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SENATE BILL NO. 224

Offered January 12, 2022

Prefiled January 10, 2022

A BILL to amend the Code of Virginia by adding a section numbered 2.2-421.1, relating to lobbying; local government actions; notice and fee to clerk of governing body.

Patron—McPike

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-421.1 as follows:

§ 2.2-421.1. Lobbying local government officers or employees; notice requirement; fee.

A. For purposes of this section:

"Local government action" means the adoption, enactment, modification, or repeal of an ordinance or resolution, and includes actions related to local taxes, the budget of a locality, and land use proceedings.

B. An individual who is compensated to influence or attempt to influence a local government action through oral or written communication with a local government officer or employee shall provide written notice of such status to the clerk of the governing body of the locality in which the local government officer or employee serves. However, written notice shall not be required for actions that consist of (i) requests for appointments or information on the status of pending actions by the locality or other ministerial contacts if there is no attempt to influence a local government action or (ii) responses to published notices soliciting public comment that are submitted to the public official designated in the notice to receive the responses.

C. The compensated individual shall provide notice to the clerk of the governing body of the locality within 15 days after first communicating or attempting to communicate with a local government officer or employee. The notice shall include the name, telephone number, and business address of the compensated individual, and the name, telephone number, and business address of the entity that is providing the compensation to the individual. Such notice shall be filed and maintained as a public record for five years in the office of the clerk. All such notices shall expire one calendar year after being filed with the clerk.

D. The clerk of the governing body of the locality shall collect from the compensated individual a fee in the amount of \$25 for each notification provided pursuant to this section. This fee shall be deposited into the general fund of the locality.

E. Any compensated individual who fails to provide notice as required by this section is guilty of a Class 1 misdemeanor.

F. The provisions of this section shall not apply to (i) any person listed in subsection C of § 2.2-421, (ii) any local government employee or officer who is acting in their official capacity, (iii) any contractor or employee of a contractor performing services for the local government, or (iv) an attorney clearly identified on a land use application.

INTRODUCED

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