

LD2133344

HOUSE BILL NO. 142

Offered January 12, 1994

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

Patrons—Mayer, Ball, Callahan, Cohen, Giesen, Keating, Scott and Van Landingham; Senators: Calhoun and Gartlan

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

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

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

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

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

§ 24.2-929. Penalties for violations of chapter.

Any person who violates, or aids, abets, or participates in the violation of, this chapter shall be subject to a civil penalty not to exceed ~~fifty dollars~~ \$200 or, in the case of a willful violation, shall be guilty of a Class 1 misdemeanor. The attorney for the Commonwealth shall initiate civil proceedings to enforce the civil penalty provided herein. Any civil penalties collected shall be payable to the State Treasurer for deposit to the general fund. The statute of limitations applicable to a violation of this chapter is stated in § 19.2-8. A violation of this chapter shall be presumed to be willful in any case in which the violation is based on a person's failure to file a report required by this chapter and his failure to file continues for more than sixty days following the his receipt of written notice of his failure to file sent to him by certified mail, return receipt requested, by the State Board or an electoral board.

INTRODUCED

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