

SENATE BILL NO. 233

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Privileges and Elections

on February 8, 2022)

(Patron Prior to Substitute--Senator Suetterlein)

A BILL to amend and reenact § 24.2-954 of the Code of Virginia, relating to campaign finance; fundraising during special sessions prohibited.

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-954 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-954. Campaign fundraising; legislative sessions; penalties.

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 or any day the member's house is in active 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 or any day the member's house is in active 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:

"Active session" means (i) any day during any regular session of the General Assembly or the first extension thereof, (ii) any day that a roll call vote is taken in the member's house during any second or

27 subsequent extension of a regular session that is not a pro forma session, or (iii) any day that a roll call
28 vote is taken in the member's house during any special session of the General Assembly that is not a pro
29 forma session.

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

32 "Campaign committee," "contribution," "person," and "political committee" ~~shall be~~ mean the
33 same as those terms are defined as provided in § 24.2-945.1, except that "contribution" ~~shall~~ does not
34 include money, services, or things of value in any way provided by a candidate to his own campaign and
35 the payment by the candidate of any primary filing fee;.

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

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

39 E. Any person who violates, or aids, abets, or participates in the violation of, this section shall be
40 subject to a civil penalty equal to the amount of the prohibited contribution or promised contribution or
41 \$500, whichever amount is greater. The attorney for the Commonwealth shall initiate civil proceedings to
42 enforce the civil penalty provided herein. Any civil penalties collected shall be payable to the State
43 Treasurer for deposit to the general fund.

44 #