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## SENATE BILL NO. 1116

Offered January 20, 1997

*A BILL to amend and reenact § 24.2-1014 of the Code of Virginia, relating to campaign writings, broadcasts, and advertisements; documentation requirements; penalties.*

Patrons—Hawkins, Barry, Reynolds and Stolle; Delegates: Armstrong, Bennett, Bryant, Clement, Crouch and Dudley

Referred to the Committee on Privileges and Elections

**Be it enacted by the General Assembly of Virginia:****1. That § 24.2-1014 of the Code of Virginia is amended and reenacted as follows:**

§ 24.2-1014. Identifying persons responsible for campaign writing; penalties.

A. As used in this section "writing" includes any printed or otherwise reproduced statement or advertisement made for the purpose of influencing the outcome of an election for public office, but shall not include editorial comment or news coverage which is sponsored and financed by the news medium publishing or broadcasting it nor writings authorized by the candidate on novelties including, but not limited to, pens, pencils, and buttons to be attached to wearing apparel.

B. It shall be unlawful for any person to cause any writing other than a television or radio broadcast to appear concerning any clearly identified candidate unless such writing plainly identifies the person responsible for it. The writing shall carry the statement "authorized by ....." and contain the following information to complete the statement:

1. The name of the candidate if the writing is authorized by the candidate or his campaign committee;

2. The name of the political party committee if the writing is authorized by that committee; or

3. If authorized by any person other than the candidate, his campaign committee, or a political party committee, either:

a. In the case of a committee that has filed a statement of organization under § 24.2-908, the full name of the committee and a registration number provided by the State Board, or

b. In any other case, the full name and residence address of the individual responsible for the writing.

*Any writing which (i) advocates the election or defeat of a clearly identified candidate, (ii) is submitted to a newspaper, magazine, or periodical printed or published in the Commonwealth, and (iii) cites the candidate's vote on a matter of public record, shall be accompanied by documentation supporting the statement made concerning the candidate's vote, including public record evidence of the vote and the matter on which the vote was taken.*

C. It shall be unlawful for any person to use a false or fictitious name or address on any such writing described in subsection B.

D. It shall be unlawful for any person to cause any radio or television statement to appear concerning any clearly identified candidate unless the advertisement or statement contains information which plainly identifies the candidate, committee, or individual responsible for it. *Any advertisement or statement which (i) advocates the election or defeat of a clearly identified candidate, (ii) is submitted to a radio or television broadcaster, and (iii) cites the candidate's vote on a matter of public record, shall be accompanied by documentation supporting the statement made concerning the candidate's vote, including public record evidence of the vote and the matter on which the vote was taken.*

E. Any person violating any provision of this section shall be subject to a civil penalty not to exceed fifty dollars; and, in the case of a willful violation, he shall be guilty of a Class 1 misdemeanor. The procedure to enforce the civil penalty provided in this section shall be as stated in § 24.2-929. The violation of this section shall not void any election.

INTRODUCED

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