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HOUSE BILL NO. 1576

Offered January 8, 2025

Prefiled December 30, 2024

A BILL to amend and reenact § 24.2-954 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 9.4 of Title 24.2 a section numbered 24.2-954.1, relating to campaign fundraising; legislative sessions; enforcement of civil penalty.

Patron—Cherry

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-954 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 9.4 of Title 24.2 a section numbered 24.2-954.1 as follows:

§ 24.2-954. Campaign fundraising during legislative sessions prohibited.

A. No member of the General Assembly or statewide official and no campaign committee of a member of the General Assembly or statewide official shall solicit or accept a contribution for the campaign committee of any member of the General Assembly or statewide official, or for any political committee, from any person or political committee on and after the first day of a regular session of the General Assembly through adjournment sine die of that session.

B. No person or political committee shall make or promise to make a contribution to a member of the General Assembly or statewide official or his campaign committee on and after the first day of a regular session of the General Assembly through adjournment sine die of that session.

C. The restrictions of this section shall not apply to a contribution (i) made by a member of the General Assembly or statewide official from his personal funds or (ii) made to the campaign committee of a candidate in a special election.

D. As used in this section:

"Adjournment sine die" means adjournment on the last legislative day of the regular session, and such session does not include the ensuing reconvened session;

"Campaign committee," "contribution," "person," and "political committee" shall be defined as provided in § 24.2-945.1 except that "contribution" shall not include money, services, or things of value in any way provided by a candidate to his own campaign and the payment by the candidate of any primary filing fee;

"Solicit" means request a contribution, orally or in writing, but shall not include a request for support of a candidate or his position on an issue; and

"Statewide official" means the Governor, Lieutenant Governor, and Attorney General.

E. Any person who violates, or aids, abets, or participates in the violation of, this section shall be subject to a civil penalty equal to the amount of the prohibited contribution or promised contribution or \$500, whichever amount is greater. The attorney for the Commonwealth shall initiate civil proceedings to enforce the civil penalty provided herein. Any civil penalties collected shall be payable to the State Treasurer for deposit to the general fund.

§ 24.2-954.1. Campaign fundraising during legislative sessions; civil penalties.

A. Any person who violates, or aids, abets, or participates in the violation of, this chapter shall be subject to a civil penalty equal to the amount of the prohibited contribution or promised contribution or \$500, whichever amount is greater.

B. It shall be the duty of the State Board to report any such violation to the Attorney General, except that in the case of a prohibited or promised contribution to the Attorney General or his campaign committee, the State Board shall request the Supreme Court of Virginia to appoint outside counsel to receive such violation report.

C. The Attorney General or the outside counsel appointed by the Supreme Court of Virginia, as applicable, shall initiate civil proceedings to enforce the civil penalty provided herein. Any civil penalties collected shall be payable to the State Treasurer for deposit to the general fund.

INTRODUCED

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