

# VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

## CHAPTER 752

*An Act to amend and reenact § 24.2-929 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 24.2-503.1, relating to qualifications of candidates for certain offices; reports required by the Campaign Finance Disclosure Act; penalties.*

[H 142]

Approved April 11, 1994

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

**1. That § 24.2-929 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 24.2-503.1 as follows:**

*§ 24.2-503.1. Compliance with reporting requirements of Campaign Finance Disclosure Act as requirement of candidacy for certain offices.*

*It shall be a requirement of candidacy in any election for Governor, Lieutenant Governor, Attorney General, or the General Assembly that the candidate shall have filed the disclosure reports required by the Campaign Finance Disclosure Act (§ 24.2-900 et seq.) for any election in which he participated as a candidate for any such office and which was held within the five years preceding the date of the election in which he seeks to be a candidate. For the purposes of this section, the candidate shall be presumed to have complied with the candidate disclosure reporting requirements unless (i) the State Board of Elections or local electoral board, whichever is appropriate, has notified the candidate, at least sixty days prior to the applicable deadline for him to file his written statement of qualification set out in § 24.2-503, that he has failed to file a required report or reports and (ii) the candidate fails to file the specified report or reports by the applicable deadline for filing his written statement of qualification.*

*The authority of the State Board to grant an extension of the deadline established in § 24.2-503 shall include the authority to grant such extension with respect to the requirements of this section.*

*§ 24.2-929. Penalties for violations of chapter.*

*Any person who violates, or aids, abets, or participates in the violation of, this chapter shall be subject to a civil penalty not to exceed fifty dollars ~~or~~, except in the case of violation of Article 4 (§ 24.2-914 et seq.) of this chapter which relates to the filing of, or the failure to file, a report due within the one hundred twenty days before or the thirty-five days after a November general election date, in which case he shall be subject to a civil penalty not to exceed \$300. In the case of a willful violation, he shall be guilty of a Class 1 misdemeanor. The attorney for the Commonwealth shall initiate civil proceedings to enforce the civil penalty provided herein. Any civil penalties collected shall be payable to the State Treasurer for deposit to the general fund. The statute of limitations applicable to a violation of this chapter is stated in § 19.2-8. There shall be a rebuttable presumption that the violation of this chapter was willful if the violation is based on a person's failure to file a report required by this chapter and his failure to file continues for more than sixty days following his actual receipt of written notice of his failure to file sent to him by certified mail, return receipt requested, by the State Board or an electoral board.*