VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 An Act to amend and reenact § 30-111 of the Code of Virginia, relating to the General Assembly Conflicts of Interests Act; disclosure of salary.

4 [S 512] 5 Approved

Be it enacted by the General Assembly of Virginia:

1. That § 30-111 of the Code of Virginia is amended and reenacted as follows:

§ 30-111. Disclosure form.

A. The disclosure form to be used for filings required by subsections A and B of § 30-110 shall be substantially as follows:

STATEMENT OF ECONOMIC INTERESTS.

Name ... Office or position held or sought Home address Names of members of immediate family

DEFINITIONS AND EXPLANATORY MATERIAL.

"Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust or foundation, or any other individual or entity carrying on a business or profession, whether or not for profit.

"Close financial association" means an association in which the filer shares significant financial involvement with an individual and the filer would reasonably be expected to be aware of the individual's business activities and would have access to the necessary records either directly or through the individual. "Close financial association" does not mean an association based on (i) the receipt of retirement benefits or deferred compensation from a business by which the legislator is no longer employed, or (ii) the receipt of compensation for work performed by the legislator as an independent contractor of a business that represents an entity before any state governmental agency when the legislator has had no communications with the state governmental agency.

"Contingent liability" means a liability that is not presently fixed or determined, but may become fixed or determined in the future with the occurrence of some certain event.

"Dependent" means any person, whether or not related by blood or marriage, who receives from the legislator, or provides to the legislator, more than one-half of his financial support.

"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. "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 donee's brother's or sister's spouse.

"Immediate family" means (i) a spouse and (ii) any other person residing in the same household as the legislator, who is a dependent of the legislator or of whom the legislator is a dependent.

"Lobbyist relationship" means (i) an engagement, agreement, or representation that relates to legal services, consulting services, or public relations services, whether gratuitous or for compensation, between a member or member-elect and any person who is, or has been within the prior calendar year, registered as a lobbyist with the Secretary of the Commonwealth, or (ii) a greater than three percent ownership interest by a member or member- elect in a business that employs, or engages as an independent contractor, any person who is, or has been within the prior calendar year, registered as a lobbyist with the Secretary of the Commonwealth. The disclosure of a lobbyist relationship shall not (i) constitute a waiver of any attorney-client or other privilege, (ii) require a waiver of any attorney-client or other privilege for a third party, or (iii) be required where a member or member-elect is employed or engaged by a person and such person also employs or engages a person in a lobbyist relationship so long as the member or member-elect has no financial interest in the lobbyist relationship.

TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust, treat the trust's assets as if you own them directly. If you or your immediate family has a proportional interest in a trust, treat that proportion of the trust's assets as if you own them directly. For example, if you and your immediate family have a one-third interest in a trust, complete your Statement as if you

own one-third of each of the trust's assets. If you or a member of your immediate family created a trust and can revoke it without the beneficiaries' consent, treat its assets as if you own them directly.

REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required on this Statement must be provided on the basis of the best knowledge, information and belief of the individual filing the Statement as of the date of this report unless otherwise stated.

COMPLETE ITEMS 1 THROUGH 11. REFER TO SCHEDULES ONLY IF DIRECTED.

You may attach additional explanatory information.

1. Offices and Directorships.

Are you or a member of your immediate family a paid officer or paid director of a business?

EITHER check NO / / OR check YES / / and complete Schedule A.

2. Personal Liabilities.

Do you or a member of your immediate family owe more than \$10,000 to any one creditor including contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property at least equal in value to the loan.)

EITHÉR check NO / / OR check YES / / and complete Schedule B.

3. Securities

Do you or a member of your immediate family, directly or indirectly, separately or together, own securities valued in excess of \$10,000 invested in one business? Account for mutual funds, limited partnerships and trusts.

EITHER check NO / / OR check YES / / and complete Schedule C.

4. Payments for Talks, Meetings, and Publications.

During the past 12 months did you receive lodging, transportation, money, or anything else of value with a combined value exceeding \$200 for a single talk, meeting, or published work in your capacity as a legislator? Do not include payments and reimbursements from the Commonwealth for meetings attended in your capacity as a legislator; see Question 11 and Schedule D2 to report such meetings.

EITHER check NO / / OR check YES / / and complete Schedule D.

5. Gifts.

During the past 12 months did a business, government, or individual other than a relative or personal friend (i) furnish you with any gift or entertainment at a single event, and the value received by you exceeded \$50 in value or (ii) furnish you with gifts or entertainment in any combination and the value received by you exceeded \$100 in total value; and for which you neither paid nor rendered services in exchange? Account for entertainment events only if the average value per person attending the event exceeded \$50 in value. Account for all business entertainment (except if related to your private profession or occupation) even if unrelated to your official duties.

EITHER check NO / / OR check YES / / and complete Schedule E.

6. Salary and Wages.

List each employer that pays you or a member of your immediate family salary or wages in excess of \$10,000 annually. (Exclude state or local government or advisory agencies any salary received as a member of the General Assembly pursuant to § 30-19.11.)

If no reportable salary or wages, check here / /.

7. Business Interests and Lobbyist Relationships.

7A. Do you or a member of your immediate family, separately or together, operate your own business, or own or control an interest in excess of \$10,000 in a business?

EITHER check NO / / OR check YES / / and complete Schedule F-1.

7B. Do you have a lobbyist relationship as that term is defined above?

EITHER check NO / / OR check YES / / and complete Schedule F-2.

8. Payments for Representation and Other Services.

8A. Did you represent any businesses before any state governmental agencies, excluding courts or judges, for which you received total compensation during the past 12 months in excess of \$1,000, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers?

EITHER check NO / / OR check YES / / and complete Schedule G-1.

8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial association (partners, associates or others) represent any businesses before any state governmental agency for which total compensation was received during the past 12 months in excess of \$1,000?

EITHER check NO / / OR check YES / / and complete Schedule G-2.

8C. Did you or persons with whom you have a close financial association furnish services to businesses operating in Virginia, pursuant to an agreement between you and such businesses, or between

persons with whom you have a close financial association and such businesses for which total compensation in excess of \$1,000 was received during the past 12 months? Services reported under this provision shall not include services involving the representation of businesses that are reported under question 8A or 8B above.

EITHER check NO / / OR check YES / / and complete Schedule G-3.

9. Real Estate.

 Do you or a member of your immediate family hold an interest, including a partnership interest, valued at \$10,000 or more in real property (other than your principal residence) for which you have not already listed the full address on Schedule F? Account for real estate held in trust.

EITHER check NO / / OR check YES / / and complete Schedule H.

10. Real Estate Contracts with State Governmental Agencies.

Do you or a member of your immediate family hold an interest valued at more than \$10,000 in real estate, including a corporate, partnership, or trust interest, option, easement, or land contract, which real estate is the subject of a contract, whether pending or completed within the past 12 months, with a state governmental agency?

If the real estate contract provides for the leasing of the property to a state governmental agency, do you or a member of your immediate family hold an interest in the real estate, including a corporate, partnership, or trust interest, option, easement, or land contract valued at more than \$1,000? Account for all such contracts whether or not your interest is reported in Schedule F or H. This requirement to disclose an interest in a lease does not apply to an interest derived through an ownership interest in a business unless the ownership interest exceeds three percent of the total equity of the business.

EITHER check NO / / OR check YES / / and complete Schedule I.

11. Payments by the Commonwealth for Meetings.

During the past 12 months did you receive lodging, transportation, money, or anything else of value with a combined value exceeding \$200 from the Commonwealth for a single meeting attended out-of-state in your capacity as a legislator? Do not include reimbursements from the Commonwealth for meetings attended in the Commonwealth.

EITHER check NO / / OR check YES / / and complete Schedule D-2.

Statements of Economic Interests are open for public inspection.

AFFIRMATION.

In accordance with the rules of the house in which I serve, if I receive a request that this disclosure statement be corrected, augmented, or revised in any respect, I hereby pledge that I shall respond promptly to the request. I understand that if a determination is made that the statement is insufficient, I will satisfy such request or be subjected to disciplinary action of my house.

I swear or affirm that the foregoing information is full, true and correct to the best of my knowledge. Signature Commonwealth of Virginia _____ of ____ to wit:
The foregoing disclosure form was acknowledged before me This _____ day of _____, 20___, by _____ My commission expires _____ (Return only if needed to complete Statement.) **SCHEDULES** STATEMENT OF ECONOMIC INTERESTS. SCHEDULE A - OFFICES AND DIRECTORSHIPS. Identify each business of which you or a member of your immediate family is a paid officer or paid director. _____ Name of Business Address of Business Position Held

RETURN TO ITEM 2

4 of 10 178 SCHEDULE B - PERSONAL LIABILITIES. 179 Report personal liability by checking each category. Report only debts in excess of \$10,000. Do not report debts to any government. Do not report loans secured by recorded liens on property at least equal 180 181 in value to the loan. 182 Report contingent liabilities below and indicate which debts are contingent. 1. My personal debts are as follows: 183 __________ 184 185 186 Check Check one 187 appropriate \$10,001 to More than 188 categories \$50,000 \$50,000 189 Banks 190 Savings institutions 191 Other loan or finance companies 192 Insurance companies 193 Stock, commodity or other brokerage 194 companies 195 Other businesses: 196 (State principal business activity for each 197 creditor.) 198 199 200 Individual creditors: (State principal business or occupation of 201 202 each creditor.) 203 204 _____ 205 206 2. The personal debts of the members of my immediate family are as follows: 207 _____ 208 209 210 Check 211 \$10,001 to More than appropriate 212 categories \$50,000 \$50,000 213 Banks 214 Savings institutions 215 Other loan or finance companies 216 Insurance companies 217 Stock, commodity or other brokerage 218 companies 219 Other businesses: 220 (State principal business activity for each 221 creditor.) 222 223 224 Individual creditors: 225 (State principal business or occupation of 226 each creditor.) 227 228 229 230 231 RETURN TO ITEM 3 232

SCHEDULE C - SECURITIES.

233 234

"Securities" INCLUDES stocks, bonds, "Securities" EXCLUDES mutual funds, limited partnerships, certificates of deposit,

Name of Is	ssuer	Type of Entity	(stocks	Security s, bonds, Funds, etc.)	to		thar
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ou exceeded \$100	in total value;	and for v	which you	neither paid	nor	rendered se	ervices in e
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50 in value. Do not st gifts or other this	t list business	entertainme	ent related t	o your priva	ate p	profession or	 occupation
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§ 24.2-945 et seq.) (•				
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SCHEDULE F-2 - LOBBYIST RELATIONSHIPS AND PAYMENTS.
Complete this Schedule for each lobbyist relationship with the following:
(i) any person who is, or has been within the prior calendar year, registered as a lobbyist with the

RETURN TO ITEM 8

							Payments to Lobbyist		
or bu	List each person or business		relationship				\$10,000 or less	More th \$10,001	
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during the past 12 months, excluding representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers filed by your partners, associates or others with whom you have a close financial association.

Identify such businesses by type and also name the state governmental agencies before which such person appeared on behalf of such businesses.

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Type of Business		aille UI	blate G	Overnmen	tal Agency	Y 	
SCHEDULE G-3 - PAYM Indicate below types of be							michad b
persons with whom you ha	ave a cl	ose fina	ncial assoc	iation purs	uant to an a	greement be	etween vo
ch businesses, or between	person	s with	whom yo	u have a	close finar	icial associa	ation and
isinesses and for which to							
onths. Services reported in sinesses that are reported in					rvices invol	ving the re	presentati
Identify opposite each cat					the type of	f business.	(ii) the ty
rvice rendered and (iii) the	value	bv dolla	r category	of the co	mpensation	received for	r all busi
lling within each category.	varac	oj done	ir category	or the co	inpensacion	10001104 10	un ousn
	Check						
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	ser-	of		Value	of Compe	nsation	
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	were		\$1,001		\$50,001		
	ren-		to		to	to	\$250,00
-1	dered	dered	\$10,000	\$50,000	\$100,000	\$250,000	and ove
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Gas utilities							
Telephone utilities							
Water utilities							
Cable television							
companies Interstate							
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companies							
Oil or gas retail							
companies							
Banks							
Savings							
institutions							
Loan or finance							
companies							
Manufacturing							
companies (state							
type of product,							
e.g., textile,							
furniture, etc.)							
Mining companies		·					·
Life insurance							
companies							
Casualty insurance							
companies							

Other insurance

companies		
Retail companies		
Beer, wine or		
liquor companies		
or distributors		
Trade associations		
Professional		
associations		
Associations of		
public employees		
or officials		
Counties, cities		
or towns		
Labor organizations		
Other		
SCHEDULE H - REAL ES	NOT A CONT	RETURN TO ITEM
List the location	Describe the type of real estate you own in each location (business,	If the real estate is
(state, and county	recreational, apartment,	owned or recorded in
or city where you	commercial, open land,	a name other than your
own real estate).	etc.).	own, list that name
· 		
List all contracts, wheth overnmental agency for the mmediate family holds an interpretary related to the manual at \$10 case of real estate in which y 1,000 or more. This requires through an ownership interest total equity of the business.	TATE CONTRACTS WITH STATE er pending or completed within sale or exchange of real estate erest, including a corporate, partner 0,000 or more. List all contracts wi ou or a member of your immediate nent to disclose an interest in a leas in a business unless the ownership	the past 12 months, with a in which you or a member of ship or trust interest, option, ease th a state governmental agency family holds such an interest vale does not apply to an interest do interest exceeds three percent
List your real		
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the person or entity		
the person or entity including the type o		
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- B. Any legislator who makes a knowing misstatement of a material fact on the Statement of Economic Interests shall be subject to disciplinary action for such violations by the house in which the legislator sits.
- C. In accordance with the rules of each house, the Statement of Economic Interests of all members of each house shall be reviewed. If a legislator's Statement is found to be inadequate as filed, the legislator shall be notified in writing and directed to file an amended Statement correcting the indicated deficiencies, and a time shall be set within which such amendment shall be filed. If the Statement of Economic Interests, in either its original or amended form, is found to be adequate as filed, the legislator's filing shall be deemed in full compliance with this section as to the information disclosed thereon.
- D. Ten percent of the membership of a house, on the basis of newly discovered facts, may in writing request the house in which those members sit, in accordance with the rules of that house, to review the Statement of Economic Interests of another member of that house in order to determine the adequacy of his filing. In accordance with the rules of each house, each Statement of Economic Interests shall be promptly reviewed, the adequacy of the filing determined, and notice given in writing to the legislator whose Statement is in issue. Should it be determined that the Statement requires correction, augmentation or revision, the legislator involved shall be directed to make the changes required within such time as shall be set under the rules of each house.
- If a legislator, after having been notified in writing in accordance with the rules of the house in which he sits that his Statement is inadequate as filed, fails to amend his Statement so as to come into compliance within the time limit set, he shall be subject to disciplinary action by the house in which he sits. No legislator shall vote on any question relating to his own Statement.