

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 24.2-955.3 of the Code of Virginia, relating to elections; political*
3 *campaign advertisements; violations; civil penalty.*

4
5 Approved

[H 125]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 24.2-955.3 of the Code of Virginia is amended and reenacted as follows:**

8 **§ 24.2-955.3. Penalties for violations of this chapter.**

9 A. Any sponsor violating Article 2 (§ 24.2-956 et seq.) ~~of this chapter~~ shall be subject to (i) a civil
10 penalty not to exceed \$1,000; or (ii) in the case of a violation occurring within the 14 days prior to or
11 on the election day of the election to which the advertisement pertains, a civil penalty not to exceed
12 ~~\$2,500~~ \$25,000. In the case of a willful violation, he ~~shall be~~ is guilty of a Class 1 misdemeanor.

13 B. Any sponsor violating Article 3 (§ 24.2-957 et seq.) or 4 (§ 24.2-958 et seq.) ~~of this chapter~~ shall
14 be subject to (i) a civil penalty not to exceed \$1,000 per occurrence; or (ii) in the case of a violation
15 occurring within the 14 days prior to or on the election day of the election to which the advertisement
16 pertains, a civil penalty not to exceed ~~\$2,500 per occurrence~~ \$25,000. In the case of a willful violation,
17 he ~~shall be~~ is guilty of a Class 1 misdemeanor. In no event shall the total civil penalties imposed for
18 multiple broadcasts of one particular campaign advertisement exceed ~~\$10,000~~ \$25,000.

19 C. Any person violating Article 5 (§ 24.2-959 et seq.) ~~of this chapter~~ shall be subject to a civil
20 penalty not to exceed ~~\$2,500~~ \$25,000, and in the case of a willful violation, he ~~shall be~~ is guilty of a
21 Class 1 misdemeanor. A violation of the provisions of Article 5 ~~of this chapter~~ shall not void any
22 election.

23 D. The State Board, in a public hearing, shall determine whether to find a violation of this chapter
24 and to assess a civil penalty. At least 10 days prior to such hearing, the State Board shall send notice by
25 certified mail to persons whose actions will be reviewed at such meeting and may be subject to civil
26 penalty. Notice shall include the time and date of the meeting, an explanation of the violation, and the
27 maximum civil penalty that may be assessed.

28 E. It shall not be deemed a violation of this chapter if the contents of the disclosure legend or
29 statement convey the required information.

30 F. Any civil penalties collected pursuant to an action under this section shall be payable to the State
31 Treasurer for deposit to the general fund. The procedure to enforce the civil penalties provided in this
32 section shall be as stated in § 24.2-946.3.

REENROLLED

HB125ER2