

LD6826661

## SENATE BILL NO. 486

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on General Laws  
on February 28, 1994)

(Patron Prior to Substitute—Senator Gartlan)

A BILL to amend and reenact §§ 2.1-639.2, 2.1-639.4, 2.1-639.14, 2.1-639.15, 2.1-639.21, 2.1-639.31, 2.1-639.33, 2.1-639.41 and 24.2-502 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.1 a chapter numbered 10.5, consisting of sections numbered 2.1-116.20 through 2.1-116.29, and in Article 2 of Chapter 40.1 a section numbered 2.1-639.4:1, relating to ethics and governmental accountability, conflicts of interests, and standards of conduct for state and local government officers and employees; penalties.

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

1. That §§ 2.1-639.2, 2.1-639.4, 2.1-639.14, 2.1-639.15, 2.1-639.21, 2.1-639.31, 2.1-639.33, 2.1-639.41 and 24.2-502 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Title 2.1 a chapter numbered 10.5, consisting of sections numbered 2.1-116.20 through 2.1-116.29, and in Article 2 of Chapter 40.1 a section numbered 2.1-639.4:1 as follows:

## CHAPTER 10.5.

## THE VIRGINIA WHISTLE BLOWER PROTECTION ACT.

§ 2.1-116.20. Legislative intent.

It shall be the policy of the Commonwealth that employees of public bodies be freely able to report instances of wrongdoing and waste committed by these bodies, their employees or independent contractors of such bodies.

§ 2.1-116.21. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Appropriate authority" means a federal, state, county or municipal government body, agency or organization having jurisdiction over criminal law enforcement, regulatory violations, professional conduct or ethics, or waste; or a member, officer, agent, representative or supervisory employee of the body, agency, or organization. The term includes, but is not limited to, the Office of the Attorney General, the Office of the State Internal Auditor, and the General Assembly and its committees having the power and duty to investigate criminal law enforcement, regulatory violations, professional conduct or ethics, or waste.

"Employee" means a person who performs a full- or part-time service for wages, salary, or other remuneration under a written contract for hire for a public body.

"Employer" means a person supervising one or more employees, including the employee in question, a superior of that supervisor, or an agent of a public body.

"Good faith report" means a written, electronic or oral report, provided such oral report is promptly reduced to a writing, of wrongdoing or waste which is made without malice or consideration of personal benefit, which otherwise complies with the good faith requirements of § 2.1-116.23, and which the person making the report has reasonable cause to believe is true. The report shall specify the factual basis for the allegation of wrongdoing or waste.

"Public body" means any of the following:

1. A department, division, officer, agency, bureau, board, commission, court in its nonjudicial functions only, council, institution, spending unit, authority or other instrumentality of the Commonwealth;

2. A commission, council, department, agency, board, court in its nonjudicial functions only, official, special district, corporation or other instrumentality of a county or a municipality; or

3. Any other body which is created by state or political subdivision authority or which is funded by thirty-five percent or more by or through state or political subdivision authority, or a member or employee of that body.

"Waste" means an employer's or employee's conduct or omissions which result in substantial abuse, misuse, destruction or loss of funds or resources belonging to or derived from federal, state, or political subdivision sources.

"Whistle blower" means an employee who witnesses or has evidence of wrongdoing or waste and who makes or demonstrates by clear and convincing evidence that he is about to make a good faith report of, or testifies or is about to testify to, the wrongdoing or waste to one of the employee's superiors, an agent of the employer or an appropriate authority.

"Wrongdoing" means a violation, which is not of a merely technical or minimal nature, of a federal or state statute or regulation, of an ordinance or regulation formally adopted by a political subdivision,

60 or of a formally adopted code of conduct or ethics of a professional organization designed to protect  
61 the interests of the public or the employee.

62 § 2.1-116.22. Applicability; discriminatory and retaliatory actions against whistle blowers prohibited.

63 A. No employer may discharge, threaten or otherwise discriminate or retaliate against a whistle  
64 blower whether acting on his own or through a person acting on his behalf or under his direction, by  
65 changing his compensation, terms, conditions, location or privileges of employment, .

66 B. No employer may discharge, threaten or otherwise discriminate or retaliate against a whistle  
67 blower by changing his compensation, terms, conditions, location or privileges of employment because  
68 the whistle blower is requested or subpoenaed by an appropriate authority to participate in an  
69 investigation, hearing or inquiry held by an appropriate authority or in a court action.

70 § 2.1-116.23. Good faith requirement.

71 A. To be protected by this chapter, employees who disclose information about suspected wrongdoing  
72 shall do so in good faith and upon a reasonable belief that their allegations are accurate.

73 B. Disclosures which are false or reckless, confidential by law, or malicious shall not be deemed  
74 good faith reports and shall not be protected by this chapter.

75 § 2.1-116.24. Notification requirements.

76 In order to receive the protection of this chapter, an employee shall give a good faith report of the  
77 suspected wrongdoing to his agency head before disclosing the alleged wrongdoing to parties outside of  
78 his agency, except in situations where the agency head is the subject of the complaint. Where the agency  
79 head is the subject of the complaint the employee shall give such report to the agency head's appointing  
80 authority.

81 § 2.1-116.25. Violation; election of grievance procedure.

82 A. Subject to the provisions of subsection A of § 2.1-116.26, any employee, covered by a grievance  
83 procedure pursuant to §§ 2.1-114.5:1, 15.1-7.1 or § 15.1-7.2, may initiate a grievance alleging a  
84 violation of this chapter.

85 B. Whenever it is determined that an appointing authority or supervisor has violated this chapter an  
86 entry shall be made in the appointing authority or supervisor's personnel record to that effect.

87 C. Whenever the Department of Employee Relations Counselors learns that a grievance has been  
88 initiated under this chapter which involves information concerning waste of public funds or  
89 mismanagement of a state agency, it shall transmit a copy of the grievance to the state auditor for an  
90 investigation.

91 D. If an employee elects to pursue a grievance, the decision of the panel shall be the exclusive  
92 remedy. Initiation of a grievance shall preclude initiation of a civil action.

93 E. A grievance panel in rendering a decision for the employee in a grievance brought under this  
94 chapter, may order reinstatement, back pay, full reinstatement of fringe benefits and seniority rights, any  
95 other combination of these remedies, or any other relief available under the grievance procedure  
96 statutes.

97 § 2.1-116.26. Violation; election of civil action; limitation on actions; burden or proof, defense.

98 A. Subject to the provisions of subsection D of § 2.1-116.25, an employee who alleges a violation of  
99 this chapter may bring a civil action in the circuit court of the locality where the employee is employed  
100 for relief pursuant to § 2.1-116.27, which action shall be brought within 180 days after the occurrence  
101 of the alleged violation. Initiation of litigation shall preclude the filing of a grievance.

102 B. An employee alleging a violation of this chapter shall prove by a preponderance of the evidence  
103 that (i) the employee made or caused to be made a good faith report to the employer or appropriate  
104 authority concerning an instance or wrongdoing or waste, (ii) the employer was aware that the  
105 employee made or caused to be made such report, (iii) the employee suffered an adverse employment  
106 action, and (iv) the report was closely followed by the adverse employment action. The employer may  
107 introduce evidence of a separate, legitimate reason for the adverse employment action. The employee  
108 may rebut the evidence offered by the employer by showing that the reason stated by the employer is a  
109 pretext and that, but for the employee having made, or caused to be made, the good faith report, the  
110 employee would not have suffered the adverse employment action.

111 § 2.1-116.27. Redress for the whistle blower.

112 The court, in rendering a judgment for the employee in an action brought pursuant to this chapter,  
113 may order injunctive relief, reinstatement of the employee, the payment of back wages, full reinstatement  
114 of fringe benefits and seniority rights, or any combination of these remedies. The court may also award  
115 the employee all or a portion of the costs of litigation, including reasonable attorneys fees, if the court  
116 determines that such award is appropriate.

117 § 2.1-116.28. Limitations on scope of construction.

118 The provisions of this chapter shall not be construed to require an employer to compensate an  
119 employee for participation in an investigation, hearing or inquiry held by an appropriate authority.

120 § 2.1-116.29. Notice to employees of protection of whistle blowers.

121 Employers shall prominently post notices and use other appropriate means to notify employees and

keep them informed of the protections and obligations set forth in this chapter.

§ 2.1-639.2. Definitions.

As used in this chapter:

"Advisory agency" means any board, commission, committee or post which does not exercise any sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for the purpose of making studies or recommendations, or advising or consulting with a governmental agency.

"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.

"Contract" means any agreement to which a governmental agency is a party, or any agreement on behalf of a governmental agency which involves the payment of money appropriated by the General Assembly or political subdivision, whether or not such agreement is executed in the name of the Commonwealth, or some political subdivision thereof. "Contract" includes a subcontract only when the contract of which it is a part is with the officer's or employee's own governmental agency.

"Dependent" means a son, daughter, father, mother, brother, sister or other person, whether or not related by blood or marriage, if such person receives from the officer or employee, or provides to the officer or employee, more than one-half of his financial support.

"Employee" means all persons employed by a governmental or advisory agency, unless otherwise limited by the context of its use.

"Financial institution" means any bank, trust company, savings and loan association, industrial loan association, consumer finance company, credit union, broker-dealer as defined in § 13.1-501, or investment company or advisor registered under the federal Investment Advisors Act or Investment Company Act of 1940.

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

"Governmental agency" means each component part of the legislative, executive or judicial branches of state and local government, including each office, department, authority, post, commission, committee, and each institution or board created by law to exercise some regulatory or sovereign power or duty as distinguished from purely advisory powers or duties. Corporations organized or controlled by the Virginia Retirement System, RF&P Corporation and its wholly owned subsidiaries are "governmental agencies" for purposes of this chapter.

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

"Officer" means any person appointed or elected to any governmental or advisory agency, whether or not he receives compensation or other emolument of office. Unless the context requires otherwise, "officer" includes members of the judiciary.

"Personal interest" means a financial benefit or liability accruing to an officer or employee or to a member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may reasonably be anticipated to exceed, \$10,000 from ownership in real or personal property or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business that exceeds, or may reasonably be anticipated to exceed, \$10,000 annually; (iv) ownership of real or personal property if the interest exceeds \$10,000 in value and excluding ownership in a business, income, or salary, other compensation, fringe benefits or benefits from the use of property; or (v) personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business.

"Personal interest in a contract" means a personal interest which an officer or employee has in a contract with a governmental agency, whether due to his being a party to the contract or due to a personal interest in a business which is a party to the contract.

"Personal interest in a transaction" means a personal interest of an officer or employee in any matter considered by his agency. Such personal interest exists when an officer or employee or a member of his immediate family has a personal interest in property or a business, or represents any individual or business and such property, business or represented individual or business (i) is the subject of the

183 transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result  
184 of the action of the agency considering the transaction. Notwithstanding the above, such personal interest  
185 shall not be deemed to exist where an elected member of a local governing body serves without  
186 remuneration as a member of the board of trustees of a not-for-profit entity and there is a full disclosure  
187 of any personal benefit arising from the relationship.

188 "State and local government officers and employees" shall not include members of the General  
189 Assembly.

190 "Transaction" means any matter considered by any governmental or advisory agency, whether in a  
191 committee, subcommittee, or other entity of that agency or before the agency itself, on which official  
192 action is taken or contemplated.

193 § 2.1-639.4. Prohibited conduct.

194 No officer or employee of a state or local governmental or advisory agency shall:

195 1. Solicit or accept money or other thing of value for services performed within the scope of his  
196 official duties, except the compensation, expenses or other remuneration paid by the agency of which he  
197 is an officer or employee. This prohibition shall not apply to the acceptance of special benefits which  
198 may be authorized by law;

199 2. Offer or accept any money or other thing of value for or in consideration of obtaining  
200 employment, appointment, or promotion of any person with any governmental or advisory agency;

201 3. Offer or accept any money or other thing of value for or in consideration of the use of his public  
202 position to obtain a contract for any person or business with any governmental or advisory agency;

203 4. Use for his own economic benefit or that of another party confidential information which he has  
204 acquired by reason of his public position and which is not available to the public;

205 5. Accept any money, loan, gift, favor, service, or business or professional opportunity that  
206 reasonably tends to influence him in the performance of his official duties. This subdivision shall not  
207 apply to any political contribution actually used for political campaign or constituent service purposes  
208 and reported as required by Chapter 9 (§ ~~24.1-251~~ 24.2-900 et seq.) of Title ~~24.1~~ 24.2; or

209 6. Accept any business or professional opportunity when he knows that there is a reasonable  
210 likelihood that the opportunity is being afforded him to influence him in the performance of his official  
211 duties-;

212 7. *Accept a gift from a person who has interests that may be substantially affected by the*  
213 *performance of the officer's or employee's official duties under circumstances where the timing and*  
214 *nature of the gift would cause a reasonable person to question the officer's or employee's impartiality in*  
215 *the matter affecting the donor. Violations of this subdivision shall not be subject to criminal law*  
216 *penalties;*

217 8. *Accept gifts from sources on a basis so frequent as to raise an appearance of use of public office*  
218 *for private gain. Violations of this subdivision shall not be subject to criminal law penalties; or*

219 9. *Accept any honoraria for any appearance, speech, or article in which the officer or employee*  
220 *provides expertise or opinions related to the performance of his official duties. The term "honoraria"*  
221 *shall not include any payment for or reimbursement to such person for his actual travel, lodging, or*  
222 *subsistence expenses incurred in connection with such appearance, speech, or article or in the*  
223 *alternative a payment of money or anything of value not in excess of the per diem deduction allowable*  
224 *under § 162 of the Internal Revenue Code, as amended from time to time. The prohibition in this*  
225 *subdivision shall apply only to the Governor, Lieutenant Governor, Attorney General, Governor's*  
226 *Secretaries, and heads of departments of state government.*

227 § 2.1-639.4:1. Representation of clients after government service; exceptions.

228 A. No former state officer or employee shall represent a person in a matter before a governmental  
229 agency in which the former officer or employee participated personally and substantially while an  
230 officer or employee.

231 B. No state officer or employee shall, during the one year after the termination of his public  
232 employment or service, represent a client or act in a representative capacity on behalf of any person or  
233 group on any matter before the agency of which he was an officer or employee. The prohibitions of this  
234 subsection shall apply only to persons engaged in activities that would require registration as a lobbyist  
235 under § 30-28.2.

236 C. For the purposes of this section, "state officer or employee" shall mean (i) the Governor,  
237 Lieutenant Governor, Attorney General, and officers appointed by the Governor, whether confirmation  
238 by the General Assembly or by either house thereof is required or not, who are regularly employed on a  
239 full-time salaried basis; those officers and employees of executive branch agencies who report directly  
240 to the agency head; and those at the level immediately below those who report directly to the agency  
241 head and are at a salary grade of sixteen or higher and (ii) the officers and professional employees of  
242 the legislative branch. For the purposes of this section, the General Assembly and the legislative branch  
243 agencies shall be deemed one agency.

244 § 2.1-639.14. Disclosure by local government officers and employees.

A. The members of ~~every~~ the governing body and elected school board of each county and, city, and of towns with populations in excess of 3,500, and persons occupying such positions of trust appointed by such bodies as may be designated to file by ordinance of the governing body, and persons occupying such positions of employment as may be designated to file by ordinance of the governing body shall file, as a condition to assuming office or employment, a disclosure statement of their personal interests and other information as is specified on the form set forth in § 2.1-639.15 and thereafter shall file such a statement annually on or before January 15. *The governing body of any other town may elect, by ordinance, to be treated as a town with a population in excess of 3,500 for the purposes of this chapter. The clerk of the governing body of the town shall file a copy of the ordinance with the general registrar for the town and the State Board of Elections.*

B. Nonsalaried citizen members of local boards, commissions and councils as may be designated by the governing body shall file, as a condition to assuming office, a disclosure form of their personal interests and such other information as is specified on the form set forth in § 2.1-639.15:1 and thereafter shall file such form annually on or before January 15.

C. The disclosure forms required by subsections A and B of this section shall be provided by the Secretary of the Commonwealth to the clerks of the governing bodies not later than November 30 of each year and the clerk of the governing body shall distribute the forms to designated individuals no later than December 10 of each year. Forms shall be filed and maintained as public records for five years in the office of the clerk of the respective governing body.

D. Candidates for membership in the governing body of any county, city or town with a population of more than 3,500 persons, *or any other town electing to be treated as a town with such population,* shall file a disclosure statement of their personal interests as required by § ~~24.1-167~~ 24.2-502.

E. Any officer or employee of local government who has a personal interest in any transaction before the governmental or advisory agency of which he is an officer or employee and who is disqualified from participating in that transaction pursuant to § 2.1-639.11 A 1, or otherwise elects to disqualify himself, shall forthwith make disclosure of the existence of his interest, and his disclosure shall be reflected in the public records of the agency for five years in the office of the administrative head of the officer's or employee's governmental or advisory agency.

F. In addition to any disclosure required by subsections A and B of this section, in each county and city and in towns with populations in excess of 3,500, *or in any other town electing to be treated as a town with such population,* members of planning commissions, boards of zoning appeals, real estate assessors, and all county, city and town managers or executive officers shall make annual disclosures of all their interests in real estate located in the county, city or town in which they are elected, appointed, or employed. Such disclosure shall include any business in which such persons own an interest, or from which income is received, if the primary purpose of the business is to own, develop or derive compensation through the sale, exchange or development of real estate in the county, city or town. Such disclosure shall be filed as a condition to assuming office or employment, and thereafter shall be filed annually with the clerk of the governing body of such county, city or town on or before January 15. Such disclosures shall be filed and maintained as public records for five years. Forms for the filing of such reports shall be prepared and distributed by the Secretary of the Commonwealth to the clerk of each governing body.

G. An officer or employee of local government who is required to declare his interest pursuant to § 2.1-639.11 A 2 shall declare his interest by stating (i) the transaction involved, (ii) the nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a member of a business, profession, occupation, or group the members of which are affected by the transaction, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest. The officer or employee shall either make his declaration orally to be recorded in written minutes of his agency or file a signed written declaration with the clerk or administrative head of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the officer or employee shall prepare and file the required declaration by the end of the next business day.

§ 2.1-639.21. Forfeiture of money, etc., derived from violation of this chapter.

In addition to any other fine or penalty provided by law, any money or other thing of value derived by an officer or employee from a violation of §§ 2.1-639.4 ~~or §§ 2.1-639.6~~ through 2.1-639.11 shall be forfeited and, in the event of a knowing violation, there may also be imposed a civil penalty in an amount equal to the amount of money or thing of value forfeited to the Commonwealth or the local government as the case may be. If the thing of value received by the officer or employee in violation of this chapter should enhance in value between the time of the violation and the time of discovery of the violation, the greater value shall determine the amount of forfeiture.

§ 2.1-639.15. Disclosure form.

306 The disclosure form to be used for filings required by § 2.1-639.13 A and D, and § 2.1-639.14 A and  
307 D shall be substantially as follows:

308

309

## STATEMENT OF ECONOMIC INTERESTS.

310

Name .....

311

Office or position held or sought .....

312

Home address .....

313

Names of members of immediate family .....

314

315

## DEFINITIONS AND EXPLANATORY MATERIAL.

316

317

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

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322

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

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"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.

331

332

*"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.*

345

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.

355

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.

360

361

COMPLETE ITEMS 1 THROUGH 9. REFER TO SCHEDULES ONLY IF DIRECTED.

362

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.)

EITHER 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 an officer or employee of your agency?

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

5. Gifts, Travel, and Business Entertainment.

During the past 12 months did a business, government, or individual other than a relative or personal friend furnish you with tickets to sporting events or shows, travel expenses, meals or lodging, favors, services, property, loans, money, gifts, or anything else of value furnish you with any gift or gifts the total value of which exceeded \$200 and for which you neither paid nor rendered services in exchange? 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.)

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

7. Business Interests.

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.

## 419 8. Payments for Representation.

420 8A. Did you represent any businesses before any state governmental  
421 agencies, excluding courts or judges, for which you received  
422 total compensation during the past 12 months in excess of  
423 \$1,000, excluding compensation for other services to such  
424 businesses and representation consisting solely of the filing  
425 of mandatory papers? (Officers and employees of local  
426 governmental and advisory agencies do NOT need to answer this  
427 question or complete Schedule G-1.)  
428 EITHER check NO / / OR check YES / / and complete  
429 Schedule G-1.

430 8B. Subject to the same exceptions as in 8A, did persons with whom  
431 you have a close financial association (partners, associates or  
432 others) represent any businesses before any state governmental  
433 agency for which total compensation was received during the past  
434 12 months in excess of \$1,000? (Officers and employees of local  
435 governmental and advisory agencies do NOT need to answer this  
436 question or complete Schedule G-2.)  
437 EITHER check NO / / OR check YES / / and complete  
438 Schedule G-2.

439 8C. Did you or persons with whom you have a close financial  
440 association furnish services to businesses operating in  
441 Virginia for which total compensation in excess of \$1,000  
442 was received during the past 12 months?  
443 EITHER check NO / / OR check YES / / and complete  
444 Schedule G-3.

## 445 9. Real Estate.

## 446 9A. State Officers and Employees.

447 Do you or a member of your immediate family hold an interest,  
448 including a partnership interest, valued at \$10,000 or more in  
449 real property located in Virginia (other than your principal  
450 residence) for which you have not already listed the full  
451 address on Schedule F? Account for real estate held in trust.  
452 EITHER check NO / / OR check YES / / and complete  
453 Schedule H-1.

## 454 9B. Local Officers and Employees.

455 Do you or a member of your immediate family hold an interest,  
456 including a partnership interest, valued at \$10,000 or more in  
457 real property located in the county, city or town in which you  
458 serve or in a county, city or town contiguous to the county,  
459 city or town in which you serve (other than your principal  
460 residence) for which you have not already listed the full  
461 address on Schedule F? Account for real estate held in trust.  
462 EITHER check NO / / OR check YES / / and complete  
463 Schedule H-2.

464  
465 Statements of Economic Interests are open for public inspection.  
466

## 467 AFFIRMATION BY ALL FILERS

468  
469 I swear or affirm that the foregoing information is full, true and  
470 correct to the best of my knowledge.

471 Signature.....

472 Commonwealth of Virginia

473 .....of.....to wit:

474 The foregoing disclosure form was acknowledged before me

475 This.....day of.....19.. by .....

Notary Public  
 My commission expires.....  
 (Return only if needed to complete Statement.)

SCHEDULES  
 to  
 STATEMENT OF ECONOMIC INTERESTS  
 NAME.....

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

SCHEDULE B - PERSONAL LIABILITIES.

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 in value to the loan.  
 Report contingent liabilities below and indicate which debts are contingent.

1. My personal debts are as follows:

Check appropriate categories	Check one \$10,001 to \$50,000	More than \$50,000
Banks	_____	_____
Savings and loan associations	_____	_____
Other loan or finance companies	_____	_____
Insurance companies	_____	_____
Stock, commodity or other brokerage companies	_____	_____
Other businesses: (State principal business activity for each creditor.)	_____	_____
_____	_____	_____
_____	_____	_____
Individual creditors: (State principal business or occupation of each creditor.)	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

532 2. The personal debts of the members of my immediate family are as  
 533 follows:

534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554
	Check																			
	appropriate																			
	categories																			
	Banks																			
	Savings and loan associations																			
	Other loan or finance companies																			
	Insurance companies																			
	Stock, commodity or other brokerage																			
	companies																			
	Other businesses:																			
	(State principal business activity																			
	for each creditor.)																			
	Individual creditors:																			
	(State principal business or																			
	occupation of each creditor.)																			

555 RETURN TO ITEM 3

556  
 557 SCHEDULE C - SECURITIES.

558	559	560	561	562	563
	"Securities" INCLUDES stocks, bonds,				
	mutual funds, money market funds,				
	limited partnerships, and commodity				
	futures contracts.				

558	559	560	561	562	563
	"Securities" EXCLUDES				
	certificates of deposit,				
	annuity contracts, and				
	insurance policies.				

564 Identify each business or Virginia governmental entity in which you  
 565 or a member of your immediate family, directly or indirectly,  
 566 separately or together, own securities valued in excess of \$10,000.

567  
 568 Do not list U.S. Bonds or other government securities not issued by  
 569 the Commonwealth of Virginia or its authorities, agencies, or local  
 570 governments. Do not list organizations that do not do business in  
 571 this Commonwealth, but most major businesses conduct business in  
 572 Virginia. Account for securities held in trust.

573  
 574 If no reportable securities, check here / /

576	577	578	579	580	581	582	583	584
	Type of	Type of	Type of Security	Check one				
	Name of Issuer	Entity	(stocks, bonds, mutual	\$10,001 to	More			
			or money market funds,	\$50,000	than			
			etc.)		\$50,000			

585 RETURN TO ITEM 4

586  
 587 SCHEDULE D - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

588

List each source from which you received during the past 12 months lodging, transportation, money, or any other thing of value (excluding meals or drinks coincident with a meeting) with combined value exceeding \$200 for your presentation of a single talk, participation in one meeting, or publication of a work in your capacity as an officer or employee of your agency.

List payments or reimbursements by an advisory or governmental agency only for meetings or travel outside the Commonwealth.

List a payment even if you donated it to charity.

Do not list information about a payment if you returned it within 60 days or if you received it from an employer already listed under Item 6 or from a source of income listed on Schedule F.

If no payment must be listed, check here / /

Payer	Approximate Value	Circumstances	Type of payment (e.g. honoraria, travel reimbursement, etc.)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

RETURN TO ITEM 5

#### SCHEDULE E - GIFTS, TRAVEL, AND BUSINESS ENTERTAINMENT.

List each business, governmental entity, or individual that furnished you with ~~tickets to sporting events or shows, travel expenses, meals or lodging, favors, services, property, loans, money, gifts, or other thing of pecuniary value, any gift or gifts~~ whose total value exceeded \$200 during the past 12 months and for which you neither paid nor rendered services in exchange. Do not list business entertainment related to your private profession or occupation. Do not list gifts ~~or other things of value given by~~ from a relative or from a personal friend given for reasons clearly unrelated to your public position. *Do not list campaign contributions publicly reported as required by Chapter 9 of Title 24.2 of the Code of Virginia.*

~~When calculating value, you need not consider:~~

~~Meals, lodging, or hospitality that an individual furnished you at his own expense and not as a business expense if clearly unrelated to your public position, or Campaign contributions publicly reported as required by Chapter 9 of Title 24.1 of the Code of Virginia.~~

~~"Relative" means: your spouse, child, uncle, aunt, niece, nephew, or person to whom you are engaged to be married; your or your spouse's parent, grandparent, grandchild, brother, or sister; or your brother's or sister's spouse.~~

—  
Name of Business,

645	Organization, or	City or County	
646	Individual	and State	Approximate Value
647	_____	_____	_____
648	_____	_____	_____
649	_____	_____	_____
650	_____	_____	_____

651  
652 RETURN TO ITEM 6

653  
654 SCHEDULE F - BUSINESS INTERESTS.

655  
656 Complete this Schedule for each self or family owned business  
657 (including rental property, a farm, or consulting work),  
658 partnership, or corporation in which you or a member of your  
659 immediate family, separately or together, own an interest having  
660 a value in excess of \$10,000.

661  
662 If the enterprise is owned or operated under a trade, partnership,  
663 or corporate name, list that name; otherwise merely explain the  
664 nature of the enterprise. If rental property is owned or operated  
665 under a trade, partnership, or corporate name, list the name only;  
666 otherwise, give the address of each property. Account for business  
667 interests held in trust.

668					
669	Name of		Gross income		
670	Business,				
671	Corporation,				
672	Partnership,				
673	Farm; Address	City or	Nature of Enterprise		
674	of Rental	County	(farming, law,	\$50,000	More than
675	Property	and State	rental property, etc.)	or less	\$50,000
676	_____	_____	_____	_____	_____
677	_____	_____	_____	_____	_____
678	_____	_____	_____	_____	_____

679  
680 RETURN TO ITEM 8

681  
682 SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

683  
684 List the businesses you represented before any state governmental  
685 agency, excluding any court or judge, for which you received  
686 total compensation during the past 12 months in excess of \$1,000,  
687 excluding compensation for other services to such businesses and  
688 representation consisting solely of the filing of mandatory  
689 papers.

690  
691 Identify each business, the nature of the representation and the  
692 amount received by category from each such business.

693  
694 Only STATE officers and employees should complete this Schedule.

695					Amount Received	
696					\$1,001 to	More than
697	Name of	Type of	Purpose of	Name of	\$10,000	\$10,000
698	Business	Business	Representation	Agency		
699	_____	_____	_____	_____	_____	_____
700	_____	_____	_____	_____	_____	_____
701	_____	_____	_____	_____	_____	_____

SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

List the businesses that have been represented before any state governmental agency, excluding any court or judge, by persons who are your partners, associates or others with whom you have a close financial association and who received total compensation in excess of \$1,000 for such representation during the past 12 months, excluding representation consisting solely of the filing of mandatory papers.

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

Only STATE officers and employees should complete this Schedule.

Type of business	Name of state government agency
_____	_____
_____	_____
_____	_____
_____	_____

SCHEDULE G-3 - PAYMENTS FOR REPRESENTATION GENERALLY.

Indicate below types of businesses that operate in Virginia to which services were furnished by you or persons with whom you have a close financial association and for which total compensation in excess of \$1,000 was received during the past 12 months.

Identify opposite each category of businesses listed below (i) the type of business, (ii) the type of service rendered and (iii) the value of the compensation received for all businesses falling within each category.

	Check if	Type of	Value of	Compensation
	services	service	\$1,001	More
	were rendered	rendered	to	than
			\$10,000	\$10,000
Electric utilities	_____	_____	_____	_____
Gas utilities	_____	_____	_____	_____
Telephone utilities	_____	_____	_____	_____
Water utilities	_____	_____	_____	_____
Cable television	_____	_____	_____	_____
companies	_____	_____	_____	_____
Interstate	_____	_____	_____	_____
transportation	_____	_____	_____	_____
companies	_____	_____	_____	_____
Intrastate	_____	_____	_____	_____
transportation	_____	_____	_____	_____
companies	_____	_____	_____	_____
Oil or gas	_____	_____	_____	_____
retail	_____	_____	_____	_____
companies	_____	_____	_____	_____
Banks	_____	_____	_____	_____

758	Savings and				
759	loan				
760	associations	_____	_____	_____	_____
761	Loan or finance				
762	companies	_____	_____	_____	_____
763	Manufacturing				
764	companies				
765	(state type of				
766	product,				
767	e.g., textile,				
768	furniture,				
769	etc.)	_____	_____	_____	_____
770	Mining companies	_____	_____	_____	_____
771	Life insurance				
772	companies	_____	_____	_____	_____
773	Casualty insurance				
774	companies	_____	_____	_____	_____
775	Other insurance				
776	companies	_____	_____	_____	_____
777	Retail companies	_____	_____	_____	_____
778	Beer, wine or				
779	liquor companies				
780	or distributors	_____	_____	_____	_____
781	Trade associations	_____	_____	_____	_____
782	Professional				
783	associations	_____	_____	_____	_____
784	Associations of				
785	public employees				
786	or officials	_____	_____	_____	_____
787	Counties, cities or				
788	towns	_____	_____	_____	_____
789	Labor organizations	_____	_____	_____	_____
790	Other	_____	_____	_____	_____

RETURN TO ITEM 9

793  
794 SCHEDULE H-1 - REAL ESTATE - STATE OFFICERS AND EMPLOYEES.

795  
796 List real estate located in Virginia other than your principal  
797 residence in which you or a member of your immediate family hold  
798 an interest, including a partnership interest, option, easement,  
799 or land contract, valued at \$10,000 or more. You may list each  
800 parcel of real estate individually if you wish.

801			
802	List the counties	Describe the type of	If the real estate
803	and cities in which	real estate you own	is owned or recorded
804	you own real estate	in each county or city	in a name other than
805		(business, recreational,	your own, list that
806		apartment, commercial,	name
807		open land, etc.)	
808	_____	_____	_____
809	_____	_____	_____
810	_____	_____	_____
811	_____	_____	_____
812	_____	_____	_____

813  
814 SCHEDULE H-2 - REAL ESTATE - LOCAL OFFICERS AND EMPLOYEES.

List real estate located in your county, city, or town, and any contiguous county, city, or town other than your principal residence in which you or a member of your immediate family hold an interest, including a partnership interest, option, easement, or land contract, valued at \$10,000 or more. You may list each parcel of real estate individually if you wish.

List the counties and cities in which you own real estate	Describe the type of real estate you own in each county or city (business, recreational, apartment, commercial, open land, etc.)	If the real estate is owned or recorded in a name other than your own, list that name

#### § 2.1-639.31. Definitions.

As used in this chapter:

"Advisory agency" means any board, commission, committee or post which does not exercise any sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for the purpose of making studies or recommendations, or advising or consulting with a governmental agency.

"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.

"Contract" means any agreement to which a governmental agency is a party, or any agreement on behalf of a governmental agency which involves the payment of money appropriated by the General Assembly or a political subdivision, whether or not such agreement is executed in the name of the Commonwealth of Virginia, or some political subdivision thereof. "Contract" includes a subcontract only when the contract of which it is a part is with the legislator's own governmental agency.

"Financial institution" means any bank, trust company, savings and loan association, industrial loan association, consumer finance company, credit union, broker-dealer as defined in § 13.1-501 (c), or investment company or advisor registered under the federal Investment Advisors Act or Investment Company Act of 1940.

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

"Governmental agency" means each component part of the legislative, executive or judicial branches of state and local government, including each office, department, authority, post, commission, committee, and each institution or board created by law to exercise some regulatory or sovereign power or duty as distinguished from purely advisory powers or duties.

"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.

"Dependent" means a son, daughter, father, mother, brother, sister or other person, whether or not related by blood or marriage, if such person receives from the legislator, or provides to the legislator, more than one-half of his financial support.

"Legislator" means a member of the General Assembly of Virginia.

"Personal interest" means a financial benefit or liability accruing to a legislator or to a member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may reasonably be anticipated to exceed, \$10,000 from ownership in real or personal property or a business;

875 (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination  
876 thereof, paid or provided by a business that exceeds, or may reasonably be anticipated to exceed,  
877 \$10,000 annually; (iv) ownership of real or personal property if the interest exceeds \$10,000 in value  
878 and excluding ownership in a business, income, or salary, other compensation, fringe benefits or benefits  
879 from the use of property; or (v) personal liability incurred or assumed on behalf of a business if the  
880 liability exceeds three percent of the asset value of the business.

881 "Personal interest in a contract" means a personal interest which a legislator has in a contract with a  
882 governmental agency, whether due to his being a party to the contract or due to a personal interest in a  
883 business which is a party to the contract.

884 "Personal interest in a transaction" means a personal interest of a legislator in any matter considered  
885 by the General Assembly. Such personal interest exists when an officer or employee or a member of his  
886 immediate family has a personal interest in property or a business, or represents any individual or  
887 business and such property, business or represented individual or business (i) is the subject of the  
888 transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result  
889 of the action of the agency considering the transaction. A "personal interest in a transaction" exists only  
890 if the legislator or member of his immediate family or an individual or business represented by the  
891 legislator is affected in a way that is substantially different from the general public or from persons  
892 comprising a profession, occupation, trade, business or other comparable and generally recognizable  
893 class or group of which he or the individual or business he represents is a member.

894 "Transaction" means any matter considered by the General Assembly, whether in a committee,  
895 subcommittee, or other entity of the General Assembly or before the General Assembly itself, on which  
896 official action is taken or contemplated.

897 § 2.1-639.33. Prohibited conduct.

898 No legislator shall:

899 1. Solicit or accept money or other thing of value for services performed within the scope of his  
900 official duties, except the compensation, expenses or other remuneration paid to him by the General  
901 Assembly. This prohibition shall not apply to the acceptance of special benefits which may be  
902 authorized by law;

903 2. Offer or accept any money or other thing of value for or in consideration of obtaining  
904 employment, appointment, or promotion of any person with any governmental or advisory agency;

905 3. Offer or accept any money or other thing of value for or in consideration of the use of his public  
906 position to obtain a contract for any person or business with any governmental or advisory agency;

907 4. Use for his own economic benefit or that of another party confidential information which he has  
908 acquired by reason of his public position and which is not available to the public;

909 5. Accept any money, loan, gift, favor, service, or business or professional opportunity that  
910 reasonably tends to influence him in the performance of his official duties. This subdivision shall not  
911 apply to any political contribution actually used for political campaign or constituent service purposes  
912 and reported as required by Chapter 9 (§ ~~24.1-251~~ 24.2-900 et seq.) of Title ~~24.1~~ 24.2; or

913 6. Accept any business or professional opportunity when he knows that there is a reasonable  
914 likelihood that the opportunity is being afforded him to influence him in the performance of his official  
915 duties;

916 7. *Accept a gift from a person who has interests that may be substantially affected by the*  
917 *performance of the legislator's official duties under circumstances where the timing and nature of the*  
918 *gift would cause a reasonable person to question the legislator's impartiality in the matter affecting the*  
919 *donor. Violations of this subdivision shall not be subject to criminal law penalties;*

920 8. *Accept gifts from sources on a basis so frequent as to raise an appearance of use of public office*  
921 *for private gain. Violations of this subdivision shall not be subject to criminal law penalties;*

922 9. *Accept any honoraria for any appearance, speech, or article in which the legislator provides*  
923 *expertise or opinions related to the performance of his official duties. The term "honoraria" shall not*  
924 *include any payment for or reimbursement to such person for his actual travel, lodging, or subsistence*  
925 *expenses incurred in connection with such appearance, speech, or article or in the alternative a payment*  
926 *of money or anything of value not in excess of the per diem deduction allowable under § 162 of the*  
927 *Internal Revenue Code, as amended from time to time; or*

928 10. *During the one year after the termination of his service as a legislator, represent a client or act*  
929 *in a representative capacity on behalf of any person or group on any matter before the General*  
930 *Assembly or any agency of the legislative branch of government. The prohibitions of this subsection*  
931 *shall apply only to persons engaged in activities that would require registration as a lobbyist under*  
932 *§ 30-28.2.*

933 § 2.1-639.41. Disclosure form.

934 A. The disclosure form to be used for filings required by § 2.1-639.40 A and B shall be substantially  
935 as follows:

936 STATEMENT OF ECONOMIC INTERESTS.

937 Name .....  
 938 Office or position held or sought .....  
 939 Home address .....  
 940 Names of members of immediate family .....

941 DEFINITIONS AND EXPLANATORY MATERIAL.

942 "Immediate family" means (i) a spouse and (ii) any other person  
 943 residing in the same household as the legislator, who is a  
 944 dependent of the legislator or of whom the legislator is a  
 945 dependent.  
 946 "Dependent" means any person, whether or not related by blood or  
 947 marriage, who receives from the legislator, or provides to the  
 948 legislator, more than one-half of his financial support.  
 949 "Business" means a corporation, partnership, sole proprietorship,  
 950 firm, enterprise, franchise, association, trust or foundation, or  
 951 any other individual or entity carrying on a business or  
 952 profession, whether or not for profit.  
 953 "Gift" means any gratuity, favor, discount, entertainment,  
 954 hospitality, loan, forbearance, or other item having monetary  
 955 value. It includes services as well as gifts of transportation,  
 956 local travel, lodgings and meals, whether provided in-kind, by  
 957 purchase of a ticket, payment in advance or reimbursement after  
 958 the expense has been incurred. "Gift" shall not include any offer  
 959 of a ticket or other admission or pass unless the ticket, admission,  
 960 or pass is used. "Gift" shall not include honorary degrees and  
 961 presents from relatives. "Relative" means the donee's spouse, child,  
 962 uncle, aunt, niece, or nephew; a person to whom the donee is engaged  
 963 to be married; the donee's or his spouse's parent, grandparent,  
 964 grandchild, brother, or sister; or the donee's brother's or sister's  
 965 spouse.

966 TRUST. If you or your immediate family, separately or together,  
 967 are the only beneficiaries of a trust, treat the trust's assets  
 968 as if you own them directly. If you or your immediate family has  
 969 a proportional interest in a trust, treat that proportion of the  
 970 trust's assets as if you own them directly. For example, if you  
 971 and your immediate family have a one-third interest in a trust,  
 972 complete your Statement as if you own one-third of each of the  
 973 trust's assets. If you or a member of your immediate family  
 974 created a trust and can revoke it without the beneficiaries'  
 975 consent, treat its assets as if you own them directly.

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

981 COMPLETE ITEMS 1 THROUGH 9. REFER TO SCHEDULES ONLY IF DIRECTED.  
 982 You may attach additional explanatory information.

983 1. Offices and Directorships.

984 Are you or a member of your immediate family a paid officer  
 985 or paid director of a business?  
 986 EITHER check NO / / OR check YES / / and complete  
 987 Schedule A.

988 2. Personal Liabilities.

989 Do you or a member of your immediate family owe more than  
 990 \$10,000 to any one creditor including contingent liabilities?  
 991 (Exclude debts to any government and loans secured by recorded  
 992 liens on property at least equal in value to the loan.)

993 EITHER check NO / / OR check YES / / and complete

994 Schedule B.

995 3. Securities.

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

1000 EITHER check NO / / OR check YES / / and complete

1001 Schedule C.

1002 4. Payments for Talks, Meetings, and Publications.

1003 During the past 12 months did you receive lodging,  
1004 transportation, money, or anything else of value with a combined  
1005 value exceeding \$200 for a single talk, meeting, or published  
1006 work in your capacity as a legislator?

1007 EITHER check NO / / OR check YES / / and complete

1008 Schedule D.

1009 5. ~~Gifts, Travel, and Business Entertainment.~~

1010 During the past 12 months did a business, government, or  
1011 individual other than a relative or personal friend ~~furnish you~~  
1012 ~~with tickets to sporting events or shows, travel expenses, meals~~  
1013 ~~or lodging, favors, services, property, loans, money, gifts, or~~  
1014 ~~anything else of value furnish you with any gift or gifts~~ the  
1015 total value of which exceeded \$200 and for which you neither paid  
1016 nor rendered, services in exchange? Account for all business  
1017 entertainment (except if related to your private profession or  
1018 occupation) even if unrelated to your official duties.

1019 EITHER check NO / / OR check YES / / and complete

1020 Schedule E.

1021 6. Salary and Wages.

1022 List each employer that pays you or a member of your immediate  
1023 family salary or wages in excess of \$10,000 annually. (Exclude  
1024 state or local government or advisory agencies.)

1025 If no reportable salary or wages, check here / /.

1026 .....

1027 .....

1028 .....

1029 7. Business Interests.

1030 Do you or a member of your immediate family separately or  
1031 together, operate your own business, or own or control an  
1032 interest in excess of \$10,000 in a business?

1033 EITHER check NO / / OR check YES / / and complete

1034 Schedule F.

1035 8. Payments for Representation.

1036 8A. Did you represent any businesses before any state governmental  
1037 agencies, excluding courts or judges, for which you received  
1038 total compensation during the past 12 months in excess of \$1,000,  
1039 excluding compensation for other services to such businesses and  
1040 representation consisting solely of the filing of mandatory  
1041 papers?

1042 EITHER check NO / / OR check YES / / and complete

1043 Schedule G-1.

1044 8B. Subject to the same exceptions as in 8A, did persons with whom  
1045 you have a close financial association (partners, associates or  
1046 others) represent any businesses before any state governmental  
1047 agency for which total compensation was received during the past  
1048 12 months in excess of \$1,000?

1049 EITHER check NO / / OR check YES / / and complete

1050 Schedule G-2.  
 1051 8C. Did you or persons with whom you have a close financial  
 1052 association furnish services to businesses operating in Virginia  
 1053 for which total compensation in excess of \$1,000 was received  
 1054 during the past 12 months?  
 1055 EITHER check NO / / OR check YES / / and complete  
 1056 Schedule G-3.  
 1057 9. Real Estate.  
 1058 Do you or a member of your immediate family hold an interest,  
 1059 including a partnership interest, valued at \$10,000 or more in  
 1060 real property located in Virginia (other than your principal  
 1061 residence) for which you have not already listed the full address  
 1062 on Schedule F? Account for real estate held in trust.  
 1063 EITHER check NO / / OR check YES / / and complete  
 1064 Schedule H.  
 1065 Statements of Economic Interests are open for public inspection.

1066  
 1067 AFFIRMATION

1068 In accordance with the rules of the house in which I serve, if I  
 1069 receive a request that this disclosure statement be corrected,  
 1070 augmented, or revised in any respect, I hereby pledge that I shall  
 1071 respond promptly to the request. I understand that if a determination  
 1072 is made that the statement is insufficient, I will satisfy such  
 1073 request or be subjected to disciplinary action of my house.

1074 I swear or affirm that the foregoing information is full, true and  
 1075 correct to the best of my knowledge.

1076 Signature.....

1077 Commonwealth of Virginia

1078 .....of.....to wit:

1079 The foregoing disclosure form was acknowledged before me

1080 This.....day of.....19.. by .....

1081 Notary Public

1082 My commission expires.....

1083 (Return only if needed to complete Statement.)

1084  
 1085 SCHEDULES

1086 to

1087 STATEMENT OF ECONOMIC INTERESTS

1088 NAME.....

1089 SCHEDULE A - OFFICES AND DIRECTORSHIPS.

1090  
 1091 Identify each business of which you or a member of your  
 1092 immediate family is a paid officer or paid director.

1093	1094 Name of Business	1094 Address of Business	1094 Position Held
1095			
1096			
1097			
1098			
1099			

1100  
 1101 RETURN TO ITEM 2

1102  
 1103 SCHEDULE B - PERSONAL LIABILITIES.

1104  
 1105 Report personal liability by checking each category. Report only

1106 debts in excess of \$10,000. Do not report debts to any government.  
 1107 Do not report loans secured by recorded liens on property at least  
 1108 equal in value to the loan.  
 1109 Report contingent liabilities below and indicate which debts are contingent.

1110  
 1111 1. My personal debts are as follows:  
 1112

1113	Check	Check one	
1114	appropriate	\$10,001 to	More than
1115	categories	\$50,000	\$50,000
1116			
1117	Banks	_____	_____
1118	Savings and loan associations	_____	_____
1119	Other loan or finance companies	_____	_____
1120	Insurance companies	_____	_____
1121	Stock, commodity or other brokerage	_____	_____
1122	companies	_____	_____
1123	Other businesses:		
1124	(State principal business activity for each		
1125	creditor.)	_____	_____
1126	_____	_____	_____
1127	_____	_____	_____
1128	Individual creditors:		
1129	(State principal business or		
1130	occupation of each creditor.)	_____	_____
1131	_____	_____	_____
1132	_____	_____	_____

1133  
 1134 2. The personal debts of the members of my immediate family are as  
 1135 follows:

1136	Check	Check one	
1137	appropriate	\$10,001 to	More than
1138	categories	\$50,000	\$50,000
1139			
1140	Banks	_____	_____
1141	Savings and loan associations	_____	_____
1142	Other loan or finance companies	_____	_____
1143	Insurance companies	_____	_____
1144	Stock, commodity or other brokerage	_____	_____
1145	companies	_____	_____
1146	Other businesses:		
1147	(State principal business activity		
1148	for each creditor.)	_____	_____
1149	_____	_____	_____
1150	Individual creditors:		
1151	(State principal business or		
1152	occupation of each creditor.)	_____	_____
1153	_____	_____	_____
1154	_____	_____	_____

1155  
 1156 RETURN TO ITEM 3

1157  
 1158 SCHEDULE C - SECURITIES.  
 1159

1160	"Securities" INCLUDES stocks, bonds,	"Securities" EXCLUDES
1161	mutual funds, money market funds,	certificates of deposit,
1162	limited partnerships, and commodity	annuity contracts, and

1163 futures contracts. insurance policies.

1164

1165 Identify each business or Virginia governmental entity in which you  
1166 or a member of your immediate family, directly or indirectly,  
1167 separately or together, own securities valued in excess of \$10,000.

1168

1169 Do not list U.S. Bonds or other government securities not issued  
1170 by the Commonwealth of Virginia or its authorities, agencies, or  
1171 local governments. Do not list organizations that do not do  
1172 business in this Commonwealth, but most major businesses conduct  
1173 business in Virginia. Account for securities held in trust.

1174

1175 If no reportable securities, check here / /

1176

1177	Type of Security		Check one	
1178	(stocks, bonds, mutual		More	
1179	or money market funds, \$10,001 to		than	
1180	Name of Issuer	Type of Entity	\$50,000	\$50,000
1181	_____	_____	_____	_____
1182	_____	_____	_____	_____
1183	_____	_____	_____	_____
1184	_____	_____	_____	_____

1185

1186

RETURN TO ITEM 4

1187

1188 SCHEDULE D - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

1189

1190 List each source from which you received during the past 12 months  
1191 lodging, transportation, money, or any other thing of value  
1192 (excluding meals or drinks coincident with a meeting) with  
1193 combined value exceeding \$200 for your presentation of a single  
1194 talk, participation in one meeting, or publication of a work in  
1195 your capacity as a legislator.

1196

1197 List payments or reimbursements by the Commonwealth only for  
1198 meetings or travel outside the Commonwealth.

1199

1200 List a payment even if you donated it to charity.

1201

1202 Do not list information about a payment if you returned it within  
1203 60 days or if you received it from an employer already listed  
1204 under Item 6 or from a source of income listed on Schedule F.

1205

1206 If no payment must be listed, check here / /

1207

1208	Type of payment		
1209	(e.g. honoraria, travel reimburse-		
1210	ment, etc.)		
1211	Payer	Approximate Value	Circumstances
1212	_____	_____	_____
1213	_____	_____	_____
1214	_____	_____	_____
1215	_____	_____	_____

1216

1217

RETURN TO ITEM 5

1218

1219

1220 SCHEDULE E - GIFTS, TRAVEL, AND BUSINESS ENTERTAINMENT.

1221

1222 List each business, governmental entity, or individual that  
 1223 furnished you with ~~tickets to sporting events or shows, travel~~  
 1224 ~~expenses, meals or lodging, favors, services, property, loans,~~  
 1225 ~~money, gifts, or other thing of pecuniary value, any gift or~~  
 1226 ~~gifts~~ whose total value exceeded \$200 during the past 12 months  
 1227 and for which you neither paid nor rendered services in exchange.  
 1228 Do not list business entertainment related to your private  
 1229 profession or occupation. Do not list gifts ~~or other things of~~  
 1230 ~~value given by~~ from a relative or from a personal friend given for  
 1231 reasons clearly unrelated to your public position. *Do not list*  
 1232 *campaign contributions publicly reported as required by Chapter*  
 1233 *9 of Title 24.2 of the Code of Virginia.*

1234

1235 When calculating value, you need not consider:

1236

1237

1238 Meals, lodging, or hospitality that an individual furnished you  
 1239 at his own expense and not as a business expense if clearly  
 1240 unrelated to your public position, or  
 1241 Campaign contributions publicly reported as required by Chapter  
 1242 9 of Title 24.1 of the Code of Virginia.

1243

1244 "Relative" means: your spouse, child, uncle, aunt, niece,  
 1245 nephew, or person to whom you are engaged to be married;  
 1246 your or your spouse's parent, grandparent, grandchild,  
 1247 brother, or sister; or your brother's or sister's spouse.

1248

1249 Name of Business,

1250 Organization, or

1251 Individual

City or County  
and State

Approximate Value

1252 \_\_\_\_\_

1253 \_\_\_\_\_

1254 \_\_\_\_\_

1255 \_\_\_\_\_

1256 \_\_\_\_\_

1257 \_\_\_\_\_

RETURN TO ITEM 6

1258 SCHEDULE F - BUSINESS INTERESTS.

1259

1260 Complete this Schedule for each self or family owned business  
 1261 (including rental property, a farm, or consulting work),  
 1262 partnership, or corporation in which you or a member of your  
 1263 immediate family, separately or together, own an interest having  
 1264 a value in excess of \$10,000.

1265

1266 If the enterprise is owned or operated under a trade, partnership,  
 1267 or corporate name, list that name; otherwise merely explain the  
 1268 nature of the enterprise. If rental property is owned or operated  
 1269 under a trade, partnership, or corporate name, list the name only;  
 1270 otherwise, give the address of each property. Account for business  
 1271 interests held in trust.

1272

1273 Name of

Gross income

1274 Business,

1275 Corporation,

1276 Partnership,  
 1277 Farm; Address City or Nature of Enterprise  
 1278 of Rental County (farming, law, \$50,000 More than  
 1279 Property and State rental property, etc.) or less \$50,000  
 1280 \_\_\_\_\_  
 1281 \_\_\_\_\_  
 1282 \_\_\_\_\_

1283  
 1284 RETURN TO ITEM 8

1285 SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

1286  
 1287 List the businesses you represented before any state governmental  
 1288 agency, excluding any court or judge, for which you received  
 1289 total compensation during the past 12 months in excess of \$1,000,  
 1290 excluding compensation for other services to such businesses and  
 1291 representation consisting solely of the filing of mandatory  
 1292 papers.

1293  
 1294 Identify each business, the nature of the representation and the  
 1295 amount received by category from each such business.

				Amount Received	
Name of	Type of	Purpose of	Name of	\$1,001 to	More than
Business	Business	Representation	Agency	\$10,000	\$10,000
1300	_____	_____	_____	_____	_____
1301	_____	_____	_____	_____	_____
1302	_____	_____	_____	_____	_____
1303	_____	_____	_____	_____	_____

1304  
 1305 SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

1306  
 1307 List the businesses that have been represented before any state  
 1308 governmental agency, excluding any court or judge, by persons who  
 1309 are your partners, associates or others with whom you have a close  
 1310 financial association and who received total compensation in  
 1311 excess of \$1,000 for such representation during the past 12  
 1312 months, excluding representation consisting solely of the filing  
 1313 of mandatory papers.

1314  
 1315 Identify such businesses by type and also name the state  
 1316 governmental agencies before which such person appeared on behalf  
 1317 of such businesses.

Type of business	Name of state government agency
1319	_____
1320	_____
1321	_____
1322	_____
1323	_____

1324  
 1325 SCHEDULE G-3 - PAYMENTS FOR REPRESENTATION GENERALLY.

1326  
 1327 Indicate below types of businesses that operate in Virginia to  
 1328 which services were furnished by you or persons with whom you have  
 1329 a close financial association and for which total compensation in  
 1330 excess of \$1,000 was received during the past 12 months.  
 1331 Identify opposite each category of businesses listed below (i) the

1332	type of business, (ii) the type of service rendered and (iii) the				
1333	value of the compensation received for all businesses falling				
1334	within each category.				
1335					
1336			Value of	Compensation	
1337	Check if	Type of	\$1,001	More	
1338	services	service	to	than	
1339	were rendered	rendered	\$10,000	\$10,000	
1340	Electric utilities				
1341	Gas utilities				
1342	Telephone utilities				
1343	Water utilities				
1344	Cable television				
1345	companies				
1346	Interstate				
1347	transportation				
1348	companies				
1349	Intrastate				
1350	transportation				
1351	companies				
1352	Oil or gas				
1353	retail				
1354	companies				
1355	Banks				
1356	Savings and				
1357	loan				
1358	associations				
1359	Loan or finance				
1360	companies				
1361	Manufacturing				
1362	companies				
1363	(state type of				
1364	product,				
1365	e.g., textile,				
1366	furniture				
1367	etc.)				
1368	Mining companies				
1369	Life insurance				
1370	companies				
1371	Casualty insurance				
1372	companies				
1373	Other insurance				
1374	companies				
1375	Retail companies				
1376	Beer, wine or				
1377	liquor companies				
1378	or distributors				
1379	Trade associations				
1380	Professional				
1381	associations				
1382	Associations of				
1383	public employees				
1384	or officials				
1385	Counties, cities or				
1386	towns				
1387	Labor organizations				
1388	Other				

RETURN TO ITEM 9

## SCHEDULE H - REAL ESTATE.

List real estate located in Virginia other than your principal residence in which you or a member of your immediate family hold an interest, including a partnership interest, option, easement, or land contract, valued at \$10,000 or more. You may list each parcel of real estate individually if you wish.

List the counties and cities in which you own real estate	Describe the type of real estate you own in each county or city (business, recreational, apartment, commercial, open land, etc.)	If the real estate is owned or recorded in a name other than your own, list that name
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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, directed to file an amended Statement correcting the indicated deficiencies, and a time 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.

§ 24.2-502. Statement of economic interests as requirement of candidacy.

It shall be a requirement of candidacy that a written statement of economic interests shall be filed by (i) a candidate for Governor, Lieutenant Governor, or Attorney General with the Secretary of the Commonwealth, (ii) a candidate for Senate or House of Delegates with the clerk of the appropriate house, (iii) a candidate for a constitutional office with the general registrar for the county or city, and (iv) a candidate for member of the governing body or elected school board of any county, city, or town with a population in excess of 3,500 persons, and (v) a candidate for member of the governing body or elected school board of any other town electing to be treated as a town with a population in excess of 3,500 persons with the general registrar for the county or city. The statement of economic interests shall be that specified in § 2.1-639.41 for candidates for the General Assembly and in § 2.1-639.15 for all other candidates. The foregoing requirement shall not apply to a candidate for reelection to the same office who has met the requirement of annually filing a statement pursuant to § 2.1-639.13, § 2.1-639.14, or § 2.1-639.40.

The Secretary of the Commonwealth, the clerks of the Senate and House of Delegates, the general registrar, and the clerk of the local governing body shall transmit to the State Board, immediately after

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**1448** the filing deadline, a list of the candidates who have filed initial or annual statements of economic  
**1449** interests. The Secretary of the State Board shall notify the appropriate local electoral boards of the  
**1450** filings.