

2006 SESSION

INTRODUCED

063824808

SENATE BILL NO. 641

Offered January 17, 2006

A *BILL to amend the Code of Virginia by adding in Chapter 9.1 of Title 24.2 a section numbered 24.2-940.1, relating to the prohibition of certain gifts and entertainment during legislative sessions; civil penalties.*

Patron—Reynolds

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 9.1 of Title 24.2 a section numbered 24.2-940.1 as follows:

§ 24.2-940.1. Gifts to legislators; legislative sessions; penalties.

A. 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;

"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 spouse of the donee's brother or sister.

B. No member of the General Assembly shall accept any gift from any lobbyist or other person on and after the first day of a regular session of the General Assembly through adjournment sine die of that session.

C. No lobbyist or other person shall make any gift to a member of the General Assembly on and after the first day of a regular session of the General Assembly through adjournment sine die of that session.

D. Any member, lobbyist, or other person who violates, or aids, abets, or participates in the violation of, this section shall be subject to a civil penalty equal to the value of the prohibited gift 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.

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