

VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 772

An Act to amend and reenact §§ 24.2-945 and 24.2-948.1 of the Code of Virginia, relating to Campaign Finance Disclosure Act of 2006; applicability to nominations and elections for directors of soil and water conservation districts; exemption.

[S 979]

Approved April 7, 2020

Be it enacted by the General Assembly of Virginia:

- 1. That §§ 24.2-945 and 24.2-948.1 of the Code of Virginia are amended and reenacted as follows: § 24.2-945. Elections to which chapter applicable; chapter exclusive.**

A. The provisions of this chapter shall apply to all elections held in Virginia, including referenda, and to nominating conventions, mass meetings, and other methods to nominate a political party candidate for public office, except nominations and elections for (i) members of the United States Congress, (ii) President and Vice President of the United States, (iii) town office in a town with a population of less than 25,000, *or* (iv) ~~directors of soil and water conservation districts~~, *or* (v) political party committees.

The provisions of this chapter shall be applicable to a candidate for a town office in a town with a population of less than 25,000 if (a) such candidate accepts contributions or makes expenditures in excess of \$25,000 within the candidate's election cycle, as set forth in § 24.2-947, or (b) the governing body of any such town provides, by ordinance, that such provisions so apply.

B. This chapter shall constitute the exclusive and entire campaign finance disclosure law of the Commonwealth, and elections to which the chapter applies shall not be subject to further regulation by local law.

§ 24.2-948.1. Exemption from reporting requirements for certain candidates for local office and for directors of soil and water conservation districts.

A. This section shall apply to candidates for local office *and for director of soil and water conservation districts*. A candidate for local office *or for director of a soil and water conservation district* may seek an exemption from the requirements for filing campaign finance disclosure reports set out in this chapter except for the filing requirements of §§ 24.2-945.2, 24.2-947.1, 24.2-947.9, and 24.2-948.4 pertaining to certain independent expenditures, the statement of organization, large contributions, and the filing of a final report. The request for an exemption shall be filed with the general registrar of the county or city where the candidate resides on a form prescribed by the State Board and in accordance with instructions by the State Board for the time for filing and the process for approval by the general registrar.

B. To qualify for an exemption, the candidate shall certify on the form that (i) he has not and will not solicit or accept any contribution from any other person or political committee during the course of his campaign, (ii) he has not and will not contribute to his own campaign more than \$1,000, (iii) he has not and will not expend more than \$1,000 in the course of his campaign, and (iv) that he has complied and will comply with the requirements of this chapter. This certification shall apply for the duration of the campaign until the filing of a final report in compliance with § 24.2-948.4 after the election. A candidate may rescind his certification and exemption at any time during the campaign and shall file in accordance with the appropriate filing schedule thereafter, provided that the candidate rescinds his certification prior to engaging in the activities described in clauses (i), (ii), and (iii) of this subsection. The first report filed shall account for all prior contributions and expenditures pertaining to his campaign.

C. Any candidate who has qualified for an exemption from reporting requirements pursuant to this section shall not be permitted to qualify for any office, enter upon the duties thereof, or receive any salary or emoluments therefrom until a final report has been filed that details all financial activity of the candidate's campaign and states that all reporting for the nomination and election is complete and final. No officer authorized by the laws of the Commonwealth to issue certificates of election shall issue one to any person determined to be elected to any such office, until copies of the final report cited above have been filed as required in this chapter.

D. A candidate who has a current exemption under the provisions of this section, or who is otherwise exempt from reporting contributions and expenditures under this chapter, may purchase voter lists from the State Board under the provisions of §§ 24.2-405 and 24.2-406 with a check drawn on the candidate's personal account.