

24103920D

HOUSE BILL NO. 899
Offered January 10, 2024
Prefiled January 9, 2024

A *BILL to amend and reenact §§ 2.2-3106, as it is currently effective and as it may become effective, 2.2-3109.1, 2.2-3114, 2.2-3115, 2.2-3116, and 30-110 of the Code of Virginia, relating to State and Local Government Conflict of Interests Act and the General Assembly Conflicts of Interests Act; deadline for annual filing of disclosure statements; deadline for public disclosure.*

Patron—Srinivasan

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3106, as it is currently effective and as it may become effective, 2.2-3109.1, 2.2-3114, 2.2-3115, 2.2-3116, and 30-110 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-3106. (Effective until date pursuant to Acts 2023, cc. 756 and 778, cl. 5) Prohibited contracts by officers and employees of state government and Eastern Virginia Medical School.

A. No officer or employee of any governmental agency of state government or Eastern Virginia Medical School shall have a personal interest in a contract with the governmental agency of which he is an officer or employee, other than his own contract of employment.

B. No officer or employee of any governmental agency of state government or Eastern Virginia Medical School shall have a personal interest in a contract with any other governmental agency of state government unless such contract is (i) awarded as a result of competitive sealed bidding or competitive negotiation as set forth in § 2.2-4302.1 or 2.2-4302.2 or (ii) is awarded after a finding, in writing, by the administrative head of the governmental agency that competitive bidding or negotiation is contrary to the best interest of the public.

C. The provisions of this section shall not apply to:

1. An employee's personal interest in additional contracts of employment with his own governmental agency that accrue to him because of a member of his immediate family, provided the employee does not exercise any control over the employment or the employment activities of the member of his immediate family and the employee is not in a position to influence those activities;

2. The personal interest of an officer or employee of a public institution of higher education or the Eastern Virginia Medical School in additional contracts of employment with his own governmental agency that accrue to him because of a member of his immediate family, provided (i) the officer or employee and the immediate family member are engaged in teaching, research or administrative support positions at the educational institution or the Eastern Virginia Medical School, (ii) the governing board of the educational institution finds that it is in the best interests of the institution or the Eastern Virginia Medical School and the Commonwealth for such dual employment to exist, and (iii) after such finding, the governing board of the educational institution or the Eastern Virginia Medical School ensures that the officer or employee, or the immediate family member, does not have sole authority to supervise, evaluate or make personnel decisions regarding the other;

3. An officer's or employee's personal interest in a contract of employment with any other governmental agency of state government;

4. Contracts for the sale by a governmental agency or the Eastern Virginia Medical School of services or goods at uniform prices available to the general public;

5. An employee's personal interest in a contract between a public institution of higher education in the Commonwealth or the Eastern Virginia Medical School and a publisher or wholesaler of textbooks or other educational materials for students, which accrues to him solely because he has authored or otherwise created such textbooks or materials;

6. An employee's personal interest in a contract with his or her employing public institution of higher education to acquire the collections or scholarly works owned by the employee, including manuscripts, musical scores, poetry, paintings, books or other materials, writings, or papers of an academic, research, or cultural value to the institution, provided the president of the institution approves the acquisition of such collections or scholarly works as being in the best interests of the institution's public mission of service, research, or education;

7. Subject to approval by the board of visitors, an employee's personal interest in a contract between the Eastern Virginia Medical School or a public institution of higher education in the Commonwealth that operates a school of medicine or dentistry and a not-for-profit nonstock corporation that operates a clinical practice within such public institution of higher education or the Eastern Virginia Medical School and of which such employee is a member or employee;

59 8. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract for
60 research and development or commercialization of intellectual property between a public institution of higher
61 education in the Commonwealth or the Eastern Virginia Medical School and a business in which the
62 employee has a personal interest, if (i) the employee's personal interest has been disclosed to and approved by
63 such public institution of higher education or the Eastern Virginia Medical School prior to the time at which
64 the contract is entered into; (ii) the employee promptly files a disclosure statement pursuant to § 2.2-3117 and
65 thereafter files such statement annually on or before ~~February 1~~ *December 15*; (iii) the institution has
66 established a formal policy regarding such contracts, approved by the State Council of Higher Education or,
67 in the case of the Eastern Virginia Medical School, a formal policy regarding such contracts in conformity
68 with any applicable federal regulations that has been approved by its board of visitors; and (iv) no later than
69 December 31 of each year, the institution or the Eastern Virginia Medical School files an annual report with
70 the Secretary of the Commonwealth disclosing each open contract entered into subject to this provision, the
71 names of the parties to each contract, the date each contract was executed and its term, the subject of each
72 contractual arrangement, the nature of the conflict of interest, the institution's or the Eastern Virginia Medical
73 School's employee responsible for administering each contract, the details of the institution's or the Eastern
74 Virginia Medical School's commitment or investment of resources or finances for each contract, and any
75 other information requested by the Secretary of the Commonwealth; or

76 9. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract
77 between a public institution of higher education in the Commonwealth or the Eastern Virginia Medical
78 School and a business in which the employee has a personal interest, if (i) the personal interest has been
79 disclosed to the institution or the Eastern Virginia Medical School prior to the time the contract is entered
80 into; (ii) the employee files a disclosure statement pursuant to § 2.2-3117 and thereafter annually on or before
81 ~~February 1~~ *December 15*; (iii) the employee does not participate in the institution's or the Eastern Virginia
82 Medical School's decision to contract; (iv) the president of the institution or the Eastern Virginia Medical
83 School finds and certifies in writing that the contract is for goods and services needed for quality patient care,
84 including related medical education or research, by the institution's medical center or the Eastern Virginia
85 Medical School, its affiliated teaching hospitals and other organizations necessary for the fulfillment of its
86 mission, including the acquisition of drugs, therapies and medical technologies; and (v) no later than
87 December 31 of each year, the institution or the Eastern Virginia Medical School files an annual report with
88 the Secretary of the Commonwealth disclosing each open contract entered subject to this provision, the
89 names of the parties to each contract, the date each contract was executed and its term, the subject of each
90 contractual arrangement, the nature of the conflict of interest, the institution's or the Eastern Virginia Medical
91 School's employee responsible for administering each contract, the details of the institution's or the Eastern
92 Virginia Medical School's commitment or investment of resources or finances for each contract, and any
93 other information requested by the Secretary of the Commonwealth.

94 D. Notwithstanding the provisions of subdivisions C 8 and C 9, if the research and development or
95 commercialization of intellectual property or the employee's personal interest in a contract with a business is
96 subject to policies and regulations governing conflicts of interest promulgated by any agency of the United
97 States government, including the adoption of policies requiring the disclosure and management of such
98 conflicts of interests, the policies established by the Eastern Virginia Medical School pursuant to such federal
99 requirements shall constitute compliance with subdivisions C 8 and C 9, upon notification by the Eastern
100 Virginia Medical School to the Secretary of the Commonwealth by January 31 of each year of evidence of
101 their compliance with such federal policies and regulations.

102 E. The board of visitors may delegate the authority granted under subdivision C 8 to the president of the
103 institution. If the board elects to delegate such authority, the board shall include this delegation of authority in
104 the formal policy required by clause (iii) of subdivision C 8. In those instances where the board has delegated
105 such authority, on or before December 1 of each year, the president of the relevant institution shall file a
106 report with the relevant board of visitors disclosing each open contract entered into subject to this provision,
107 the names of the parties to each contract, the date each contract was executed and its term, the subject of each
108 contractual arrangement, the nature of the conflict of interest, the institution's or the Eastern Virginia Medical
109 School's employee responsible for administering each contract, the details of the institution's or the Eastern
110 Virginia Medical School's commitment or investment of resources or finances for each contract, the details of
111 how revenues are to be dispersed, and any other information requested by the board of visitors.

112 **§ 2.2-3106. (Effective pursuant to Acts 2023, cc. 756 and 778, cl. 5) Prohibited contracts by officers**
113 **and employees of state government.**

114 A. No officer or employee of any governmental agency of state government shall have a personal interest
115 in a contract with the governmental agency of which he is an officer or employee, other than his own contract
116 of employment.

117 B. No officer or employee of any governmental agency of state government shall have a personal interest
118 in a contract with any other governmental agency of state government unless such contract is (i) awarded as a
119 result of competitive sealed bidding or competitive negotiation as set forth in § 2.2-4302.1 or 2.2-4302.2 or

120 (ii) is awarded after a finding, in writing, by the administrative head of the governmental agency that
 121 competitive bidding or negotiation is contrary to the best interest of the public.

122 C. The provisions of this section shall not apply to:

123 1. An employee's personal interest in additional contracts of employment with his own governmental
 124 agency that accrue to him because of a member of his immediate family, provided that the employee does not
 125 exercise any control over the employment or the employment activities of the member of his immediate
 126 family and the employee is not in a position to influence those activities;

127 2. The personal interest of an officer or employee of a public institution of higher education in additional
 128 contracts of employment with his own governmental agency that accrue to him because of a member of his
 129 immediate family, provided that (i) the officer or employee and the immediate family member are engaged in
 130 teaching, research, or administrative support positions at the educational institution; (ii) the governing board
 131 of the educational institution finds that it is in the best interests of the institution and the Commonwealth for
 132 such dual employment to exist; and (iii) after such finding, the governing board of the educational institution
 133 ensures that the officer or employee, or the immediate family member, does not have sole authority to
 134 supervise, evaluate, or make personnel decisions regarding the other;

135 3. An officer's or employee's personal interest in a contract of employment with any other governmental
 136 agency of state government;

137 4. Contracts for the sale by a governmental agency of services or goods at uniform prices available to the
 138 general public;

139 5. An employee's personal interest in a contract between a public institution of higher education in the
 140 Commonwealth and a publisher or wholesaler of textbooks or other educational materials for students, which
 141 accrues to him solely because he has authored or otherwise created such textbooks or materials;

142 6. An employee's personal interest in a contract with his or her employing public institution of higher
 143 education to acquire the collections or scholarly works owned by the employee, including manuscripts,
 144 musical scores, poetry, paintings, books or other materials, writings, or papers of an academic, research, or
 145 cultural value to the institution, provided that the president of the institution approves the acquisition of such
 146 collections or scholarly works as being in the best interests of the institution's public mission of service,
 147 research, or education;

148 7. Subject to approval by the board of visitors, an employee's personal interest in a contract between a
 149 public institution of higher education in the Commonwealth that operates a school of medicine or dentistry
 150 and a not-for-profit nonstock corporation that operates a clinical practice within such public institution of
 151 higher education and of which such employee is a member or employee;

152 8. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract for
 153 research and development or commercialization of intellectual property between a public institution of higher
 154 education in the Commonwealth and a business in which the employee has a personal interest, if (i) the
 155 employee's personal interest has been disclosed to and approved by such public institution of higher
 156 education prior to the time at which the contract is entered into; (ii) the employee promptly files a disclosure
 157 statement pursuant to § 2.2-3117 and thereafter files such statement annually on or before ~~February 1~~
 158 *December 15*; (iii) the institution has established a formal policy regarding such contracts, approved by the
 159 State Council of Higher Education for Virginia; and (iv) no later than December 31 of each year, the
 160 institution files an annual report with the Secretary of the Commonwealth disclosing each open contract
 161 entered into subject to this provision, the names of the parties to each contract, the date each contract was
 162 executed and its term, the subject of each contractual arrangement, the nature of the conflict of interest, the
 163 institution's employee responsible for administering each contract, the details of the institution's commitment
 164 or investment of resources or finances for each contract, and any other information requested by the Secretary
 165 of the Commonwealth; or

166 9. Subject to approval by the relevant board of visitors, an employee's personal interest in a contract
 167 between a public institution of higher education in the Commonwealth and a business in which the employee
 168 has a personal interest, if (i) the personal interest has been disclosed to the institution prior to the time the
 169 contract is entered into; (ii) the employee files a disclosure statement pursuant to § 2.2-3117 and thereafter
 170 annually on or before ~~February 1~~ *December 15*; (iii) the employee does not participate in the institution's
 171 decision to contract; (iv) the president of the institution finds and certifies in writing that the contract is for
 172 goods and services needed for quality patient care, including related medical education or research, by the
 173 institution's medical center, its affiliated teaching hospitals and other organizations necessary for the
 174 fulfillment of its mission, including the acquisition of drugs, therapies and medical technologies; and (v) no
 175 later than December 31 of each year, the institution files an annual report with the Secretary of the
 176 Commonwealth disclosing each open contract entered subject to this provision, the names of the parties to
 177 each contract, the date each contract was executed and its term, the subject of each contractual arrangement,
 178 the nature of the conflict of interest, the institution's employee responsible for administering each contract,
 179 the details of the institution's commitment or investment of resources or finances for each contract, and any
 180 other information requested by the Secretary of the Commonwealth.

181 D. Notwithstanding the provisions of subdivisions C 8 and C 9, if the research and development or

182 commercialization of intellectual property or the employee's personal interest in a contract with a business is
183 subject to policies and regulations governing conflicts of interest promulgated by any agency of the United
184 States government, including the adoption of policies requiring the disclosure and management of such
185 conflicts of interests, the policies established by the Eastern Virginia Health Sciences Center at Old
186 Dominion University pursuant to such federal requirements shall constitute compliance with subdivisions C 8
187 and C 9, upon notification by the Eastern Virginia Health Sciences Center at Old Dominion University to the
188 Secretary of the Commonwealth by January 31 of each year of evidence of their compliance with such federal
189 policies and regulations.

190 E. The board of visitors may delegate the authority granted under subdivision C 8 to the president of the
191 institution. If the board elects to delegate such authority, the board shall include this delegation of authority in
192 the formal policy required by clause (iii) of subdivision C 8. In those instances where the board has delegated
193 such authority, on or before December 1 of each year, the president of the relevant institution shall file a
194 report with the relevant board of visitors disclosing each open contract entered into subject to this provision,
195 the names of the parties to each contract, the date each contract was executed and its term, the subject of each
196 contractual arrangement, the nature of the conflict of interest, the institution's employee responsible for
197 administering each contract, the details of the institution's commitment or investment of resources or finances
198 for each contract, the details of how revenues are to be disbursed, and any other information requested by the
199 board of visitors.

200 **§ 2.2-3109.1. Prohibited contracts; additional exclusions for contracts by officers and employees of**
201 **hospital authorities.**

202 A. As used in this section, "hospital authority" means a hospital authority established pursuant to Chapter
203 53 (§ 15.2-5300 et seq.) of Title 15.2 or an Act of Assembly.

204 B. The provisions of § 2.2-3109 shall not apply to:

205 1. The personal interest of an officer or employee of a hospital authority in additional contracts of
206 employment with his own governmental agency that accrue to him because of a member of his immediate
207 family, provided (i) the officer or employee and the immediate family member are licensed members of the
208 medical profession or hold administrative support positions at the hospital authority, (ii) the governing board
209 of the hospital authority finds that it is in the best interests of the hospital authority and the county, city, or
210 town for such dual employment to exist, and (iii) after such finding, the governing board of the hospital
211 authority ensures that neither the officer or employee, nor the immediate family member, has sole authority to
212 supervise, evaluate, or make personnel decisions regarding the other;

213 2. Subject to approval by the governing board of the hospital authority, an officer or employee's personal
214 interest in a contract between his hospital authority and a professional entity that operates a clinical practice
215 at any medical facilities of such other hospital authority and of which such officer or employee is a member
216 or employee;

217 3. Subject to approval by the relevant governing body, an officer or employee's personal interest in a
218 contract for research and development or commercialization of intellectual property between the hospital
219 authority and a business in which the employee has a personal interest, provided (i) the officer or employee's
220 personal interest has been disclosed to and approved by the hospital authority prior to the time at which the
221 contract is entered into; (ii) the officer or employee promptly files a disclosure statement pursuant to § 2.2-
222 3117 and thereafter files such statement annually on or before ~~January~~ *December* 15; (iii) the local hospital
223 authority has established a formal policy regarding such contracts in conformity with any applicable federal
224 regulations that has been approved by its governing body; and (iv) no later than December 31 of each year,
225 the local hospital authority files an annual report with the Virginia Conflict of Interest and Ethics Advisory
226 Council disclosing each open contract entered into subject to this provision, the names of the parties to each
227 contract, the date each contract was executed and its term, the subject of each contractual arrangement, the
228 nature of the conflict of interest, the hospital authority's employee responsible for administering each
229 contract, the details of such hospital authority's commitment or investment of resources or finances for each
230 contract, and any other information requested by the Virginia Conflict of Interest and Ethics Advisory
231 Council; or

232 4. Subject to approval by the relevant governing body, an officer or employee's personal interest in a
233 contract between the hospital authority and a business in which the officer or employee has a personal
234 interest, provided (i) the personal interest has been disclosed to the hospital authority prior to the time the
235 contract is entered into; (ii) the officer or employee files a disclosure statement pursuant to § 2.2-3117 and
236 thereafter annually on or before ~~January~~ *December* 15; (iii) the officer or employee does not participate in the
237 hospital authority's decision to contract; (iv) the president or chief executive officer of the hospital authority
238 finds and certifies in writing that the contract is for goods and services needed for quality patient care,
239 including related medical education or research, by any of the hospital authority's medical facilities or any of
240 its affiliated organizations, or is otherwise necessary for the fulfillment of its mission, including but not
241 limited to the acquisition of drugs, therapies, and medical technologies; and (v) no later than December 31 of
242 each year, the hospital authority files an annual report with the Virginia Conflict of Interest and Ethics

243 Advisory Council disclosing each open contract entered into subject to this provision, the names of the parties
 244 to each contract, the date each contract was executed and its term, the subject of each contractual
 245 arrangement, the nature of the conflict of interest, the hospital authority's employee responsible for
 246 administering each contract, the details of the hospital authority's commitment or investment of resources or
 247 finances for each contract, and any other information requested by the Virginia Conflict of Interest and Ethics
 248 Advisory Council.

249 C. Notwithstanding the provisions of subdivisions B 3 and B 4, if the research and development or
 250 commercialization of intellectual property or the officer or employee's personal interest in a contract with a
 251 business is subject to policies and regulations governing conflicts of interest promulgated by any agency of
 252 the United States government, including the adoption of policies requiring the disclosure and management of
 253 such conflicts of interest, the policies established by the hospital authority pursuant to such federal
 254 requirements shall constitute compliance with subdivisions B 3 and B 4, upon notification by the hospital
 255 authority to the Virginia Conflict of Interest and Ethics Advisory Council by January 31 of each year of
 256 evidence of its compliance with such federal policies and regulations.

257 D. The governing body may delegate the authority granted under subdivision B 2 to the president or chief
 258 executive officer of hospital authority. If the board elects to delegate such authority, the board shall include
 259 this delegation of authority in the formal policy required by clause (iii) of subdivision B 3. In those instances
 260 where the board has delegated such authority, on or before December 1 of each year, the president or chief
 261 executive officer of the hospital authority shall file a report with the relevant governing body disclosing each
 262 open contract entered into subject to this provision, the names of the parties to each contract, the date each
 263 contract was executed and its term, the subject of each contractual arrangement, the nature of the conflict of
 264 interest, the hospital authority's employee responsible for administering each contract, the details of the
 265 hospital authority's commitment or investment of resources or finances for each contract, the details of how
 266 revenues are to be dispersed, and any other information requested by the governing body.

267 **§ 2.2-3114. Disclosure by state officers and employees.**

268 A. In accordance with the requirements set forth in § 2.2-3118.2, the Governor, Lieutenant Governor,
 269 Attorney General, Justices of the Supreme Court, judges of the Court of Appeals, judges of any circuit court,
 270 judges and substitute judges of any district court, members of the State Corporation Commission, members of
 271 the Virginia Workers' Compensation Commission, members of the Commonwealth Transportation Board,
 272 members of the Board of Trustees of the Virginia Retirement System, members of the Board of Directors of
 273 the Virginia Alcoholic Beverage Control Authority, members of the board of directors of the Commonwealth
 274 of Virginia Innovation Partnership Authority, members of the Board of the Virginia College Savings Plan,
 275 and members of the Virginia Lottery Board and other persons occupying such offices or positions of trust or
 276 employment in state government, including members of the governing bodies of authorities, as may be
 277 designated by the Governor, or officers or employees of the legislative branch, as may be designated by the
 278 Joint Rules Committee of the General Assembly, shall file with the Council, as a condition to assuming office
 279 or employment, a disclosure statement of their personal interests and such other information as is required on
 280 the form prescribed by the Council pursuant to § 2.2-3117 and thereafter shall file such a statement annually
 281 on or before ~~February 1~~ *December 15*.

282 B. In accordance with the requirements set forth in § 2.2-3118.2, nonsalaried citizen members of all policy
 283 and supervisory boards, commissions, and councils in the executive branch of state government, other than
 284 the members of the Commonwealth Transportation Board, members of the Board of Trustees of the Virginia
 285 Retirement System, members of the board of directors of the Commonwealth of Virginia Innovation
 286 Partnership Authority, members of the Board of the Virginia College Savings Plan, and members of the
 287 Virginia Lottery Board, shall file with the Council, as a condition to assuming office, a disclosure form of
 288 their personal interests and such other information as is required on the form prescribed by the Council
 289 pursuant to § 2.2-3118 and thereafter shall file such form annually on or before ~~February 1~~ *December 15*.
 290 Nonsalaried citizen members of other boards, commissions, and councils, including advisory boards and
 291 authorities, may be required to file a disclosure form if so designated by the Governor, in which case the form
 292 shall be that prescribed by the Council pursuant to § 2.2-3118.

293 C. The disclosure forms required by subsections A and B shall be made available by the Council at least
 294 30 days prior to the filing deadline. Disclosure forms shall be filed electronically with the Council in
 295 accordance with the standards approved by it pursuant to § 30-356. All forms shall be maintained as public
 296 records for five years in the office of the Council. Such forms shall be made public no later than ~~six weeks~~
 297 *thirty days* after the filing deadline.

298 D. Candidates for the offices of Governor, Lieutenant Governor, or Attorney General shall file a
 299 disclosure statement of their personal interests as required by § 24.2-502.

300 E. Any officer or employee of state government who has a personal interest in any transaction before the
 301 governmental or advisory agency of which he is an officer or employee and who is disqualified from
 302 participating in that transaction pursuant to subsection A of § 2.2-3112, or otherwise elects to disqualify
 303 himself, shall forthwith make disclosure of the existence of his interest, including the full name and address

304 of the business and the address or parcel number for the real estate if the interest involves a business or real
305 estate, and his disclosure shall also be reflected in the public records of the agency for five years in the office
306 of the administrative head of the officer's or employee's governmental agency or advisory agency or, if the
307 agency has a clerk, in the clerk's office.

308 F. An officer or employee of state government who is required to declare his interest pursuant to
309 subdivision B 1 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) the nature
310 of the officer's or employee's personal interest affected by the transaction, (iii) that he is a member of a
311 business, profession, occupation, or group the members of which are affected by the transaction, and (iv) that
312 he is able to participate in the transaction fairly, objectively, and in the public interest. The officer or
313 employee shall either make his declaration orally to be recorded in written minutes for his agency or file a
314 signed written declaration with the clerk or administrative head of his governmental or advisory agency, as
315 appropriate, who shall, in either case, retain and make available for public inspection such declaration for a
316 period of five years from the date of recording or receipt. If reasonable time is not available to comply with
317 the provisions of this subsection prior to participation in the transaction, the officer or employee shall prepare
318 and file the required declaration by the end of the next business day.

319 G. An officer or employee of state government who is required to declare his interest pursuant to
320 subdivision B 2 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a party
321 to the transaction is a client of his firm, (iii) that he does not personally represent or provide services to the
322 client, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest.
323 The officer or employee shall either make his declaration orally to be recorded in written minutes for his
324 agency or file a signed written declaration with the clerk or administrative head of his governmental or
325 advisory agency, as appropriate, who shall, in either case, retain and make available for public inspection
326 such declaration for a period of five years from the date of recording or receipt. If reasonable time is not
327 available to comply with the provisions of this subsection prior to participation in the transaction, the officer
328 or employee shall prepare and file the required declaration by the end of the next business day.

329 H. Notwithstanding any other provision of law, chairs of departments at a public institution of higher
330 education in the Commonwealth shall not be required to file the disclosure form prescribed by the Council
331 pursuant to § 2.2-3117 or 2.2-3118.

332 **§ 2.2-3115. Disclosure by local government officers and employees.**

333 A. In accordance with the requirements set forth in § 2.2-3118.2, the members of every governing body
334 and school board of each county and city and of towns with populations in excess of 3,500 and the executive
335 director and members of each industrial development authority and economic development authority, as
336 created by the Industrial Development and Revenue Bond Act (§ 15.2-4900 et seq.), shall file, as a condition
337 to assuming office or employment, a disclosure statement of their personal interests and other information as
338 is required on the form prescribed by the Council pursuant to § 2.2-3117 and thereafter shall file such a
339 statement annually on or before ~~February 1~~ *December 15*.

340 In accordance with the requirements set forth in § 2.2-3118.2, the members of the governing body of any
341 authority established in any county or city, or part or combination thereof, and having the power to issue
342 bonds or expend funds in excess of \$10,000 in any fiscal year, other than the executive director and members
343 of each industrial development authority and economic development authority, as created by the Industrial
344 Development and Revenue Bond Act (§ 15.2-4900 et seq.), shall file, as a condition to assuming office, a
345 disclosure statement of their personal interests and other information as is required on the form prescribed by
346 the Council pursuant to § 2.2-3118 and thereafter shall file such a statement annually on or before ~~February 1~~
347 *December 15*, unless the governing body of the jurisdiction that appoints the members requires that the
348 members file the form set forth in § 2.2-3117.

349 In accordance with the requirements set forth in § 2.2-3118.2, the members of the Northern Virginia
350 Transportation Authority and the Northern Virginia Transportation Commission shall file, as a condition to
351 assuming office, a disclosure of their personal interests and other information as is required on the form
352 prescribed by the Council pursuant to § 2.2-3118 and thereafter shall file such a statement annually on or
353 before ~~February 1~~ *December 15*.

354 In accordance with the requirements set forth in § 2.2-3118.2, persons occupying such positions of trust
355 appointed by governing bodies and persons occupying such positions of employment with governing bodies
356 as may be designated to file by ordinance of the governing body shall file, as a condition to assuming office
357 or employment, a disclosure statement of their personal interests and other information as is required on the
358 form prescribed by the Council pursuant to § 2.2-3117 and thereafter shall file such a statement annually on
359 or before ~~February 1~~ *December 15*.

360 In accordance with the requirements set forth in § 2.2-3118.2, persons occupying such positions of trust
361 appointed by school boards and persons occupying such positions of employment with school boards as may
362 be designated to file by an adopted policy of the school board shall file, as a condition to assuming office or
363 employment, a disclosure statement of their personal interests and other information as is required on the
364 form prescribed by the Council pursuant to § 2.2-3117 and thereafter shall file such a statement annually on

365 or before ~~February 1~~ *December 15*.

366 B. In accordance with the requirements set forth in § 2.2-3118.2, nonsalaried citizen members of local
367 boards, commissions and councils as may be designated by the governing body shall file, as a condition to
368 assuming office, a disclosure form of their personal interests and such other information as is required on the
369 form prescribed by the Council pursuant to § 2.2-3118 and thereafter shall file such form annually on or
370 before ~~February 1~~ *December 15*.

371 C. No person shall be mandated to file any disclosure not otherwise required by this article.

372 D. The disclosure forms required by subsections A and B shall be made available by the Virginia Conflict
373 of Interest and Ethics Advisory Council at least 30 days prior to the filing deadline, and the clerks of the
374 governing body and school board shall distribute the forms to designated individuals at least 20 days prior to
375 the filing deadline. Forms shall be filed and maintained as public records for five years in the office of the
376 clerk of the respective governing body or school board. Forms filed by members of governing bodies of
377 authorities shall be filed and maintained as public records for five years in the office of the clerk of the
378 governing body of the county or city. Such forms shall be made public no later than ~~six weeks~~ *thirty days*
379 after the filing deadline.

380 E. Candidates for membership in the governing body or school board of any county, city or town with a
381 population of more than 3,500 persons shall file a disclosure statement of their personal interests as required
382 by § 24.2-502.

383 F. Any officer or employee of local government who has a personal interest in any transaction before the
384 governmental or advisory agency of which he is an officer or employee and who is disqualified from
385 participating in that transaction pursuant to subsection A of § 2.2-3112 or otherwise elects to disqualify
386 himself, shall forthwith make disclosure of the existence of his interest, including the full name and address
387 of the business and the address or parcel number for the real estate if the interest involves a business or real
388 estate, and his disclosure shall be reflected in the public records of the agency for five years in the office of
389 the administrative head of the officer's or employee's governmental or advisory agency.

390 G. In addition to any disclosure required by subsections A and B, in each county and city and in towns
391 with populations in excess of 3,500, members of planning commissions, boards of zoning appeals, real estate
392 assessors, and all county, city and town managers or executive officers shall make annual disclosures of all
393 their interests in real estate located in the county, city or town in which they are elected, appointed, or
394 employed. Such disclosure shall include any business in which such persons own an interest, or from which
395 income is received, if the primary purpose of the business is to own, develop or derive compensation through
396 the sale, exchange or development of real estate in the county, city or town. In accordance with the
397 requirements set forth in § 2.2-3118.2, such disclosure shall be filed as a condition to assuming office or
398 employment, and thereafter shall be filed annually with the clerk of the governing body of such county, city,
399 or town on or before ~~February 1~~ *December 15*. Such disclosures shall be filed and maintained as public
400 records for five years. Such forms shall be made public no later than ~~six weeks~~ *thirty days* after the filing
401 deadline. Forms for the filing of such reports shall be made available by the Virginia Conflict of Interest and
402 Ethics Advisory Council to the clerk of each governing body.

403 H. An officer or employee of local government who is required to declare his interest pursuant to
404 subdivision B 1 of § 2.2-3112 shall declare his interest by stating (i) the transaction involved, (ii) the nature
405 of the officer's or employee's personal interest affected by the transaction, (iii) that he is a member of a
406 business, profession, occupation, or group the members of which are affected by the transaction, and (iv) that
407 he is able to participate in the transaction fairly, objectively, and in the public interest. The officer or
408 employee shall either make his declaration orally to be recorded in written minutes for his agency or file a
409 signed written declaration with the clerk or administrative head of his governmental or advisory agency, as
410 appropriate, who shall, in either case, retain and make available for public inspection such declaration for a
411 period of five years from the date of recording or receipt. If reasonable time is not available to comply with
412 the provisions of this subsection prior to participation in the transaction, the officer or employee shall prepare
413 and file the required declaration by the end of the next business day. The officer or employee shall also orally
414 disclose the existence of the interest during each meeting of the governmental or advisory agency at which
415 the transaction is discussed and such disclosure shall be recorded in the minutes of the meeting.

416 I. An officer or employee of local government who is required to declare his interest pursuant to
417 subdivision B 2 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a party
418 to the transaction is a client of his firm, (iii) that he does not personally represent or provide services to the
419 client, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest.
420 The officer or employee shall either make his declaration orally to be recorded in written minutes for his
421 agency or file a signed written declaration with the clerk or administrative head of his governmental or
422 advisory agency, as appropriate, who shall, in either case, retain and make available for public inspection
423 such declaration for a period of five years from the date of recording or receipt. If reasonable time is not
424 available to comply with the provisions of this subsection prior to participation in the transaction, the officer
425 or employee shall prepare and file the required declaration by the end of the next business day.

426 J. The clerk of the governing body or school board that releases any form to the public pursuant to this

427 section shall redact from the form any residential address, personal telephone number, email address, or
428 signature contained on such form; however, any form filed pursuant to subsection G shall not have any
429 residential addresses redacted.

430 **§ 2.2-3116. Disclosure by certain constitutional officers.**

431 For the purposes of this chapter, holders of the constitutional offices of treasurer, sheriff, attorney for the
432 Commonwealth, clerk of the circuit court, and commissioner of the revenue of each county and city shall be
433 required to file with the Council, as a condition to assuming office, the Statement of Economic Interests
434 prescribed by the Council pursuant to § 2.2-3117. These officers shall file statements annually on or before
435 ~~February 1~~ *December 15*. Candidates shall file statements as required by § 24.2-502. Statements shall be filed
436 electronically with the Council in accordance with the standards approved by it pursuant to § 30-356. These
437 officers shall be subject to the prohibition on certain gifts set forth in subsection B of § 2.2-3103.1.

438 **§ 30-110. Disclosure.**

439 A. In accordance with the requirements set forth in § 30-111.1, every legislator and legislator-elect shall
440 file, as a condition to assuming office, a disclosure statement of his personal interests and such other
441 information as is required on the form prescribed by the Council pursuant to § 30-111 and thereafter shall file
442 such a statement annually on or before ~~February 1~~ *December 15*. Disclosure forms shall be made available by
443 the Virginia Conflict of Interest and Ethics Advisory Council at least 30 days prior to the filing deadline.
444 Disclosure forms shall be filed electronically with the Virginia Conflict of Interest and Ethics Advisory
445 Council in accordance with the standards approved by it pursuant to § 30-356. The disclosure forms of the
446 members of the General Assembly shall be maintained as public records for five years in the office of the
447 Virginia Conflict of Interest and Ethics Advisory Council. Such forms shall be made public no later than ~~six~~
448 *weeks thirty days* after the filing deadline.

449 B. Candidates for the General Assembly shall file a disclosure statement of their personal interests as
450 required by §§ 24.2-500 through 24.2-503.

451 C. Any legislator who has a personal interest in any transaction pending before the General Assembly and
452 who is disqualified from participating in that transaction pursuant to § 30-108 and the rules of his house shall
453 disclose his interest in accordance with the applicable rule of his house.