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SENATE BILL NO. 752

Offered January 14, 2015

Prefiled December 19, 2014

A *BILL to amend and reenact § 2.2-3104 of the Code of Virginia, relating to State and Local Government Conflict of Interests Act; prohibited conduct for Governor's Secretaries.*

Patrons—Watkins and Ebbin

Referred to Committee on Rules**Be it enacted by the General Assembly of Virginia:****1. That § 2.2-3104 of the Code of Virginia is amended and reenacted as follows:****§ 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 or Attorney General, as provided in § 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.

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