

2026 SESSION

INTRODUCED

26103803D

HOUSE BILL NO. 868

Offered January 14, 2026

Prefiled January 13, 2026

1 A BILL to amend and reenact §§ 8.01-261, 19.2-249.2, 24.2-955, 24.2-955.1, 24.2-955.3, and 24.2-960 of the
2 Code of Virginia and to amend the Code of Virginia by adding in Chapter 9.5 of Title 24.2 an article
3 numbered 7, consisting of a section numbered 24.2-961, relating to elections; political campaign
4 advertisements; synthetic media; penalty.

5 Patron—Cousins

6 Committee Referral Pending

7 Be it enacted by the General Assembly of Virginia:

8 1. That §§ 8.01-261, 19.2-249.2, 24.2-955, 24.2-955.1, 24.2-955.3, and 24.2-960 of the Code of Virginia
9 are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 9.5 of Title
10 24.2 an article numbered 7, consisting of a section numbered 24.2-961, as follows:

11 § 8.01-261. Category A or preferred venue.

12 In the actions listed in this section, the forums enumerated shall be deemed preferred places of venue and
13 may be referred to as "Category A" in this title. Venue laid in any other forum shall be subject to objection;
14 however, if more than one preferred place of venue applies, any such place shall be a proper forum. The
15 following forums are designated as places of preferred venue for the action specified:

16 1. In actions for review of, appeal from, or enforcement of state administrative regulations, decisions, or
17 other orders:

18 a. If the moving or aggrieved party is other than the Commonwealth or an agency thereof, then the county
19 or city wherein such party:

20 (1) Resides;

21 (2) Regularly or systematically conducts affairs or business activity; or

22 (3) Wherein such party's property affected by the administrative action is located.

23 b. If the moving or aggrieved party is the Commonwealth or an agency thereof, then the county or city
24 wherein the respondent or a party defendant:

25 (1) Resides;

26 (2) Regularly or systematically conducts affairs or business activity; or

27 (3) Has any property affected by the administrative action.

28 c. If subdivisions 1 a and 1 b do not apply, then the county or city wherein the alleged violation of the
29 administrative regulation, decision, or other order occurred.

30 2. Except as provided in subdivision 1 of this section, where the action is against one or more officers of
31 the Commonwealth in an official capacity, the county or city where any such person has his official office.

32 3. The county or city wherein the subject land, or a part thereof, is situated in the following actions:

33 a. To recover or partition land;

34 b. To subject land to a debt;

35 c. To sell, lease, or encumber the land of persons under disabilities;

36 d. [Repealed.]

37 e. To sell wastelands;

38 f. To establish boundaries;

39 g. For unlawful entry or detainer;

40 h. For ejectment; or

41 i. To remove clouds on title.

42 4. [Reserved.]

43 5. In actions for writs of mandamus, prohibition, or certiorari, except such as may be issued by the
44 Supreme Court, the county or city wherein is the record or proceeding to which the writ relates.

45 6. In actions on bonds required for public contract, the county or city in which the public project, or any
46 part thereof, is situated.

47 7. In actions to impeach or establish a will, the county or city wherein the will was probated, or, if not
48 probated at the time of the action, where the will may be properly offered for probate.

49 8., 9. [Repealed.]

50 10. In actions on any contract between a transportation district and a component government, any county
51 or city any part of which is within such transportation district.

52 11. In attachments,

53 a. With reference to the principal defendant and those liable with or to him, venue shall be determined as

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59 if the principal defendant were the sole defendant; or
60 b. In the county or city in which the principal defendant has estate or has debts owing to him.
61 12. [Repealed.]
62 13. a. In any action for the collection of state, county, or municipal taxes, any one of the following
63 counties or cities shall be deemed preferred places of venue:
64 (1) Wherein the taxpayer resides;
65 (2) Wherein the taxpayer owns real or personal property;
66 (3) Wherein the taxpayer has a registered office, or regularly or systematically conducts business; or
67 (4) In case of withdrawal from the Commonwealth by a delinquent taxpayer, wherein venue was proper at
68 the time the taxes in question were assessed or at the time of such withdrawal.
69 b. In any action for the correction of an erroneous assessment of state taxes and tax refunds, any one of the
70 following counties or cities shall be deemed preferred places of venue:
71 (1) Wherein the taxpayer resides;
72 (2) Wherein the taxpayer has a registered office or regularly or systematically conducts business;
73 (3) Wherein the taxpayer's real or personal property involved in such a proceeding is located; or
74 (4) The Circuit Court of the City of Richmond.
75 14. In proceedings by writ of quo warranto:
76 a. The city or county wherein any of the defendants reside;
77 b. If the defendant is a corporation, the city or county where its registered office is or where its mayor,
78 rector, president, or other chief officer resides; or
79 c. If there is no officer or none of the defendants reside in the Commonwealth, venue shall be in the City
80 of Richmond.
81 15. In proceedings to award an injunction:
82 a. To any judgment or judicial proceeding of a circuit court, venue shall be in the court in the county or
83 city in which the judgment was rendered or such proceeding is pending;
84 b. To any judgment or judicial proceeding of a district court, venue shall be in the circuit court of the
85 county or city in which the judgment was rendered or such proceeding is pending; or
86 c. To any other act or proceeding, venue shall be in the circuit court of the county or city in which the act
87 is to be done, or being done, or is apprehended to be done or the proceeding is pending.
88 16. [Repealed.]
89 17. In disbarment or suspension proceedings against any attorney-at-law, in the county or city where the
90 defendant:
91 a. Resides;
92 b. Has his principal office or place of practice when the proceeding is commenced;
93 c. Resided or had such principal office or place of practice when any misconduct complained of occurred;
94 or
95 d. Has any pending case as to which any misconduct took place.
96 18. In actions under the Virginia Tort Claims Act, Article 18.1 (§ 8.01-195.1 et seq.) of Chapter 3 of this
97 title:
98 a. The county or city where the claimant resides;
99 b. The county or city where the act or omission complained of occurred; or
100 c. If the claimant resides outside the Commonwealth and the act or omission complained of occurred
101 outside the Commonwealth, the City of Richmond.
102 19. In suits for annulment, affirmance, or divorce, the county or city in which the parties last cohabited, or
103 at the option of the plaintiff, in the county or city in which the defendant resides, if a resident of this
104 Commonwealth, and in cases in which an order of publication may be issued against the defendant under
105 § 8.01-316, venue may also be in the county or city in which the plaintiff resides.
106 20. In distress actions, in the county or city when the premises yielding the rent, or some part thereof, may
107 be or where goods liable to distress may be found.
108 21. *In an action for preventative relief for a violation of § 24.2-961, the circuit court of the locality where
109 venue would be proper pursuant to § 19.2-249.2.*
110 **§ 19.2-249.2. Venue for prosecution of computer and other crimes.**
111 For the purpose of venue, any violation of the Virginia Computer Crimes Act (§ 18.2-152.1 et seq.) or
112 § 18.2-386.1 or 24.2-961 shall be considered to have been committed in any county or city:
113 1. In which any act was performed in furtherance of any course of conduct that violated any provision
114 listed above;
115 2. In which the owner has his principal place of business in the Commonwealth;
116 3. In which any offender had control or possession of any proceeds of the violation or of any books,
117 records, documents, property, financial instrument, computer software, computer program, computer data, or
118 other material or objects that were used in furtherance of the violation;
119 4. From which, to which, or through which any access to a computer or computer network was made
120 whether by wires, electromagnetic waves, microwaves, optics or any other means of communication;

121 5. In which the offender resides; or
 122 6. In which any computer that is an object or an instrument of the violation is located at the time of the
 123 alleged offense.

124 **§ 24.2-955. Scope of disclosure requirements.**

125 The disclosure requirements of this chapter apply to any sponsor of an advertisement or *electioneering*
 126 *communication* in the print media, on radio or television, or placed or promoted for a fee on an online
 127 platform, the cost or value of which constitutes an expenditure or contribution required to be disclosed under
 128 Chapter 9.3 (§ 24.2-945 et seq.) except that the disclosure requirements of this chapter do not apply to (i) an
 129 individual who makes independent expenditures aggregating less than \$1,000 in an election cycle for or
 130 against a candidate for statewide office or less than \$200 in an election cycle for or against a candidate for
 131 any other office or (ii) an individual who incurs expenses only with respect to a referendum.

132 **§ 24.2-955.1. Definitions.**

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

134 "Advertisement" means any message appearing in the print media, on television, on radio, or on an online
 135 platform, that constitutes a contribution or expenditure under Chapter 9.3 (§ 24.2-945 et seq.).
 136 "Advertisement" shall not include novelty items authorized by a candidate including, but not limited to, pens,
 137 pencils, magnets, and buttons to be attached to wearing apparel.

138 "Authorized by _____" means the same as "authorization" as defined in § 24.2-945.1.

139 "Campaign telephone calls" means a series of telephone calls or text messages, electronic or otherwise,
 140 made (i) to 25 or more telephone numbers in the Commonwealth, (ii) during the 180 days before a general or
 141 special election or during the 90 days before a primary or other political party nominating event, (iii) conveying or soliciting information relating to any candidate or political party participating in the election,
 142 primary, or other nominating event, and (iv) under an agreement to compensate the telephone callers.

144 "Candidate" means "candidate" as defined in § 24.2-101.

145 "Candidate campaign committee" or "campaign committee" means "campaign committee" as defined in
 146 § 24.2-945.1.

147 "Coordinated" or "coordination" means an expenditure that is made (i) at the express request or suggestion
 148 of a candidate, a candidate's campaign committee, or an agent of the candidate or his campaign committee or
 149 (ii) with material involvement of the candidate, a candidate's campaign committee, or an agent of the
 150 candidate or his campaign committee in devising the strategy, content, means of dissemination, or timing of
 151 the expenditure.

152 "Conspicuous" means so written, displayed, or communicated that a reasonable person ought to have
 153 noticed it.

154 "*Electioneering communication*" means any message appearing in the print media, on television, on
 155 radio, or on an online platform (i) that refers to a clearly identified candidate; (ii) that is published,
 156 broadcast, or otherwise publicly distributed within 60 days of an election for the office sought by the
 157 candidate and is targeted to the relevant electorate; and (iii) for which money and services of any amount, or
 158 any other thing of value, was paid, loaned, provided, or in any other way disbursed. "*Electioneering*
 159 *communication*" does not include (a) a candidate debate or forum or promotion of such debate or forum by
 160 the sponsor of the event or (b) a communication paid for by a federal candidate in connection with a federal
 161 election, provided that such communication does not expressly advocate for or against a candidate for office
 162 in the Commonwealth.

163 "Full-screen" means the only picture appearing on the television screen during the oral disclosure
 164 statement that (i) contains the disclosing person, (ii) occupies all visible space on the television screen, and
 165 (iii) contains the image of the disclosing person that occupies at least 50% of the vertical height of the
 166 television screen.

167 "Independent expenditure" means "independent expenditure" as defined in § 24.2-945.1.

168 "Name of candidate" means (i) the full name of the candidate as it appears on the statement of
 169 qualification filed pursuant to § 24.2-501 or as it will appear on the ballot or (ii) the first name, middle name,
 170 or "nickname" of the candidate as it appears on his statement of qualification and a last name of the candidate
 171 as it appears on his statement of qualification.

172 "Occurrence" means one broadcast of a radio or television political campaign advertisement.

173 "Online platform" means any public-facing website, web application, or digital application, including a
 174 social network, ad network, or search engine, that sells advertisements.

175 "Online political advertisement" means an advertisement that is placed or promoted for a fee on an online
 176 platform.

177 "Online political advertiser" means any person who purchases an advertisement or *electioneering*
 178 *communication* from an online platform or promotes an advertisement on an online platform for a fee.

179 "Political action committee" means "political action committee" as defined in § 24.2-945.1.

180 "Political committee" means "political committee" as defined in § 24.2-945.1.

181 "Political party" has the same meaning as "party" or "political party" as defined in § 24.2-101.

182 "Political party committee" means any state political party committee, congressional district political

183 party committee, county or city political party committee, or organized political party group of elected
184 officials. The term shall not include any other organization or auxiliary associated with or using the name of a
185 political party.

186 "Print media" means billboards, cards, newspapers, newspaper inserts, magazines, printed material
187 disseminated through the mail, pamphlets, fliers, bumper stickers, periodicals, websites, electronic mail, non-
188 video or non-audio messages placed or promoted for a fee on an online platform, yard signs, and outdoor
189 advertising facilities. If a single print media advertisement consists of multiple pages, folds, or faces, the
190 disclosure requirement of this section applies only to one page, fold, or face.

191 "Radio" means any radio broadcast station that is subject to the provisions of 47 U.S.C. §§ 315 and 317.

192 "Scan line" means a standard term of measurement used in the electronic media industry calculating a
193 certain area in a television advertisement.

194 "Sponsor" means a candidate, candidate campaign committee, political committee, or person that
195 purchases an advertisement or *electioneering communication*.

196 "Telephone call" means any single telephone call or text message, electronic or otherwise, that when
197 combined with other telephone calls or text messages constitutes campaign telephone calls.

198 "Television" means any television broadcast station, cable television system, wireless-cable multipoint
199 distribution system, satellite company, or telephone company transmitting video programming that is subject
200 to the provisions of 47 U.S.C. §§ 315 and 317.

201 "Unobscured" means that the only printed material that may appear on the television screen is a visual
202 disclosure statement required by law, and that nothing is blocking the view of the disclosing person's face.

203 "Yard sign" means a sign paid for or distributed by a candidate, campaign committee, or political
204 committee to be placed on public or private property. Yard signs paid for or distributed prior to July 1, 2015,
205 shall not be subject to the provisions of §§ 24.2-956 and 24.2-956.1.

206 **§ 24.2-955.3. Penalties for violations of this chapter.**

207 A. Any sponsor violating Article 2 (§ 24.2-956 et seq.) shall be subject to a civil penalty not to exceed
208 \$25,000. In the case of a willful violation, he is guilty of a Class 1 misdemeanor.

209 B. Any sponsor violating Article 3 (§ 24.2-957 et seq.) or 4 (§ 24.2-958 et seq.) shall be subject to a civil
210 penalty not to exceed \$25,000. In the case of a willful violation, he is guilty of a Class 1 misdemeanor. In no
211 event shall the total civil penalties imposed for multiple broadcasts of one particular campaign advertisement
212 exceed \$25,000.

213 C. Any person violating Article 5 (§ 24.2-959 et seq.) shall be subject to a civil penalty not to exceed
214 \$25,000, and in the case of a willful violation, he is guilty of a Class 1 misdemeanor. A violation of the
215 provisions of Article 5 shall not void any election.

216 D. Any sponsor violating Article 7 (§ 24.2-961) shall be subject to a civil penalty not to exceed \$25,000.
217 In the case of a willful violation, he is guilty of a Class 1 misdemeanor. In no event shall the total civil
218 penalties imposed for multiple broadcasts of one particular electioneering communication exceed \$25,000.

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

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

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

229 **§ 24.2-960. Identification and certification by online political advertisers.**

230 A. Prior to purchasing an online political advertisement or *electioneering communication* from or
231 promoting an online political advertisement or *electioneering communication* on an online platform, a person
232 shall identify himself to the online platform as an online political advertiser and certify to the online platform
233 that he is permitted under state and local laws to lawfully purchase or promote for a fee online political
234 advertisements or *electioneering communications*.

235 B. An online platform shall establish reasonable procedures to enable online political advertisers to
236 comply with the identification and certification requirements of subsection A.

237 C. An online platform may rely in good faith on the information provided by online political advertisers
238 under this section when selling online political advertisements or *electioneering communications* to online
239 political advertisers.

240 *Article 7.*

241 *Electioneering Communications.*

242 **§ 24.2-961. Electioneering communications; synthetic media.**

243 A. As used in this section, "synthetic media" means (i) images or audio recordings of real events relating
244 to an identifiable individual that have been intentionally altered in a manner that would cause a reasonable

245 person (a) to mistakenly believe that the manipulated image or audio is a recording of a real event and (b) to
 246 have a fundamentally different understanding or impression of the expressive content of the image or audio
 247 than such person would have if the person were hearing or seeing the unaltered, original version of the
 248 image or audio and (ii) artificially generated images or audio that are not composed from a discernable
 249 original source image or audio recording of real events of an identifiable individual's appearance, conduct,
 250 or speech that would cause a reasonable person to mistakenly believe that the artificially generated image or
 251 audio is a recording of a real event.

252 B. It is unlawful for any committee organized under Chapter 9.3 (§ 24.2-945 et seq.) or any person to
 253 sponsor an electioneering communication that contains synthetic media unless all of the following conditions
 254 are met:

255 1. The electioneering communication also bears the legend or includes the statement: "This message
 256 contains synthetic media that has been altered from its original source or artificially generated and may
 257 present conduct or speech that did not occur."

258 2. The disclosure statement is communicated in a conspicuous manner. If the electioneering
 259 communication contains visual media, the statement shall be displayed in a font size proportionate to the size
 260 of the advertisement. The State Board shall promulgate standards for meeting the requirements of this
 261 subdivision.

262 3. Any print media electioneering communication appearing in electronic format displays the disclosure
 263 statement in a minimum font size of seven points.

264 4. If the electioneering communication is in a video or audio format, the sponsor shall place the
 265 disclosure statement required by this section at the beginning of the electioneering communication; however,
 266 if the duration of the electioneering communication is more than five minutes, the disclosure statement shall
 267 be made both at the beginning and end of the electioneering communication.

268 C. Any registered voter who receives an electioneering communication in violation of this section may
 269 also institute an action for preventative relief to prohibit the publication or dissemination of such
 270 electioneering communication, including an application for a permanent or temporary injunction. Such
 271 action shall be given priority over all pending matters before the court. In any such action, the court may
 272 allow a private plaintiff to recover reasonable costs and attorney fees and shall award such costs and
 273 attorney fees if such plaintiff is the prevailing party.

274 D. Media outlets, internet service providers, and online platforms shall not be liable under this section for
 275 carriage of electioneering communications that fail to include the disclosure requirements provided for in
 276 this article. This provision supersedes any contrary provisions of the Code of Virginia.

277 E. The person accepting an electioneering communication for a media outlet shall require, and for one
 278 year shall retain a copy of, proof of identity of the person who submits the electioneering communication for
 279 publication or broadcast. Proof of identity shall be submitted either (i) in person and include a valid Virginia
 280 driver's license or any other identification card issued by a government agency of the Commonwealth, one of
 281 its political subdivisions, or of the United States or (ii) other than in person, in which case, the person
 282 submitting the electioneering communication shall provide a telephone number and the person accepting the
 283 electioneering communication may phone the person to verify the validity of the person's identifying
 284 information before publishing or broadcasting the electioneering communication.

285 F. The provisions of this section shall not apply to any content that constitutes satire or parody.