amend and reenact §§ 2.2-3103.1, 2.2-3117, 2.2-3120, 2.2-3124, 30-103.1, 30-111, 30-123, 30-126, and 30-356 of the Code of Virginia, relating to State and Local Government Conflict of Interests Act and the General Assembly Conflicts of Interests Act; certain gifts prohibited; penalties.

Patron—Wexton

Referred to Committee on Rules

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

1. That §§ 2.2-3103.1, 2.2-3117, 2.2-3120, 2.2-3124, 30-103.1, 30-111, 30-123, 30-126, and 30-356 of the Code of Virginia are amended and reenacted as follows:

**§ 2.2-3103.1. Certain gifts prohibited; penalties.**

A. For purposes of this section:

"Intangible gift" means a thing those services, transportation, lodgings, meals, and other things of temporary value or a thing that upon the happening of a certain event or expiration of a given date loses its value that may be enjoyed but cannot be resold. "Intangible gift" includes entertainment, hospitality, a ticket, admission, or pass, transportation, lodgings, and meals that are reportable on Schedule E of the disclosure form prescribed in § 2.2-3117.

"Person, organization, or business" includes individuals who are officers, directors, or owners of or who have a controlling ownership interest in such organization or business.

"Tangible gift" means a thing those things of value that does not lose its value upon the happening of a certain event or expiration of a given date can be sold at retail. "Tangible gift" includes currency, negotiable instruments, securities, stock options, or other financial instruments that are reportable on Schedule E of the disclosure form prescribed in § 2.2-3117. "Tangible gift" does not include payments or reimbursements received for any intangible gift.

B. An officer or employee of a local governmental or advisory agency or candidate required to file the disclosure form prescribed in § 2.2-3117 (i) shall not solicit, accept, or receive within any calendar year any single tangible or intangible gift with a value in excess of \$250 exceeding \$100 or a combination of tangible or intangible gifts with an aggregate value in excess of \$250 exceeding \$100 from any person that he knows or has reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4; (b) a lobbyist's principal as defined in § 2.2-419; or (c) a person, organization, or business who is a party to or is seeking to become a party to a contract with the local agency of which he is an officer or an employee; (ii) shall report any tangible gift with a value of \$250 or less or any intangible gift received from any person listed in clause (i) on Schedule E of such disclosure form; and (iii) shall report any payments for talks, meetings, and publications on Schedule D of such disclosure form, organization, or business. For purposes of this section and the disclosure requirements prescribed by § 2.2-3117, any single tangible or intangible gift, or any combination of tangible or intangible gifts, with a value exceeding \$100 given to a member of the immediate family of such officer, employee, or candidate shall be considered a gift to the officer, employee, or candidate if (i) such gift was given with the knowledge and acquiescence of the officer, employee, or candidate, and (ii) the officer, employee, or candidate knows or has reason to know that such gift was given to the member of his immediate family because of his official position. No officer, employee, or candidate or member of the immediate family of such officer, employee, or candidate shall solicit, accept, or receive any tangible or intangible gift of any value when he knows or has reason to know that such gift was offered or given with the intent to induce any conduct or action by the officer, employee, or candidate related to the performance of his official duties.

C. An officer or employee of a state governmental or advisory agency or candidate required to file the disclosure form prescribed in § 2.2-3117 (i) shall not solicit, accept, or receive within any calendar year any single tangible or intangible gift with a value in excess of \$250 exceeding \$100 or a combination of tangible or intangible gifts with an aggregate value in excess of \$250 exceeding \$100 from any person that he knows or has reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4; (b) a lobbyist's principal as defined in § 2.2-419; or (c) a person, organization, or business who is a party to or is seeking to become a party to a contract with the Commonwealth; (ii) shall report any tangible gift with a value of \$250 or less or any intangible gift received from any person listed in clause (i) on Schedule E of such disclosure form; and (iii) shall report any payments for talks, meetings, and publications on Schedule D of such disclosure form,

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59 organization, or business. For purposes of this section and the disclosure requirements prescribed by  
 60 § 2.2-3117, any single tangible or intangible gift, or any combination of tangible or intangible gifts,  
 61 with a value exceeding \$100 given to a member of the immediate family of such officer, employee, or  
 62 candidate shall be considered a gift to the officer, employee, or candidate if (i) such gift was given with  
 63 the knowledge and acquiescence of the officer, employee, or candidate, and (ii) the officer, employee, or  
 64 candidate knows or has reason to know that such gift was given to the member of his immediate family  
 65 because of his official position. No officer, employee, or candidate or member of the immediate family of  
 66 such officer, employee, or candidate shall solicit, accept, or receive any tangible or intangible gift of  
 67 any value when he knows or has reason to know that such gift was offered or given with the intent to  
 68 induce any conduct or action by the officer, employee, or candidate related to the performance of his  
 69 official duties.

70 D. Notwithstanding the provisions of subsections B and C, an officer or employee of a state or local  
 71 governmental or advisory agency or a candidate required to file the disclosure form prescribed in §  
 72 2.2-3117, or a member of the immediate family of such officer, employee, or candidate, may accept an  
 73 intangible gift with a value exceeding \$100 if the officer, employee, or candidate has submitted a written  
 74 request to and has received the written approval of the Council.

75 E. During the pendency of a civil action in any state or federal court to which the Commonwealth is  
 76 a party, the Governor or the Attorney General or any employee of the Governor or the Attorney General  
 77 who is subject to the provisions of this chapter shall not solicit, accept, or receive any tangible gift from  
 78 any person that he knows or has reason to know is a person, organization, or business who is a party to  
 79 such civil action. A person, organization, or business who is a party to such civil action shall not  
 80 knowingly give any tangible gift to the Governor or the Attorney General or any of their employees  
 81 who are subject to the provisions of this chapter.

82 E. The \$250 limitation imposed in accordance with this section shall be adjusted by the Council  
 83 every five years, as of January 1 of that year, in an amount equal to the annual increases for that  
 84 five-year period in the United States Average Consumer Price Index for all items, all urban consumers  
 85 (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, rounded to the  
 86 nearest whole dollar.

87 F. For purposes of this section, "person, organization, or business" includes individuals who are  
 88 officers, directors, or owners of or who have a controlling ownership interest in such organization or  
 89 business.

#### 90 § 2.2-3117. Disclosure form.

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

#### 93 STATEMENT OF ECONOMIC INTERESTS.

94 Name .....  
 95 Office or position held or sought .....  
 96 Address .....  
 97 Names of members of immediate family .....

#### 98 DEFINITIONS AND EXPLANATORY MATERIAL.

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

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

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

112 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item  
 113 having monetary value. It includes services as well as gifts of transportation, lodgings and meals,  
 114 whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the  
 115 expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission  
 116 or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic,  
 117 merit, or need-based scholarship or any other financial aid awarded by a public or private school,  
 118 institution of higher education, or other educational program pursuant to such school, institution, or  
 119 program's financial aid standards and procedures applicable to the general public; (iv) a campaign

contribution properly received and reported pursuant to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2; (v) any gift related to the private profession or occupation of an officer or employee or of a member of his immediate family; or (vi) gifts from relatives or personal friends. "Relative" means the donee's spouse, child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother, or sister; or the donee's brother's or sister's spouse. "Personal friend" does not include any person that the filer knows or has reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's principal as defined in § 2.2-419; (c) for an officer or employee of a local governmental or advisory agency, a person, organization, or business who is a party to or is seeking to become a party to a contract with the local agency of which he is an officer or an employee; or (d) for an officer or employee of a state governmental or advisory agency, a person, organization, or business who is a party to or is seeking to become a party to a contract with the Commonwealth. "Person, organization, or business" includes individuals who are officers, directors, or owners of or who have a controlling ownership interest in such organization or business.

"Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the officer or employee and who is a dependent of the officer or employee.

TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust, treat the trust's assets as if you own them directly. If you or your immediate family has a proportional 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 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.

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

COMPLETE ITEMS 1 THROUGH 10. REFER TO SCHEDULES ONLY IF DIRECTED.

You may attach additional explanatory information.

1. Offices and Directorships.

Are you or a member of your immediate family a paid officer or paid director of a business?

EITHER check NO // OR check YES // and complete Schedule A.

2. Personal Liabilities.

Do you or a member of your immediate family owe more than \$5,000 to any one creditor including contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property at least equal in value to the loan.)

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

3. Securities.

Do you or a member of your immediate family, directly or indirectly, separately or together, own securities valued in excess of \$5,000 invested in one business? Account for mutual funds, limited partnerships and trusts.

EITHER check NO // OR check YES // and complete Schedule C.

4. Payments for Talks, Meetings, and Publications.

During the past six months did you receive in your capacity as an officer or employee of your agency lodging, transportation, money, or anything else of value with a combined value exceeding \$200 (i) for a single talk, meeting, or published work or (ii) for a meeting, conference, or event where your attendance at the meeting, conference, or event was designed to (a) educate you on issues relevant to your duties as an officer or employee of your agency or (b) enhance your knowledge and skills relative to your duties as an officer or employee of your agency?

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

5. Gifts.

During the past six months did a business, government, or individual other than a relative or personal friend (i) furnish you or a member of your immediate family with any *single* gift or entertainment at a single event, and the value received exceeded \$50 or (ii) furnish you or a member of your immediate family with gifts or entertainment in any combination and the total value received exceeded \$100 \$50, and for which you or the member of your 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. Account for all business entertainment (except if related to the private profession or occupation of you or the member of your immediate family who received such business entertainment) even if unrelated to your official duties.

EITHER check NO // OR check YES // and complete Schedule E.

6. Salary and Wages.

List each employer that pays you or a member of your immediate family salary or wages in excess

181 of \$5,000 annually. (Exclude state or local government or advisory agencies.)

182 If no reportable salary or wages, check here //.

183 \_\_\_\_\_  
184 \_\_\_\_\_  
185 \_\_\_\_\_

186 7. Business Interests.

187 Do you or a member of your immediate family, separately or together, operate your own business, or  
188 own or control an interest in excess of \$5,000 in a business?

189 EITHER check NO // OR check YES // and complete Schedule F.

190 8. Payments for Representation and Other Services.

191 8A. Did you represent, excluding activity defined as lobbying in § 2.2-419, any businesses before any  
192 state governmental agencies, excluding courts or judges, for which you received total compensation  
193 during the past six months in excess of \$1,000, excluding compensation for other services to such  
194 businesses and representation consisting solely of the filing of mandatory papers and subsequent  
195 representation regarding the mandatory papers? (Officers and employees of local governmental and  
196 advisory agencies do NOT need to answer this question or complete Schedule G-1.)

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

198 8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial  
199 association (partners, associates or others) represent, excluding activity defined as lobbying in § 2.2-419,  
200 any businesses before any state governmental agency for which total compensation was received during  
201 the past six months in excess of \$1,000? (Officers and employees of local governmental and advisory  
202 agencies do NOT need to answer this question or complete Schedule G-2.)

203 EITHER check NO // OR check YES // and complete Schedule G-2.

204 8C. Did you or persons with whom you have a close financial association furnish services to  
205 businesses operating in Virginia pursuant to an agreement between you and such businesses, or between  
206 persons with whom you have a close financial association and such businesses for which total  
207 compensation in excess of \$1,000 was received during the past six months? Services reported under this  
208 provision shall not include services involving the representation of businesses that are reported under  
209 item 8A or 8B.

210 EITHER check NO // OR check YES // and complete Schedule G-3.

211 9. Real Estate.

212 9A. State Officers and Employees.

213 Do you or a member of your immediate family hold an interest, including a partnership interest,  
214 valued at more than \$5,000 in real property (other than your principal residence) for which you have not  
215 already listed the full address on Schedule F? Account for real estate held in trust.

216 EITHER check NO // OR check YES // and complete Schedule H-1.

217 9B. Local Officers and Employees.

218 Do you or a member of your immediate family hold an interest, including a partnership interest, or  
219 option, easement, or land contract, valued at more than \$5,000 in real property (other than your principal  
220 residence) for which you have not already listed the full address on Schedule F? Account for real estate  
221 held in trust.

222 EITHER check NO // OR check YES // and complete Schedule H-2.

223 10. Real Estate Contracts with Governmental Agencies.

224 Do you or a member of your immediate family hold an interest valued at more than \$5,000 in real  
225 estate, including a corporate, partnership, or trust interest, option, easement, or land contract, which real  
226 estate is the subject of a contract, whether pending or completed within the past six months, with a  
227 governmental agency? If the real estate contract provides for the leasing of the property to a  
228 governmental agency, do you or a member of your immediate family hold an interest in the real estate  
229 valued at more than \$1,000? Account for all such contracts whether or not your interest is reported in  
230 Schedule F, H-1, or H-2. This requirement to disclose an interest in a lease does not apply to an interest  
231 derived through an ownership interest in a business unless the ownership interest exceeds three percent  
232 of the total equity of the business.

233 EITHER check NO // OR check YES // and complete Schedule I.

234 Statements of Economic Interests are open for public inspection.

235 AFFIRMATION BY ALL FILERS.

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

237 Signature .....

238 (Return only if needed to complete Statement.)

239 SCHEDULES

240 to

241 STATEMENT OF ECONOMIC INTERESTS.

NAME .....

# SCHEDULE A - OFFICES AND DIRECTORSHIPS.

Identify each business of which you or a member of your immediate family is a paid officer or paid director.

Name of Business	Address of Business	Position Held and by Whom

RETURN TO ITEM 2

## SCHEDULE B - PERSONAL LIABILITIES.

Report personal liability by checking each category. Report only debts in excess of \$5,000. Do not report debts to any government. Do not report loans secured by recorded liens on property at least equal in value to the loan.

Report contingent liabilities below and indicate which debts are contingent.

1. My personal debts are as follows:

Check appropriate categories	Check one \$5,001 to \$50,000	Check one More than \$50,000
Banks		
Savings institutions		
Other loan or finance companies		
Insurance companies		
Stock, commodity or other brokerage companies		
Other businesses:		
(State principal business activity for each creditor and its name.)		

Individual creditors:

(State principal business or occupation of each creditor and its name.)

2. The personal debts of the members of my immediate family are as follows:

Check appropriate categories	Check one \$5,001 to \$50,000	Check one More than \$50,000
Banks		
Savings institutions		
Other loan or finance companies		
Insurance companies		
Stock, commodity or other brokerage companies		
Other businesses:		
(State principal business activity for each creditor and its name.)		

299	_____	_____	_____
300	_____	_____	_____
301	Individual creditors:		
302	(State principal business or occupation of		
303	each creditor and its name.)		
304	_____	_____	_____
305	_____	_____	_____
306	_____	_____	_____
307	_____	_____	_____

RETURN TO ITEM 3

**SCHEDULE C - SECURITIES.**

"Securities" INCLUDES stocks, bonds, mutual funds, limited partnerships, and commodity futures contracts.

"Securities" EXCLUDES certificates of deposit, money market funds, annuity contracts, and insurance policies.

Identify each business or Virginia governmental entity in which you or a member of your immediate family, directly or indirectly, separately or together, own securities valued in excess of \$5,000. Name each issuer and type of security individually.

Do not list U.S. Bonds or other government securities not issued by the Commonwealth of Virginia or its authorities, agencies, or local governments. Do not list organizations that do not do business in this Commonwealth, but most major businesses conduct business in Virginia. Account for securities held in trust.

If no reportable securities, check here / /.

322	_____				
323					
324			Check one		
325		Type of Security	\$5,001	\$50,001	More
326		(stocks, bonds, mutual	to	to	than
327	Name of Issuer	funds, etc.)	\$50,000	\$250,000	\$250,000
328	_____	_____	_____	_____	_____
329	_____	_____	_____	_____	_____
330	_____	_____	_____	_____	_____
331	_____	_____	_____	_____	_____
332	_____				

RETURN TO ITEM 4

**SCHEDULE D - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.**

List each source from which you received during the past six months in your capacity as an officer or employee of your agency lodging, transportation, money, or any other thing of value with combined value exceeding \$200 (i) for your presentation of a single talk, participation in one meeting, or publication of a work or (ii) for your attendance at a meeting, conference, or event where your attendance at the meeting, conference, or event was designed to (a) educate you on issues relevant to your duties as an officer or employee of your agency or (b) enhance your knowledge and skills relative to your duties as an officer or employee of your agency. Any lodging, transportation, money, or other thing of value received by an officer or employee that does not satisfy the provisions of clause (i), (ii) (a), or (ii) (b) shall be listed as a gift on Schedule E.

List payments or reimbursements by an advisory or governmental agency only for meetings or travel outside the Commonwealth.

List a payment even if you donated it to charity.

Do not list information about a payment if you returned it within 60 days or if you received it from an employer already listed under Item 6 or from a source of income listed on Schedule F.

If no payment must be listed, check here / /.

350	_____			
351				
352			Type of payment	
353			(e.g. honoraria,	
354			travel reimburse-	
355	Payer	Approximate Value	Circumstances	ment, etc.)
356	_____	_____	_____	_____
357	_____	_____	_____	_____

RETURN TO ITEM 5

**SCHEDULE E - GIFTS.**

List each business, governmental entity, or individual that, during the past six months, (i) furnished you or a member of your immediate family with any *single* gift or entertainment at a single event, and the value received exceeded \$50 or (ii) furnished you or a member of your immediate family with gifts or entertainment in any combination and the total value received exceeded \$100 \$50, and for which you or the member of your immediate family neither paid nor rendered services in exchange. List each such gift or event. Do not list entertainment events unless the average value per person attending the event exceeded \$50. Do not list business entertainment related to the private profession or occupation of you or the member of your immediate family who received such business entertainment. Do not list gifts or other things of value given by a relative or personal friend for reasons clearly unrelated to your public position. Do not list campaign contributions publicly reported as required by Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2 of the Code of Virginia.

Name of Recipient	Name of Business, Organization, or Individual	City or County and State	Exact Gift or Event	Approximate Value

RETURN TO ITEM 6

**SCHEDULE F - BUSINESS INTERESTS.**

Complete this Schedule for each self-owned or family-owned business (including rental property, a farm, or consulting work), partnership, or corporation in which you or a member of your immediate family, separately or together, own an interest having a value in excess of \$5,000.

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 trade, partnership, or corporate name, list the name only; otherwise, give the address of each property. Account for business interests held in trust.

Name of Business, Corporation, Partnership, Farm; Address of Rental Property	City or County and State	Nature of Enterprise (farming, law, rental property, etc.)	\$50,001 to \$250,000 or less	\$50,000 to \$250,000	More than \$250,000

RETURN TO ITEM 8

**SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.**

List the businesses you represented, excluding activity defined as lobbying in § 2.2-419, before any state governmental agency, excluding any court or judge, for which you received total compensation during the past six months in excess of \$1,000, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers filed by you.

Identify each business, the nature of the representation and the amount received by dollar category from each such business. You may state the type, rather than name, of the business if you are required by law not to reveal the name of the business represented by you.

Only STATE officers and employees should complete this Schedule.



475	companies	_____	_____	_____	_____	_____	_____	_____
476	Interstate							
477	transportation							
478	companies	_____	_____	_____	_____	_____	_____	_____
479	Intrastate							
480	transportation							
481	companies	_____	_____	_____	_____	_____	_____	_____
482	Oil or gas retail							
483	companies	_____	_____	_____	_____	_____	_____	_____
484	Banks	_____	_____	_____	_____	_____	_____	_____
485	Savings institutions	_____	_____	_____	_____	_____	_____	_____
486	Loan or finance							
487	companies	_____	_____	_____	_____	_____	_____	_____
488	Manufacturing							
489	companies (state							
490	type of product,							
491	e.g., textile,							
492	furniture, etc.)	_____	_____	_____	_____	_____	_____	_____
493	Mining companies	_____	_____	_____	_____	_____	_____	_____
494	Life insurance							
495	companies	_____	_____	_____	_____	_____	_____	_____
496	Casualty insurance							
497	companies	_____	_____	_____	_____	_____	_____	_____
498	Other insurance							
499	companies	_____	_____	_____	_____	_____	_____	_____
500	Retail companies	_____	_____	_____	_____	_____	_____	_____
501	Beer, wine or liquor							
502	companies or							
503	distributors	_____	_____	_____	_____	_____	_____	_____
504	Trade associations	_____	_____	_____	_____	_____	_____	_____
505	Professional							
506	associations	_____	_____	_____	_____	_____	_____	_____
507	Associations of							
508	public employees							
509	or officials	_____	_____	_____	_____	_____	_____	_____
510	Counties, cities							
511	or towns	_____	_____	_____	_____	_____	_____	_____
512	Labor organizations	_____	_____	_____	_____	_____	_____	_____
513	Other	_____	_____	_____	_____	_____	_____	_____

RETURN TO ITEM 9

**SCHEDULE H-1 - REAL ESTATE - STATE OFFICERS AND EMPLOYEES.**

List real estate other than your principal residence in which you or a member of your immediate family holds an interest, including a partnership interest, option, easement, or land contract, valued at more than \$5,000. Each parcel shall be listed individually.

520	_____		
521			
522			
523	List each location	Describe the type of real	
524	(state, and county	estate you own in each	If the real estate is
525	or city) where you	location (business, recre-	owned or recorded in
526	own real estate.	ational, apartment, com-	a name other than your
527		mercial, open land, etc.).	own, list that name.
528	_____	_____	_____
529	_____	_____	_____
530	_____	_____	_____
531	_____	_____	_____

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**SCHEDULE H-2 - REAL ESTATE - LOCAL OFFICERS AND EMPLOYEES.**

List real estate other than your principal residence in which you or a member of your immediate family holds an interest, including a partnership interest or option, easement, or land contract, valued at more than \$5,000. Each parcel shall be listed individually. Also list the names of any co-owners of such property, if applicable.

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	Describe the type of real estate you own in each location	If the real estate is owned or rec- orded in a name other than your own, list that name.	List the names of any co-owners, if applicable.
List each location (business, (state, and county recreational, or city) where apartment, com- you own real mercial, open estate. land, etc.).			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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**SCHEDULE I - REAL ESTATE CONTRACTS WITH GOVERNMENTAL AGENCIES.**

List all contracts, whether pending or completed within the past six months, with a governmental agency for the sale or exchange of real estate in which you or a member of your immediate family holds an interest, including a corporate, partnership or trust interest, option, easement, or land contract, valued at more than \$10,000. List all contracts with a governmental agency for the lease of real estate in which you or a member of your immediate family holds such an interest valued at more than \$1,000. This requirement to disclose an interest in a lease does not apply to an interest derived through an ownership interest in a business unless the ownership interest exceeds three percent of the total equity of the business.

State officers and employees report contracts with state agencies.

Local officers and employees report contracts with local agencies.

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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 the percentage ownership interest you or your immediate family member has in the real estate or entity.	List each governmental agency which is a party to the contract and indicate the county or city where the real estate is located.	State the annual income from the contract, and the amount, if any, of income you or any immediate family member derives annually from the contract.
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Any person who knowingly violates any of the provisions of Articles 2 through 6 (§§ 2.2-3102 through 2.2-3119) of this chapter shall be is guilty of a Class 1 misdemeanor, except that any:

1. Any member of a local governing body who knowingly violates subsection A of § 2.2-3112 or subsection D or F of § 2.2-3115 shall be is guilty of a Class 3 misdemeanor; and

2. A knowing violation of § 2.2-3103.1 by an officer or employee of a state or local governmental or advisory agency or a candidate required to file the disclosure form prescribed in § 2.2-3117 is punishable by a civil penalty in an amount equal to \$250. Any such officer, employee, or candidate who knowingly commits a second or subsequent violation within four years of a previous violation is 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.

**§ 2.2-3124. Civil penalty from violation of this chapter.**

In addition to any other fine or penalty provided by law, an officer or employee who knowingly violates any provision of §§ § 2.2-3103 or §§ 2.2-3104 through 2.2-3112 shall be subject to a civil penalty in an amount equal to the amount of money or thing of value received as a result of such violation. If the thing of value received by the officer or employee in violation of §§ § 2.2-3103 or §§ 2.2-3104 through 2.2-3112 increases in value between the time of the violation and the time of discovery of the violation, the greater value shall determine the amount of the civil penalty. Further, all money or other things of value received as a result of such violation shall be forfeited in accordance with the provisions of § 19.2-386.33.

**§ 30-103.1. Certain gifts prohibited; penalties.**

A. For purposes of this section:

"Intangible gift" means a thing those services, transportation, lodgings, meals, and other things of temporary value or a thing that upon the happening of a certain event or expiration of a given date loses its value that may be enjoyed but cannot be resold. "Intangible gift" includes entertainment, hospitality, a ticket, admission, or pass, transportation, lodgings, and meals that are reportable on Schedule E of the disclosure form prescribed in § 30-111.

"Tangible gift" means a thing those things of value that does not lose its value upon the happening of a certain event or expiration of a given date can be sold at retail. "Tangible gift" includes currency, negotiable instruments, securities, stock options, or other financial instruments that are reportable on Schedule E of the disclosure form prescribed in § 30-111. "Tangible gift" does not include payments or reimbursements received for any intangible gift.

B. A legislator or candidate for the General Assembly required to file the disclosure form prescribed in § 30-111 (i) shall not solicit, accept, or receive within any calendar year any single tangible or intangible gift with a value in excess of \$250 exceeding \$100 or a combination of tangible or intangible gifts with an aggregate value in excess of \$250 exceeding \$100 from any person that he knows or has reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's principal as defined in § 2.2-419; or (c) a person, organization, or business who is a party to or is seeking to become a party to a contract with the Commonwealth; (ii) shall report any tangible gift with a value of \$250 or less or any intangible gift received from any person listed in clause (i) on Schedule E of such disclosure form; and (iii) shall report any payments for talks, meetings, and publications on Schedule D-1 of such disclosure form. For purposes of this subsection, "person, organization, or business" includes individuals who are officers, directors, or owners of or who have a controlling ownership interest in such organization or business, organization, or business. For purposes of this section and the disclosure requirements prescribed by § 30-111, any single tangible or intangible gift, or any combination of tangible or intangible gifts, with a value exceeding \$100 given to a member of the immediate family of such legislator or candidate shall be considered a gift to the legislator or candidate if (i) such gift was given with the knowledge and acquiescence of the legislator or candidate, and (ii) the legislator or candidate knows or has reason to know that such gift was given to the member of his immediate family because of his official position. No legislator or candidate or member of the immediate family of such legislator or candidate shall solicit, accept, or receive any tangible or intangible gift of any value when he knows or has reason to know that such gift was offered or given with the intent to induce any conduct or action by the legislator or candidate related to the performance of his official duties.

C. The \$250 limitation imposed in accordance with this section shall be adjusted by the Council every five years, as of January 1 of that year, in an amount equal to the annual increases for that five-year period in the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, rounded to the nearest whole dollar. Notwithstanding the provisions of subsection B, a legislator or candidate for the General Assembly required to file the disclosure form prescribed in § 30-111, or a member of the

651 *immediate family of such legislator or candidate, may accept an intangible gift with a value exceeding*  
 652 *\$100 if he has submitted a written request to and has received the written approval of the Council.*

653 **§ 30-111. Disclosure form.**

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

656 STATEMENT OF ECONOMIC INTERESTS.

657 Name .....

658 Office or position held or sought .....

659 Address .....

660 Names of members of immediate family .....

661 DEFINITIONS AND EXPLANATORY MATERIAL.

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

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

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

675 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item  
 676 having monetary value. It includes services as well as gifts of transportation, lodgings and meals,  
 677 whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the  
 678 expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission  
 679 or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic,  
 680 merit, or need-based scholarship or any other financial aid awarded by a public or private school,  
 681 institution of higher education, or other educational program pursuant to such school, institution, or  
 682 program's financial aid standards and procedures applicable to the general public; (iv) a campaign  
 683 contribution properly received and reported pursuant to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;  
 684 (v) any gift related to the private profession or occupation of a legislator or of a member of his  
 685 immediate family; or (vi) gifts from relatives or personal friends. "Relative" means the donee's spouse,  
 686 child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the donee's  
 687 or his spouse's parent, grandparent, grandchild, brother, or sister; or the donee's brother's or sister's  
 688 spouse. "Personal friend" does not include any person that the filer knows or has reason to know is (a) a  
 689 lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's  
 690 principal as defined in § 2.2-419; or (c) a person, organization, or business who is a party to or is  
 691 seeking to become a party to a contract with the Commonwealth. "Person, organization, or business"  
 692 includes individuals who are officers, directors, or owners of or who have a controlling ownership  
 693 interest in such organization or business.

694 "Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the  
 695 legislator and who is a dependent of the legislator.

696 "Lobbyist relationship" means (i) an engagement, agreement, or representation that relates to legal  
 697 services, consulting services, or public relations services, whether gratuitous or for compensation,  
 698 between a member or member-elect and any person who is, or has been within the prior calendar year,  
 699 registered as a lobbyist with the Secretary of the Commonwealth or (ii) a greater than three percent  
 700 ownership interest by a member or member-elect in a business that employs, or engages as an  
 701 independent contractor, any person who is, or has been within the prior calendar year, registered as a  
 702 lobbyist with the Secretary of the Commonwealth. The disclosure of a lobbyist relationship shall not (a)  
 703 constitute a waiver of any attorney-client or other privilege, (b) require a waiver of any attorney-client  
 704 or other privilege for a third party, or (c) be required where a member or member-elect is employed or  
 705 engaged by a person and such person also employs or engages a person in a lobbyist relationship so  
 706 long as the member or member-elect has no financial interest in the lobbyist relationship.

707 TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust,  
 708 treat the trust's assets as if you own them directly. If you or your immediate family has a proportional  
 709 interest in a trust, treat that proportion of the trust's assets as if you own them directly. For example, if  
 710 you and your immediate family have a one-third interest in a trust, complete your Statement as if you  
 711 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.

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

COMPLETE ITEMS 1 THROUGH 11. REFER TO SCHEDULES ONLY IF DIRECTED.

You may attach additional explanatory information.

1. Offices and Directorships.

Are you or a member of your immediate family a paid officer or paid director of a business?

EITHER check NO // OR check YES // and complete Schedule A.

2. Personal Liabilities.

Do you or a member of your immediate family owe more than \$5,000 to any one creditor including contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property at least equal in value to the loan.)

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

3. Securities.

Do you or a member of your immediate family, directly or indirectly, separately or together, own securities valued in excess of \$5,000 invested in one business? Account for mutual funds, limited partnerships and trusts.

EITHER check NO // OR check YES // and complete Schedule C.

4. Payments for Talks, Meetings, and Publications.

During the past six months did you receive in your capacity as a legislator lodging, transportation, money, or anything else of value with a combined value exceeding \$200 (i) for a single talk, meeting, or published work or (ii) for a meeting, conference, or event where your attendance at the meeting, conference, or event was designed to (a) educate you on issues relevant to your duties as a legislator, including issues faced by your constituents, or (b) enhance your knowledge and skills relative to your duties as a legislator? Do not include payments and reimbursements from the Commonwealth for meetings attended in your capacity as a legislator; see Question 11 and Schedule D2 to report such meetings.

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

5. Gifts.

During the past six months did a business, government, or individual other than a relative or personal friend (i) furnish you or a member of your immediate family with any *single* gift or entertainment at a single event, and the value received exceeded \$50 or (ii) furnish you or a member of your immediate family with gifts or entertainment in any combination and the total value received exceeded \$100 \$50, and for which you or the member of your 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. Account for all business entertainment (except if related to the private profession or occupation of you or the member of your immediate family who received such business entertainment) even if unrelated to your official duties.

EITHER check NO // OR check YES // and complete Schedule E.

6. Salary and Wages.

List each employer that pays you or a member of your immediate family salary or wages in excess of \$5,000 annually. (Exclude any salary received as a member of the General Assembly pursuant to § 30-19.11.)

If no reportable salary or wages, check here //.

7. Business Interests and Lobbyist Relationships.

7A. Do you or a member of your immediate family, separately or together, operate your own business, or own or control an interest in excess of \$5,000 in a business?

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

7B. Do you have a lobbyist relationship as that term is defined above?

EITHER check NO // OR check YES // and complete Schedule F-2.

8. Payments for Representation and Other Services.

8A. Did you represent any businesses before any state governmental agencies, excluding courts or judges, for which you received total compensation during the past six months in excess of \$1,000, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers?

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

8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial

773 association (partners, associates or others) represent any businesses before any state governmental agency  
 774 for which total compensation was received during the past six months in excess of \$1,000?

775 EITHER check NO // OR check YES // and complete Schedule G-2.

776 8C. Did you or persons with whom you have a close financial association furnish services to  
 777 businesses operating in Virginia, pursuant to an agreement between you and such businesses, or between  
 778 persons with whom you have a close financial association and such businesses for which total  
 779 compensation in excess of \$1,000 was received during the past six months? Services reported under this  
 780 provision shall not include services involving the representation of businesses that are reported under  
 781 question 8A or 8B above.

782 EITHER check NO // OR check YES // and complete Schedule G-3.

783 9. Real Estate.

784 Do you or a member of your immediate family hold an interest, including a partnership interest,  
 785 valued at more than \$5,000 in real property (other than your principal residence) for which you have not  
 786 already listed the full address on Schedule F? Account for real estate held in trust.

787 EITHER check NO // OR check YES // and complete Schedule H.

788 10. Real Estate Contracts with State Governmental Agencies.

789 Do you or a member of your immediate family hold an interest valued at more than \$5,000 in real  
 790 estate, including a corporate, partnership, or trust interest, option, easement, or land contract, which real  
 791 estate is the subject of a contract, whether pending or completed within the past six months, with a state  
 792 governmental agency?

793 If the real estate contract provides for the leasing of the property to a state governmental agency, do  
 794 you or a member of your immediate family hold an interest in the real estate, including a corporate,  
 795 partnership, or trust interest, option, easement, or land contract valued at more than \$1,000? Account for  
 796 all such contracts whether or not your interest is reported in Schedule F or H. This requirement to  
 797 disclose an interest in a lease does not apply to an interest derived through an ownership interest in a  
 798 business unless the ownership interest exceeds three percent of the total equity of the business.

799 EITHER check NO // OR check YES // and complete Schedule I.

800 11. Payments by the Commonwealth for Meetings.

801 During the past six months did you receive lodging, transportation, money, or anything else of value  
 802 with a combined value exceeding \$200 from the Commonwealth for a single meeting attended  
 803 out-of-state in your capacity as a legislator? Do not include reimbursements from the Commonwealth for  
 804 meetings attended in the Commonwealth.

805 EITHER check NO // OR check YES // and complete Schedule D-2.

806 For Statements filed in ~~January~~ June 2016 and each two years thereafter, complete the following  
 807 statement indicating whether you completed the ethics orientation sessions provided pursuant to law:

808 I certify that I completed ethics training as required by § 30-129.1. YES // or NO // .

809 Statements of Economic Interests are open for public inspection.

810 AFFIRMATION.

811 In accordance with the rules of the house in which I serve, if I receive a request that this disclosure  
 812 statement be corrected, augmented, or revised in any respect, I hereby pledge that I shall respond  
 813 promptly to the request. I understand that if a determination is made that the statement is insufficient, I  
 814 will satisfy such request or be subjected to disciplinary action of my house.

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

816 Signature \_\_\_\_\_ (Such signature shall be deemed to constitute a  
 817 valid notarization and shall have the same effect as if performed by a notary public.)

818 (Return only if needed to complete Statement.)

#### 819 SCHEDULES

820 to

#### 821 STATEMENT OF ECONOMIC INTERESTS.

822 NAME \_\_\_\_\_

823 SCHEDULE A - OFFICES AND DIRECTORSHIPS.

824 Identify each business of which you or a member of your immediate family is a paid officer or paid  
 825 director.

826	_____		
827			
828	Name of Business	Address of Business	Position Held and by Whom
829	_____	_____	_____
830	_____	_____	_____
831	_____	_____	_____
832	_____	_____	_____
833	_____	_____	_____

RETURN TO ITEM 2

## SCHEDULE B - PERSONAL LIABILITIES.

Report personal liability by checking each category. Report only debts in excess of \$5,000. Do not report debts to any government. Do not report loans secured by recorded liens on property at least equal in value to the loan.

Report contingent liabilities below and indicate which debts are contingent.

1. My personal debts are as follows:

Check appropriate categories	Check one \$5,001 to \$50,000	Check one More than \$50,000
Banks		
Savings institutions		
Other loan or finance companies		
Insurance companies		
Stock, commodity or other brokerage companies		
Other businesses: (State principal business activity for each creditor and its name.)		
Individual creditors: (State principal business or occupation of each creditor and its name.)		

2. The personal debts of the members of my immediate family are as follows:

Check appropriate categories	Check one \$5,001 to \$50,000	Check one More than \$50,000
Banks		
Savings institutions		
Other loan or finance companies		
Insurance companies		
Stock, commodity or other brokerage companies		
Other businesses: (State principal business activity for each creditor and its name.)		
Individual creditors: (State principal business or occupation of each creditor and its name.)		

RETURN TO ITEM 3

INTRODUCED

SB1278



Type of Payment  
(e.g., Travel  
reimbursement,  
etc.)

Payer	Approximate Value	Circumstances	Type of Payment (e.g., Travel reimbursement, etc.)

#### SCHEDULE E - GIFTS.

List each business, governmental entity, or individual that, during the past six months, (i) furnished you or a member of your immediate family with any *single* gift or entertainment at a single event, and the value received exceeded \$50 or (ii) furnished you or a member of your immediate family with gifts or entertainment in any combination and the total value received exceeded \$100 \$50, and for which you or the member of your immediate family neither paid nor rendered services in exchange. List each such gift or event.

Do not list entertainment events unless the average value per person attending the event exceeded \$50. Do not list business entertainment related to the private profession or occupation of you or the member of your immediate family who received such business entertainment. Do not list gifts or other things of value given by a relative or personal friend for reasons clearly unrelated to your public position. Do not list campaign contributions publicly reported as required by Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2 of the Code of Virginia.

Name of Recipient	Name of Business, Organization, or Individual	City or County and State	Exact Gift or Event	Approximate Value

RETURN TO ITEM 6

#### SCHEDULE F-1 - BUSINESS INTERESTS.

Complete this Schedule for each self-owned or family-owned business (including rental property, a farm, or consulting work), partnership, or corporation in which you or a member of your immediate family, separately or together, own an interest having a value in excess of \$5,000.

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 trade, partnership, or corporate name, list the name only; otherwise, give the address of each property. Account for business interests held in trust.

Name of Business Corporation, Partnership, Farm;	City or County and State	Nature of Enterprise (farming, law, rental property, etc.)	Gross income \$50,001 to \$250,000	More than \$250,000

RETURN TO ITEM 8

#### SCHEDULE F-2 - LOBBYIST RELATIONSHIPS AND PAYMENTS.



Type of Business Name of State Governmental Agency


### SCHEDULE G-3 - PAYMENTS FOR OTHER SERVICES GENERALLY.

Indicate below types of businesses that operate in Virginia to which services were furnished by you or persons with whom you have a close financial association pursuant to an agreement between you and such businesses, or between persons with whom you have a close financial association and such businesses and for which total compensation in excess of \$1,000 was received during the past six months. Services reported in this Schedule shall not include services involving the representation of businesses that are reported in Schedule G-1 or G-2 above.

Identify opposite each category of businesses listed below (i) the type of business, (ii) the type of service rendered and (iii) the value by dollar category of the compensation received for all businesses falling within each category.

	Check if	Type of	Value of Compensation				
	ser-	ser-	\$1,001	\$10,001	\$50,001	\$100,001	
	were	vice	to	to	to	to	\$250,001
	ren-	ren-	\$10,000	\$50,000	\$100,000	\$250,000	and over
	dered	dered					
Electric utilities							
Gas utilities							
Telephone utilities							
Water utilities							
Cable television							
companies							
Interstate							
transportation							
companies							
Intrastate							
transportation							
companies							
Oil or gas retail							
companies							
Banks							
Savings							
institutions							
Loan or finance							
companies							
Manufacturing							
companies (state							
type of product,							
e.g., textile,							
furniture, etc.)							
Mining companies							
Life insurance							
companies							
Casualty insurance							
companies							
Other insurance							
companies							
Retail companies							

1124	Beer, wine or						
1125	liquor companies						
1126	or distributors						
1127	Trade associations						
1128	Professional						
1129	associations						
1130	Associations of						
1131	public employees						
1132	or officials						
1133	Counties, cities						
1134	or towns						
1135	Labor organizations						
1136	Other						
1137							

RETURN TO ITEM 9

**SCHEDULE H - REAL ESTATE.**

List real estate other than your principal residence in which you or a member of your immediate family holds an interest, including a partnership interest, option, easement, or land contract, valued at \$5,000 or more. Each parcel shall be listed individually.

1143			
1144			
1145		Describe the type of real	
1146		estate you own in each	
1147	List the location	location (business,	If the real estate is
1148	(state, and county	recreational, apartment,	owned or recorded in
1149	or city where you	commercial, open land,	a name other than your
1150	own real estate	etc.)	own, list that name
1151			
1152			
1153			
1154			
1155			
1156			

RETURN TO ITEM 10

**SCHEDULE I - REAL ESTATE CONTRACTS WITH STATE GOVERNMENTAL AGENCIES.**

List all contracts, whether pending or completed within the past six months, with a state governmental agency for the sale or exchange of real estate in which you or a member of your immediate family holds an interest, including a corporate, partnership or trust interest, option, easement, or land contract, valued at more than \$10,000. List all contracts with a state governmental agency for the lease of real estate in which you or a member of your immediate family holds such an interest valued at more than \$1,000. This requirement to disclose an interest in a lease does not apply to an interest derived through an ownership interest in a business unless the ownership interest exceeds three percent of the total equity of the business.

1167			
1168			
1169	List your real		
1170	estate interest and		
1171	the person or entity,		
1172	including the type of		
1173	entity, which is		
1174	party to the contract.		
1175	Describe any		State the annual
1176	management role and	List each	income from the
1177	the percentage	governmental agency	contract, and the
1178	ownership interest	which is a party to	amount, if any, of
1179	you or your immediate	the contract and	income you or any
1180	family member has in	indicate the county	immediate family
1181	the real estate	or city where the	member derives
			annually from

or entity. real estate is located. the contract.

B. Any legislator who makes a knowing misstatement of a material fact on the Statement of Economic Interests shall be subject to disciplinary action for such violations by the house in which the legislator sits.

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

D. Ten percent of the membership of a house, on the basis of newly discovered facts, may in writing 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 his filing. In accordance with the rules of each house, each Statement of Economic Interests shall be 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, augmentation or revision, the legislator involved shall be directed to make the changes required within such time as shall be set under the rules of each house.

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

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

Any legislator who knowingly violates any of the provisions of Articles 2 through 5 4 (§§ 30-102 through ~~30-111~~ 30-108) ~~of this chapter shall be~~ or § 30-109, 30-110, or 30-111 is guilty of a Class 1 misdemeanor. *However, a knowing violation of § 30-103.1 by a legislator or a candidate for the General Assembly is punishable by a civil penalty in an amount equal to \$250, and any such legislator or candidate who knowingly commits a second or subsequent violation within four years of a previous violation is 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.

**§ 30-126. Civil penalty from violation of this chapter.**

In addition to any other fine or penalty provided by law, any money or other thing of value derived by a legislator from a violation of §§ § 30-103 or §§ 30-104 through 30-108 shall be forfeited and, in the event of a knowing violation, there may also be imposed a civil penalty in an amount equal to the amount of money or thing of value forfeited to the Commonwealth. If the thing of value received by the legislator in violation of this chapter should enhance in value between the time of the violation and the time of discovery of the violation, the greater value shall determine the amount of the civil penalty.

**§ 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 requests for~~ *shall request additional* amendments *as needed* 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

1243 the Council;

1244 3. Beginning July 1, 2015, establish and maintain a searchable electronic database comprising  
1245 disclosure forms filed pursuant to §§ 2.2-426, 2.2-3117, 2.2-3118, and 30-111. Such database shall be  
1246 available to the public through the Council's official website;

1247 4. Furnish, upon request, formal advisory opinions or guidelines and other appropriate information,  
1248 including informal advice, regarding ethics and conflicts issues arising under Article 3 or the Acts to any  
1249 person or to any agency of state or local government, in an expeditious manner. Informal advice given  
1250 by the Council is confidential, protected by the attorney-client privilege, and is excluded from the  
1251 provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.);

1252 5. *Review and approve or deny requests submitted by state and local government officers and*  
1253 *employees, legislators, and candidates required to file the disclosure form prescribed in § 2.2-3117 or*  
1254 *30-111 to accept an intangible gift with a value exceeding \$100. The Council may approve those*  
1255 *requests that provide a public benefit and do not raise the appearance of impropriety. The Council shall*  
1256 *prescribe the standards and procedures for receiving, reviewing, and approving or denying such*  
1257 *requests;*

1258 6. Conduct training seminars and educational programs for lobbyists, state and local government  
1259 officers and employees ~~and~~, legislators, and other interested persons on the requirements of Article 3 and  
1260 the Acts and provide ethics orientation sessions for legislators in compliance with Article 6 (§ 30-129.1  
1261 et seq.) of Chapter 13;

1262 ~~6.~~ 7. Approve orientation courses conducted pursuant to § 2.2-3128 and, upon request, review the  
1263 educational materials and approve any training or course on the requirements of Article 3 and the Acts  
1264 conducted for state and local government officers and employees;

1265 ~~7.~~ 8. Publish such educational materials as it deems appropriate on the provisions of Article 3 and  
1266 the Acts;

1267 ~~8.~~ 9. Review actions taken in the General Assembly with respect to the discipline of its members for  
1268 the purpose of offering nonbinding advice;

1269 ~~9.~~ 10. Request from any agency of state or local government such assistance, services, and  
1270 information as will enable the Council to effectively carry out its responsibilities. Information provided  
1271 to the Council by an agency of state or local government shall not be released to any other party unless  
1272 authorized by such agency; and

1273 ~~10.~~ 11. Report on or before December 1 of each year on its activities and findings regarding Article  
1274 3 and the Acts, including recommendations for changes in the laws, to the General Assembly and the  
1275 Governor. The annual report shall be submitted by the chairman as provided in the procedures of the  
1276 Division of Legislative Automated Systems for the processing of legislative documents and reports and  
1277 shall be published as a state document.

1278 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**  
1279 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**  
1280 **be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter**  
1281 **2 of the Acts of Assembly of 2014, Special Session I, requires the Virginia Criminal Sentencing**  
1282 **Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated**  
1283 **amount of the necessary appropriation is \$0 for periods of commitment to the custody of the**  
1284 **Department of Juvenile Justice.**