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**SENATE BILL NO. 1345**

Offered January 19, 2015

A *BILL to amend and reenact §§ 2.2-419, 2.2-426, 2.2-431, 2.2-433, 2.2-3101, 2.2-3103, 2.2-3103.1, 2.2-3104, 2.2-3106, 2.2-3114 through 2.2-3118, 2.2-3121, 2.2-3124, 2.2-3131, 24.2-954, 30-101, 30-103, 30-103.1, 30-110, 30-111, 30-123, 30-124, 30-126, 30-127, and 30-129.1 of the Code of Virginia; to amend the Code of Virginia by adding in Chapter 25 of Title 2.2 an article numbered 10, consisting of sections numbered 2.2-2537 through 2.2-2546; and to repeal §§ 2.2-428 and 30-112 through 30-119 and Chapter 56 (§§ 30-355 through 30-358) of Title 30 of the Code of Virginia, relating to State and Local Government Conflict of Interests Act and General Assembly Conflicts of Interests Act; establishing the Virginia Independent Ethics Review Commission; penalty.*

Patron—McEachin

Referred to Committee on Rules

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

1. That §§ 2.2-419, 2.2-426, 2.2-431, 2.2-433, 2.2-3101, 2.2-3103, 2.2-3103.1, 2.2-3104, 2.2-3106, 2.2-3114 through 2.2-3118, 2.2-3121, 2.2-3124, 2.2-3131, 24.2-954, 30-101, 30-103, 30-103.1, 30-110, 30-111, 30-123, 30-124, 30-126, 30-127, and 30-129.1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 25 of Title 2.2 an article numbered 10, consisting of sections numbered 2.2-2537 through 2.2-2546, as follows:

**§ 2.2-419. Definitions.**

As used in this article, unless the context requires a different meaning:

"Anything of value" means:

1. A pecuniary item, including money, or a bank bill or note;
  2. A promissory note, bill of exchange, order, draft, warrant, check, or bond given for the payment of money;
  3. A contract, agreement, promise, or other obligation for an advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money;
  4. A stock, bond, note, or other investment interest in an entity;
  5. A receipt given for the payment of money or other property;
  6. A right in action;
  7. A gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel;
  8. A loan or forgiveness of indebtedness;
  9. A work of art, antique, or collectible;
  10. An automobile or other means of personal transportation;
  11. Real property or an interest in real property, including title to realty, a fee simple or partial interest, present or future, contingent or vested within realty, a leasehold interest, or other beneficial interest in realty;
  12. An honorarium or compensation for services;
  13. A rebate or discount in the price of anything of value unless the rebate or discount is made in the ordinary course of business to a member of the public without regard to that person's status as an executive or legislative official, or the sale or trade of something for reasonable compensation that would ordinarily not be available to a member of the public;
  14. A promise or offer of employment; or
  15. Any other thing of value that is pecuniary or compensatory in value to a person.
- "Anything of value" does not mean a campaign contribution properly received and reported pursuant to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2.
- "Commission" means the Virginia Independent Ethics Review Commission established in Article 10 (§§ 2.2-2537 et seq.) of Chapter 25.
- "Compensation" means:
1. An advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money or anything of value; or
  2. A contract, agreement, promise or other obligation for an advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money or anything of value, for services rendered or to be rendered.
- "Compensation" does not mean reimbursement of expenses if the reimbursement does not exceed the amount actually expended for the expenses and it is substantiated by an itemization of expenses.
- "Dependent" means a son, daughter, father, mother, sister, or other person, whether or not related

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59 *by blood or marriage, if such persons receives from the executive or legislative official, or provides to*  
60 *the executive or legislative official, more than one-half of his financial support.*

61 "Executive action" means the proposal, drafting, development, consideration, amendment, adoption,  
62 approval, promulgation, issuance, modification, rejection, or postponement by an executive agency or  
63 official of legislation or executive orders issued by the Governor.

64 "Executive agency" means an agency, board, commission, or other body in the executive branch of  
65 state government. "Executive agency" includes the State Corporation Commission, the Virginia Workers'  
66 Compensation Commission, and the Virginia Lottery.

67 "Executive official" means:

- 68 1. The Governor;
- 69 2. The Lieutenant Governor;
- 70 3. The Attorney General;
- 71 4. Any officer or employee of the office of the Governor or Lieutenant Governor other than a  
72 clerical or secretarial employee;
- 73 5. The Governor's Secretaries, the Deputy Secretaries, and the chief executive officer of each  
74 executive agency; or
- 75 6. Members of supervisory and policy boards, commissions and councils, as defined in § 2.2-2100,  
76 however selected.

77 "Expenditure" means:

- 78 1. A purchase, payment, distribution, loan, forgiveness of a loan or payment of a loan by a third  
79 party, advance, deposit, transfer of funds, a promise to make a payment, or a gift of money or anything  
80 of value for any purpose;
- 81 2. A payment to a lobbyist for salary, fee, reimbursement for expenses, or other purpose by a person  
82 employing, retaining, or contracting for the services of the lobbyist separately or jointly with other  
83 persons;
- 84 3. A payment in support of or assistance to a lobbyist or the lobbyist's activities, including the direct  
85 payment of expenses incurred at the request or suggestion of the lobbyist;
- 86 4. A payment that directly benefits an executive or legislative official or a member of the official's  
87 immediate family;
- 88 5. A payment, including compensation, payment, or reimbursement for the services, time, or expenses  
89 of an employee for or in connection with direct communication with an executive or legislative official;
- 90 6. A payment for or in connection with soliciting or urging other persons to enter into direct  
91 communication with an executive or legislative official; or
- 92 7. A payment or reimbursement for categories of expenditures required to be reported pursuant to  
93 this chapter.

94 "Expenditure" does not mean a campaign contribution properly received and reported pursuant to  
95 Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2.

96 "Fair market value" means the price that a good or service would bring between a willing seller and  
97 a willing buyer in the open market after negotiations. If the fair market value cannot be determined, the  
98 actual price paid for the good or service shall be given consideration.

99 "Gift" means anything of value to the extent that a consideration of equal or greater value is not  
100 received.

101 "Gift" does not mean:

- 102 1. Printed informational or promotional material;
- 103 2. A gift that is not used and, no later than 60 days after receipt, is returned to the donor or  
104 delivered to a charitable organization and is not claimed as a charitable contribution for federal income  
105 tax purposes;
- 106 3. A gift, devise, or inheritance from an individual's spouse, child, parent, grandparent, brother, sister,  
107 parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin or the spouse of  
108 that individual, if the donor is not acting as the agent or intermediary for someone other than a person  
109 covered by this subdivision; or
- 110 4. A gift of a value of \$50 \$25 or less.

111 "Immediate family" means (i) the spouse and (ii) any ~~child who~~ *resides other person residing* in the  
112 same household as the executive or legislative official ~~and~~, who is a dependent of the official.

113 "Legislative action" means:

- 114 1. Preparation, research, drafting, introduction, consideration, modification, amendment, approval,  
115 passage, enactment, tabling, postponement, defeat, or rejection of a bill, resolution, amendment, motion,  
116 report, nomination, appointment, or other matter by the General Assembly or a legislative official;
- 117 2. Action by the Governor in approving, vetoing, or recommending amendments for a bill passed by  
118 the General Assembly; or
- 119 3. Action by the General Assembly in overriding or sustaining a veto by the Governor, considering  
120 amendments recommended by the Governor, or considering, confirming, or rejecting an appointment of

the Governor.

"Legislative official" means:

1. A member or member-elect of the General Assembly;

2. A member of a committee, subcommittee, commission, or other entity established by and responsible to the General Assembly or either house of the General Assembly; or

3. Persons employed by the General Assembly or an entity established by and responsible to the General Assembly.

"Lobbying" means:

1. Influencing or attempting to influence executive or legislative action through oral or written communication with an executive or legislative official; or

2. Solicitation of others to influence an executive or legislative official.

"Lobbying" does not mean:

1. Requests for appointments, information on the status of pending executive and legislative actions, or other ministerial contacts if there is no attempt to influence executive or legislative actions;

2. Responses to published notices soliciting public comment submitted to the public official designated in the notice to receive the responses;

3. The solicitation of an association by its members to influence legislative or executive action; or

4. Communications between an association and its members and communications between a principal and its lobbyists.

"Lobbyist" means:

1. An individual who is employed and receives payments, or who contracts for economic consideration, including reimbursement for reasonable travel and living expenses, for the purpose of lobbying;

2. An individual who represents an organization, association, or other group for the purpose of lobbying; or

3. A local government employee who lobbies.

"Lobbyist's principal" or "principal" means the entity on whose behalf the lobbyist influences or attempts to influence executive or legislative action. An organization whose employees conduct lobbying activities on its behalf is both a principal and an employer of the lobbyists. In the case of a coalition or association that employs or retains others to conduct lobbying activities on behalf of its membership, the principal is the coalition or association and not its individual members.

"Local government" means:

1. Any county, city, town, or other local or regional political subdivision;

2. Any school division;

3. Any organization or entity that exercises governmental powers that is established pursuant to an interstate compact; or

4. Any organization composed of members representing entities listed in subdivisions 1, 2, or 3 of this definition.

"Local government employee" means a public employee of a local government.

"Person" means an individual, proprietorship, firm, partnership, joint venture, joint stock company, syndicate, business trust, estate, company, corporation, association, club, committee, organization, or group of persons acting in concert.

"Secretary" means the Secretary of the Commonwealth.

"Value" means the actual cost or fair market value of an item or items, whichever is greater. If the fair market value cannot be determined, the actual amount paid for the item or items shall be given consideration.

#### **§ 2.2-426. Lobbyist reporting; penalty.**

A. Each lobbyist shall file with the Virginia ~~Conflict of Interest and Ethics Advisory Council~~ *Independent Ethics Review Commission* a separate semiannual report of expenditures, including gifts, for each principal for whom he lobbies by December 15 for the preceding six-month period complete through the last day of October and June 15 for the preceding six-month period complete through the last day of April.

B. Each principal who expends more than \$500 to employ or compensate multiple lobbyists shall be responsible for filing a consolidated lobbyist report pursuant to this section in any case in which the lobbyists are each exempt under the provisions of subdivision 7 or 8 of § 2.2-420 from the reporting requirements of this section.

C. The report shall be on a form ~~provided prescribed and made available by the Virginia Conflict of Interest and Ethics Advisory Council, which shall be substantially as follows and shall be accompanied by instructions provided by the Council Commission.~~ *All reports shall be submitted electronically and in accordance with the standards approved by the Commission pursuant to the provisions of § 2.2-2540. A person required to file this disclosure statement who does so knowing it to contain a material*

182 *misstatement of fact is guilty of a Class 5 felony.*

183 ~~LOBBYIST'S DISCLOSURE STATEMENT~~

184 ~~PART I:~~

185 ~~(1) PRINCIPAL: \_\_\_\_\_~~

186 ~~\_\_\_\_\_ In Part I, item 2a, provide the name of the individual~~  
 187 ~~\_\_\_\_\_ authorizing your employment as a lobbyist. The lobbyist filing~~  
 188 ~~\_\_\_\_\_ this statement MAY NOT list his name in item 2a.~~

189 ~~(2a) Name: \_\_\_\_\_~~

190 ~~(2b) Permanent Business Address: \_\_\_\_\_~~

191 ~~(2c) Business Telephone: \_\_\_\_\_~~

192 ~~(3) Provide a list of executive and legislative actions (with as~~  
 193 ~~\_\_\_\_\_ much specificity as possible) for which you lobbied and a~~  
 194 ~~\_\_\_\_\_ description of activities conducted.~~

195 ~~\_\_\_\_\_~~

196 ~~\_\_\_\_\_~~

197 ~~\_\_\_\_\_~~

198 ~~(4) INCORPORATED FILINGS: If you are filing an incorporated~~  
 199 ~~\_\_\_\_\_ disclosure statement, please complete the following:~~

200 ~~\_\_\_\_\_ Individual filing financial information: \_\_\_\_\_~~

201 ~~\_\_\_\_\_ Individuals to be included in the filing: \_\_\_\_\_~~

202 ~~\_\_\_\_\_~~

203 ~~(5) Please indicate which schedules will be attached to your~~  
 204 ~~\_\_\_\_\_ disclosure statement:~~

205 ~~\_\_\_\_\_ [ ] Schedule A: Entertainment Expenses~~

206 ~~\_\_\_\_\_ [ ] Schedule B: Gifts~~

207 ~~\_\_\_\_\_ [ ] Schedule C: Other Expenses~~

208 ~~(6) EXPENDITURE TOTALS:~~

209 ~~\_\_\_\_\_ a) ENTERTAINMENT \$ \_\_\_\_\_~~

210 ~~\_\_\_\_\_ b) GIFTS \$ \_\_\_\_\_~~

211 ~~\_\_\_\_\_ c) COMMUNICATIONS \$ \_\_\_\_\_~~

212 ~~\_\_\_\_\_ d) PERSONAL LIVING AND TRAVEL EXPENSES \$ \_\_\_\_\_~~

213 ~~\_\_\_\_\_ e) COMPENSATION OF LOBBYISTS \$ \_\_\_\_\_~~

214 ~~\_\_\_\_\_ f) HONORARIA \$ \_\_\_\_\_~~

215 ~~\_\_\_\_\_ g) OTHER \$ \_\_\_\_\_~~

216 ~~\_\_\_\_\_ TOTAL \$ \_\_\_\_\_~~

217 ~~PART II:~~

218 ~~(1a) NAME OF LOBBYIST: \_\_\_\_\_~~

219 ~~(1b) Permanent Business Address: \_\_\_\_\_~~

220 ~~(1c) Business Telephone: \_\_\_\_\_~~

221 ~~(2) As a lobbyist, you are (check one)~~

222 ~~\_\_\_\_\_ [ ] EMPLOYED (on the payroll of the principal)~~

223 ~~\_\_\_\_\_ [ ] RETAINED (not on the payroll of the principal, however~~  
 224 ~~\_\_\_\_\_ compensated)~~

225 ~~\_\_\_\_\_ [ ] NOT COMPENSATED (not compensated; expenses may be reimbursed)~~

226 ~~(3) List all lobbyists other than yourself who registered to~~  
 227 ~~\_\_\_\_\_ represent your principal.~~

228 ~~\_\_\_\_\_~~

229 ~~\_\_\_\_\_~~

230 ~~\_\_\_\_\_~~

231 ~~(4) If you selected "EMPLOYED" as your answer to Part II, item 2,~~  
 232 ~~\_\_\_\_\_ provide your job title.~~

233 ~~\_\_\_\_\_~~

234 ~~PLEASE NOTE: Some lobbyists are not individually compensated for~~  
 235 ~~\_\_\_\_\_ lobbying activities. This may occur when several members of a firm~~  
 236 ~~\_\_\_\_\_ represent a single principal. The principal, in turn, makes a single~~  
 237 ~~\_\_\_\_\_ payment to the firm. If this describes your situation, do not answer~~  
 238 ~~\_\_\_\_\_ Part II, items 5a and 5b. Instead, complete Part III, items 1 and 2.~~

239 (5a) What was the DOLLAR AMOUNT OF YOUR COMPENSATION as a lobbyist?  
 240 \_\_\_\_\_ (If you have job responsibilities other than those involving  
 241 \_\_\_\_\_ lobbying, you may have to prorate to determine the part of your  
 242 \_\_\_\_\_ salary attributable to your lobbying activities.) Transfer your  
 243 \_\_\_\_\_ answer to this item to Part I, item 6e.

244 (5b) Explain how you arrived at your answer to Part II, item 5a.  
 245 \_\_\_\_\_  
 246 \_\_\_\_\_  
 247 \_\_\_\_\_

#### 248 PART III:

249 PLEASE NOTE: If you answered Part II, items 5a and 5b, you WILL NOT  
 250 complete this section.

251 (1) List all members of your firm, organization, association,  
 252 \_\_\_\_\_ corporation, or other entity who furnished lobbying services to  
 253 \_\_\_\_\_ your principal.  
 254 \_\_\_\_\_  
 255 \_\_\_\_\_  
 256 \_\_\_\_\_

257 (2) Indicate the total amount paid to your firm, organization,  
 258 \_\_\_\_\_ association, corporation or other entity for services rendered.  
 259 \_\_\_\_\_ Transfer your answer to this item to Part I, item 6e \_\_\_\_\_

#### 260 SCHEDULE A

##### 261 ENTERTAINMENT EXPENSES

262 PLEASE NOTE: Any single entertainment event included in the expense  
 263 totals of the principal, with a value greater than \$50, should be  
 264 itemized below. Transfer any totals from this schedule to Part I,  
 265 item 6a. (Please duplicate as needed.)

266 Date and Location of Event:  
 267 \_\_\_\_\_  
 268 \_\_\_\_\_

269 Description of Event:  
 270 \_\_\_\_\_  
 271 \_\_\_\_\_

272 Total Number of Persons Attending:  
 273 .....

274 Names of Legislative and Executive Officials or Members of Their  
 275 Immediate Families Attending: (List names only if the average value  
 276 for each person attending the event was greater than \$50.)  
 277 \_\_\_\_\_  
 278 \_\_\_\_\_  
 279 \_\_\_\_\_  
 280 \_\_\_\_\_

281	Food	\$	_____
282	Beverages	\$	_____
283	Transportation of Legislative and Executive Officials		
284	or Members of Their Immediate Families	\$	_____
285	Lodging of Legislative and Executive Officials or		
286	Members of Their Immediate Families	\$	_____
287	Performers, Speakers, Etc.	\$	_____
288	Displays	\$	_____
289	Rentals	\$	_____
290	Service Personnel	\$	_____
291	Miscellaneous	\$	_____
292	TOTAL	\$	_____

#### 293 SCHEDULE B

##### 294 GIFTS



I, the undersigned principal (or an authorized official thereof), do state that the information furnished on this disclosure statement and on all accompanying attachments required to be made thereto is, to the best of my knowledge and belief, complete and accurate.

—

\_\_\_\_\_  
Signature of principal

—

\_\_\_\_\_  
Date

D. A person who signs the disclosure statement knowing it to contain a material misstatement of fact is guilty of a Class 5 felony. Certain information regarding the principal and the lobbyist shall be reported. Such report shall include:

1. The name and contact information of the lobbyist;
2. The name and contact information of each principal for whom the lobbyist or the firm, organization, association, corporation, or other entity employing the lobbyist provided lobbying services;
3. The total amount paid by each principal to the lobbyist or the firm, organization, association, corporation, or other entity employing the lobbyist for services rendered; and
4. A list of executive and legislative actions for which the lobbyist lobbied on behalf of each principal and a description of activities conducted.

E. Certain information regarding entertainment expenses shall be reported. For each entertainment event with a value exceeding \$25, such report shall include:

1. The date and location of the event;
2. A description of the event;
3. The total number of persons in attendance;
4. The names of legislative and executive officials and members of their immediate families in attendance; and
5. The total amount of the expenses for:
  - a. Food;
  - b. Beverages;
  - c. Transportation of legislative and executive officials and members of their immediate families;
  - d. Lodging of legislative and executive officials and members of their immediate families;
  - e. Performers or speakers;
  - f. Displays;
  - g. Rentals;
  - h. Service personnel; and
  - i. Miscellaneous items.

F. Certain information regarding gifts shall be reported. Only gifts with a value exceeding \$25 shall be reported. For each gift provided to a legislative or executive official or a member of his immediate family, such report shall include:

1. The date of the gift;
2. The name of the recipient or recipients;
3. The exact gift; and
4. The value of the gift.

G. Certain information regarding other lobbying-related expenses shall be reported. The Commission shall provide guidance on what constitutes a lobbying-related expense.

H. Each lobbyist shall send to each legislative and executive official who is required to be identified by name on Schedule A or B of the gifts or entertainment reports of the Lobbyist's Disclosure Form a copy of Schedule A or B the report or a summary of the information pertaining to that official. Copies or summaries shall be provided to the official by November 21 for the preceding six-month period complete through the last day of October and by May 21 for the preceding six-month period complete through the last day of April.

#### **§ 2.2-431. Penalties; filing of substituted statement.**

A. Every Any lobbyist failing required to file the statement prescribed by § 2.2-426 who fails to file such statement within the time period prescribed therein shall be assessed a civil penalty of fifty dollars in an amount equal to \$250; and every individual failing to file the statement within ten days after the time prescribed herein shall be assessed an additional civil penalty of fifty dollars per day from the eleventh day of such default until the statement is filed. The Commission shall notify the Secretary of any lobbyist's failure to file the statement within 30 days of the deadline for filing, and the penalties shall be assessed and collected by the Secretary. The Attorney General shall assist the Secretary in

collecting the penalties, upon request.

B. ~~Every~~ Any lobbyist's principal whose lobbyist fails to file the statement prescribed by § 2.2-426 shall be assessed a civil penalty of ~~fifty dollars in an amount equal to \$250; and shall be assessed an additional civil penalty of fifty dollars per day from the eleventh day of such default until the statement is filed.~~ The Commission shall notify the Secretary of any lobbyist's failure to file the statement within 30 days of the deadline for filing, and the penalty shall be assessed and collected by the Secretary. The Attorney General shall assist the Secretary in collecting the penalties, upon request.

C. No individual who has failed to file the statement required by § 2.2-426 or who has failed to pay all penalties assessed pursuant to this section, shall register or act as a lobbyist as long as he remains in default.

D. Whenever any lobbyist is or will be in default under § 2.2-426, and the reasons for such default are or will be beyond his control, or the control of his principal, or both, the Secretary may suspend the assessment of any penalty otherwise assessable and accept a substituted statement, upon the submission of sworn proofs that shall satisfy him that the default has been beyond the control of the lobbyist or his principal, and that the substituted statement contains the most accurate and complete information available after the exercise of due diligence.

E. Penalties collected pursuant to this section shall be payable to the State Treasurer for deposit to the general fund.

**§ 2.2-433. Prohibited acts; violation a misdemeanor.**

A. No lobbyist shall:

1. Lobby in violation of the provisions of this article;  
2. Make any expenditure, or obligate himself to do so, in connection with lobbying, unless he fully discloses the expenditure as required in this article; or

3. ~~Misrepresent in any material respect or omit~~ Omit any information required to be reported pursuant to this article.

B. No lobbyist's principal shall:

1. Fail to file any statement required to be filed by the provisions of this article;  
2. ~~Misrepresent in any material respect or omit~~ Omit any information required to be reported pursuant to this article; or

3. Violate any of the provisions of this article.

C. Except as provided in subsection ~~D~~ C of § 2.2-426, any lobbyist or lobbyist's principal violating any provision of this article shall be guilty of a Class 1 misdemeanor. However, a lobbyist who receives no compensation or anything of value for lobbying shall not be subject to the criminal penalties prescribed by this section.

*Article 10.*

*Virginia Independent Ethics Review Commission.*

**§ 2.2-2537. Virginia Independent Ethics Review Commission established.**

The Virginia Independent Ethics Review Commission (the Commission) is hereby established as an independent commission in state government to encourage and facilitate compliance with, and investigate violations of, the State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq.) and the General Assembly Conflicts of Interests Act (§ 30-100 et seq.) (the Acts) and the lobbying laws in Article 3 (§ 2.2-418 et seq.) of Chapter 4 (Article 3).

**§ 2.2-2538. Membership; terms; prohibited activities.**

A. The Commission shall consist of seven members as follows: two nonlegislative citizen members appointed by the House of Delegates, one of whom shall be a former member of the House and shall be appointed by the Speaker of the House of Delegates, and one of whom shall be an at-large member and shall be appointed by the leader of the party with the second highest number of members elected to the House of Delegates; two nonlegislative citizen members appointed by the Senate of Virginia, one of whom shall be a former member of the Senate and shall be appointed by the leader of the party with the highest number of members elected to the Senate, and one of whom shall be an at-large member and shall be appointed by the leader of the party with the second highest number of members elected to the Senate; and three nonlegislative citizen members appointed by the Governor, one of whom shall be a retired local government official. The Virginia Municipal League and the Virginia Association of Counties shall provide a list of recommended individuals to the Governor and the General Assembly for consideration for appointments to the Commission. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth. Vacancies shall be filled in the same manner as the original appointments.

B. Following the initial staggering of terms, members shall serve for terms of three years, except that appointments to fill vacancies shall be for the unexpired term. All members may be reappointed but no member shall be eligible to serve for more than two successive three-year terms. As a condition to assuming office, each member of the Commission shall file the disclosure form prescribed in § 2.2-3117.

C. During his term and for one year prior to his term, no member of the Commission shall (i) hold



or campaign for any public office; (ii) be employed by or volunteer for any local, state, or federal campaign; (iii) hold office in any political party, political committee, or partisan organization; (iv) contribute to any candidate or campaign committee; (v) employ or be employed as a lobbyist; or (vi) solicit, accept, or receive any gift from any person subject to Article 3 or the Acts.

**§ 2.2-2539. Meetings of the Commission; expenses; staff; report.**

A. The Commission shall elect a chairman and vice-chairman from among its membership. A majority of the Commission shall constitute a quorum. Except as provided in § 2.2-2542, the votes of a majority of the members present are required for any action or recommendation of the Commission. The Commission shall hold meetings quarterly or upon the call of the chairman or whenever a majority of the members so request.

B. Members shall receive no compensation for their services but shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the expenses of the members shall be provided from existing appropriations to the Commission.

C. The Commission shall employ an executive director and a chief counsel. The executive director shall be responsible for the administrative operations of the Commission and shall perform other duties as may be delegated or assigned to him by the Commission. He shall be responsible for the hiring of staff sufficient for carrying out the responsibilities of the Commission. Such staff shall be not be provided by any other agency. The chief counsel shall be the chief legal officer of the Commission.

**§ 2.2-2540. Disclosure forms.**

A. The Commission shall prescribe the forms required for complying with the disclosure requirements of Article 3 and the Acts. The Commission may amend the forms as it deems necessary, but in no case shall the forms require less information than that which is required to be reported by Article 3 or the Acts. These forms shall be the only forms used in complying with the provisions of Article 3 and the Acts.

B. The Commission shall make available on its website the forms for disclosure required to be filed by Article 3 and the Acts. The Commission shall provide guidance and other instructions for persons required to file a disclosure form by Article 3 or the Acts to assist in the completion of the forms. Any person so required to file a disclosure form may request, and the Commission shall provide to him, the disclosure form he is required to file in its paper form.

C. The Commission shall provide software or electronic access for filing the required disclosure forms to any filer subject to the disclosure requirements of Article 3 or the Acts without charge. It shall 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.). The Commission shall maintain a searchable database on its website of all disclosure forms properly filed.

D. The Commission shall initially review all disclosure forms to ensure those persons required to file a disclosure form have filed such a form and to determine if the disclosure form has been fully completed. If a disclosure form is found to have not been filed or to have been incomplete as filed, the Commission shall notify the filer in writing and direct the filer to file a completed disclosure form within 10 days.

**§ 2.2-2541. Waivers for travel and certain prohibited gifts.**

A. The Commission shall receive, review, and approve or deny applications for waivers submitted by persons required to file the disclosure form prescribed in § 2.2-3117 or 30-111 to accept any transportation, lodging, meal, hospitality, or other travel-related thing of value provided by a third party that exceeds the limitation prescribed in § 2.2-3103.1 or 30-103.1. A waiver shall not be required for acceptance of travel paid for or provided by the government of the United States, any of its territories, or another state in the United States or the political subdivision of such other state.

B. The Commission shall receive, review, and approve or deny applications for waivers submitted by persons required to file the disclosure form prescribed in § 2.2-3117 or 30-111 to accept any loan in excess of \$5,000 from any noncommercial lender.

C. Within 10 days of receipt of an application for a waiver, the Commission shall approve or deny the waiver, unless additional information has been requested. If additional information has been requested, the Commission shall approve or deny the waiver within 10 days of receipt of such information. When reviewing the application for a waiver, the Commission shall consider the purpose of the travel as it relates to the official duties of the requester. The Commission may approve the waiver in whole or in part, which may include limiting the duration of the trip. Within 48 hours of approving an application for a waiver, the Commission shall post the waiver on its website.

D. An application for a waiver pursuant to subsection A or B shall be on a form prescribed by the Commission and made available on its website.

1. The application required by subsection A shall include specific information regarding the travel, including a detailed agenda and estimated costs. All information included in the application will be

535 *subject to public disclosure.*

536 2. *The application required by subsection B shall include specific information regarding the*  
537 *noncommercial lender and the terms of the loan. This application shall be required for loans provided*  
538 *to the spouse and dependent children of those persons required to file the disclosure form prescribed in*  
539 *§§ 2.2-3117 and 30-111.*

540 *E. No person shall be prosecuted, assessed a civil penalty, or otherwise disciplined for acceptance of*  
541 *a gift, loan, or travel-related thing of value if he accepted such gift, loan, or travel-related thing of*  
542 *value after receiving a waiver under this section and the waiver was granted after his full disclosure of*  
543 *the material facts.*

544 *F. The Commission shall provide instructions for completing and submitting an application pursuant*  
545 *to this section. It shall prescribe the procedures for receiving and reviewing applications for waivers*  
546 *and the standards for approving or denying such waivers.*

547 **§ 2.2-2542. Advisory opinions.**

548 *A. Upon the request of any person subject to the requirements of Article 3 or the Acts, the*  
549 *Commission shall furnish informal advice or formal advisory opinions or guidance with respect to*  
550 *ethics, conflicts issues, or such person's duties under Article 3 or the Acts.*

551 *B. Formal advisory opinions are public record and shall be published on the Commission's website*  
552 *within 48 hours of issuance. Published formal advisory opinions may have such deletions and changes*  
553 *as may be necessary to protect the identity of the person involved. The informal advice given by the*  
554 *Commission is confidential and excluded from the provisions of the Virginia Freedom of Information Act*  
555 *(§ 2.2-3700 et seq.).*

556 *C. No person shall be prosecuted, assessed a civil penalty, or otherwise disciplined for a violation of*  
557 *Article 3 or the Acts if the alleged violation resulted from his good faith reliance on a formal advisory*  
558 *opinion issued under this section and the opinion was issued after his full disclosure of the material*  
559 *facts.*

560 **§ 2.2-2543. Audits.**

561 *The Commission shall conduct a semiannual audit of a random sample of the disclosure forms filed*  
562 *pursuant to Article 3 and the Acts. This audit shall be performed by the Commission in accordance with*  
563 *generally accepted auditing standards and shall review each disclosure form to determine (i) compliance*  
564 *with applicable disclosure requirements, (ii) compliance with applicable limitations on gifts, (iii) the*  
565 *accuracy of the information disclosed, and (iv) whether filing deadlines were met. The Commission may*  
566 *initiate an investigation pursuant to § 2.2-2544 into any discrepancies or possible violations of Article 3*  
567 *or the Acts discovered in the course of the audit.*

568 **§ 2.2-2544. Investigations.**

569 *A. Investigations into alleged violations of the Acts may be initiated upon the Commission's own*  
570 *motion or in response to the signed and sworn complaint of any citizen of the Commonwealth. Such a*  
571 *complaint shall be subscribed by its maker as true under penalty of perjury. No investigation shall be*  
572 *initiated in the 60 days immediately preceding a primary election or other nominating event or before a*  
573 *general election in which the subject of the complaint or Commission's motion is running for office.*

574 *B. Upon its own motion, the Commission, through its executive director, may initiate an investigation*  
575 *into an alleged violation of the Acts. The investigation shall begin within 30 days of the Commission's*  
576 *discovery of the facts giving rise to the alleged violation.*

577 *C. Upon receipt of a citizen complaint, the Commission, through its executive director, shall conduct*  
578 *a preliminary inquiry into any alleged violation of the Acts no later than 30 days after receipt of the*  
579 *complaint. The Commission shall notify the subject of the inquiry and forward to him a copy of the*  
580 *complaint. During its preliminary inquiry, the Commission shall determine whether the facts stated in*  
581 *the complaint, when taken as true, are sufficient to show a violation of the Acts. It shall complete its*  
582 *preliminary inquiry within 30 days of the initiation of the inquiry. All documents, records, and other*  
583 *information related to the preliminary inquiry are confidential and are excluded from the provisions of*  
584 *the Virginia Freedom of Information Act (§ 2.2-3700 et seq.). If the preliminary inquiry establishes that*  
585 *the facts stated in the complaint taken as true are not sufficient to show a violation of the Acts, the*  
586 *complaint shall be dismissed, and the Commission shall notify the subject of the inquiry and the*  
587 *complainant. If the preliminary inquiry establishes that the facts stated in the complaint taken as true*  
588 *are sufficient to show a violation of the Acts, the Commission, through its executive director, shall*  
589 *initiate an investigation to determine if there has been a violation. The investigation shall begin within*  
590 *30 days of the completion of the preliminary inquiry.*

591 *D. An investigation initiated pursuant to subsection B or C shall not begin until the subject of the*  
592 *investigation has been notified and provided a general statement of the alleged violation and the*  
593 *applicable statutes with respect to such violation. Service of notice is complete upon mailing by certified*  
594 *or registered mail. During the investigation, the Commission, its executive director, and its staff shall*  
595 *conduct interviews, take statements, receive and inspect documents and records, and gather other*  
596 *evidence as may be relevant. The Commission shall have the authority to issue subpoenas to compel the*

production of documents, records, and other information. The Commission shall complete its investigation no later than 180 days after the initiation of the investigation and within 30 days of completion of the investigation shall make a written report of its findings and shall provide of a copy of that report to the subject of the investigation. If the Commission finds that no violation was committed, the Commission shall put in the written report its reasons for dismissal of the complaint and shall notify the subject of the investigation and the complainant, if there is one. In all other cases, the written report shall include the pertinent findings of fact and the Commission shall schedule a hearing on the matter.

E. Any hearing conducted pursuant to subsection D shall be open to the public and shall be held no later than 30 days after the issuance of the findings report. At any hearing, the Commission shall have the authority to issue subpoenas to compel the attendance of witnesses or the production of documents, records, and other information, and the Commission shall issue such subpoenas upon the request of the subject of the investigation. The subject of the investigation shall have the right to request the issuance of subpoenas, present evidence, have access to any evidence used or developed by the Commission during its investigation, cross-examine witnesses, face and examine the complainant, if there was one, and be represented by counsel. At the conclusion of the hearing, the Commission shall deliberate on the evidence and determine whether there has been a violation of the Acts. At least five members of the Commission must find a violation by clear and convincing evidence.

F. Within 30 days following the conclusion of a hearing conducted pursuant to subsections D and E, the Commission shall issue a final order. The final order shall set forth the alleged violation, the findings of fact, and the conclusions of law. It may also include recommendations for disciplinary action, civil penalties, or criminal prosecution. Final orders are public record and shall be published on the Commission's website.

G. Any person subpoenaed pursuant to subsection D or E may immediately procure by petition a decision on the validity of the subpoena in the circuit court as provided in § 2.2-4003.

#### **§ 2.2-2545. Violations.**

A. If the Commission, after conducting an investigation pursuant to § 2.2-2544, finds a person subject to the requirements of the State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq.) has knowingly violated one or more provisions of that Act, it shall refer a matter involving a state officer or employee by its final order to the Attorney General and a matter involving a local officer or employee by its final order to the attorney for the Commonwealth within the political subdivision for which he was elected or is employed.

B. If the Commission, after conducting an investigation pursuant to § 2.2-2544, finds a person subject to the requirements of the General Assembly Conflicts of Interests Act (§ 30-100 et seq.) has knowingly violated one or more of the provisions of that Act, it shall refer the matter by its final order to the Attorney General.

C. The final orders referred to the Attorney General or an attorney for the Commonwealth pursuant to subsection A or B shall contain recommendations for civil penalties or criminal prosecution.

#### **§ 2.2-2546. Other powers and duties.**

The Commission shall:

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

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

3. Publish such educational materials as it deems appropriate on the provisions of Article 3 and the Acts;

4. Request from any agency of state or local government such assistance, services, and information as will enable the Commission to effectively carry out its responsibilities. Information provided to the Commission by an agency of state or local government shall not be released to any other party unless authorized by such agency;

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

6. Do all acts necessary or convenient to carry out the purposes of this chapter.

#### **§ 2.2-3101. Definitions.**

As used in this chapter, unless the context requires a different meaning:

"Advisory agency" means any board, commission, committee or post which does not exercise any

sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for the purpose of making studies or recommendations, or advising or consulting with a governmental agency.

"Affiliated business entity relationship" means a relationship, other than a parent-subsidary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that may be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person owns or manages the two entities, there are common or commingled funds or assets, the business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis, or there is otherwise a close working relationship between the entities.

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

"Commission" means the Virginia Independent Ethics Review Commission established in Article 10 (§ 2.2-2537 et seq.) of Chapter 25.

"Contract" means any agreement to which a governmental agency is a party, or any agreement on behalf of a governmental agency that involves the payment of money appropriated by the General Assembly or a political subdivision, whether or not such agreement is executed in the name of the Commonwealth, or some political subdivision thereof. "Contract" includes a subcontract only when the contract of which it is a part is with the officer's or employee's own governmental agency.

"Council" means the Virginia Conflict of Interest and Ethics Advisory Council established in § 30-355.

"Dependent" means a son, daughter, father, mother, brother, sister, or other person, whether or not related by blood or marriage, if such person receives from the officer or employee, or provides to the officer or employee, more than one-half of his financial support.

"Employee" means all persons employed by a governmental or advisory agency, unless otherwise limited by the context of its use.

"Financial institution" means any bank, trust company, savings institution, industrial loan association, consumer finance company, credit union, broker-dealer as defined in subsection A of § 13.1-501, or investment company or advisor registered under the federal Investment Advisors Act or Investment Company Act of 1940.

"Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of transportation, local travel, lodgings, and meals, whether provided in-kind; or by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic, merit, or need-based scholarship or any other financial aid awarded by a public or private school, institution of higher education, or other educational program pursuant to such school, institution, or program's financial aid standards and procedures applicable to the general public; (iv) *unsolicited, personally inscribed awards of appreciation or recognition in the form of a plaque, trophy, wall memento, or similar item that is given in recognition of public, civic, charitable, or professional service;* (v) a campaign contribution properly received and reported pursuant to ~~Chapter 9.3~~ *the Campaign Finance Disclosure Act (§ 24.2-945 et seq.) of Title 24.2;* ~~(v)~~ (vi) any gift related to the private profession or occupation of an officer or employee or of a member of his immediate family; or ~~(vi)~~ (vii) gifts from relatives or personal friends. For the purpose of this definition, "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. For the purpose of this definition, "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. For purposes of this definition, "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. In determining whether a person giving a gift is a personal friend, the following factors shall be considered: (a) the history of the relationship between the individual receiving the gift and the person giving the gift, including any previous exchange of gifts between them; (b) whether the gift was personally paid for by the person giving the gift or whether he sought a tax deduction or business

reimbursement for the gift, and the knowledge of the individual receiving the gift of such fact; and (c) whether the person giving the gift also gave the same or similar gifts to other officers or employees, and the knowledge of the individual receiving the gift of such fact.

"Governmental agency" means each component part of the legislative, executive or judicial branches of state and local government, including each office, department, authority, post, commission, committee, and each institution or board created by law to exercise some regulatory or sovereign power or duty as distinguished from purely advisory powers or duties. Corporations organized or controlled by the Virginia Retirement System are "governmental agencies" for purposes of this chapter.

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

"Officer" means any person appointed or elected to any governmental or advisory agency including local school boards, whether or not he receives compensation or other emolument of office. Unless the context requires otherwise, "officer" includes members of the judiciary.

"Parent-subsidiary relationship" means a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation.

"Personal interest" means a financial benefit or liability accruing to an officer or employee or to a member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may reasonably be anticipated to exceed, \$5,000 from ownership in real or personal property or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business or governmental agency that exceeds, or may reasonably be anticipated to exceed, \$5,000 annually; (iv) ownership of real or personal property if the interest exceeds \$5,000 in value and excluding ownership in a business, income, or salary, other compensation, fringe benefits or benefits from the use of property; (v) personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business; or (vi) an option for ownership of a business or real or personal property if the ownership interest will consist of clause (i) or (iv) ~~above~~.

"Personal interest in a contract" means a personal interest that an officer or employee has in a contract with a governmental agency, whether due to his being a party to the contract or due to a personal interest in a business that is a party to the contract.

"Personal interest in a transaction" means a personal interest of an officer or employee in any matter considered by his agency. Such personal interest exists when an officer or employee ~~or~~, a member of his immediate family, *or his child, grandchild, parent, or sibling* has a personal interest in property or a business or governmental agency, or represents or provides services to any individual or business and such property, business or represented or served individual or business (i) is the subject of the transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of the action of the agency considering the transaction. Notwithstanding the above, such personal interest in a transaction shall not be deemed to exist where (a) an elected member of a local governing body serves without remuneration as a member of the board of trustees of a not-for-profit entity and such elected member or member of his immediate family has no personal interest related to the not-for-profit entity or (b) an officer, employee, or elected member of a local governing body is appointed by such local governing body to serve on a governmental agency, or an officer, employee, or elected member of a separate local governmental agency formed by a local governing body is appointed to serve on a governmental agency, and the personal interest in the transaction of the governmental agency is the result of the salary, other compensation, fringe benefits, or benefits provided by the local governing body or the separate governmental agency to the officer, employee, elected member, or member of his immediate family.

"State and local government officers and employees" shall not include members of the General Assembly.

"State filer" means those officers and employees required to file a disclosure statement of their personal interests pursuant to subsection A or B of § 2.2-3114.

"Transaction" means any matter considered by any governmental or advisory agency, whether in a committee, subcommittee, or other entity of that agency or before the agency itself, on which official action is taken or contemplated.

#### **§ 2.2-3103. Prohibited conduct.**

No officer or employee of a state or local governmental or advisory agency shall:

1. Solicit or accept money or other thing of value for services performed within the scope of his 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 be authorized by law;

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;

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

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

5. Accept any money, loan, gift, favor, service, or business or professional opportunity that 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 and reported as required by Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;

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 duties;

7. Accept any honoraria for any appearance, speech, or article in which the officer or employee provides expertise or opinions related to the performance of his official duties. The term "honoraria" shall not 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 of money or anything of value not in excess of the per diem deduction allowable under § 162 of the Internal Revenue Code, as amended from time to time. The prohibition in this subdivision shall apply only to the Governor, Lieutenant Governor, Attorney General, Governor's Secretaries, and heads of departments of state government;

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

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

10. *Solicit, accept, or receive any transportation, lodging, meal, hospitality, or other travel-related thing of value exceeding the limitation prescribed in § 2.2-3103.1 that is to be provided by a third party prior to submitting to the Commission an application for a waiver to accept such travel-related thing of value and receiving such a waiver pursuant to § 2.2-2541.*

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

A. For purposes of this section:

"Intangible gift" means a thing of temporary value or a thing that upon the happening of a certain event or expiration of a given date loses its value. "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.

"Tangible gift" means a thing of value that does not lose its value upon the happening of a certain event or expiration of a given date. "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.

"Bundled gift" means separate gifts that are paid for or otherwise provided by a person, organization, or a group of persons or organizations and are delivered by a single person or organization.

"Widely attended event" means an event for which there is a reasonable expectation that at least 25 persons will attend the event and the event is open to individuals from throughout a particular industry or profession or who represent persons interested in a particular issue.

B. An officer or employee of a state or local governmental or advisory agency or candidate required to file the disclosure form prescribed in § 2.2-3117 (i), or a member of his immediate family, shall not solicit, accept, or receive within any calendar year any single tangible gift with a value in excess of \$250 \$100 or a combination of tangible gifts with an aggregate value in excess of \$250 \$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, other than a relative or personal friend. For purposes of this prohibition and the disclosure requirements, the total value of a bundled gift shall be attributed to each person or organization contributing to the bundled gift.

C. An officer or employee of a state or 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 gift with a value in excess of \$250 or a combination of tangible gifts with an aggregate value in excess of \$250 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, or a member of his immediate family, may accept an invitation to a widely attended event related to his official duties and accept any meal otherwise prohibited by subsection B when such meal is offered to all attendees as part of the event. Such meals shall be reported on the disclosure form prescribed in § 2.2-3117.

D. An officer or employee of a state or local governmental or advisory agency or candidate required to file the disclosure form prescribed in § 2.2-3117 may accept or receive a travel-related gift that is otherwise prohibited by subsection B when he has submitted an application for a waiver to the Commission and the Commission has granted a waiver pursuant to § 2.2-2541. An application for a waiver shall be submitted to the Commission no later than 10 days prior to the expected date of receipt of such a gift. Gifts accepted or received pursuant to this subsection shall be reported on the disclosure form prescribed in § 2.2-3117.

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

E. 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.

F. For purposes of this section 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.

#### **§ 2.2-3104. Prohibited conduct for certain officers and employees of state government.**

For one year after the termination of public employment or service, no state officer or employee shall, before the agency of which he was an officer or employee, represent a client or act in a representative capacity on behalf of any person or group, for compensation, on matters related to legislation, executive orders, or regulations promulgated by the agency of which he was an officer or employee. This prohibition shall be in addition to the prohibitions contained in § 2.2-3103.

For the purposes of this section, "state officer or employee" shall mean means (i) the Governor, Lieutenant Governor, Attorney General, and officers appointed by the Governor, whether confirmation by the General Assembly or by either house thereof is required or not, who are regularly employed on a full-time salaried basis; those officers and employees of executive branch agencies who report directly to the agency head; and those at the level immediately below those who report directly to the agency head and are at a payband 6 or higher and (ii) the officers and professional employees of the legislative branch designated by the joint rules committee of the General Assembly. For the purposes of this section, the General Assembly and the legislative branch agencies shall be deemed one agency.

As this prohibition applies to the Governor's Secretaries, "agency" means all agencies assigned to the Secretary by law or by executive order of the Governor.

Any person subject to the provisions of this section may apply to the Council Commission or Attorney General, as provided in § 2.2-2542, 2.2-3121, or 2.2-3126, for an advisory opinion as to the application of the restriction imposed by this section on any post-public employment position or opportunity.

#### **§ 2.2-3106. Prohibited contracts by officers and employees of state government and Eastern Virginia Medical School.**

A. No officer or employee of any governmental agency of state government or Eastern Virginia Medical School shall have a personal interest in a contract with the governmental agency of which he is an officer or employee, other than his own contract of employment.

B. No officer or employee of any governmental agency of state government or Eastern Virginia Medical School shall have a personal interest in a contract with any other governmental agency of state

904 government unless such contract is (i) awarded as a result of competitive sealed bidding or competitive  
905 negotiation as set forth in § 2.2-4302.1 or 2.2-4302.2 or (ii) is awarded after a finding, in writing, by the  
906 administrative head of the governmental agency that competitive bidding or negotiation is contrary to the  
907 best interest of the public.

908 C. The provisions of this section shall not apply to:

909 1. An employee's personal interest in additional contracts of employment with his own governmental  
910 agency that accrue to him because of a member of his immediate family, provided the employee does  
911 not exercise any control over the employment or the employment activities of the member of his  
912 immediate family and the employee is not in a position to influence those activities;

913 2. The personal interest of an officer or employee of a state institution of higher education or the  
914 Eastern Virginia Medical School in additional contracts of employment with his own governmental  
915 agency that accrue to him because of a member of his immediate family, provided (i) the officer or  
916 employee and the immediate family member are engaged in teaching, research or administrative support  
917 positions at the educational institution or the Eastern Virginia Medical School, (ii) the governing board  
918 of the educational institution finds that it is in the best interests of the institution or the Eastern Virginia  
919 Medical School and the Commonwealth for such dual employment to exist, and (iii) after such finding,  
920 the governing board of the educational institution or the Eastern Virginia Medical School ensures that  
921 the officer or employee, or the immediate family member, does not have sole authority to supervise,  
922 evaluate or make personnel decisions regarding the other;

923 3. An officer's or employee's personal interest in a contract of employment with any other  
924 governmental agency of state government;

925 4. Contracts for the sale by a governmental agency or the Eastern Virginia Medical School of  
926 services or goods at uniform prices available to the general public;

927 5. An employee's personal interest in a contract between a public institution of higher education in  
928 Virginia or the Eastern Virginia Medical School and a publisher or wholesaler of textbooks or other  
929 educational materials for students, which accrues to him solely because he has authored or otherwise  
930 created such textbooks or materials;

931 6. An employee's personal interest in a contract with his or her employing public institution of higher  
932 education to acquire the collections or scholarly works owned by the employee, including manuscripts,  
933 musical scores, poetry, paintings, books or other materials, writings, or papers of an academic, research,  
934 or cultural value to the institution, provided the president of the institution approves the acquisition of  
935 such collections or scholarly works as being in the best interests of the institution's public mission of  
936 service, research, or education;

937 7. Subject to approval by the board of visitors, an employee's personal interest in a contract between  
938 the Eastern Virginia Medical School or a public institution of higher education in Virginia that operates  
939 a school of medicine or dentistry and a not-for-profit nonstock corporation that operates a clinical  
940 practice within such public institution of higher education or the Eastern Virginia Medical School and of  
941 which such employee is a member or employee;

942 8. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract  
943 for research and development or commercialization of intellectual property between a public institution  
944 of higher education in Virginia or the Eastern Virginia Medical School and a business in which the  
945 employee has a personal interest, if (i) the employee's personal interest has been disclosed to and  
946 approved by such public institution of higher education or the Eastern Virginia Medical School prior to  
947 the time at which the contract is entered into; (ii) the employee promptly files a disclosure statement  
948 pursuant to § 2.2-3117 and thereafter files such statement annually on or before ~~January~~ December 15;  
949 (iii) the institution has established a formal policy regarding such contracts, approved by the State  
950 Council of Higher Education or, in the case of the Eastern Virginia Medical School, a formal policy  
951 regarding such contracts in conformity with any applicable federal regulations that has been approved by  
952 its board of visitors; and (iv) no later than December 31 of each year, the institution or the Eastern  
953 Virginia Medical School files an annual report with the Secretary of the Commonwealth disclosing each  
954 open contract entered into subject to this provision, the names of the parties to each contract, the date  
955 each contract was executed and its term, the subject of each contractual arrangement, the nature of the  
956 conflict of interest, the institution's or the Eastern Virginia Medical School's employee responsible for  
957 administering each contract, the details of the institution's or the Eastern Virginia Medical School's  
958 commitment or investment of resources or finances for each contract, and any other information  
959 requested by the Secretary of the Commonwealth; or

960 9. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract  
961 between a public institution of higher education in Virginia or the Eastern Virginia Medical School and  
962 a business in which the employee has a personal interest, if (i) the personal interest has been disclosed  
963 to the institution or the Eastern Virginia Medical School prior to the time the contract is entered into;  
964 (ii) the employee files a disclosure statement pursuant to § 2.2-3117 and thereafter annually on or before  
965 ~~January~~ December 15; (iii) the employee does not participate in the institution's or the Eastern Virginia



Medical School's decision to contract; (iv) the president of the institution or the Eastern Virginia Medical School finds and certifies in writing that the contract is for goods and services needed for quality patient care, including related medical education or research, by the institution's medical center or the Eastern Virginia Medical School, its affiliated teaching hospitals and other organizations necessary for the fulfillment of its mission, including the acquisition of drugs, therapies and medical technologies; and (v) no later than December 31 of each year, the institution or the Eastern Virginia Medical School files an annual report with the Secretary of the Commonwealth disclosing each open contract entered subject to this provision, the names of the parties to each contract, the date each contract was executed and its term, the subject of each contractual arrangement, the nature of the conflict of interest, the institution's or the Eastern Virginia Medical School's employee responsible for administering each contract, the details of the institution's or the Eastern Virginia Medical School's commitment or investment of resources or finances for each contract, and any other information requested by the Secretary of the Commonwealth.

D. Notwithstanding the provisions of subdivisions C 8 and C 9, if the research and development or commercialization of intellectual property or the employee's personal interest in a contract with a business is subject to policies and regulations governing conflicts of interest promulgated by any agency of the United States government, including the adoption of policies requiring the disclosure and management of such conflicts of interests, the policies established by the Eastern Virginia Medical School pursuant to such federal requirements shall constitute compliance with subdivisions C 8 and C 9, upon notification by the Eastern Virginia Medical School to the Secretary of the Commonwealth by January 31 of each year of evidence of their compliance with such federal policies and regulations.

E. The board of visitors may delegate the authority granted under subdivision C 8 to the president of the institution. If the board elects to delegate such authority, the board shall include this delegation of authority in the formal policy required by clause (iii) of subdivision C 8. In those instances where the board has delegated such authority, on or before December 1 of each year, the president of the relevant institution shall file a report with the relevant board of visitors disclosing each open contract entered into subject to this provision, the names of the parties to each contract, the date each contract was executed and its term, the subject of each contractual arrangement, the nature of the conflict of interest, the institution's or the Eastern Virginia Medical School's employee responsible for administering each contract, the details of the institution's or the Eastern Virginia Medical School's commitment or investment of resources or finances for each contract, the details of how revenues are to be dispersed, and any other information requested by the board of visitors.

**§ 2.2-3114. Disclosure by state officers and employees.**

A. The Governor, Lieutenant Governor, Attorney General, Justices of the Supreme Court, judges of the Court of Appeals, judges of any circuit court, judges and substitute judges of any district court, members of the State Corporation Commission, members of the Virginia Workers' Compensation Commission, members of the Commonwealth Transportation Board, members of the Board of Trustees of the Virginia Retirement System, and members of the Virginia Lottery Board and other persons occupying such offices or positions of trust or employment in state government, including members of the governing bodies of authorities, as may be designated by the Governor or, in the case of officers or employees of the legislative branch, by the Joint Rules Committee of the General Assembly, shall file with the ~~Council~~ *Council Commission*, as a condition to assuming office or employment, a disclosure statement of their personal interests and such other information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement semiannually by December 15 for the preceding six-month period complete through the last day of October and by June 15 for the preceding six-month period complete through the last day of April. When the filing deadline falls on a Saturday, Sunday, or legal holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or legal holiday.

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 of the Board of Trustees of the Virginia Retirement System, and the Virginia Lottery Board, shall file with the ~~Council~~ *Council Commission*, as a condition to assuming office, a disclosure form of their personal interests and such other information as is specified on the form set forth in § 2.2-3118 and thereafter shall file such form annually on or before December 15. When the filing deadline falls on a Saturday, Sunday, or legal holiday, the disclosure 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, may be required to file a disclosure form if so designated by the Governor, in which case the form shall be that set forth in § 2.2-3118.

C. The disclosure forms required by subsections A and B shall be ~~provided~~ *made available* by the ~~Council to each officer and employee so designated, including officers appointed by legislative authorities~~ *Commission* at least 30 days prior to the filing deadline. Disclosure forms shall be filed and

submitted electronically with the Commission in accordance with the standards approved by the Commission pursuant to § 2.2-2540. All forms shall be maintained as public records for five years in the office of the ~~Council~~ Commission.

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.

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

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 nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a member of a business, profession, occupation, or group the members of which are affected by the transaction, 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 written minutes for his agency or file a signed written declaration with the clerk or administrative head 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 receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the officer or employee shall prepare and file the required declaration by the end of the next business day.

G. An officer or employee of state government who is required to declare his interest pursuant to subdivision A 3 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a party to the transaction is a client of his firm, (iii) that he does not personally represent or provide 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 written minutes for his agency or file a signed written declaration with the clerk or administrative head 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 receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the officer or employee shall prepare and file the required declaration by the end of the next business day.

**§ 2.2-3114.1. Filings of statements of economic interests by General Assembly members.**

The filing of a current statement of economic interests by a General Assembly member, member-elect, or candidate for the General Assembly pursuant to §§ 30-110 and 30-111 of the General Assembly Conflicts of Interests Act (§ 30-100 et seq.) shall suffice for the purposes of this chapter (§ 2.2-3100 et seq.). The Secretary of the Commonwealth may obtain from the ~~Clerk of the House of Delegates or the Senate~~, as appropriate, Commission a copy of the statement of a General Assembly member who is appointed to a position for which a statement is required pursuant to § 2.2-3114. No General Assembly member, member-elect, or candidate shall be required to file a separate statement of economic interests for the purposes of § 2.2-3114.

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

A. The members of every governing body and school board of each county and city and of towns with populations in excess of 3,500 shall file with the ~~Council~~ Commission, as a condition to assuming office or employment, a disclosure statement of their personal interests and other information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement semiannually by December 15 for the preceding six-month period complete through the last day of October and by June 15 for the preceding six-month period complete through the last day of April.

The members of the governing body of any authority established in any county or city, or part or combination thereof, and having the power to issue bonds or expend funds in excess of \$10,000 in any fiscal year, shall file with the ~~Virginia Conflict of Interest and Ethics Advisory Council~~ Commission, as a condition to assuming office, a disclosure statement of their personal interests and other information as is specified on the form set forth in § 2.2-3118 and thereafter shall file such a statement annually on or before December 15, unless the governing body of the jurisdiction that appoints the members requires that the members file the form set forth in § 2.2-3117 semiannually by December 15 for the preceding six-month period complete through the last day of October and by June 15 for the preceding six-month period complete through the last day of April.

Persons occupying such positions of trust appointed by governing bodies and persons occupying such

positions of employment with governing bodies as may be designated to file by ordinance of the governing body shall file with the ~~Virginia Conflict of Interest and Ethics Advisory Council~~ *Commission*, as a condition to assuming office or employment, a disclosure statement of their personal interests and other information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement semiannually by December 15 for the preceding six-month period complete through the last day of October and by June 15 for the preceding six-month period complete through the last day of April.

Persons occupying such positions of trust appointed by school boards and persons occupying such positions of employment with school boards as may be designated to file by an adopted policy of the school board shall file with the ~~Virginia Conflict of Interest and Ethics Advisory Council~~ *Commission*, as a condition to assuming office or employment, a disclosure statement of their personal interests and other information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement semiannually by December 15 for the preceding six-month period complete through the last day of October and by June 15 for the preceding six-month period complete through the last day of April.

B. Nonsalaried citizen members of local boards, commissions and councils as may be designated by the governing body shall file with the ~~Virginia Conflict of Interest and Ethics Advisory Council~~ *Commission*, as a condition to assuming office, a disclosure form of their personal interests and such other information as is specified on the form set forth in § 2.2-3118 and thereafter shall file such form annually on or before December 15.

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

D. The disclosure forms required by subsections A and B shall be ~~provided~~ *made available* by the ~~Virginia Conflict of Interest and Ethics Advisory Council~~ to the clerks of the governing bodies and school boards *Commission* at least 30 days prior to the filing deadline; ~~and the clerks of the governing body and school board shall distribute the forms to designated individuals at least 20 days prior to the filing deadline. Forms shall be filed and maintained as public records for five years in the office of the Virginia Conflict of Interest and Ethics Advisory Council. Forms filed by members of governing bodies of authorities. Disclosure forms shall be submitted electronically in accordance with the standards approved by the Commission pursuant to § 2.2-2540. The clerks of the governing body shall be permitted to submit the required disclosure form on behalf of any person required by this section to do so. All forms shall be filed and maintained as public records for five years in the office of the Virginia Conflict of Interest and Ethics Advisory Council Commission.~~

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

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

G. In addition to any disclosure required by subsections A and B, in each county and city and in towns with populations in excess of 3,500, members of planning commissions, boards of zoning appeals, real estate assessors, and all county, city and town managers or executive officers shall make annual 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 an interest, or from which income is received, if the primary purpose of the business is to own, develop or derive compensation through the sale, exchange or development of real estate in the county, city or town. Such disclosure shall be filed as a condition to assuming office or employment, and thereafter shall be filed annually with the ~~Virginia Conflict of Interest and Ethics Advisory Council~~ *Commission* on or before December 15. Such disclosures shall be filed and maintained as public records for five years. Forms for the filing of such reports shall be ~~prepared and distributed~~ *made available* by the ~~Virginia Conflict of Interest and Ethics Advisory Council~~ to the clerk of each governing body *Commission*.

H. An officer or employee of local 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 nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a member of a business, profession, occupation, or group the members of which are affected by the transaction, 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 written minutes of his agency or file a signed written declaration with the clerk or administrative head 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 receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the officer or employee shall prepare and file the required declaration by the end of the next business day. The officer or employee shall also orally disclose the existence of the interest during each meeting of the governmental or advisory agency at which the transaction is discussed and such disclosure shall be recorded in the minutes of the meeting.

I. An officer or employee of local government who is required to declare his interest pursuant to subdivision A 3 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a party to the transaction is a client of his firm, (iii) that he does not personally represent or provide 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 written minutes for his agency or file a signed written declaration with the clerk or administrative head 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 receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the officer or employee shall prepare and file the required declaration by the end of the next business day.

#### **§ 2.2-3116. Disclosure by certain constitutional officers.**

For the purposes of this chapter, holders of the constitutional offices of treasurer, sheriff, attorney for the Commonwealth, clerk of the circuit court and commissioner of the revenue of each county and city, shall be deemed to be local officers and shall be required to file with the Commission, as a condition to assuming office, the Statement of Economic Interests set forth in § 2.2-3117. These officers shall file statements pursuant to § 2.2-3115 and candidates such forms semiannually by December 15 for the preceding six-month period complete through the last day of October and by June 15 for the preceding six-month period complete through the last day of April. Candidates shall file statements such forms as required by § 24.2-502. Disclosure forms shall be submitted electronically with the Commission in accordance with the standards approved by the Commission pursuant to § 2.2-2540. These officers shall be subject to the prohibition on certain gifts set forth in subsection B of § 2.2-3103.1.

#### **§ 2.2-3117. Disclosure form.**

A. 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: on a form prescribed by the Commission. All completed forms shall be submitted electronically and in accordance with the standards approved by the Commission pursuant to § 2.2-2540. A person required to file this disclosure form who does so knowing it to contain a material misstatement of fact is guilty of a Class 5 felony.

#### ~~STATEMENT OF ECONOMIC INTERESTS.~~

Name .....

Office or position held or sought .....

Address .....

Names of members of immediate family .....

#### ~~DEFINITIONS AND EXPLANATORY MATERIAL.~~

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

"Close financial association" means an association in which the person filing shares significant financial involvement with an individual and the filer would reasonably be expected to be aware of the 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 retirement benefits or deferred compensation from a business by which the person filing this statement is no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an independent contractor of a business that represents an entity before any state governmental agency 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 fixed or determined in the future with the occurrence of some certain event.

"Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of transportation, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic;

merit, or need-based scholarship or any other financial aid awarded by a public or private school, institution of higher education, or other educational program pursuant to such school, institution, or 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 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, 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.

- 1272 EITHER check NO // OR check YES // and complete Schedule E.  
 1273 6. Salary and Wages.  
 1274 List each employer that pays you or a member of your immediate family salary or wages in excess  
 1275 of \$5,000 annually. (Exclude state or local government or advisory agencies.)  
 1276 If no reportable salary or wages, check here //.  
 1277 \_\_\_\_\_  
 1278 \_\_\_\_\_  
 1279 \_\_\_\_\_  
 1280 7. Business Interests.  
 1281 Do you or a member of your immediate family, separately or together, operate your own business, or  
 1282 own or control an interest in excess of \$5,000 in a business?  
 1283 EITHER check NO // OR check YES // and complete Schedule F.  
 1284 8. Payments for Representation and Other Services.  
 1285 8A. Did you represent, excluding activity defined as lobbying in § 2.2-419, any businesses before any  
 1286 state governmental agencies, excluding courts or judges, for which you received total compensation  
 1287 during the past six months in excess of \$1,000, excluding compensation for other services to such  
 1288 businesses and representation consisting solely of the filing of mandatory papers and subsequent  
 1289 representation regarding the mandatory papers? (Officers and employees of local governmental and  
 1290 advisory agencies do NOT need to answer this question or complete Schedule G-1.)  
 1291 EITHER check NO // OR check YES // and complete Schedule G-1.  
 1292 8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial  
 1293 association (partners, associates or others) represent, excluding activity defined as lobbying in § 2.2-419,  
 1294 any businesses before any state governmental agency for which total compensation was received during  
 1295 the past six months in excess of \$1,000? (Officers and employees of local governmental and advisory  
 1296 agencies do NOT need to answer this question or complete Schedule G-2.)  
 1297 EITHER check NO // OR check YES // and complete Schedule G-2.  
 1298 8C. Did you or persons with whom you have a close financial association furnish services to  
 1299 businesses operating in Virginia pursuant to an agreement between you and such businesses, or between  
 1300 persons with whom you have a close financial association and such businesses for which total  
 1301 compensation in excess of \$1,000 was received during the past six months? Services reported under this  
 1302 provision shall not include services involving the representation of businesses that are reported under  
 1303 item 8A or 8B.  
 1304 EITHER check NO // OR check YES // and complete Schedule G-3.  
 1305 9. Real Estate.  
 1306 9A. State Officers and Employees.  
 1307 Do you or a member of your immediate family hold an interest, including a partnership interest,  
 1308 valued at more than \$5,000 in real property (other than your principal residence) for which you have not  
 1309 already listed the full address on Schedule F? Account for real estate held in trust.  
 1310 EITHER check NO // OR check YES // and complete Schedule H-1.  
 1311 9B. Local Officers and Employees.  
 1312 Do you or a member of your immediate family hold an interest, including a partnership interest, or  
 1313 option, easement, or land contract, valued at more than \$5,000 in real property (other than your principal  
 1314 residence) for which you have not already listed the full address on Schedule F? Account for real estate  
 1315 held in trust.  
 1316 EITHER check NO // OR check YES // and complete Schedule H-2.  
 1317 10. Real Estate Contracts with Governmental Agencies.  
 1318 Do you or a member of your immediate family hold an interest valued at more than \$5,000 in real  
 1319 estate, including a corporate, partnership, or trust interest, option, easement, or land contract, which real  
 1320 estate is the subject of a contract, whether pending or completed within the past six months, with a  
 1321 governmental agency? If the real estate contract provides for the leasing of the property to a  
 1322 governmental agency, do you or a member of your immediate family hold an interest in the real estate  
 1323 valued at more than \$1,000? Account for all such contracts whether or not your interest is reported in  
 1324 Schedule F, H-1, or H-2. This requirement to disclose an interest in a lease does not apply to an interest  
 1325 derived through an ownership interest in a business unless the ownership interest exceeds three percent  
 1326 of the total equity of the business.  
 1327 EITHER check NO // OR check YES // and complete Schedule I.  
 1328 Statements of Economic Interests are open for public inspection.  
 1329 AFFIRMATION BY ALL FILERS.  
 1330 I swear or affirm that the foregoing information is full, true and correct to the best of my knowledge.  
 1331 Signature .....  
 1332 (Return only if needed to complete Statement.)  
 1333

to

~~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.

1340	_____	_____	_____
1341	—		
1342	Name of Business	Address of Business	Position Held and by Whom
1343	_____	_____	_____
1344	_____	_____	_____
1345	_____	_____	_____
1346	_____	_____	_____
1347	_____	_____	_____

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:

1355	_____	_____	_____
1356	—		
1357	Check	Check one	
1358	appropriate	\$5,001 to	More than
1359	categories	\$50,000	\$50,000
1360	Banks	_____	_____
1361	Savings institutions	_____	_____
1362	Other loan or finance companies	_____	_____
1363	Insurance companies	_____	_____
1364	Stock, commodity or other brokerage companies	_____	_____
1365	Other businesses:		
1366	(State principal business activity for each		
1367	creditor and its name.)		
1368	_____	_____	_____
1369	_____	_____	_____
1370	_____	_____	_____

Individual creditors:

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

1374	_____	_____	_____
1375	_____	_____	_____
1376	_____	_____	_____
1377	_____	_____	_____

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

1379	_____	_____	_____
1380	—		
1381	Check	Check one	
1382	appropriate	\$5,001 to	More than
1383	categories	\$50,000	\$50,000
1384	Banks	_____	_____
1385	Savings institutions	_____	_____
1386	Other loan or finance companies	_____	_____
1387	Insurance companies	_____	_____
1388	Stock, commodity or other brokerage companies	_____	_____
1389	Other businesses:		
1390	(State principal business activity for each		

1391 creditor and its name.)

1392 \_\_\_\_\_

1393 \_\_\_\_\_

1394 \_\_\_\_\_

1395 Individual creditors:

1396 (State principal business or occupation of

1397 each creditor and its name.)

1398 \_\_\_\_\_

1399 \_\_\_\_\_

1400 \_\_\_\_\_

1401 \_\_\_\_\_

1402 \_\_\_\_\_ RETURN TO ITEM 3

#### 1403 SCHEDULE C - SECURITIES.

1404 "Securities" INCLUDES stocks, bonds, mutual funds, limited partnerships, and commodity futures  
1405 contracts.

1406 "Securities" EXCLUDES certificates of deposit, money market funds, annuity contracts, and  
1407 insurance policies.

1408 Identify each business or Virginia governmental entity in which you or a member of your immediate  
1409 family, directly or indirectly, separately or together, own securities valued in excess of \$5,000. Name  
1410 each issuer and type of security individually.

1411 Do not list U.S. Bonds or other government securities not issued by the Commonwealth of Virginia  
1412 or its authorities, agencies, or local governments. Do not list organizations that do not do business in  
1413 this Commonwealth, but most major businesses conduct business in Virginia. Account for securities held  
1414 in trust.

1415 If no reportable securities, check here ☐ ☐.

1416 \_\_\_\_\_

1417 \_\_\_\_\_

1418 \_\_\_\_\_ Check one

1419 \_\_\_\_\_ Type of Security \$5,001 \$50,001 More

1420 \_\_\_\_\_ (stocks, bonds, mutual to to than

1421 Name of Issuer funds, etc.) \$50,000 \$250,000 \$250,000

1422 \_\_\_\_\_

1423 \_\_\_\_\_

1424 \_\_\_\_\_

1425 \_\_\_\_\_

1426 \_\_\_\_\_

1427 \_\_\_\_\_ RETURN TO ITEM 4

#### 1428 SCHEDULE D - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

1429 List each source from which you received during the past six months in your capacity as an officer  
1430 or employee of your agency lodging, transportation, money, or any other thing of value with combined  
1431 value exceeding \$200 (i) for your presentation of a single talk, participation in one meeting, or  
1432 publication of a work or (ii) for your attendance at a meeting, conference, or event where your  
1433 attendance at the meeting, conference, or event was designed to (a) educate you on issues relevant to  
1434 your duties as an officer or employee of your agency or (b) enhance your knowledge and skills relative  
1435 to your duties as an officer or employee of your agency. Any lodging, transportation, money, or other  
1436 thing of value received by an officer or employee that does not satisfy the provisions of clause (i), (ii)  
1437 (a), or (ii) (b) shall be listed as a gift on Schedule E.

1438 List payments or reimbursements by an advisory or governmental agency only for meetings or travel  
1439 outside the Commonwealth.

1440 List a payment even if you donated it to charity.

1441 Do not list information about a payment if you returned it within 60 days or if you received it from  
1442 an employer already listed under Item 6 or from a source of income listed on Schedule F.

1443 If no payment must be listed, check here ☐ ☐.

1444 \_\_\_\_\_

1445 \_\_\_\_\_

1446 \_\_\_\_\_ Type of payment

1447 \_\_\_\_\_ (e.g. honoraria,

1448 \_\_\_\_\_ travel reimburse-

1449 Payer Approximate Value Circumstances ment, etc.)



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.

1509 Only STATE officers and employees should complete this Schedule.

1510 \_\_\_\_\_

1511 - \_\_\_\_\_

1512 \_\_\_\_\_ Pur- \_\_\_\_\_ Amount Received

1513 \_\_\_\_\_ pose

1514 Name Type of Name

1515 of of Repre of \$1,001 \$10,001 \$50,001 \$100,001 \$250,001

1516 Busi- Busi- senta Agen- to to to to and

1517 ness ness tion cy \$10,000 \$50,000 \$100,000 \$250,000 over

1518 \_\_\_\_\_

1519 \_\_\_\_\_

1520 \_\_\_\_\_

1521 \_\_\_\_\_

1522 \_\_\_\_\_

1523 If you have received \$250,001 or more from a single business within the reporting period, indicate

1524 the amount received, rounded to the nearest \$10,000.

1525 \_\_\_\_\_ Amount Received: \_\_\_\_\_.

1526 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

1527 List the businesses that have been represented, excluding activity defined as lobbying in § 2.2-419,

1528 before any state governmental agency, excluding any court or judge, by persons who are your partners,

1529 associates or others with whom you have a close financial association and who received total

1530 compensation in excess of \$1,000 for such representation during the past six months, excluding

1531 representation consisting solely of the filing of mandatory papers and subsequent representation

1532 regarding the mandatory papers filed by your partners, associates or others with whom you have a close

1533 financial association.

1534 Identify such businesses by type and also name the state governmental agencies before which such

1535 person appeared on behalf of such businesses.

1536 Only STATE officers and employees should complete this Schedule.

1537 \_\_\_\_\_

1538 - \_\_\_\_\_

1539 Type of business \_\_\_\_\_ Name of state governmental agency

1540 \_\_\_\_\_

1541 \_\_\_\_\_

1542 \_\_\_\_\_

1543 \_\_\_\_\_

1544 \_\_\_\_\_

1545 SCHEDULE G-3 - PAYMENTS FOR OTHER SERVICES GENERALLY.

1546 Indicate below types of businesses that operate in Virginia to which services were furnished by you

1547 or persons with whom you have a close financial association pursuant to an agreement between you and

1548 such businesses, or between persons with whom you have a close financial association and such

1549 businesses and for which total compensation in excess of \$1,000 was received during the past six

1550 months. Services reported in this Schedule shall not include services involving the representation of

1551 businesses that are reported in Schedule G-1 or G-2.

1552 Identify opposite each category of businesses listed below (i) the type of business; (ii) the type of

1553 service rendered and (iii) the value by dollar category of the compensation received for all businesses

1554 falling within each category.

1555 \_\_\_\_\_

1556 - \_\_\_\_\_

1557 \_\_\_\_\_ Check \_\_\_\_\_ Value of Compensation

1558 \_\_\_\_\_ if Type

1559 \_\_\_\_\_ ser- of

1560 \_\_\_\_\_ vices ser-

1561 \_\_\_\_\_ were vice \$1,001 \$10,001 \$50,001 \$100,001 \$250,001

1562 \_\_\_\_\_ ren- ren- to to to to and

1563 \_\_\_\_\_ dered dered \$10,000 \$50,000 \$100,000 \$250,000 over

1564 Electric utilities \_\_\_\_\_

1565 Gas utilities \_\_\_\_\_

1566 Telephone utilities \_\_\_\_\_

1567 Water utilities \_\_\_\_\_

1568 Cable television  
 1569 — companies  
 1570 Interstate  
 1571 — transportation  
 1572 — companies  
 1573 Intrastate  
 1574 — transportation  
 1575 — companies  
 1576 Oil or gas retail  
 1577 — companies  
 1578 Banks  
 1579 Savings institutions  
 1580 Loan or finance  
 1581 — companies  
 1582 Manufacturing  
 1583 — companies (state  
 1584 — type of product,  
 1585 — e.g., textile,  
 1586 — furniture, etc.)  
 1587 Mining companies  
 1588 Life insurance  
 1589 — companies  
 1590 Casualty insurance  
 1591 — companies  
 1592 Other insurance  
 1593 — companies  
 1594 Retail companies  
 1595 Beer, wine or liquor  
 1596 — companies or  
 1597 — distributors  
 1598 Trade associations  
 1599 Professional  
 1600 — associations  
 1601 Associations of  
 1602 — public employees  
 1603 — or officials  
 1604 Counties, cities  
 1605 — or towns  
 1606 Labor organizations  
 1607 Other

RETURN TO ITEM 9

1610 SCHEDULE H-1 - REAL ESTATE - STATE OFFICERS AND EMPLOYEES.

1611 List real estate other than your principal residence in which you or a member of your immediate  
 1612 family holds an interest, including a partnership interest, option, easement, or land contract, valued at  
 1613 more than \$5,000. Each parcel shall be listed individually.

1614 \_\_\_\_\_  
 1615 —  
 1616 \_\_\_\_\_ Describe the type of real  
 1617 List each location estate you own in each If the real estate is  
 1618 (state, and county location (business, recre owned or recorded in  
 1619 or city) where you ational, apartment, com a name other than your  
 1620 own real estate. mercial, open land, etc.). own, list that name.  
 1621 \_\_\_\_\_  
 1622 \_\_\_\_\_  
 1623 \_\_\_\_\_  
 1624 \_\_\_\_\_

1625

1626

1627

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

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

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1682

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.

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

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.

List your real estate			
interest and the			
person or entity,			
including the type			
of entity, which			
is party to			
the contract.	State the annual		
Describe any	income from the		
management role and	contract, and the		
the percentage	amount, if any, of		
ownership	income you or any		
interest you or your	and indicate the		
immediate family	county or city where		
member has in the real	the real estate		
estate or entity.	is located.		

*B. Certain information regarding the offices, directorships, and paid employments of the filer and the members of his immediate family shall be reported. For each office, directorship, or paid employment, the report shall include:*

- 1. The name and address of the business or employer;*
- 2. The position held and by whom; and*
- 3. The salary, wages, or other remuneration received.*

*C. Certain information regarding the personal liabilities held by the filer or a member of his immediate family shall be reported. For each debt held, the report shall include:*

- 1. The type of personal liability;*
- 2. The name and principal business activity of the creditor; and*
- 3. The amount of debt held.*

*For an individual creditor, the name and occupation of such creditor shall be reported, in addition to the date of the waiver granted by the Commission pursuant to § 2.2-2541.*

*D. Certain information regarding any securities owned by the filer or a member of his immediate family, directly or indirectly, together or separately, shall be reported. For purposes of disclosure, security shall include at least stocks, bonds, mutual funds, limited partnerships, and commodity futures contracts. For each security owned, the report shall include:*

- 1. The type of security;*
- 2. The name of the issuer; and*
- 3. The value of the security owned.*

*E. Certain information regarding any business owned by the filer or a member of his immediate family or any business in which the filer or a member of his immediate family has a controlling ownership interest shall be reported. For purposes of disclosure, "business" shall include at least corporations, partnerships, sole proprietorships, firms, enterprises, franchises, associations, trusts or foundations, or any other individual or entity carrying on a business or profession, whether or not for profit. For each such business, the report shall include:*

- 1. The name of the business;*
- 2. The nature of the business;*
- 3. The county or city and the state where the business is located, unless it is a rental property, in which case, the physical address; and*
- 4. The total income earned from the business.*

*F. Certain information regarding representation before governmental agencies by the filer or a person with whom the filer has a close financial association shall be reported. For each instance of representation, the report shall include:*

- 1. The name and type of the business represented by the filer or the person with whom the filer has a close financial association;*
- 2. The purpose of the representation;*
- 3. The name of the agency before which the filer, or the person with whom the filer has a close financial association, appeared; and*
- 4. The amount received for the representation.*

*G. Certain information regarding real estate in which the filer or a member of his immediate family holds an interest, including a partnership interest, options, easement, or land contract, shall be reported. For each parcel, the report shall include:*

- 1. Whether or not it is the principal residence of the filer or the member of his immediate family;*
- 2. The physical address;*
- 3. The type of real estate;*
- 4. The name in which the parcel is owned or recorded, and the names of any other persons in whose name the parcel is owned or recorded; and*
- 5. Information regarding any contract with a governmental agency for the sale or exchange of the real estate.*

*H. Certain information regarding payments or reimbursements received by the filer for his attendance or participation at meetings, conferences, or other events, where he attended or participated in his official capacity, shall be reported. For each payment, the report shall include:*

- 1. The person or entity paying or reimbursing the filer;*
- 2. The date and location of the meeting, conference, or other event;*
- 3. The purpose of the meeting, conference, or other event;*
- 4. The type of payment or reimbursement received; and*
- 5. The approximate value of the payment or reimbursement received.*

*I. Certain information regarding gifts accepted or received by the filer or a member of his immediate family shall be reported. Only gifts with a value in excess of \$25 shall be reported. For each gift, the report shall include:*

1744 1. The name of the recipient;  
 1745 2. The individual or entity providing the gift;  
 1746 3. The exact gift; and  
 1747 4. The value of the gift.  
 1748 J. Certain information regarding travel not paid for by a governmental entity of the United States or  
 1749 another state of the United States shall be reported. For each trip, the report shall include:  
 1750 1. The date and destination of the trip;  
 1751 2. The purpose of the travel; and  
 1752 3. An itemized accounting of all expenses related to the trip. For each expense, the report shall  
 1753 include:  
 1754 a. The person or entity paying for the expense;  
 1755 b. The type of expense;  
 1756 c. The amount of the expense; and  
 1757 d. The date the expense was received.  
 1758 **§ 2.2-3118. Disclosure form; certain citizen members.**  
 1759 A. The financial disclosure form to be used for filings required pursuant to subsection B of  
 1760 § 2.2-3114 and subsection B of § 2.2-3115 shall be filed in accordance with the provisions of § 30-356.  
 1761 The financial disclosure form shall be substantially as follows: on a form prescribed by the Commission.  
 1762 All completed forms shall be submitted electronically and in accordance with the standards approved by  
 1763 the Commission pursuant to § 2.2-2540. The Commission may specify which parts of the disclosure form  
 1764 are not applicable to officers and employees of local governmental and local advisory agencies.  
 1765 **DEFINITIONS AND EXPLANATORY MATERIAL.**  
 1766 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,  
 1767 association, trust or foundation, or any other individual or entity carrying on a business or profession,  
 1768 whether or not for profit.  
 1769 "Close financial association" means an association in which the person filing shares significant  
 1770 financial involvement with an individual and the filer would reasonably be expected to be aware of the  
 1771 individual's business activities and would have access to the necessary records either directly or through  
 1772 the individual. "Close financial association" does not mean an association based on (i) the receipt of  
 1773 retirement benefits or deferred compensation from a business by which the person filing this statement is  
 1774 no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an  
 1775 independent contractor of a business that represents an entity before any state governmental agency  
 1776 when the person filing has no communications with the state governmental agency.  
 1777 "Contingent liability" means a liability that is not presently fixed or determined, but may become  
 1778 fixed or determined in the future with the occurrence of some certain event.  
 1779 "Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the  
 1780 filer and who is a dependent of the filer.  
 1781 "Personal interest" means, for the purposes of this form only, a personal and financial benefit or  
 1782 liability accruing to a filer or a member of his immediate family. Such interest shall exist by reason of  
 1783 (i) ownership in real or personal property, tangible or intangible; (ii) ownership in a business; (iii)  
 1784 income from a business; or (iv) personal liability on behalf of a business; however, unless the ownership  
 1785 interest in a business exceeds three percent of the total equity of the business, or the liability on behalf  
 1786 of a business exceeds three percent of the total assets of the business, or the annual income, and/or  
 1787 property or use of such property, from the business exceeds \$10,000 or may reasonably be anticipated to  
 1788 exceed \$10,000, such interest shall not constitute a "personal interest."  
 1789 Name \_\_\_\_\_  
 1790 ~~Office or position held or to be held~~  
 1791 \_\_\_\_\_  
 1792 Address \_\_\_\_\_  
 1793 **I. FINANCIAL INTERESTS**  
 1794 My B. Certain information regarding the personal interests and those of my of the filer and his  
 1795 immediate family are as follows: Include all forms of personal interests held at the time of filing,  
 1796 including real estate, stocks, bonds, and equity interests in proprietorships and partnerships held at the  
 1797 time of filing shall be reported. You may exclude:  
 1798 1. Deposits and interest bearing accounts in banks, savings institutions and other institutions  
 1799 accepting such deposits or accounts;  
 1800 2. Interests in any business, other than a news medium, representing less than three percent of the  
 1801 total equity value of the business;  
 1802 3. Liability on behalf of any business representing less than three percent of the total assets of such  
 1803 business; and  
 1804 4. Income (other than from salary) less than \$10,000 annually from any business. You need not state

the value of any interest. You must state the name or principal business activity of each business in which you have a personal interest.

A. My personal interests are *Such report shall include:*

1. Residence, *The address, or, if no address, location* ..... *of the filer's residence;*  
 2. Other real estate, *The address, or, if no address, location* ..... *or addresses of other real estate owned by the filer or member of his immediate family;*

3. Name *The name or principal business activity of each business in which stock, bond, or equity interest is held* ..... *by the filer or member of his immediate family.*

B. The personal interests of my immediate family are:

1. Real estate, address or, if no address, location .....

2. Name or principal business activity of each business in which stock, bond or equity interest is held .....

## II. OFFICES, DIRECTORSHIPS AND SALARIED EMPLOYMENTS

The C. *Certain information regarding the paid offices, paid directorships, and salaried employments which I hold or which members of my of the filer and the members of his immediate family hold and shall be reported. This report shall also include the businesses from which I the filer or members of my his immediate family receive retirement benefits are as follows. For each paid office, paid directorship, salaried employment, or retirement benefits, such report shall include:*

1. *The name of the business or employer; and*

2. *The position held and by whom.*

(You need not state any dollar amounts.)

A. My paid offices, paid directorships and salaried employments are:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Position held \_\_\_\_\_ Name of business

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

B. The paid offices, paid directorships and salaried employments of members of my immediate family are:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Position held \_\_\_\_\_ Name of business

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## III. BUSINESSES TO WHICH SERVICES WERE FURNISHED

A. The businesses I have represented, excluding activity defined as lobbying in § 2.2-419, before any state governmental agency, excluding any court or judge, for which I have received total compensation in excess of \$1,000 during the preceding year, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers, are as follows:

Identify businesses by name and name the state governmental agencies before which you appeared on behalf of such businesses.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Name of business \_\_\_\_\_ Name of governmental agency

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

B. The businesses that, to my knowledge, have been represented, excluding activity defined as lobbying in § 2.2-419, before any state governmental agency, excluding any court or judge, by persons with whom I have a close financial association and who received total compensation in excess of \$1,000 during the preceding year, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers, are as follows:

Identify businesses by type and name the state governmental agencies before which such person appeared on behalf of such businesses.

\_\_\_\_\_

1864		
1865	—	
1866	Type of business	Name of state governmental agency
1867		
1868		
1869		
1870		

1871 C. All other businesses listed below that operate in Virginia to which services were furnished  
 1872 pursuant to an agreement between you and such businesses and for which total compensation in excess  
 1873 of \$1,000 was received during the preceding year:

1874 Check each category of business to which services were furnished.

1875	
1876	—
1877	Electric utilities
1878	Gas utilities
1879	Telephone utilities
1880	Water utilities
1881	Cable television companies
1882	Intrastate transportation companies
1883	Interstate transportation companies
1884	Oil or gas retail companies
1885	Banks
1886	Savings institutions
1887	Loan or finance companies
1888	Manufacturing companies (state type
1889	—of product, e.g., textile, furniture,
1890	—etc.)
1891	Mining companies
1892	Life insurance companies
1893	Casualty insurance companies
1894	Other insurance companies
1895	Retail companies
1896	Beer, wine or liquor companies or
1897	—distributors
1898	Trade associations
1899	Professional associations
1900	Associations of public employees or
1901	—officials
1902	Counties, cities or towns
1903	Labor organizations

1904  
 1905 **IV. COMPENSATION FOR EXPENSES**

1906 The D. Certain information regarding representation before any state government agency by the filer  
 1907 or a person with whom the filer has a close financial association shall be reported. For each instance  
 1908 of representation, the report shall include:

1909 1. The name and type of the business represented by the filer or the person with whom the filer has  
 1910 a close financial association; and

1911 2. The name of the agency before which the filer, or the person with whom the filer has a close  
 1912 financial association, appeared.

1913 E. Certain information regarding remuneration received by the filer or a member of his immediate  
 1914 family from persons, associations, or other sources other than ~~my~~ a governmental agency of the United  
 1915 States or another state of the United States from which I or a member of my immediate family received  
 1916 remuneration in excess of \$200 during the preceding year, in cash or otherwise, as honorariums or  
 1917 payment of expenses in connection with ~~my~~ his attendance at any meeting or other function to which I  
 1918 he was invited in ~~my~~ his official capacity are as follows shall be reported. For each honorarium or  
 1919 payment of expenses, the report shall include:

1920 1. The name of the person, association, or other source;

1921 2. A description of the occasion; and



3. *The amount of remuneration received.*

1922			
1923			
1924	—		
1925		Description	Amount of remuneration
1926	Name of Source	of occasion	for each occasion
1927			
1928			
1929			
1930			

B. The provisions of Part III A and B of the disclosure form prescribed by this section shall not be applicable to officers and employees of local governmental and local advisory agencies.

C. Except for real estate located within the county, city or town in which the officer or employee serves or a county, city or town contiguous to the county, city or town in which the officer or employee serves, officers and employees of local governmental or advisory agencies shall not be required to disclose under Part I of the form any other interests in real estate.

**§ 2.2-3121. Advisory opinions.**

A. A state officer or employee shall not be prosecuted for a knowing violation of this chapter if the alleged violation resulted from his good faith reliance on a written opinion of the Attorney General or the Virginia Conflict of Interest and Ethics Advisory Council Commission made in response to his written request for such opinion and the opinion was made after a full disclosure of the facts.

B. A local officer or employee shall not be prosecuted for a knowing violation of this chapter if the alleged violation resulted from his good faith reliance on a written opinion of the attorney for the Commonwealth or the Council Commission made in response to his written request for such opinion and the opinion was made after a full disclosure of the facts. The written opinion shall be a public record and shall be released upon request.

C. If any officer or employee serving at the local level of government is charged with a knowing violation of this chapter, and the alleged violation resulted from his reliance upon a written opinion of his city, county or town attorney, made after a full disclosure of the facts, that such action was not in violation of this chapter, then the officer or employee shall have the right to introduce a copy of the opinion at his trial as evidence that he did not knowingly violate this chapter.

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

A. In addition to any other fine or penalty provided by law, an officer or employee who knowingly violates any provision of §§ 2.2-3103 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 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.

B. An officer or employee required to file the disclosure form prescribed by § 2.2-3117 who fails to file such form within the time period prescribed shall be assessed a civil penalty in an amount equal to \$250. The Commission shall notify the Attorney General of any state officer's or employee's failure to file the required form and the Attorney General shall assess and collect the civil penalty. The Commission shall notify the attorney for the Commonwealth of any local officer's or employee's failure to file the required form and the attorney for the Commonwealth shall assess and collect the civil penalty. The Commission shall notify the Attorney General and the attorney for the Commonwealth within 30 days of the deadline for filing.

**§ 2.2-3131. Exemptions.**

A. The requirements of § 2.2-3130 shall not apply to state filers with a state agency who have taken an equivalent ethics orientation course through another state agency within the time periods set forth in subdivision 1 or 2 of § 2.2-3130, as applicable.

B. State agencies may jointly conduct and state filers from more than one state agency may jointly attend an orientation course required by § 2.2-3128, as long as the course content is relevant to the official duties of the attending state filers.

C. Before conducting each orientation course required by § 2.2-3128, state agencies shall consult with the Attorney General and the Virginia Conflict of Interest and Ethics Advisory Council Commission regarding appropriate course content.

**§ 24.2-954. Campaign fundraising; legislative sessions; penalties.**

A. No member of the General Assembly or statewide official and no campaign committee of a member of the General Assembly or statewide official shall solicit or accept a contribution for the campaign committee of any member of the General Assembly or statewide official, or for any political committee, from any person or political committee on and after the first day of a regular or special

1983 session of the General Assembly through adjournment sine die of that session.

1984 B. No person or political committee shall make or promise to make a contribution to a member of  
1985 the General Assembly or statewide official or his campaign committee on and after the first day of a  
1986 regular *or special* session of the General Assembly through adjournment sine die of that session.

1987 C. The restrictions of this section shall not apply to a contribution (i) made by a member of the  
1988 General Assembly or statewide official from his personal funds or (ii) made to the campaign committee  
1989 of a candidate in a special election.

1990 D. As used in this section:

1991 "Adjournment sine die" means adjournment on the last legislative day of the regular *or special*  
1992 session, and such session does not include the ensuing reconvened session;

1993 "Campaign committee," "contribution," "person," and "political committee" shall be defined as  
1994 provided in § 24.2-945.1 except that "contribution" shall not include money, services, or things of value  
1995 in any way provided by a candidate to his own campaign and the payment by the candidate of any  
1996 primary filing fee;

1997 "Solicit" means request a contribution, orally or in writing, but shall not include a request for support  
1998 of a candidate or his position on an issue; and

1999 "Statewide official" means the Governor, Lieutenant Governor, and Attorney General.

2000 E. Any person who violates, or aids, abets, or participates in the violation of, this section shall be  
2001 subject to a civil penalty equal to the amount of the prohibited contribution or promised contribution or  
2002 \$500, whichever amount is greater. The attorney for the Commonwealth shall initiate civil proceedings  
2003 to enforce the civil penalty provided herein. Any civil penalties collected shall be payable to the State  
2004 Treasurer for deposit to the general fund.

2005 **§ 30-101. Definitions.**

2006 As used in this chapter, unless the context requires a different meaning:

2007 "Advisory agency" means any board, commission, committee or post which does not exercise any  
2008 sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for  
2009 the purpose of making studies or recommendations, or advising or consulting with a governmental  
2010 agency.

2011 "Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise,  
2012 association, trust or foundation, or any other individual or entity carrying on a business or profession,  
2013 whether or not for profit.

2014 "*Commission*" means the Virginia Independent Ethics Review Commission established in Article 10  
2015 (§ 2.2-2537 *et seq.*) of Chapter 25 of Title 2.2.

2016 "Contract" means any agreement to which a governmental agency is a party, or any agreement on  
2017 behalf of a governmental agency that involves the payment of money appropriated by the General  
2018 Assembly or a political subdivision, whether or not such agreement is executed in the name of the  
2019 Commonwealth, or some political subdivision thereof. "Contract" includes a subcontract only when the  
2020 contract of which it is a part is with the legislator's own governmental agency.

2021 "~~Council~~" means the Virginia Conflict of Interest and Ethics Advisory Council established in  
2022 § 30-355.

2023 "*Dependent*" means a son, daughter, father, mother, brother, sister, or other person, whether or not  
2024 related by blood or marriage, if such person receives from the legislator, or provides to the legislator,  
2025 more than one-half of his financial support.

2026 "Financial institution" means any bank, trust company, savings institution, industrial loan association,  
2027 consumer finance company, credit union, broker-dealer as defined in subsection A of § 13.1-501, or  
2028 investment company or advisor registered under the federal Investment Advisors Act or Investment  
2029 Company Act of 1940.

2030 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item  
2031 having monetary value. It includes services as well as gifts of transportation, lodgings, and meals,  
2032 whether provided in-kind; *or* by purchase of a ticket, payment in advance, or reimbursement after the  
2033 expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission  
2034 or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic,  
2035 merit, or need-based scholarship or any other financial aid awarded by a public or private school,  
2036 institution of higher education, or other educational program pursuant to such school, institution, or  
2037 program's financial aid standards and procedures applicable to the general public; (iv) *unsolicited,*  
2038 *personally inscribed awards of appreciation or recognition in the form of a plaque, trophy, wall*  
2039 *memento, or similar item that is given in recognition of public, civic, charitable, or professional service;*  
2040 (v) a campaign contribution properly received and reported pursuant to Chapter 9.3 the Campaign  
2041 Finance Disclosure Act (§ 24.2-945 *et seq.*) of Title 24.2; ~~(v)~~ (vi) any gift related to the private  
2042 profession or occupation of a legislator or of a member of his immediate family; or ~~(vi)~~ (vii) gifts from  
2043 relatives or personal friends. For the purpose of this definition, "relative" means the donee's spouse,  
2044 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. For the purpose of this definition, "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; 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. For purposes of this definition, "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. In determining whether a person giving a gift is a personal friend, the following factors shall be considered: (a) the history of the relationship between the individual receiving the gift and the person giving the gift, including any previous exchange of gifts between them; (b) whether the gift was personally paid for by the person giving the gift or whether he sought a tax deduction or business reimbursement for the gift, and the knowledge of the individual receiving of the gift of such fact; and (c) whether the person giving the gift also gave the same or similar gifts to other legislators, and the knowledge of the individual receiving the gift of such fact.

"Governmental agency" means each component part of the legislative, executive or judicial branches of state and local government, including each office, department, authority, post, commission, committee, and each institution or board created by law to exercise some regulatory or sovereign power or duty as distinguished from purely advisory powers or duties.

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

"Legislator" means a member of the General Assembly.

"Personal interest" means a financial benefit or liability accruing to a legislator or to a member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may reasonably be anticipated to exceed, \$5,000 from ownership in real or personal property or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business or governmental agency that exceeds, or may reasonably be anticipated to exceed, \$5,000 annually; (iv) ownership of real or personal property if the interest exceeds \$5,000 in value and excluding ownership in a business, income, or salary, other compensation, fringe benefits or benefits from the use of property; (v) personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business; or (vi) an option for ownership of a business or real or personal property if the ownership interest will consist of clause (i) or (iv).

"Personal interest in a contract" means a personal interest that a legislator has in a contract with a governmental agency, whether due to his being a party to the contract or due to a personal interest in a business that is a party to the contract.

"Personal interest in a transaction" means a personal interest of a legislator in any matter considered by the General Assembly. Such personal interest exists when an officer or employee or a member of his immediate family has a personal interest in property or a business, or represents or provides services to any individual or business and such property, business or represented or served individual or business (i) is the subject of the transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of the action of the agency considering the transaction. A "personal interest in a transaction" exists only if the legislator or member of his immediate family or an individual or business represented or served by the legislator is affected in a way that is substantially different from the general public or from persons comprising a profession, occupation, trade, business or other comparable and generally recognizable class or group of which he or the individual or business he represents or serves is a member.

"Transaction" means any matter considered by the General Assembly, whether in a committee, subcommittee, or other entity of the General Assembly or before the General Assembly itself, on which official action is taken or contemplated.

### **§ 30-103. Prohibited conduct.**

No legislator shall:

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

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;

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

4. Use for his own economic benefit or that of another party confidential information which he has

2106 acquired by reason of his public position and which is not available to the public;

2107 5. Accept any money, loan, gift, favor, service, or business or professional opportunity that  
2108 reasonably tends to influence him in the performance of his official duties. This subdivision shall not  
2109 apply to any political contribution actually used for political campaign or constituent service purposes  
2110 and reported as required by Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;

2111 6. Accept any business or professional opportunity when he knows that there is a reasonable  
2112 likelihood that the opportunity is being afforded him to influence him in the performance of his official  
2113 duties;

2114 7. During the one year after the termination of his service as a legislator, represent a client or act in  
2115 a representative capacity on behalf of any person or group, for compensation, on any matter before the  
2116 General Assembly or any agency of the legislative branch of government. The prohibitions of this  
2117 subdivision shall apply only to persons engaged in activities that would require registration as a lobbyist  
2118 under § 2.2-422. Any person subject to the provisions of this subdivision may apply to the Attorney  
2119 General, as provided in § 30-122, for an advisory opinion as to the application of the restriction imposed  
2120 by this subdivision on any post-public employment position or opportunity;

2121 8. Accept any honoraria for any appearance, speech, or article in which the legislator provides  
2122 expertise or opinions related to the performance of his official duties. The term "honoraria" shall not  
2123 include any payment for or reimbursement to such person for his actual travel, lodging, or subsistence  
2124 expenses incurred in connection with such appearance, speech, or article or in the alternative a payment  
2125 of money or anything of value not in excess of the per diem deduction allowable under § 162 of the  
2126 Internal Revenue Code, as amended from time to time;

2127 9. Accept appointment to serve on a body or board of any corporation, company or other legal  
2128 entity, vested with the management of the corporation, company or entity, and on which two other  
2129 members of the General Assembly already serve, which is operated for profit and regulated by the State  
2130 Corporation Commission as (i) a financial institution, (ii) a mortgage lender or broker, (iii) any business  
2131 under Chapter 5 (§ 13.1-501 et seq.) of Title 13.1, (iv) any business under Title 38.2, or (v) any  
2132 business under Title 56;

2133 10. Accept a gift from a person who has interests that may be substantially affected by the  
2134 performance of the legislator's official duties under circumstances where the timing and nature of the gift  
2135 would cause a reasonable person to question the legislator's impartiality in the matter affecting the  
2136 donor. Violations of this subdivision shall not be subject to criminal law penalties; or

2137 11. Accept gifts from sources on a basis so frequent as to raise an appearance of the use of his  
2138 public office for private gain. Violations of this subdivision shall not be subject to criminal law  
2139 penalties; or

2140 12. *Solicit, accept, or receive any transportation, lodging, meal, hospitality, or other travel-related*  
2141 *thing of value exceeding the limitation prescribed in § 30-103.1 that is to be provided by a third party*  
2142 *prior to submitting to the Commission an application for a waiver to accept such travel-related thing of*  
2143 *value and receiving such a waiver pursuant to § 2.2-2541.*

2144 **§ 30-103.1. Certain gifts prohibited.**

2145 A. For purposes of this section:

2146 "Intangible gift" means a thing of temporary value or a thing that upon the happening of a certain  
2147 event or expiration of a given date loses its value. "Intangible gift" includes entertainment, hospitality, a  
2148 ticket, admission, or pass, transportation, lodgings, and meals that are reportable on Schedule E of the  
2149 disclosure form prescribed in § 30-111.

2150 "Tangible gift" means a thing of value that does not lose its value upon the happening of a certain  
2151 event or expiration of a given date. "Tangible gift" includes currency, negotiable instruments, securities,  
2152 stock options, or other financial instruments that are reportable on Schedule E of the disclosure form  
2153 prescribed in § 30-111. "Tangible gift" does not include payments or reimbursements received for any  
2154 intangible gift.

2155 "Bundled gift" means separate gifts that are paid for or otherwise provided by a person,  
2156 organization, or a group of persons or organizations and are delivered by a single person or  
2157 organization.

2158 "Widely attended event" means an event for which there is a reasonable expectation that at least 25  
2159 persons will attend the event and the event is open to individuals from throughout a particular industry  
2160 or profession or who represent persons interested in a particular issue.

2161 B. A legislator or candidate for the General Assembly required to file the disclosure form prescribed  
2162 in § 30-111 (i), or a member of his immediate family, shall not solicit, accept, or receive within any  
2163 calendar year any single tangible gift with a value in excess of \$250 \$100 or a combination of tangible  
2164 gifts with an aggregate value in excess of \$250 \$100 from any person that he knows or has reason to  
2165 know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a  
2166 lobbyist's principal as defined in § 2.2-419; or (c) a person, organization, or business who is a party to  
2167 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, other than a relative or personal friend. For purposes of this prohibition and the disclosure requirements, the total value of a bundled gift shall be attributed to each person or organization contributing to the bundled gift.

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. A legislator or candidate, or a member of his immediate family, may accept an invitation to a widely attended event related to his official duties and accept any meal otherwise prohibited by subsection B when such meal is offered to all attendees as part of the event. Such meals shall be reported on the disclosure form prescribed in § 30-111.

D. A legislator or candidate may accept or receive a travel-related gift that is otherwise prohibited by subsection B when he has submitted an application for a waiver to the Commission and the Commission has granted a waiver pursuant to § 2.2-2541. An application for a waiver shall be submitted to the Commission no later than 10 days prior to the expected date of receipt of such a gift. Gifts accepted or received pursuant to this subsection shall be reported on the disclosure form prescribed in § 30-111.

#### § 30-110. Disclosure.

A. Every legislator and legislator-elect shall file, as a condition to assuming office, a disclosure statement of his personal interests and such other information as is specified on the form set forth in § 30-111 and thereafter shall file such a statement semiannually by December 15 for the preceding six-month period complete through the last day of October and by June 15 for the preceding six-month period complete through the last day of April. When the filing deadline falls on a Saturday, Sunday, or legal holiday, the disclosure statement shall be filed on the next day that is not a Saturday, Sunday, or legal holiday. Disclosure forms shall be provided made available by the Virginia Conflict of Interest and Ethics Advisory Council Commission at least 30 days prior to the filing deadline. Members of the Senate and members of the House of Delegates shall file their disclosure forms with the Virginia Conflict of Interest and Ethics Advisory Council Commission. The disclosure forms of the members of the General Assembly shall be submitted electronically with the Commission in accordance with the standards set by the Commission pursuant to § 2.2-2540. All forms shall be maintained as public records for five years in the office of the Virginia Conflict of Interest and Ethics Advisory Council Commission.

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

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

#### § 30-111. Disclosure form.

A. The disclosure form to be used for filings required by subsections A and B of § 30-110 shall be substantially as follows: on a form prescribed by the Commission. All completed forms shall be submitted electronically and in accordance with the standards approved by the Commission pursuant to § 2.2-2540. A person required to file this disclosure form who does so knowing it to contain a material misstatement of fact is guilty of a Class 5 felony.

#### ~~STATEMENT OF ECONOMIC INTERESTS.~~

Name .....

Office or position held or sought .....

Address .....

Names of members of immediate family .....

#### DEFINITIONS AND EXPLANATORY MATERIAL.

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

"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 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 retirement benefits or deferred compensation from a business by which the legislator is no longer employed, or (ii) the receipt of compensation for work performed by the legislator as an independent

contractor of a business that represents an entity before any state governmental agency when the legislator has had no communications with the state governmental agency.

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

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

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

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

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 businesses operating in Virginia, pursuant to an agreement between you and such businesses, or between 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 six months? Services reported under this provision shall not include services involving the representation of businesses that are reported under question 8A or 8B above.

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

#### 9. Real Estate.

Do you or a member of your immediate family hold an interest, including a partnership interest, valued at more than \$5,000 in real property (other than your principal residence) for which you have not 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.

#### 10. Real Estate Contracts with State Governmental Agencies.

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

If the real estate contract provides for the leasing of the property to a state governmental agency, do

2352 you or a member of your immediate family hold an interest in the real estate, including a corporate,  
 2353 partnership, or trust interest, option, easement, or land contract valued at more than \$1,000? Account for  
 2354 all such contracts whether or not your interest is reported in Schedule F or H. This requirement to  
 2355 disclose an interest in a lease does not apply to an interest derived through an ownership interest in a  
 2356 business unless the ownership interest exceeds three percent of the total equity of the business.

2357 EITHER check NO // OR check YES // and complete Schedule I.

2358 11. Payments by the Commonwealth for Meetings.

2359 During the past six months did you receive lodging, transportation, money, or anything else of value  
 2360 with a combined value exceeding \$200 from the Commonwealth for a single meeting attended  
 2361 out-of-state in your capacity as a legislator? Do not include reimbursements from the Commonwealth for  
 2362 meetings attended in the Commonwealth.

2363 EITHER check NO // OR check YES // and complete Schedule D-2.

2364 For Statements filed in January 2016 and each two years thereafter, complete the following statement  
 2365 indicating whether you completed the ethics orientation sessions provided pursuant to law:

2366 I certify that I completed ethics training as required by § 30-129.1. YES // or NO // .

2367 Statements of Economic Interests are open for public inspection.

2368 AFFIRMATION.

2369 In accordance with the rules of the house in which I serve, if I receive a request that this disclosure  
 2370 statement be corrected, augmented, or revised in any respect, I hereby pledge that I shall respond  
 2371 promptly to the request. I understand that if a determination is made that the statement is insufficient, I  
 2372 will satisfy such request or be subjected to disciplinary action of my house.

2373 I swear or affirm that the foregoing information is full, true and correct to the best of my knowledge.

2374 Signature \_\_\_\_\_ (Such signature shall be deemed to constitute a  
 2375 valid notarization and shall have the same effect as if performed by a notary public.)

2376 (Return only if needed to complete Statement.)

2377 SCHEDULES

2378 to

2379 STATEMENT OF ECONOMIC INTERESTS.

2380 NAME \_\_\_\_\_

2381 SCHEDULE A - OFFICES AND DIRECTORSHIPS.

2382 Identify each business of which you or a member of your immediate family is a paid officer or paid  
 2383 director.

2384 \_\_\_\_\_

2385 -

2386 Name of Business \_\_\_\_\_ Address of Business \_\_\_\_\_ Position Held and by Whom \_\_\_\_\_

2387 \_\_\_\_\_

2388 \_\_\_\_\_

2389 \_\_\_\_\_

2390 \_\_\_\_\_

2391 \_\_\_\_\_

2392 RETURN TO ITEM 2

2393 SCHEDULE B - PERSONAL LIABILITIES.

2394 Report personal liability by checking each category. Report only debts in excess of \$5,000. Do not  
 2395 report debts to any government. Do not report loans secured by recorded liens on property at least equal  
 2396 in value to the loan.

2397 Report contingent liabilities below and indicate which debts are contingent.

2398 1. My personal debts are as follows:

2399 \_\_\_\_\_

2400 -

2401 \_\_\_\_\_ Check \_\_\_\_\_ Check one

2402 \_\_\_\_\_ appropriate \$5,001 to More than

2403 \_\_\_\_\_ categories \$50,000 \$50,000

2404 Banks \_\_\_\_\_

2405 Savings institutions \_\_\_\_\_

2406 Other loan or finance companies \_\_\_\_\_

2407 Insurance companies \_\_\_\_\_

2408 Stock, commodity or other brokerage \_\_\_\_\_

2409 \_\_\_\_\_ companies \_\_\_\_\_

2410 Other businesses:



2411 ~~(State principal business activity for each~~  
 2412 ~~creditor and its name.)~~

2413 \_\_\_\_\_  
 2414 \_\_\_\_\_  
 2415 \_\_\_\_\_

2416 ~~Individual creditors:~~

2417 ~~(State principal business or occupation of~~  
 2418 ~~each creditor and its name.)~~

2419 \_\_\_\_\_  
 2420 \_\_\_\_\_  
 2421 \_\_\_\_\_  
 2422 \_\_\_\_\_

2423 2. The personal debts of the members of my immediate family are as follows:

2424 \_\_\_\_\_  
 2425 \_\_\_\_\_

2426	_____ Check _____	Check one
2427	_____ appropriate _____	\$5,001 to More than
2428	_____ categories _____	\$50,000 \$50,000

2429 Banks \_\_\_\_\_  
 2430 Savings institutions \_\_\_\_\_  
 2431 Other loan or finance companies \_\_\_\_\_  
 2432 Insurance companies \_\_\_\_\_  
 2433 Stock, commodity or other brokerage \_\_\_\_\_  
 2434 \_\_\_\_\_ companies \_\_\_\_\_

2435 ~~Other businesses:~~

2436 ~~(State principal business activity for each~~  
 2437 ~~creditor and its name.)~~

2438 \_\_\_\_\_  
 2439 \_\_\_\_\_  
 2440 \_\_\_\_\_

2441 ~~Individual creditors:~~

2442 ~~(State principal business or occupation of~~  
 2443 ~~each creditor and its name.)~~

2444 \_\_\_\_\_  
 2445 \_\_\_\_\_  
 2446 \_\_\_\_\_  
 2447 \_\_\_\_\_

2448 \_\_\_\_\_ RETURN TO ITEM 3

#### 2449 SCHEDULE C - SECURITIES.

2450 "Securities" INCLUDES stocks, bonds, mutual funds, limited partnerships, and commodity futures  
 2451 contracts.

2452 "Securities" EXCLUDES certificates of deposit, money market funds, annuity contracts, and  
 2453 insurance policies.

2454 Identify each business or Virginia governmental entity in which you or a member of your immediate  
 2455 family, directly or indirectly, separately or together, own securities valued in excess of \$5,000. Name  
 2456 each issuer and type of security individually.

2457 Do not list U.S. Bonds or other government securities not issued by the Commonwealth of Virginia  
 2458 or its authorities, agencies, or local governments. Do not list organizations that do not do business in  
 2459 this Commonwealth, but most major businesses conduct business in Virginia. Account for securities held  
 2460 in trust.

2461 If no reportable securities, check here / /.

2462 \_\_\_\_\_  
 2463 \_\_\_\_\_

2464	_____	Check one
2465	_____ Type of Security _____	\$5,001 \$50,001 More
2466	_____ (stocks, bonds, mutual _____	to to than
2467	Name of Issuer _____ funds, etc.) _____	\$50,000 \$250,000 \$250,000

2468 \_\_\_\_\_  
2469 \_\_\_\_\_  
2470 \_\_\_\_\_  
2471 \_\_\_\_\_  
2472 \_\_\_\_\_  
2473 \_\_\_\_\_

RETURN TO ITEM 4

**SCHEDULE D-1 - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.**

2475 List each source from which you received during the past six months in your capacity as a legislator  
2476 lodging, transportation, money, or any other thing of value with a combined value exceeding \$200 (i)  
2477 for your presentation of a single talk, participation in one meeting, or publication of a work or (ii) for  
2478 your attendance at a meeting, conference, or event where your attendance at the meeting, conference, or  
2479 event was designed to (a) educate you on issues relevant to your duties as a legislator, including issues  
2480 faced by your constituents, or (b) enhance your knowledge and skills relative to your duties as a  
2481 legislator. Any lodging, transportation, money, or other thing of value received by a legislator that does  
2482 not satisfy the criteria of clause (i), (ii)(a), or (ii)(b) shall be listed as a gift on Schedule E. Do not list  
2483 payments or reimbursements by the Commonwealth. (See Schedule D-2 for such payments or  
2484 reimbursements.) List a payment even if you donated it to charity. Do not list information about a  
2485 payment if you returned it within 60 days or if you received it from an employer already listed under  
2486 Item 6 or from a source of income listed on Schedule F.

2487 If no payment must be listed, check here ☐ ☐.

2488 \_\_\_\_\_  
2489 \_\_\_\_\_  
2490 \_\_\_\_\_  
2491 \_\_\_\_\_  
2492 \_\_\_\_\_  
2493 Payer \_\_\_\_\_ Approximate Value \_\_\_\_\_ Circumstances \_\_\_\_\_  
2494 \_\_\_\_\_  
2495 \_\_\_\_\_  
2496 \_\_\_\_\_  
2497 \_\_\_\_\_  
2498 \_\_\_\_\_  
2499 \_\_\_\_\_

RETURN TO ITEM 5

**SCHEDULE D-2 - PAYMENTS BY THE COMMONWEALTH FOR MEETINGS.**

2501 List each meeting for which the Commonwealth provided payments or reimbursements during the  
2502 past six months to you for lodging, transportation, money, or any other thing of value with a combined  
2503 value exceeding \$200 for your participation in your capacity as a legislator. Do not list payments or  
2504 reimbursements by the Commonwealth for meetings or travel within the Commonwealth.

2505 If no payment must be listed, check here ☐ ☐.

2506 \_\_\_\_\_  
2507 \_\_\_\_\_  
2508 \_\_\_\_\_  
2509 \_\_\_\_\_  
2510 \_\_\_\_\_  
2511 Payer \_\_\_\_\_ Approximate Value \_\_\_\_\_ Circumstances \_\_\_\_\_  
2512 \_\_\_\_\_  
2513 \_\_\_\_\_  
2514 \_\_\_\_\_  
2515 \_\_\_\_\_  
2516 \_\_\_\_\_

**SCHEDULE E - GIFTS.**

2518 List each business, governmental entity, or individual that, during the past six months, (i) furnished  
2519 you or a member of your immediate family with any gift or entertainment at a single event, and the  
2520 value received exceeded \$50 or (ii) furnished you or a member of your immediate family with gifts or  
2521 entertainment in any combination and the total value received exceeded \$100, and for which you or the  
2522 member of your immediate family neither paid nor rendered services in exchange. List each such gift or  
2523 event.

2524 Do not list entertainment events unless the average value per person attending the event exceeded  
2525 \$50. Do not list business entertainment related to the private profession or occupation of you or the  
2526 member of your immediate family who received such business entertainment. Do not list gifts or other

2527 things of value given by a relative or personal friend for reasons clearly unrelated to your public  
 2528 position. Do not list campaign contributions publicly reported as required by Chapter 9.3 (§ 24.2-945 et  
 2529 seq.) of Title 24.2 of the Code of Virginia.

2530					
2531	-				
2532	Name of Business,	City or	Exact		
2533	Name of	Organization, or	County	Gift or	Approximate
2534	Recipient	Individual	and State	Event	Value
2535					
2536					
2537					
2538					
2539					

2540 RETURN TO ITEM 6

#### 2541 SCHEDULE F-1 - BUSINESS INTERESTS.

2542 Complete this Schedule for each self-owned or family-owned business (including rental property, a  
 2543 farm, or consulting work), partnership, or corporation in which you or a member of your immediate  
 2544 family, separately or together, own an interest having a value in excess of \$5,000.

2545 If the enterprise is owned or operated under a trade, partnership, or corporate name, list that name;  
 2546 otherwise, merely explain the nature of the enterprise. If rental property is owned or operated under a  
 2547 trade, partnership, or corporate name, list the name only; otherwise, give the address of each property.  
 2548 Account for business interests held in trust.

2549					
2550	-				
2551	Name of				
2552	Business				
2553	Corporation,				
2554	Partnership,	Nature of	Gross income		
2555	Farm;	Enterprise			
2556	Address of	City or	(farming,	\$50,001	More
2557	Rental	County	law, rental	\$50,000	to
2558	Property	and State	property, etc.)	or less	\$250,000
2559					\$250,000
2560					
2561					
2562					
2563					

2564 RETURN TO ITEM 8

#### 2565 SCHEDULE F-2 - LOBBYIST RELATIONSHIPS AND PAYMENTS.

2566 Complete this Schedule for each lobbyist relationship with the following:

2567 (i) any person who is, or has been within the prior calendar year, registered as a lobbyist with the  
 2568 Secretary of the Commonwealth; or

2569 (ii) any business in which you have a greater than three percent ownership interest and that business  
 2570 employs, or engages as an independent contractor, any person who is, or has been within the prior  
 2571 calendar year, registered as a lobbyist with the Secretary of the Commonwealth.

2572					
2573	-				
2574					Payments to
2575					Lobbyist
2576	List each person	Describe each	Dates of	\$10,000	More than
2577	or business	relationship	relationship	or less	\$10,000
2578					
2579					
2580					
2581					
2582					
2583					

2584 THE DISCLOSURE OF A LOBBYIST RELATIONSHIP SHALL NOT (I) CONSTITUTE A

2585 WAIVER OF ANY ATTORNEY-CLIENT OR OTHER PRIVILEGE, (II) REQUIRE A WAIVER OF  
 2586 ANY ATTORNEY-CLIENT OR OTHER PRIVILEGE FOR A THIRD PARTY, OR (III) BE  
 2587 REQUIRED WHERE A MEMBER OR MEMBER-ELECT IS EMPLOYED OR ENGAGED BY A  
 2588 PERSON AND SUCH PERSON ALSO EMPLOYS OR ENGAGES A PERSON IN A LOBBYIST  
 2589 RELATIONSHIP SO LONG AS THE MEMBER OR MEMBER-ELECT HAS NO FINANCIAL  
 2590 INTEREST IN THE LOBBYIST RELATIONSHIP.

2591 SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

2592 List the businesses you represented before any state governmental agency, excluding any court or  
 2593 judge, for which you received total compensation during the past six months in excess of \$1,000;  
 2594 excluding compensation for other services to such businesses and representation consisting solely of the  
 2595 filing of mandatory papers and subsequent representation regarding the mandatory papers filed by you.

2596 Identify each business, the nature of the representation and the amount received by dollar category  
 2597 from each such business. You may state the type, rather than name, of the business if you are required  
 2598 by law not to reveal the name of the business represented by you.

2599 \_\_\_\_\_

2600 \_\_\_\_\_

2601 \_\_\_\_\_ Pur-  
 2602 \_\_\_\_\_ pose \_\_\_\_\_ Amount Received

2603 Name \_\_\_\_\_ Type \_\_\_\_\_ of \_\_\_\_\_

2604 of \_\_\_\_\_ of \_\_\_\_\_ Repr- Name \_\_\_\_\_ \$1,001 \_\_\_\_\_ \$10,001 \_\_\_\_\_ \$50,001 \_\_\_\_\_ \$100,001 \_\_\_\_\_

2605 Busi- Busi- senta of \_\_\_\_\_ to \_\_\_\_\_ to \_\_\_\_\_ to \_\_\_\_\_ to \_\_\_\_\_ \$250,001 \_\_\_\_\_

2606 ness- ness- tion Agency \$10,000 \$50,000 \$100,000 \$250,000 and over

2607 \_\_\_\_\_

2608 \_\_\_\_\_

2609 \_\_\_\_\_

2610 \_\_\_\_\_

2611 \_\_\_\_\_

2612 If you have received \$250,001 or more from a single business within the reporting period, indicate  
 2613 the amount received, rounded to the nearest \$10,000. Amount Received: \_\_\_\_\_.

2614 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

2615 List the businesses that have been represented before any state governmental agency, excluding any  
 2616 court or judge, by persons who are your partners, associates or others with whom you have a close  
 2617 financial association and who received total compensation in excess of \$1,000 for such representation  
 2618 during the past six months, excluding representation consisting solely of the filing of mandatory papers  
 2619 and subsequent representation regarding the mandatory papers filed by your partners, associates or others  
 2620 with whom you have a close financial association.

2621 Identify such businesses by type and also name the state governmental agencies before which such  
 2622 person appeared on behalf of such businesses.

2623 \_\_\_\_\_

2624 \_\_\_\_\_

2625 Type of Business \_\_\_\_\_ Name of State Governmental Agency \_\_\_\_\_

2626 \_\_\_\_\_

2627 \_\_\_\_\_

2628 \_\_\_\_\_

2629 \_\_\_\_\_

2630 \_\_\_\_\_

2631 SCHEDULE G-3 - PAYMENTS FOR OTHER SERVICES GENERALLY.

2632 Indicate below types of businesses that operate in Virginia to which services were furnished by you  
 2633 or persons with whom you have a close financial association pursuant to an agreement between you and  
 2634 such businesses, or between persons with whom you have a close financial association and such  
 2635 businesses and for which total compensation in excess of \$1,000 was received during the past six  
 2636 months. Services reported in this Schedule shall not include services involving the representation of  
 2637 businesses that are reported in Schedule G-1 or G-2 above.

2638 Identify opposite each category of businesses listed below (i) the type of business, (ii) the type of  
 2639 service rendered and (iii) the value by dollar category of the compensation received for all businesses  
 2640 falling within each category.

2641 \_\_\_\_\_

2642 \_\_\_\_\_

2643 \_\_\_\_\_ Check

2644	if	Type	Value of Compensation				
2645	ser	of					
2646	vice	ser					
2647	were	vice	\$1,001	\$10,001	\$50,001	\$100,001	
2648	ren	ren	to	to	to	to	\$250,001
2649	dered	dered	\$10,000	\$50,000	\$100,000	\$250,000	and over
2650	Electric utilities						
2651	Gas utilities						
2652	Telephone utilities						
2653	Water utilities						
2654	Cable television						
2655	— companies						
2656	Interstate						
2657	— transportation						
2658	— companies						
2659	Intrastate						
2660	— transportation						
2661	— companies						
2662	Oil or gas retail						
2663	— companies						
2664	Banks						
2665	Savings						
2666	— institutions						
2667	Loan or finance						
2668	— companies						
2669	Manufacturing						
2670	— companies (state						
2671	— type of product,						
2672	— e.g., textile,						
2673	— furniture, etc.)						
2674	Mining companies						
2675	Life insurance						
2676	— companies						
2677	Casualty insurance						
2678	— companies						
2679	Other insurance						
2680	— companies						
2681	Retail companies						
2682	Beer, wine or						
2683	— liquor companies						
2684	— or distributors						
2685	Trade associations						
2686	Professional						
2687	— associations						
2688	Associations of						
2689	— public employees						
2690	— or officials						
2691	Counties, cities						
2692	— or towns						
2693	Labor organizations						
2694	Other						
2695							
2696							
2697							
2698							
2699							
2700							

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.

2701 \_\_\_\_\_  
 2702 - \_\_\_\_\_  
 2703 \_\_\_\_\_ Describe the type of real  
 2704 \_\_\_\_\_ estate you own in each  
 2705 List the location location (business, If the real estate is  
 2706 (state, and county recreational, apartment, owned or recorded in  
 2707 or city where you commercial, open land, a name other than your  
 2708 own real estate etc.) own, list that name  
 2709 \_\_\_\_\_  
 2710 \_\_\_\_\_  
 2711 \_\_\_\_\_  
 2712 \_\_\_\_\_  
 2713 \_\_\_\_\_  
 2714 \_\_\_\_\_

2715 RETURN TO ITEM 10

2716 SCHEDULE I - REAL ESTATE CONTRACTS WITH STATE GOVERNMENTAL AGENCIES.

2717 List all contracts, whether pending or completed within the past six months, with a state  
 2718 governmental agency for the sale or exchange of real estate in which you or a member of your  
 2719 immediate family holds an interest, including a corporate, partnership or trust interest, option, easement,  
 2720 or land contract, valued at more than \$10,000. List all contracts with a state governmental agency for  
 2721 the lease of real estate in which you or a member of your immediate family holds such an interest  
 2722 valued at more than \$1,000. This requirement to disclose an interest in a lease does not apply to an  
 2723 interest derived through an ownership interest in a business unless the ownership interest exceeds three  
 2724 percent of the total equity of the business.

2725 \_\_\_\_\_  
 2726 - \_\_\_\_\_  
 2727 List your real  
 2728 estate interest and  
 2729 the person or entity,  
 2730 including the type of  
 2731 entity, which is  
 2732 party to the contract. State the annual  
 2733 Describe any income from the  
 2734 management role and List each contract, and the  
 2735 the percentage governmental agency amount, if any, of  
 2736 ownership interest which is a party to income you or any  
 2737 you or your immediate the contract and immediate family  
 2738 family member has in indicate the county member derives  
 2739 the real estate or city where the annually from  
 2740 or entity. real estate is located. the contract.

2741 \_\_\_\_\_  
 2742 \_\_\_\_\_  
 2743 \_\_\_\_\_  
 2744 \_\_\_\_\_  
 2745 \_\_\_\_\_  
 2746 \_\_\_\_\_

2747 B. Any legislator who makes a knowing misstatement of a material fact on the Statement of  
 2748 Economic Interests shall be subject to disciplinary action for such violations by the house in which the  
 2749 legislator sits.

2750 C. The Statement of Economic Interests of all members of each house shall be reviewed by the  
 2751 Council. If a legislator's Statement is found to be inadequate as filed, the legislator shall be notified in  
 2752 writing and directed to file an amended Statement correcting the indicated deficiencies, and a time shall  
 2753 be set within which such amendment shall be filed. If the Statement of Economic Interests, in either its  
 2754 original or amended form, is found to be adequate as filed, the legislator's filing shall be deemed in full  
 2755 compliance with this section as to the information disclosed thereon.

2756 D. Ten percent of the membership of a house, on the basis of newly discovered facts, may in writing  
 2757 request the house in which those members sit, in accordance with the rules of that house, to review the  
 2758 Statement of Economic Interests of another member of that house in order to determine the adequacy of

2759 his filing. In accordance with the rules of each house, each Statement of Economic Interests shall be  
 2760 promptly reviewed, the adequacy of the filing determined, and notice given in writing to the legislator  
 2761 whose Statement is in issue. Should it be determined that the Statement requires correction,  
 2762 augmentation or revision, the legislator involved shall be directed to make the changes required within  
 2763 such time as shall be set under the rules of each house.

2764 If a legislator, after having been notified in writing in accordance with the rules of the house in  
 2765 which he sits that his Statement is inadequate as filed, fails to amend his Statement so as to come into  
 2766 compliance within the time limit set, he shall be subject to disciplinary action by the house in which he  
 2767 sits. No legislator shall vote on any question relating to his own Statement.

2768 B. Certain information regarding the offices, directorships, and paid employments of the filer and the  
 2769 members of his immediate family shall be reported. For each office, directorship, or paid employment,  
 2770 the report shall include:

- 2771 1. The name and address of the business or employer;
- 2772 2. The position held and by whom; and
- 2773 3. The salary, wages, or other remuneration received.

2774 C. Certain information regarding the personal liabilities held by the filer or a member of his  
 2775 immediate family shall be reported. For each debt held, the report shall include:

- 2776 1. The type of personal liability;
- 2777 2. The name and principal business activity of the creditor; and
- 2778 3. The amount of debt held.

2779 For an individual creditor, the name and occupation of such creditor shall be reported, in addition  
 2780 to the date of the waiver granted by the Commission pursuant to § 2.2-2541.

2781 D. Certain information regarding any securities owned by the filer or a member of his immediate  
 2782 family, directly or indirectly, together or separately, shall be reported. For purposes of disclosure,  
 2783 security shall include at least stocks, bonds, mutual funds, limited partnerships, and commodity futures  
 2784 contracts. For each security owned, the report shall include:

- 2785 1. The type of security;
- 2786 2. The name of the issuer; and
- 2787 3. The value of the security owned.

2788 E. Certain information regarding any business owned by the filer or a member of his immediate  
 2789 family or any business in which the filer or a member of his immediate family has a controlling  
 2790 ownership interest shall be reported. For purposes of disclosure, "business" shall include at least  
 2791 corporations, partnerships, sole proprietorships, firms, enterprises, franchises, associations, trusts or  
 2792 foundations, or any other individual or entity carrying on a business or profession, whether or not for  
 2793 profit. For each such business, the report shall include:

- 2794 1. The name of the business;
- 2795 2. The nature of the business;
- 2796 3. The county or city and the state where the business is located, unless it is a rental property, in  
 2797 which case, the physical address; and
- 2798 4. The total income earned from the business.

2799 F. Certain information regarding representation before governmental agencies by the filer or a  
 2800 person with whom the filer has a close financial association shall be reported. For each instance of  
 2801 representation, the report shall include:

- 2802 1. The name and type of the business represented by the filer or the person with whom the filer has  
 2803 a close financial association;
- 2804 2. The purpose of the representation;
- 2805 3. The name of the agency before which the filer, or the person with whom the filer has a close  
 2806 financial association, appeared; and
- 2807 4. The amount received for the representation.

2808 G. Certain information regarding real estate in which the filer or a member of his immediate family  
 2809 holds an interest, including a partnership interest, options, easement, or land contract, shall be reported.  
 2810 For each parcel, the report shall include:

- 2811 1. Whether or not it is the principal residence of the filer or the member of his immediate family;
- 2812 2. The physical address;
- 2813 3. The type of real estate;
- 2814 4. The name in which the parcel is owned or recorded, and the names of any other persons in whose  
 2815 name the parcel is owned or recorded; and
- 2816 5. Information regarding any contract with a governmental agency for the sale or exchange of the  
 2817 real estate.

2818 H. Certain information regarding payments or reimbursements received by the filer for his  
 2819 attendance or participation at meetings, conferences, or other events, where he attended or participated

2820 *in his official capacity, shall be reported. For each payment, the report shall include:*

2821 *1. The person or entity paying or reimbursing the filer;*

2822 *2. The date and location of the meeting, conference, or other event;*

2823 *3. The purpose of the meeting, conference, or other event;*

2824 *4. The type of payment or reimbursement received; and*

2825 *5. The approximate value of the payment or reimbursement received.*

2826 *I. Certain information regarding gifts accepted or received by the filer or a member of his immediate*  
 2827 *family shall be reported. Only gifts with a value in excess of \$25 shall be reported. For each gift, the*  
 2828 *report shall include:*

2829 *1. The name of the recipient;*

2830 *2. The individual or entity providing the gift;*

2831 *3. The exact gift; and*

2832 *4. The value of the gift.*

2833 *J. Certain information regarding travel not paid for by a governmental entity of the United States or*  
 2834 *another state of the United States shall be reported. For each trip, the report shall include:*

2835 *1. The date and destination of the trip;*

2836 *2. The purpose of the travel; and*

2837 *3. An itemized accounting of all expenses related to the trip. For each expense, the report shall*  
 2838 *include:*

2839 *a. The person or entity paying for the expense;*

2840 *b. The type of expense;*

2841 *c. The amount of the expense; and*

2842 *d. The date the expense was received.*

2843 *K. Attendance at orientation sessions required by § 30-129.1 shall be reported. Such report shall*  
 2844 *include the date of the most recent session attended.*

2845 **§ 30-123. Knowing violation of chapter a misdemeanor.**

2846 Any legislator who knowingly violates any of the provisions of Articles 2 through 5 (§§ 30-102  
 2847 through 30-111) of this chapter shall be guilty of a Class 1 misdemeanor. A knowing violation under  
 2848 this section is one in which the person engages in conduct, performs an act or refuses to perform an act  
 2849 when he knows that the conduct is prohibited or required by this chapter. There shall be no prosecution  
 2850 for a violation of § 30-108 or subsection C of § 30-110 unless the house in which the member sits  
 2851 Commission has referred the matter to the Attorney General as provided in subdivision 4 of § 30-116  
 2852 § 2.2-2545.

2853 **§ 30-124. Advisory opinions.**

2854 A legislator shall not be prosecuted or disciplined for a violation of this chapter if his alleged  
 2855 violation resulted from his good faith reliance on a written opinion of a committee on standards of  
 2856 conduct established pursuant to § 30-120, an opinion of the Attorney General as provided in § 30-122,  
 2857 or a formal opinion of the Virginia Conflict of Interest and Ethics Advisory Council established pursuant  
 2858 to § 30-355 Commission as provided in § 2.2-2542, and the opinion was made after his full disclosure of  
 2859 the facts.

2860 **§ 30-126. Civil penalty from violation of this chapter.**

2861 A. In addition to any other fine or penalty provided by law, any money or other thing of value  
 2862 derived by a legislator from a violation of §§ 30-103 through 30-108 shall be forfeited and, in the event  
 2863 of a knowing violation, there may also be imposed a civil penalty in an amount equal to the amount of  
 2864 money or thing of value forfeited to the Commonwealth. If the thing of value received by the legislator  
 2865 in violation of this chapter should enhance in value between the time of the violation and the time of  
 2866 discovery of the violation, the greater value shall determine the amount of the civil penalty.

2867 B. A legislator who fails to file the disclosure form required by § 30-111 within the time period  
 2868 prescribed shall be assessed a civil penalty in an amount equal to \$250. The Commission shall notify  
 2869 the Attorney General of any legislator's failure to file the required form within 30 days of the deadline  
 2870 for filing, and the Attorney General shall assess and collect the civil penalty.

2871 **§ 30-127. Criminal prosecutions.**

2872 A. Violations of this chapter may be prosecuted notwithstanding the jurisdiction of, or any pending  
 2873 proceeding before, the House or Senate Ethics Advisory Panel Commission.

2874 B. Nothing in this chapter shall limit or affect the application of other criminal statutes and penalties  
 2875 as provided in the Code of Virginia, including but not limited to bribery, embezzlement, perjury,  
 2876 conspiracy, fraud, and violations of the Campaign Finance Disclosure Act Chapter 9.3 (§ 24.2-945 et  
 2877 seq.) of Title 24.2.

2878 **§ 30-129.1. Orientation sessions on ethics and conflicts of interests.**

2879 The Virginia Conflict of Interest and Ethics Advisory Council Commission shall conduct an  
 2880 orientation session (i) for new and returning General Assembly members preceding each even-numbered  
 2881 year regular session and (ii) for any new General Assembly member who is elected in a special election



2882 and whose term commences after the date of the orientation session provided for in clause (i) and at  
2883 least six months before the date of the next such orientation session within three months of his election.  
2884 Attendance at the full orientation session shall be mandatory for newly elected members. Attendance at  
2885 a refresher session lasting at least two hours shall be mandatory for returning members and may be  
2886 accomplished by online participation. There shall be no penalty for the failure of a member to attend the  
2887 full or refresher orientation session, but the member must disclose his attendance pursuant to *subsection*  
2888 *K* of § 30-111.

2889 2. That §§ 2.2-428 and 30-112 through 30-119 and Chapter 56 (§§ 30-355 through 30-358) of Title  
2890 30 of the Code of Virginia are repealed.

2891 3. That the initial appointments of nonlegislative citizen members of the Virginia Independent  
2892 Ethics Review Commission shall be staggered as follows: one former member of the House of  
2893 Delegates for a term of one year appointed by the Speaker of the House of Delegates and one  
2894 at-large member for a term of three years appointed by the leader of the party with the second  
2895 highest number of members elected to the House of Delegates; one former member of the Senate  
2896 for a term of two years appointed by the leader of the party with the highest number of members  
2897 elected to the Senate and one at-large member for a term of two years appointed by the leader of  
2898 the party with the second highest number of members elected to the Senate; and one former local  
2899 elected official for a term of three years and two at-large members for terms of two years  
2900 appointed by the Governor.

2901 4. That the provisions of this act may result in a net increase in periods of imprisonment or  
2902 commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot  
2903 be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter  
2904 2 of the Acts of Assembly of 2014, Special Session I, requires the Virginia Criminal Sentencing  
2905 Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated  
2906 amount of the necessary appropriation cannot be determined for periods of commitment to the  
2907 custody of the Department of Juvenile Justice.