

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act 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.

[H 1063]

Approved

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.

"Personal interest" means a financial benefit or liability accruing to an officer or employee or to a member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may reasonably be anticipated to exceed, \$10,000 from ownership in real or personal property or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business that exceeds, or may reasonably be

anticipated to exceed, \$10,000 annually; (iv) ownership of real or personal property if the interest exceeds \$10,000 in value and excluding ownership in a business, income, or salary, other compensation, fringe benefits or benefits from the use of property; or (v) personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business.

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

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

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

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

§ 2.1-639.15. Disclosure form.

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

STATEMENT OF ECONOMIC INTERESTS.

Name
Office or position held or sought
Home address
Names of members of immediate family

DEFINITIONS AND EXPLANATORY MATERIAL.

"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.

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

"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.

"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. "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.~~

During the past 12 months did a business, government, or individual other than a relative or personal friend furnish

you with ~~tickets to sporting events or shows, travel expenses,~~
~~meals or lodging, favors, services, property, loans, money,~~
~~gifts, or anything else of value~~ any gift or gifts the total
 value of which exceeded \$200 and for which you neither paid nor
 rendered ~~7~~ services in exchange? Account for all business
 entertainment (except if related to your private profession or
 occupation) even if unrelated to your official duties.
 EITHER check NO / / OR check YES / / and complete
 Schedule E.

6. Salary and Wages.

List each employer that pays you or a member of your immediate
 family salary or wages in excess of \$10,000 annually. (Exclude
 state or local government or advisory agencies.)
 If no reportable salary or wages, check here / /.

7. Business Interests.

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

8. Payments for Representation.

8A. Did you represent any businesses before any state governmental
 agencies, excluding courts or judges, 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? (Officers and employees of local
 governmental and advisory agencies do NOT need to answer this
 question or complete Schedule G-1.)
 EITHER check NO / / OR check YES / / and complete
 Schedule G-1.

8B. Subject to the same exceptions as in 8A, did persons with whom
 you have a close financial association (partners, associates or
 others) represent any businesses before any state governmental
 agency for which total compensation was received during the past
 12 months in excess of \$1,000? (Officers and employees of local
 governmental and advisory agencies do NOT need to answer this
 question or complete Schedule G-2.)
 EITHER check NO / / OR check YES / / and complete
 Schedule G-2.

8C. Did you or persons with whom you have a close financial
 association furnish services to businesses operating in
 Virginia 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.

9A. State 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 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

284 equal in value to the loan.
 285 Report contingent liabilities below and indicate which debts are contingent.

286
 287 1. My personal debts are as follows:

288	Check	Check one	
289	appropriate	\$10,001 to	More than
290	categories	\$50,000	\$50,000
291			
292			
293	Banks	_____	_____
294	Savings and loan associations	_____	_____
295	Other loan or finance companies	_____	_____
296	Insurance companies	_____	_____
297	Stock, commodity or other brokerage		
298	companies	_____	_____
299	Other businesses:		
300	(State principal business activity for each		
301	creditor.)	_____	_____
302	_____	_____	_____
303	_____	_____	_____
304	Individual creditors:		
305	(State principal business or		
306	occupation of each creditor.)	_____	_____
307	_____	_____	_____
308	_____	_____	_____

309
 310 2. The personal debts of the members of my immediate family are as
 311 follows:

312	Check	Check one	
313	appropriate	\$10,001 to	More than
314	categories	\$50,000	\$50,000
315			
316			
317	Banks	_____	_____
318	Savings and loan associations	_____	_____
319	Other loan or finance companies	_____	_____
320	Insurance companies	_____	_____
321	Stock, commodity or other brokerage		
322	companies	_____	_____
323	Other businesses:		
324	(State principal business activity		
325	for each creditor.)	_____	_____
326	_____	_____	_____
327	_____	_____	_____
328	Individual creditors:		
329	(State principal business or		
330	occupation of each creditor.)	_____	_____
331	_____	_____	_____
332	_____	_____	_____

333
 334 RETURN TO ITEM 3

335
 336 SCHEDULE C - SECURITIES.

337		
338	"Securities" INCLUDES stocks, bonds,	"Securities" EXCLUDES
339	mutual funds, money market funds,	certificates of deposit,

limited partnerships, and commodity annuity contracts, and
futures contracts. insurance policies.

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, \$10,001 to etc.)	Check one 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.~~

~~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,	Gross income

452 Corporation,
 453 Partnership,
 454 Farm; Address City or Nature of Enterprise
 455 of Rental County (farming, law, \$50,000 More than
 456 Property and State rental property, etc.) or less \$50,000
 457 _____
 458 _____
 459 _____
 460

461 RETURN TO ITEM 8

462
463 SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

464
465 List the businesses you represented before any state governmental
 466 agency, excluding any court or judge, for which you received
 467 total compensation during the past 12 months in excess of \$1,000,
 468 excluding compensation for other services to such businesses and
 469 representation consisting solely of the filing of mandatory
 470 papers.

471
472 Identify each business, the nature of the representation and the
 473 amount received by category from each such business.

474
475 Only STATE officers and employees should complete this Schedule.

476
477 Amount Received
 478 Name of Type of Purpose of Name of \$1,001 to More than
 479 Business Business Representation Agency \$10,000 \$10,000
 480 _____
 481 _____
 482 _____
 483 _____
 484

485 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

486
487 List the businesses that have been represented before any state
 488 governmental agency, excluding any court or judge, by persons who
 489 are your partners, associates or others with whom you have a close
 490 financial association and who received total compensation in
 491 excess of \$1,000 for such representation during the past 12
 492 months, excluding representation consisting solely of the filing
 493 of mandatory papers.

494
495 Identify such businesses by type and also name the state
 496 governmental agencies before which such person appeared on behalf
 497 of such businesses.

498
499 Only STATE officers and employees should complete this Schedule.

500
501 Type of business Name of state government agency
 502 _____
 503 _____
 504 _____
 505 _____
 506

507 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.

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

			Value of Compensation	
	Check if	Type of	\$1,001	More
	services	service	to	than
	were rendered	rendered	\$10,000	\$10,000
Electric utilities				
Gas utilities				
Telephone utilities				
Water utilities				
Cable television				
companies				
Interstate				
transportation				
companies				
Intrastate				
transportation				
companies				
Oil or gas				
retail				
companies				
Banks				
Savings and				
loan				
associations				
Loan or finance				
companies				
Manufacturing				
companies				
(state type of				
product,				
e.g., textile,				
furniture,				
etc.)				
Mining companies				
Life insurance				
companies				
Casualty insurance				
companies				
Other insurance				
companies				
Retail companies				
Beer, wine or				
liquor companies				
or distributors				
Trade associations				
Professional				

564	associations	_____	_____	_____	_____
565	Associations of				
566	public employees				
567	or officials	_____	_____	_____	_____
568	Counties, cities or				
569	towns	_____	_____	_____	_____
570	Labor organizations	_____	_____	_____	_____
571	Other	_____	_____	_____	_____

RETURN TO ITEM 9

572

573

574

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

576

577 List real estate located in Virginia other than your principal

578 residence in which you or a member of your immediate family hold

579 an interest, including a partnership interest, option, easement,

580 or land contract, valued at \$10,000 or more. You may list each

581 parcel of real estate individually if you wish.

582

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

594

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

596

597 List real estate located in your county, city, or town, and any

598 contiguous county, city, or town other than your principal

599 residence in which you or a member of your immediate family hold

600 an interest, including a partnership interest, option, easement,

601 or land contract, valued at \$10,000 or more. You may list each

602 parcel of real estate individually if you wish.

603

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

615

616 § 2.1-639.31. Definitions.

617 As used in this chapter:

618 "Advisory agency" means any board, commission, committee or post which does not exercise any

619 sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for

620 the purpose of making studies or recommendations, or advising or consulting with a governmental

621 agency.

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

625 "Contract" means any agreement to which a governmental agency is a party, or any agreement on
626 behalf of a governmental agency which involves the payment of money appropriated by the General
627 Assembly or a political subdivision, whether or not such agreement is executed in the name of the
628 Commonwealth of Virginia, or some political subdivision thereof. "Contract" includes a subcontract only
629 when the contract of which it is a part is with the legislator's own governmental agency.

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

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

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

646 "Immediate family" means (i) a spouse and (ii) any other person residing in the same household as
647 the legislator, who is a dependent of the legislator or of whom the legislator is a dependent.
648 "Dependent" means a son, daughter, father, mother, brother, sister or other person, whether or not
649 related by blood or marriage, if such person receives from the legislator, or provides to the legislator,
650 more than one-half of his financial support.

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

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

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

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

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

678 § 2.1-639.41. Disclosure form.

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

681

STATEMENT OF ECONOMIC INTERESTS.

Name
 Office or position held or sought
 Home address
 Names of members of immediate family

DEFINITIONS AND EXPLANATORY MATERIAL.

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

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

"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.

"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. "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.

- 738
739 1. Offices and Directorships.
740 Are you or a member of your immediate family a paid officer
741 or paid director of a business?
742 EITHER check NO / / OR check YES / / and complete
743 Schedule A.
- 744 2. Personal Liabilities.
745 Do you or a member of your immediate family owe more than
746 \$10,000 to any one creditor including contingent liabilities?
747 (Exclude debts to any government and loans secured by recorded
748 liens on property at least equal in value to the loan.)
749 EITHER check NO / / OR check YES / / and complete
750 Schedule B.
- 751 3. Securities.
752 Do you or a member of your immediate family, directly or
753 indirectly, separately or together, own securities valued
754 in excess of \$10,000 invested in one business? Account for
755 mutual funds, limited partnerships and trusts.
756 EITHER check NO / / OR check YES / / and complete
757 Schedule C.
- 758 4. Payments for Talks, Meetings, and Publications.
759 During the past 12 months did you receive lodging,
760 transportation, money, or anything else of value with a combined
761 value exceeding \$200 for a single talk, meeting, or published
762 work in your capacity as a legislator?
763 EITHER check NO / / OR check YES / / and complete
764 Schedule D.
- 765 5. ~~Gifts, Travel, and Business Entertainment.~~
766 During the past 12 months did a business, government, or
767 individual other than a relative or personal friend furnish you
768 ~~with tickets to sporting events or shows, travel expenses, meals~~
769 ~~or lodging, favors, services, property, loans, money, gifts, or~~
770 ~~anything else of value~~ any gift or gifts the total value of
771 which exceeded \$200 and for which you neither paid nor rendered,
772 services in exchange? Account for all business entertainment
773 (except if related to your private profession or occupation)
774 even if unrelated to your official duties.
775 EITHER check NO / / OR check YES / / and complete
776 Schedule E.
- 777 6. Salary and Wages.
778 List each employer that pays you or a member of your immediate
779 family salary or wages in excess of \$10,000 annually. (Exclude
780 state or local government or advisory agencies.)
781 If no reportable salary or wages, check here / /.
782 _____
783 _____
784 _____
- 785 7. Business Interests.
786 Do you or a member of your immediate family separately or
787 together, operate your own business, or own or control an
788 interest in excess of \$10,000 in a business?
789 EITHER check NO / / OR check YES / / and complete
790 Schedule F.
- 791 8. Payments for Representation.
792 8A. Did you represent any businesses before any state governmental
793 agencies, excluding courts or judges, 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?

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

8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial association (partners, associates or others) represent any businesses before any state governmental agency for which total compensation was received during the past 12 months in excess of \$1,000?

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

8C. Did you or persons with whom you have a close financial association furnish services to businesses operating in Virginia 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.

1. My personal debts are as follows:

Check appropriate categories	Check one \$10,001 to \$50,000	Check one More than \$50,000
Banks	_____	_____
Savings and loan associations	_____	_____
Other loan or finance companies	_____	_____
Insurance companies	_____	_____
Stock, commodity or other brokerage companies	_____	_____
Other businesses: (State principal business activity for each creditor.)	_____	_____
_____	_____	_____
Individual creditors: (State principal business or occupation of each creditor.)	_____	_____
_____	_____	_____
_____	_____	_____

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

Check appropriate categories	Check one \$10,001 to \$50,000	Check one More than \$50,000
Banks	_____	_____

906	Savings and loan associations	_____	_____
907	Other loan or finance companies	_____	_____
908	Insurance companies	_____	_____
909	Stock, commodity or other brokerage	_____	_____
910	companies	_____	_____
911	Other businesses:		
912	(State principal business activity		
913	for each creditor.)	_____	_____
914	_____	_____	_____
915	_____	_____	_____
916	Individual creditors:		
917	(State principal business or		
918	occupation of each creditor.)	_____	_____
919	_____	_____	_____
920	_____	_____	_____

RETURN TO ITEM 3

924 SCHEDULE C - SECURITIES.

926	"Securities" INCLUDES stocks, bonds,	"Securities" EXCLUDES
927	mutual funds, money market funds,	certificates of deposit,
928	limited partnerships, and commodity	annuity contracts, and
929	futures contracts.	insurance policies.

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

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

941 If no reportable securities, check here / /

943		Type of Security	Check one
944		(stocks, bonds, mutual	More
945		or money market funds, \$10,001 to	than
946	Name of Issuer	Type of Entity etc.) \$50,000	\$50,000
947	_____	_____	_____
948	_____	_____	_____
949	_____	_____	_____
950	_____	_____	_____

RETURN TO ITEM 4

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

956 List each source from which you received during the past 12 months
 957 lodging, transportation, money, or any other thing of value
 958 (excluding meals or drinks coincident with a meeting) with
 959 combined value exceeding \$200 for your presentation of a single
 960 talk, participation in one meeting, or publication of a work in
 961 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
_____	_____	_____

1018	_____	_____	_____
1019	_____	_____	_____
1020	_____	_____	_____
1021	_____	_____	_____

1022
1023 RETURN TO ITEM 6

1024 SCHEDULE F - BUSINESS INTERESTS.

1025
1026 Complete this Schedule for each self or family owned business
1027 (including rental property, a farm, or consulting work),
1028 partnership, or corporation in which you or a member of your
1029 immediate family, separately or together, own an interest having
1030 a value in excess of \$10,000.

1031
1032 If the enterprise is owned or operated under a trade, partnership,
1033 or corporate name, list that name; otherwise merely explain the
1034 nature of the enterprise. If rental property is owned or operated
1035 under a trade, partnership, or corporate name, list the name only;
1036 otherwise, give the address of each property. Account for business
1037 interests held in trust.

1038				
1039	Name of			Gross income
1040	Business,			
1041	Corporation,			
1042	Partnership,			
1043	Farm; Address	City or	Nature of Enterprise	
1044	of Rental	County	(farming, law,	\$50,000 More than
1045	Property	and State	rental property, etc.)	or less \$50,000
1046	_____	_____	_____	_____
1047	_____	_____	_____	_____
1048	_____	_____	_____	_____

1049
1050 RETURN TO ITEM 8

1051
1052 SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

1053
1054 List the businesses you represented before any state governmental
1055 agency, excluding any court or judge, for which you received
1056 total compensation during the past 12 months in excess of \$1,000,
1057 excluding compensation for other services to such businesses and
1058 representation consisting solely of the filing of mandatory
1059 papers.

1060
1061 Identify each business, the nature of the representation and the
1062 amount received by category from each such business.

1063					Amount Received	
1064	Name of	Type of	Purpose of	Name of	\$1,001 to	More than
1065	Business	Business	Representation	Agency	\$10,000	\$10,000
1066	_____	_____	_____	_____	_____	_____
1067	_____	_____	_____	_____	_____	_____
1068	_____	_____	_____	_____	_____	_____
1069	_____	_____	_____	_____	_____	_____
1070	_____	_____	_____	_____	_____	_____

1071
1072 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

1073

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.

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.

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

	Check if services were rendered	Type of service rendered	Value of \$1,001 to \$10,000	Compensation More than \$10,000
Electric utilities	_____	_____	_____	_____
Gas utilities	_____	_____	_____	_____
Telephone utilities	_____	_____	_____	_____
Water utilities	_____	_____	_____	_____
Cable television companies	_____	_____	_____	_____
Interstate transportation companies	_____	_____	_____	_____
Intrastate transportation companies	_____	_____	_____	_____
Oil or gas retail companies	_____	_____	_____	_____
Banks	_____	_____	_____	_____
Savings and loan associations	_____	_____	_____	_____
Loan or finance companies	_____	_____	_____	_____
Manufacturing	_____	_____	_____	_____

1130	companies				
1131	(state type of				
1132	product,				
1133	e.g., textile,				
1134	furniture,				
1135	etc.)				
1136	Mining companies				
1137	Life insurance				
1138	companies				
1139	Casualty insurance				
1140	companies				
1141	Other insurance				
1142	companies				
1143	Retail companies				
1144	Beer, wine or				
1145	liquor companies				
1146	or distributors				
1147	Trade associations				
1148	Professional				
1149	associations				
1150	Associations of				
1151	public employees				
1152	or officials				
1153	Counties, cities or				
1154	towns				
1155	Labor organizations				
1156	Other				

RETURN TO ITEM 9

1160 SCHEDULE H - REAL ESTATE.

1161
 1162 List real estate located in Virginia other than your principal
 1163 residence in which you or a member of your immediate family hold
 1164 an interest, including a partnership interest, option, easement,
 1165 or land contract, valued at \$10,000 or more. You may list each
 1166 parcel of real estate individually if you wish.

1168	List the counties	Describe the type of	If the real estate
1169	and cities in which	real estate you own	is owned or recorded
1170	you own real estate	in each county or city	in a name other than
1171		(business, recreational,	your own, list that
1172		apartment, commercial,	name
1173		open land, etc.)	
1174			
1175			
1176			
1177			
1178			

1180 B. Any legislator who makes a knowing misstatement of a material fact on the Statement of
 1181 Economic Interests shall be subject to disciplinary action for such violations by the house in which the
 1182 legislator sits.

1183 C. In accordance with the rules of each house, the Statement of Economic Interests of all members
 1184 of each house shall be reviewed. If a legislator's Statement is found to be inadequate as filed, the
 1185 legislator shall be notified in writing, directed to file an amended Statement correcting the indicated
 1186 deficiencies, and a time set within which such amendment shall be filed. If the Statement of Economic

1187 Interests, in either its original or amended form, is found to be adequate as filed, the legislator's filing
1188 shall be deemed in full compliance with this section as to the information disclosed thereon.

1189 D. Ten percent of the membership of a house, on the basis of newly discovered facts, may in writing
1190 request the house in which those members sit, in accordance with the rules of that house, to review the
1191 Statement of Economic Interests of another member of that house in order to determine the adequacy of
1192 his filing. In accordance with the rules of each house, each Statement of Economic Interests shall be
1193 promptly reviewed, the adequacy of the filing determined, and notice given in writing to the legislator
1194 whose Statement is in issue. Should it be determined that the Statement requires correction,
1195 augmentation or revision, the legislator involved shall be directed to make the changes required within
1196 such time as shall be set under the rules of each house.

1197 If a legislator, after having been notified in writing in accordance with the rules of the house in
1198 which he sits that his Statement is inadequate as filed, fails to amend his Statement so as to come into
1199 compliance within the time limit set, he shall be subject to disciplinary action by the house in which he
1200 sits. No legislator shall vote on any question relating to his own Statement.

1201 **2. That the provisions of this act shall become effective on January 1, 1995.**