

063238148

HOUSE BILL NO. 295

Offered January 11, 2006

Prefiled January 4, 2006

A BILL to amend and reenact §§ 24.2-905 and 24.2-908 of the Code of Virginia, relating to campaign finance disclosure; statements of organization; petty cash funds; sole depository requirements.

Patron—Jones, S.C.

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:**1. That §§ 24.2-905 and 24.2-908 of the Code of Virginia are amended and reenacted as follows:**

§ 24.2-905. Campaign depositories; reimbursements of expenses; petty cash fund.

All funds and monetary contributions received by the candidate or his campaign committee, as soon as practicable after receipt thereof, shall be deposited by the treasurer in the designated campaign depository in an account properly identifying the name of and the existence of the political candidacy. No candidate, campaign treasurer, or other individual shall pay any expense on behalf of a candidate, directly or indirectly, except by a check drawn on such designated depository identifying the name of the campaign committee and candidate. However, a candidate, treasurer, or other authorized member of the candidate's campaign staff may be reimbursed, by a check drawn on the designated depository, for the payment of expenses (i) paid by him by check, cash, or credit or debit card, (ii) made on behalf of the campaign, and (iii) fully documented by complete records of the expenditure, maintained as required by this chapter, and including receipts identifying the nature of the expenses and the names and addresses of each person paid by the recipient of the reimbursement. In addition, a treasurer (a) may establish a petty cash fund to be utilized for the purpose of making expenditures or reimbursing verified credit card expenditures of less than ~~\$100~~ \$200 if complete records of such expenditures are maintained as required by this chapter and (b) may transfer funds from the designated campaign depository to an account or instrument to earn interest on the funds so long as the transferred funds and earned interest are returned to the designated depository account, complete records are maintained, and all expenditures are made through the designated depository account.

Notwithstanding the provisions of this section, a candidate who has a current exemption under the provisions of § 24.2-906.1, or who is otherwise exempt from reporting contributions and expenditures under this chapter, may purchase voter lists from the State Board under the provisions of §§ 24.2-405 and 24.2-406 with a check drawn on the candidate's personal account.

§ 24.2-908. Statement of organization.

A. Except as provided in subsection B, each political committee that anticipates receiving contributions or making expenditures in excess of \$200 in a calendar year shall file with the State Board a statement of organization within 10 days after its organization or, if later, within 10 days after the date on which it has information that causes the committee to anticipate it will receive contributions or make expenditures in excess of \$200 or on which it otherwise becomes subject to the provisions of this chapter.

The statement of organization shall include:

1. The name of the committee and its address in the Commonwealth;
2. The names, addresses, and relationships of affiliated or connected organizations;
3. The area, scope, or jurisdiction of the committee;
4. The name, business address, and position of the custodian, if any, of books and accounts and his residence address in the Commonwealth;
5. The name, residence address, and position of other principal officers, including officers and members of the finance committee, if any, and including at least one principal officer who is a resident of the Commonwealth, who serves as treasurer or chief executive officer of the committee, and who shall be deemed the agent of the committee for the purpose of service of process on the committee;
6. The name, address, office sought, and party affiliation of each individual whom the committee is supporting or opposing for nomination or for election to any public office whatever or, if supporting the entire ticket of any party, the name of the party;
7. In the event the committee is promoting or opposing a referendum, the subject of the referendum, the date and location of the election, and a statement whether the committee is promoting or opposing the referendum question;
8. In the case of an inaugural fund committee, the name, address, and office to which elected of the person on whose behalf the committee is organized;

INTRODUCED

HB295

59 9. A statement whether the committee is a continuing one;
60 10. The disposition of residual funds that will be made in the event of dissolution;
61 11. The designated sole depository to be used for the receipt and holding of funds and contributions
62 received by the committee, in an account in a financial institution within the Commonwealth; and
63 12. Such other information as shall be required by the State Board except that the account number
64 for the designated sole depository account shall not be required.
65 Any change in information previously submitted in a statement of organization shall be reported to
66 the State Board within 10 days following the change.
67 Any committee that, after having filed a statement of organization, disbands or determines it will no
68 longer receive contributions or make expenditures during the calendar year in an aggregate amount
69 exceeding \$200 shall so notify the State Board. A final report shall be filed by the committee that sets
70 forth (i) all receipts and disbursements not previously reported, (ii) an accounting of the retirement of all
71 debts, and (iii) the disposition of the committee's surplus funds. This final report shall include a
72 termination statement, signed by the custodian of the books and accounts or other principal officer listed
73 on the statement of organization, that all reporting for the committee is complete and final.
74 B. Notwithstanding the provisions of subsection A, a political committee that is established or
75 controlled by a corporation doing business in Virginia or a national political party committee shall
76 provide the following information in its statement of organization in lieu of the information required in
77 subdivisions 1, 4, 5, and 11 of subsection A:
78 1. The name and address of the committee;
79 2. The name, residence and business addresses, and position of the custodian, if any, of books and
80 accounts;
81 3. The name, residence address, and position of other principal officers, including officers and
82 members of the finance committee, if any; and
83 4. A listing of all banks, safe-deposit boxes, or other repositories used.
84 C. *A treasurer of a political committee (a) may establish a petty cash fund to be utilized for the*
85 *purpose of making expenditures or reimbursing verified credit card expenditures of less than \$200 if*
86 *complete records of such expenditures are maintained as required by this chapter and (b) may transfer*
87 *funds from the designated campaign depository to an account or instrument to earn interest on the funds*
88 *so long as the transferred funds and earned interest are returned to the designated depository account,*
89 *complete records are maintained, and all expenditures are made through the designated depository*
90 *account.*