

977574352

HOUSE BILL NO. 2480

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Joint Conference Committee
on February 22, 1997)

(Patron Prior to Substitute—Delegate Melvin)

A BILL to amend the Code of Virginia by adding in Title 24.2 a chapter numbered 9.1, consisting of a section numbered 24.2-940, relating to restrictions on campaign fundraising activities during legislative sessions; penalties.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 24.2 a chapter numbered 9.1, consisting of a section numbered 24.2-940, as follows:

CHAPTER 9.1.

CAMPAIGN FUNDRAISING; LEGISLATIVE SESSIONS.

§ 24.2-940. Campaign fundraising; legislative sessions; penalties.

A. No member of the General Assembly or statewide official and no campaign committee of a member of the General Assembly or statewide official shall solicit or accept a contribution for the campaign committee of any member of the General Assembly or statewide official from any person or political committee on and after the first day of a regular session of the General Assembly through adjournment sine die of that session.

B. No person or political committee shall make or promise to make a contribution to a member of the General Assembly or statewide official or his campaign committee on and after the first day of a regular session of the General Assembly through adjournment sine die of that session.

C. The restrictions of this section shall not apply to a contribution (i) made by a member of the General Assembly or statewide official from his personal funds; (ii) made to the campaign committee of a candidate in a special election; (iii) solicited by a member of the General Assembly or statewide official on behalf of a political party committee or organized political party group of elected officials; or (iv) made to the campaign committee of a member or statewide official who is a candidate, with opposition, for nomination or election to office. A member or statewide official shall be deemed to be a candidate, with opposition, on and after the later of the following two dates: the date on which the member or statewide official has appointed a campaign treasurer and filed pursuant to § 24.2-904 information that he is accepting contributions for his candidacy and the date on which an opponent for the same office has appointed a campaign treasurer and filed pursuant to § 24.2-904 information that he is accepting contributions for his candidacy.

D. As used in this section:

"Adjournment sine die" means adjournment on the last legislative day of the regular session, and such session does not include the ensuing reconvened session;

"Campaign committee," "contribution," "person," and "political committee" shall be defined as provided in § 24.2-901 except that "contribution" shall not include money, services, or things of value in any way provided by a candidate to his own campaign and the payment by the candidate of any primary filing fee;

"Solicit" means request a contribution, orally or in writing, but shall not include a request for support of a candidate or his position on an issue; and

"Statewide official" means the Governor, Lieutenant Governor, and Attorney General.

E. Any person who violates, or aids, abets, or participates in the violation of, this section shall be subject to a civil penalty equal to the amount of the prohibited contribution or promised contribution or \$500, whichever amount is greater. 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.