

LD2107486

## HOUSE BILL NO. 1063

House Amendments in [ ] — February 9, 1994

*A BILL to amend and reenact §§ 2.1-639.2, 2.1-639.15, 2.1-639.31, and 2.1-639.41 of the Code of Virginia, relating to conflicts of interests; definitions and disclosure forms.*

Patrons—Way, Albo, Bloxom, Callahan, Cantor, Cox, Crouch, Dillard, Dudley, Fisher, Forbes, Giesen, Griffith, Hamilton, Hargrove, Harris, Howell, Ingram, Katzen, May, McClure, McDonnell, Mims, Morgan, Newman, O'Brien, Orrock, Parrish, Purkey, Reid, Rollison, Sherwood, Tata, Wagner, Wardrup and Wilkins; Senators: Bell, Benedetti, Calhoun, Earley, Hawkins, Miller, K.G., Norment, Potts, Quayle, Robb, Russell, Stolle, Stosch and Woods

Referred to Committee on Privileges and Elections

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

**1. That §§ 2.1-639.2, 2.1-639.15, 2.1-639.31, and 2.1-639.41 of the Code of Virginia are amended and reenacted as follows:**

§ 2.1-639.2. Definitions.

As used in this chapter:

"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.

"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.

"Contract" means any agreement to which a governmental agency is a party, or any agreement on behalf of a governmental agency which involves the payment of money appropriated by the General Assembly or 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.

"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 and loan association, industrial loan association, consumer finance company, credit union, broker-dealer as defined in § 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, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. [ "Gift" shall not include any offer of a ticket or other admission or pass unless the ticket, admission, or pass is used. ] "Gift" shall not include honorary degrees and presents from relatives. 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.

"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, RF&P Corporation and its wholly owned subsidiaries are "governmental agencies" for purposes of this chapter.

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

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

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60 "Personal interest" means a financial benefit or liability accruing to an officer or employee or to a  
61 member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the  
62 ownership interest exceeds three percent of the total equity of the business; (ii) annual income that  
63 exceeds, or may reasonably be anticipated to exceed, \$10,000 from ownership in real or personal  
64 property or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of  
65 property, or any combination thereof, paid or provided by a business that exceeds, or may reasonably be  
66 anticipated to exceed, \$10,000 annually; (iv) ownership of real or personal property if the interest  
67 exceeds \$10,000 in value and excluding ownership in a business, income, or salary, other compensation,  
68 fringe benefits or benefits from the use of property; or (v) personal liability incurred or assumed on  
69 behalf of a business if the liability exceeds three percent of the asset value of the business.

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

73 "Personal interest in a transaction" means a personal interest of an officer or employee in any matter  
74 considered by his agency. Such personal interest exists when an officer or employee or a member of his  
75 immediate family has a personal interest in property or a business, or represents any individual or  
76 business and such property, business or represented individual or business (i) is the subject of the  
77 transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result  
78 of the action of the agency considering the transaction. Notwithstanding the above, such personal interest  
79 shall not be deemed to exist where an elected member of a local governing body serves without  
80 remuneration as a member of the board of trustees of a not-for-profit entity and there is a full disclosure  
81 of any personal benefit arising from the relationship.

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

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

87 § 2.1-639.15. Disclosure form.

88 The disclosure form to be used for filings required by § 2.1-639.13 A and D, and § 2.1-639.14 A and  
89 D shall be substantially as follows:

90

91 STATEMENT OF ECONOMIC INTERESTS.

92 Name .....

93 Office or position held or sought .....

94 Home address .....

95 Names of members of immediate family .....

96

97 DEFINITIONS AND EXPLANATORY MATERIAL.

98

99 "Immediate family" means (i) a spouse and (ii) any other person  
100 residing in the same household as the officer or employee, who  
101 is a dependent of the officer or employee or of whom the officer  
102 or employee is a dependent.

103

104 "Dependent" means any person, whether or not related by blood or  
105 marriage, who receives from the officer or employee, or provides  
106 to the officer or employee, more than one-half of his financial  
107 support.

108

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

113

114 "Gift" means any gratuity, favor, discount, entertainment,  
115 hospitality, loan, forbearance, or other item having monetary  
116 value. It includes services as well as gifts of transportation,  
117 local travel, lodgings and meals, whether provided in-kind, by  
118 purchase of a ticket, payment in advance or reimbursement after

the expense has been incurred. [ "Gift" shall not include any offer of a ticket or other admission or pass unless the ticket, admission, or pass is used. ] "Gift" shall not include honorary degrees and presents from relatives. "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.

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 9. 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 \$10,000 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 \$10,000 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 12 months did you receive lodging, transportation, money, or anything else of value with a combined value exceeding \$200 for a single talk, meeting, or published work in your capacity as an officer or employee of your agency?

EITHER check NO / / OR check YES / / and complete Schedule D.

5. Gifts, Travel, and Business Entertainment.

175 During the past 12 months did a business, government, or  
176 individual other than a relative or personal friend ~~furnish~~  
177 ~~you with tickets to sporting events or shows, travel expenses,~~  
178 ~~meals or lodging, favors, services, property, loans, money,~~  
179 ~~gifts, or anything else of value furnish you with any gift or~~  
180 ~~gifts~~ the total value of which exceeded \$200 and for which you  
181 neither paid nor rendered ~~7~~ services in exchange? Account for  
182 all business entertainment (except if related to your private  
183 profession or occupation) even if unrelated to your official  
184 duties.

185 EITHER check NO / / OR check YES / / and complete  
186 Schedule E.

187 6. Salary and Wages.

188 List each employer that pays you or a member of your immediate  
189 family salary or wages in excess of \$10,000 annually. (Exclude  
190 state or local government or advisory agencies.)

191 If no reportable salary or wages, check here / /.

192 \_\_\_\_\_  
193 \_\_\_\_\_  
194 \_\_\_\_\_

195 7. Business Interests.

196 Do you or a member of your immediate family separately or  
197 together, operate your own business, or own or control an  
198 interest in excess of \$10,000 in a business?

199 EITHER check NO / / OR check YES / / and complete  
200 Schedule F.

201 8. Payments for Representation.

202 8A. Did you represent any businesses before any state governmental  
203 agencies, excluding courts or judges, for which you received  
204 total compensation during the past 12 months in excess of  
205 \$1,000, excluding compensation for other services to such  
206 businesses and representation consisting solely of the filing  
207 of mandatory papers? (Officers and employees of local  
208 governmental and advisory agencies do NOT need to answer this  
209 question or complete Schedule G-1.)

210 EITHER check NO / / OR check YES / / and complete  
211 Schedule G-1.

212 8B. Subject to the same exceptions as in 8A, did persons with whom  
213 you have a close financial association (partners, associates or  
214 others) represent any businesses before any state governmental  
215 agency for which total compensation was received during the past  
216 12 months in excess of \$1,000? (Officers and employees of local  
217 governmental and advisory agencies do NOT need to answer this  
218 question or complete Schedule G-2.)

219 EITHER check NO / / OR check YES / / and complete  
220 Schedule G-2.

221 8C. Did you or persons with whom you have a close financial  
222 association furnish services to businesses operating in  
223 Virginia for which total compensation in excess of \$1,000  
224 was received during the past 12 months?

225 EITHER check NO / / OR check YES / / and complete  
226 Schedule G-3.

227 9. Real Estate.

228 9A. State Officers and Employees.

229 Do you or a member of your immediate family hold an interest,  
230 including a partnership interest, valued at \$10,000 or more in  
231 real property located in Virginia (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-1.

9B. Local Officers and Employees.

Do you or a member of your immediate family hold an interest, including a partnership interest, valued at \$10,000 or more in real property located in the county, city or town in which you serve or in a county, city or town contiguous to the county, city or town in which you serve (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-2.

Statements of Economic Interests are open for public inspection.

AFFIRMATION BY ALL FILERS

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

Signature.....

Commonwealth of Virginia

.....of.....to wit:

The foregoing disclosure form was acknowledged before me

This.....day of.....19.. by .....

Notary Public

My commission expires.....

(Return only if needed to complete Statement.)

SCHEDULES

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.

Name of Business	Address of Business	Position Held
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

RETURN TO ITEM 2

SCHEDULE B - PERSONAL LIABILITIES.

Report personal liability by checking each category. Report only debts in excess of \$10,000. Do not report debts to any government. Do not report loans secured by recorded liens on property at least

288 equal in value to the loan.

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

290

291 1. My personal debts are as follows:

292

293 Check  
294 appropriate  
295 categories

Check one  
\$10,001 to More than  
\$50,000 \$50,000

296

297 Banks

298 Savings and loan associations

299 Other loan or finance companies

300 Insurance companies

301 Stock, commodity or other brokerage

302 companies

303 Other businesses:

304 (State principal business activity for each  
305 creditor.)

306

307

308 Individual creditors:

309 (State principal business or  
310 occupation of each creditor.)

311

312

313

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

316

317 Check  
318 appropriate  
319 categories

Check one  
\$10,001 to More than  
\$50,000 \$50,000

320

321 Banks

322 Savings and loan associations

323 Other loan or finance companies

324 Insurance companies

325 Stock, commodity or other brokerage

326 companies

327 Other businesses:

328 (State principal business activity  
329 for each creditor.)

330

331

332 Individual creditors:

333 (State principal business or  
334 occupation of each creditor.)

335

336

337

338

339 SCHEDULE C - SECURITIES.

340

341 "Securities" INCLUDES stocks, bonds,  
342 mutual funds, money market funds,  
343 limited partnerships, and commodity  
344 futures contracts.

"Securities" EXCLUDES  
certificates of deposit,  
annuity contracts, and  
insurance policies.

RETURN TO ITEM 3

Identify each business or Virginia governmental entity in which you or a member of your immediate family, directly or indirectly, separately or together, own securities valued in excess of \$10,000.

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

If no reportable securities, check here / /

Name of Issuer	Type of Entity	Type of Security (stocks, bonds, mutual or money market funds, etc.)	Check one \$10,001 to \$50,000	More than \$50,000

RETURN TO ITEM 4

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

List each source from which you received during the past 12 months lodging, transportation, money, or any other thing of value (excluding meals or drinks coincident with a meeting) with combined value exceeding \$200 for your presentation of a single talk, participation in one meeting, or publication of a work in your capacity as an officer or employee of your agency.

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

List a payment even if you donated it to charity.

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

If no payment must be listed, check here / /

Payer	Approximate Value	Circumstances	Type of payment (e.g. honoraria, travel reimburse- ment, etc.)

RETURN TO ITEM 5

#### SCHEDULE E - GIFTS, TRAVEL, AND BUSINESS ENTERTAINMENT.

401  
 402 List each business, governmental entity, or individual that  
 403 furnished you with ~~tickets to sporting events or shows, travel~~  
 404 ~~expenses, meals or lodging, favors, services, property, loans,~~  
 405 ~~money, gifts, or other thing of pecuniary value, any gift or~~  
 406 ~~gifts~~ whose total value exceeded \$200 during the past 12 months  
 407 and for which you neither paid nor rendered services in exchange.  
 408 Do not list business entertainment related to your private  
 409 profession or occupation. Do not list gifts ~~or other things of~~  
 410 ~~value given by~~ from a relative or from a personal friend given for  
 411 reasons clearly unrelated to your public position. *Do not list*  
 412 *campaign contributions publicly reported as required by Chapter*  
 413 *9 of Title 24.2 of the Code of Virginia.*

414 ~~When calculating value, you need not consider:~~

415  
 416 ~~Meals, lodging, or hospitality that an individual furnished you~~  
 417 ~~at his own expense and not as a business expense if clearly~~  
 418 ~~unrelated to your public position, or~~  
 419 ~~Campaign contributions publicly reported as required by Chapter~~  
 420 ~~9 of Title 24.1 of the Code of Virginia.~~

421 "Relative" means: ~~your spouse, child, uncle, aunt, niece,~~  
 422 ~~nephew, or person to whom you are engaged to be married;~~  
 423 ~~your or your spouse's parent, grandparent, grandchild,~~  
 424 ~~brother, or sister; or your brother's or sister's spouse.~~

425 -  
 426 Name of Business,  
 427 Organization, or City or County  
 428 Individual and State Approximate Value  
 429 \_\_\_\_\_  
 430 \_\_\_\_\_  
 431 \_\_\_\_\_  
 432 \_\_\_\_\_

434 RETURN TO ITEM 6

435  
 436 SCHEDULE F - BUSINESS INTERESTS.

437  
 438 Complete this Schedule for each self or family owned business  
 439 (including rental property, a farm, or consulting work),  
 440 partnership, or corporation in which you or a member of your  
 441 immediate family, separately or together, own an interest having  
 442 a value in excess of \$10,000.

443  
 444 If the enterprise is owned or operated under a trade, partnership,  
 445 or corporate name, list that name; otherwise merely explain the  
 446 nature of the enterprise. If rental property is owned or operated  
 447 under a trade, partnership, or corporate name, list the name only;  
 448 otherwise, give the address of each property. Account for business  
 449 interests held in trust.

450  
 451 Name of Gross income  
 452 Business,  
 453 Corporation,  
 454 Partnership,  
 455 Farm; Address City or Nature of Enterprise  
 456 of Rental County (farming, law, \$50,000 More than  
 457 Property and State rental property, etc.) or less \$50,000



RETURN TO ITEM 8

SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

List the businesses you represented before any state governmental agency, excluding any court or judge, for which you received total compensation during the past 12 months in excess of \$1,000, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers.

Identify each business, the nature of the representation and the amount received by category from each such business.

Only STATE officers and employees should complete this Schedule.

Name of Business	Type of Business	Purpose of Representation	Name of Agency	Amount Received	
				\$1,001 to \$10,000	More than \$10,000

SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

List the businesses that have been represented before any state governmental agency, excluding any court or judge, by persons who are your partners, associates or others with whom you have a close financial association and who received total compensation in excess of \$1,000 for such representation during the past 12 months, excluding representation consisting solely of the filing of mandatory papers.

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

Only STATE officers and employees should complete this Schedule.

Type of business	Name of state government agency

SCHEDULE G-3 - PAYMENTS FOR REPRESENTATION GENERALLY.

Indicate below types of businesses that operate in Virginia to which services were furnished by you or persons with whom you have a close financial association and for which total compensation in excess of \$1,000 was received during the past 12 months.

514  
 515 Identify opposite each category of businesses listed below (i) the  
 516 type of business, (ii) the type of service rendered and (iii) the  
 517 value of the compensation received for all businesses falling  
 518 within each category.

519			Value of Compensation	
520			\$1,001	More
521	Check if	Type of	to	than
522	services	service		
523	were rendered	rendered	\$10,000	\$10,000
524	Electric utilities	_____	_____	_____
525	Gas utilities	_____	_____	_____
526	Telephone utilities	_____	_____	_____
527	Water utilities	_____	_____	_____
528	Cable television	_____	_____	_____
529	companies	_____	_____	_____
530	Interstate	_____	_____	_____
531	transportation	_____	_____	_____
532	companies	_____	_____	_____
533	Intrastate	_____	_____	_____
534	transportation	_____	_____	_____
535	companies	_____	_____	_____
536	Oil or gas	_____	_____	_____
537	retail	_____	_____	_____
538	companies	_____	_____	_____
539	Banks	_____	_____	_____
540	Savings and	_____	_____	_____
541	loan	_____	_____	_____
542	associations	_____	_____	_____
543	Loan or finance	_____	_____	_____
544	companies	_____	_____	_____
545	Manufacturing	_____	_____	_____
546	companies	_____	_____	_____
547	(state type of	_____	_____	_____
548	product,	_____	_____	_____
549	e.g., textile,	_____	_____	_____
550	furniture,	_____	_____	_____
551	etc.)	_____	_____	_____
552	Mining companies	_____	_____	_____
553	Life insurance	_____	_____	_____
554	companies	_____	_____	_____
555	Casualty insurance	_____	_____	_____
556	companies	_____	_____	_____
557	Other insurance	_____	_____	_____
558	companies	_____	_____	_____
559	Retail companies	_____	_____	_____
560	Beer, wine or	_____	_____	_____
561	liquor companies	_____	_____	_____
562	or distributors	_____	_____	_____
563	Trade associations	_____	_____	_____
564	Professional	_____	_____	_____
565	associations	_____	_____	_____
566	Associations of	_____	_____	_____
567	public employees	_____	_____	_____
568	or officials	_____	_____	_____
569	Counties, cities or	_____	_____	_____
570	towns	_____	_____	_____

571 Labor organizations \_\_\_\_\_  
 572 Other \_\_\_\_\_

574 RETURN TO ITEM 9

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

578 List real estate located in Virginia other than your principal  
 579 residence in which you or a member of your immediate family hold  
 580 an interest, including a partnership interest, option, easement,  
 581 or land contract, valued at \$10,000 or more. You may list each  
 582 parcel of real estate individually if you wish.

584	List the counties	Describe the type of	If the real estate
585	and cities in which	real estate you own	is owned or recorded
586	you own real estate	in each county or city	in a name other than
587		(business, recreational,	your own, list that
588		apartment, commercial,	name
589		open land, etc.)	
590	_____	_____	_____
591	_____	_____	_____
592	_____	_____	_____
593	_____	_____	_____
594	_____	_____	_____

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

598 List real estate located in your county, city, or town, and any  
 599 contiguous county, city, or town other than your principal  
 600 residence in which you or a member of your immediate family hold  
 601 an interest, including a partnership interest, option, easement,  
 602 or land contract, valued at \$10,000 or more. You may list each  
 603 parcel of real estate individually if you wish.

605	List the counties	Describe the type of	If the real estate
606	and cities in which	real estate you own	is owned or recorded
607	you own real estate	in each county or city	in a name other than
608		(business, recreational,	your own, list that
609		apartment, commercial,	name
610		open land, etc.)	
611	_____	_____	_____
612	_____	_____	_____
613	_____	_____	_____
614	_____	_____	_____
615	_____	_____	_____

617 § 2.1-639.31. Definitions.

618 As used in this chapter:

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

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

626 "Contract" means any agreement to which a governmental agency is a party, or any agreement on  
 627 behalf of a governmental agency which involves the payment of money appropriated by the General

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628 Assembly or a political subdivision, whether or not such agreement is executed in the name of the  
629 Commonwealth of Virginia, or some political subdivision thereof. "Contract" includes a subcontract only  
630 when the contract of which it is a part is with the legislator's own governmental agency.

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

635 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item  
636 having monetary value. It includes services as well as gifts of transportation, local travel, lodgings and  
637 meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the  
638 expense has been incurred. [ "Gift" shall not include any offer of a ticket or other admission or pass  
639 unless the ticket, admission, or pass is used. ] "Gift" shall not include honorary degrees and presents  
640 from relatives. For the purpose of this definition, "relative" means the donee's spouse, child, uncle, aunt,  
641 niece, or nephew; a person to whom the donee is engaged to be married; the donee's or his spouse's  
642 parent, grandparent, grandchild, brother, or sister; or the donee's brother's or sister's spouse.

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

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

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

652 "Legislator" means a member of the General Assembly of Virginia.

653 "Personal interest" means a financial benefit or liability accruing to a legislator or to a member of his  
654 immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership  
655 interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may  
656 reasonably be anticipated to exceed, \$10,000 from ownership in real or personal property or a business;  
657 (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination  
658 thereof, paid or provided by a business that exceeds, or may reasonably be anticipated to exceed,  
659 \$10,000 annually; (iv) ownership of real or personal property if the interest exceeds \$10,000 in value  
660 and excluding ownership in a business, income, or salary, other compensation, fringe benefits or benefits  
661 from the use of property; or (v) personal liability incurred or assumed on behalf of a business if the  
662 liability exceeds three percent of the asset value of the business.

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

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

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

679 § 2.1-639.41. Disclosure form.

680 A. The disclosure form to be used for filings required by § 2.1-639.40 A and B shall be substantially  
681 as follows:

682 STATEMENT OF ECONOMIC INTERESTS.

683 Name .....

684 Office or position held or sought .....

685 Home address .....

686 Names of members of immediate family .....

687 DEFINITIONS AND EXPLANATORY MATERIAL.

688 "Immediate family" means (i) a spouse and (ii) any other person

689 residing in the same household as the [ ~~officer or employee~~  
690 legislator ] , who is a dependent of the [ ~~officer or employee~~  
691 legislator ] or of whom the [ ~~officer or employee~~ legislator ] is  
692 a dependent.

693 "Dependent" means any person, whether or not related by blood or  
694 marriage, who receives from the [ ~~officer or employee~~ legislator ]  
695 , or provides to the [ ~~officer or employee~~ legislator ] , more than  
696 one-half of his financial support.

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

701 "Gift" means any gratuity, favor, discount, entertainment,  
702 hospitality, loan, forbearance, or other item having monetary  
703 value. It includes services as well as gifts of transportation,  
704 local travel, lodgings and meals, whether provided in-kind, by  
705 purchase of a ticket, payment in advance or reimbursement after  
706 the expense has been incurred. [ "Gift" shall not include any offer  
707 of a ticket or other admission or pass unless the ticket, admission,  
708 or pass is used. ] "Gift" shall not include honorary degrees and  
709 presents from relatives. "Relative" means the donee's spouse, child,  
710 uncle, aunt, niece, or nephew; a person to whom the donee is engaged  
711 to be married; the donee's or his spouse's parent, grandparent,  
712 grandchild, brother, or sister; or the donee's brother's or sister's  
713 spouse.

714 TRUST. If you or your immediate family, separately or together,  
715 are the only beneficiaries of a trust, treat the trust's assets  
716 as if you own them directly. If you or your immediate family has  
717 a proportional interest in a trust, treat that proportion of the  
718 trust's assets as if you own them directly. For example, if you  
719 and your immediate family have a one-third interest in a trust,  
720 complete your Statement as if you own one-third of each of the  
721 trust's assets. If you or a member of your immediate family  
722 created a trust and can revoke it without the beneficiaries'  
723 consent, treat its assets as if you own them directly.

724 REPORT TO THE BEST OF INFORMATION AND BELIEF. Information  
725 required on this Statement must be provided on the basis of the  
726 best knowledge, information and belief of the individual filing  
727 the Statement as of the date of this report unless otherwise  
728 stated.

729 COMPLETE ITEMS 1 THROUGH 9. REFER TO SCHEDULES ONLY IF DIRECTED.

730 You may attach additional explanatory information.

731 1. Offices and Directorships.

732 Are you or a member of your immediate family a paid officer  
733 or paid director of a business?  
734 EITHER check NO / / OR check YES / / and complete  
735 Schedule A.

736 2. Personal Liabilities.

737 Do you or a member of your immediate family owe more than  
738 \$10,000 to any one creditor including contingent liabilities?  
739 (Exclude debts to any government and loans secured by recorded  
740 liens on property at least equal in value to the loan.)  
741 EITHER check NO / / OR check YES / / and complete  
742 Schedule B.

743 3. Securities.

744 Do you or a member of your immediate family, directly or

745 indirectly, separately or together, own securities valued  
746 in excess of \$10,000 invested in one business? Account for  
747 mutual funds, limited partnerships and trusts.  
748 EITHER check NO / / OR check YES / / and complete  
749 Schedule C.

750 4. Payments for Talks, Meetings, and Publications.  
751 During the past 12 months did you receive lodging,  
752 transportation, money, or anything else of value with a combined  
753 value exceeding \$200 for a single talk, meeting, or published  
754 work in your capacity as a legislator?  
755 EITHER check NO / / OR check YES / / and complete  
756 Schedule D.

757 5. ~~Gifts, Travel, and Business Entertainment.~~  
758 During the past 12 months did a business, government, or  
759 individual other than a relative or personal friend ~~furnish you~~  
760 ~~with tickets to sporting events or shows, travel expenses, meals~~  
761 ~~or lodging, favors, services, property, loans, money, gifts, or~~  
762 ~~anything else of value furnish you with any gift or gifts the~~  
763 total value of which exceeded \$200 and for which you neither paid  
764 nor rendered, services in exchange? Account for all business  
765 entertainment (except if related to your private profession or  
766 occupation) even if unrelated to your official duties.  
767 EITHER check NO / / OR check YES / / and complete  
768 Schedule E.

769 6. Salary and Wages.  
770 List each employer that pays you or a member of your immediate  
771 family salary or wages in excess of \$10,000 annually. (Exclude  
772 state or local government or advisory agencies.)  
773 If no reportable salary or wages, check here / /.  
774 .....  
775 .....  
776 .....

777 7. Business Interests.  
778 Do you or a member of your immediate family separately or  
779 together, operate your own business, or own or control an  
780 interest in excess of \$10,000 in a business?  
781 EITHER check NO / / OR check YES / / and complete  
782 Schedule F.

783 8. Payments for Representation.

784 8A. Did you represent any businesses before any state governmental  
785 agencies, excluding courts or judges, for which you received  
786 total compensation during the past 12 months in excess of \$1,000,  
787 excluding compensation for other services to such businesses and  
788 representation consisting solely of the filing of mandatory  
789 papers?  
790 EITHER check NO / / OR check YES / / and complete  
791 Schedule G-1.

792 8B. Subject to the same exceptions as in 8A, did persons with whom  
793 you have a close financial association (partners, associates or  
794 others) represent any businesses before any state governmental  
795 agency for which total compensation was received during the past  
796 12 months in excess of \$1,000?  
797 EITHER check NO / / OR check YES / / and complete  
798 Schedule G-2.

799 8C. Did you or persons with whom you have a close financial  
800 association furnish services to businesses operating in Virginia  
801 for which total compensation in excess of \$1,000 was received

during the past 12 months?

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 \$10,000 or more in  
real property located in Virginia (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.

Statements of Economic Interests are open for public inspection.

AFFIRMATION

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

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

Signature.....

Commonwealth of Virginia

.....of.....to wit:

The foregoing disclosure form was acknowledged before me

This.....day of.....19.. by .....

Notary Public

My commission expires.....

(Return only if needed to complete Statement.)

SCHEDULES

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.

Name of Business	Address of Business	Position Held
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

RETURN TO ITEM 2

SCHEDULE B - PERSONAL LIABILITIES.

Report personal liability by checking each category. Report only  
debts in excess of \$10,000. 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.

858

859 1. My personal debts are as follows:

860

861 Check

862 appropriate

863 categories

864

Check one

\$10,001 to

\$50,000

More than

\$50,000

865

Banks

866

Savings and loan associations

867

Other loan or finance companies

868

Insurance companies

869

Stock, commodity or other brokerage

870

companies

871

Other businesses:

872

(State principal business activity for each

873

creditor.)

874

875

876

Individual creditors:

877

(State principal business or

878

occupation of each creditor.)

879

880

881

882

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

883

follows:

884

885

Check

886

appropriate

887

categories

888

Banks

889

Savings and loan associations

890

Other loan or finance companies

891

Insurance companies

892

Stock, commodity or other brokerage

893

companies

894

Other businesses:

895

(State principal business activity

896

for each creditor.)

897

898

Individual creditors:

899

(State principal business or

900

occupation of each creditor.)

901

902

903

904

RETURN TO ITEM 3

905

906

SCHEDULE C - SECURITIES.

907

908

"Securities" INCLUDES stocks, bonds,

909

mutual funds, money market funds,

910

limited partnerships, and commodity

911

futures contracts.

912

"Securities" EXCLUDES

certificates of deposit,

annuity contracts, and

insurance policies.

913

Identify each business or Virginia governmental entity in which you

914

or a member of your immediate family, directly or indirectly,



separately or together, own securities valued in excess of \$10,000.

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

If no reportable securities, check here / /

Name of Issuer	Type of Entity	Type of Security (stocks, bonds, mutual or money market funds, etc.)	Check one \$10,001 to \$50,000	More than \$50,000

RETURN TO ITEM 4

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

List each source from which you received during the past 12 months lodging, transportation, money, or any other thing of value (excluding meals or drinks coincident with a meeting) with combined value exceeding \$200 for your presentation of a single talk, participation in one meeting, or publication of a work in your capacity as a legislator.

List payments or reimbursements by the Commonwealth only for meetings or travel outside the Commonwealth.

List a payment even if you donated it to charity.

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

If no payment must be listed, check here / /

Payer	Approximate Value	Circumstances	Type of payment (e.g. honoraria, travel reimburse- ment, etc.)

RETURN TO ITEM 5

#### SCHEDULE E - GIFTS, TRAVEL, AND BUSINESS ENTERTAINMENT.

List each business, governmental entity, or individual that

furnished you with ~~tickets to sporting events or shows, travel expenses, meals or lodging, favors, services, property, loans, money, gifts, or other thing of pecuniary value, any gift or gifts~~ whose total value exceeded \$200 during the past 12 months and for which you neither paid nor rendered services in exchange. Do not list business entertainment related to your private profession or occupation. Do not list gifts ~~or other things of value given by~~ from a relative or from a personal friend given for reasons clearly unrelated to your public position. *Do not list campaign contributions publicly reported as required by Chapter 9 of Title 24.2 of the Code of Virginia.*

~~When calculating value, you need not consider:~~

~~Meals, lodging, or hospitality that an individual furnished you at his own expense and not as a business expense if clearly unrelated to your public position, or Campaign contributions publicly reported as required by Chapter 9 of Title 24.1 of the Code of Virginia.~~

~~"Relative" means: your spouse, child, uncle, aunt, niece, nephew, or person to whom you are engaged to be married; your or your spouse's parent, grandparent, grandchild, brother, or sister; or your brother's or sister's spouse.~~

—  
Name of Business,  
Organization, or  
Individual

City or County  
and State

Approximate Value

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

RETURN TO ITEM 6

#### SCHEDULE F - BUSINESS INTERESTS.

Complete this Schedule for each self or family owned business (including rental property, a farm, or consulting work), partnership, or corporation in which you or a member of your immediate family, separately or together, own an interest having a value in excess of \$10,000.

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

Name of Business, Corporation, Partnership, Farm; Address of Rental Property	City or County and State	Nature of Enterprise (farming, law, rental property, etc.)	Gross income \$50,000 or less	More than \$50,000

1028 \_\_\_\_\_  
 1029 \_\_\_\_\_  
 1030 \_\_\_\_\_

1031 \_\_\_\_\_  
 1032 \_\_\_\_\_ RETURN TO ITEM 8

1033 SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

1034 \_\_\_\_\_  
 1035 List the businesses you represented before any state governmental  
 1036 agency, excluding any court or judge, for which you received  
 1037 total compensation during the past 12 months in excess of \$1,000,  
 1038 excluding compensation for other services to such businesses and  
 1039 representation consisting solely of the filing of mandatory  
 1040 papers.

1041 \_\_\_\_\_  
 1042 Identify each business, the nature of the representation and the  
 1043 amount received by category from each such business.  
 1044 \_\_\_\_\_

				Amount Received	
Name of	Type of	Purpose of	Name of	\$1,001 to	More than
Business	Business	Representation	Agency	\$10,000	\$10,000
1046 _____	_____	_____	_____	_____	_____
1047 _____	_____	_____	_____	_____	_____
1048 _____	_____	_____	_____	_____	_____
1049 _____	_____	_____	_____	_____	_____
1050 _____	_____	_____	_____	_____	_____
1051 _____	_____	_____	_____	_____	_____

1052 \_\_\_\_\_  
 1053 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.  
 1054 \_\_\_\_\_

1055 List the businesses that have been represented before any state  
 1056 governmental agency, excluding any court or judge, by persons who  
 1057 are your partners, associates or others with whom you have a close  
 1058 financial association and who received total compensation in  
 1059 excess of \$1,000 for such representation during the past 12  
 1060 months, excluding representation consisting solely of the filing  
 1061 of mandatory papers.  
 1062 \_\_\_\_\_

1063 Identify such businesses by type and also name the state  
 1064 governmental agencies before which such person appeared on behalf  
 1065 of such businesses.  
 1066 \_\_\_\_\_

Type of business	Name of state government agency
1067 _____	_____
1068 _____	_____
1069 _____	_____
1070 _____	_____
1071 _____	_____

1072 \_\_\_\_\_  
 1073 SCHEDULE G-3 - PAYMENTS FOR REPRESENTATION GENERALLY.  
 1074 \_\_\_\_\_

1075 Indicate below types of businesses that operate in Virginia to  
 1076 which services were furnished by you or persons with whom you have  
 1077 a close financial association and for which total compensation in  
 1078 excess of \$1,000 was received during the past 12 months.  
 1079 Identify opposite each category of businesses listed below (i) the  
 1080 type of business, (ii) the type of service rendered and (iii) the  
 1081 value of the compensation received for all businesses falling  
 1082 within each category.  
 1083 \_\_\_\_\_

			Value of	Compensation
	Check if	Type of	\$1,001	More
	services	service	to	than
	were rendered	rendered	\$10,000	\$10,000
1084				
1085				
1086				
1087				
1088	Electric utilities			
1089	Gas utilities			
1090	Telephone utilities			
1091	Water utilities			
1092	Cable television			
1093	companies			
1094	Interstate			
1095	transportation			
1096	companies			
1097	Intrastate			
1098	transportation			
1099	companies			
1100	Oil or gas			
1101	retail			
1102	companies			
1103	Banks			
1104	Savings and			
1105	loan			
1106	associations			
1107	Loan or finance			
1108	companies			
1109	Manufacturing			
1110	companies			
1111	(state type of			
1112	product,			
1113	e.g., textile,			
1114	furniture			
1115	etc.)			
1116	Mining companies			
1117	Life insurance			
1118	companies			
1119	Casualty insurance			
1120	companies			
1121	Other insurance			
1122	companies			
1123	Retail companies			
1124	Beer, wine or			
1125	liquor companies			
1126	or distributors			
1127	Trade associations			
1128	Professional			
1129	associations			
1130	Associations of			
1131	public employees			
1132	or officials			
1133	Counties, cities or			
1134	towns			
1135	Labor organizations			
1136	Other			
1137				
1138				
1139				
1140	SCHEDULE H - REAL ESTATE.			

RETURN TO ITEM 9

List real estate located in Virginia other than your principal residence in which you or a member of your immediate family hold an interest, including a partnership interest, option, easement, or land contract, valued at \$10,000 or more. You may list each parcel of real estate individually if you wish.

List the counties and cities in which you own real estate	Describe the type of real estate you own in each county or city (business, recreational, apartment, commercial, open land, etc.)	If the real estate is owned or recorded in a name other than your own, list that name
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

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

D. Ten percent of the membership of a house, on the basis of newly discovered facts, may in writing request the house in which those members sit, in accordance with the rules of that house, to review the Statement of Economic Interests of another member of that house in order to determine the adequacy of his filing. In accordance with the rules of each house, each Statement of Economic Interests shall be promptly reviewed, the adequacy of the filing determined, and notice given in writing to the legislator whose Statement is in issue. Should it be determined that the Statement requires correction, augmentation or revision, the legislator involved shall be directed to make the changes required within such time as shall be set under the rules of each house.

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

**2. That the provisions of this act shall become effective on January 1, 1995.**