

Restricts personal use of campaign funds, authorizes investigations

Patrons:

Sen. Boisko ([SB 377](#)), Del. Cherry ([HB 629](#)) and

Del. Simon ([HB 40](#)), Del. Kelly K. Convors-Fowler ([HB1360](#))

KEY PROVISIONS¹ :

- **Prohibits any candidate from using contributions to their campaign for personal expenses.**
- Provides that a **contribution is considered to have been converted to personal use** if the contribution is used to pay for any non-campaign expense, e.g., home mortgage, household utility payment, a tuition payment, and vacation or non-campaign related trip.
- **Allows contributions to be used for expenses related to campaigning** for or holding elective office, including to pay for the candidate's childcare (or dependent care in case of HB 629) expenses if they are incurred as a direct result of campaign activity.
- **Provides a process whereby the State Board of Elections receives notice of and investigates alleged violations.** This process ensures fairly adjudicated claims and **minimizes frivolous or unsubstantiated claims.** In the case of violations, the Board can order the respondent to repay the amount used for personal use and may also assess a civil penalty not to exceed \$1,000 per itemized expenditure.
- Provides that any person subject to the personal use requirements may request **an advisory opinion** from the State Board of Elections on such matters.
- Directs the **State Board of Elections to adopt emergency regulations** to implement the provisions of the bill.

WHY VIRGINIA NEEDS THIS BILL:

- **Virginia ranks poorly on campaign finance laws.** The non-partisan Coalition for Integrity ranked Virginia 46 out of 51 jurisdictions in their SWAMP Index.
- **Unlike most states and the federal government,** there are no currently legal restrictions on how candidates spend campaign funds.
- **Legislation to ban the personal use of campaign funds has been introduced in the legislature as far back as 2014.** Every year, legislators have failed to pass such legislation, often citing the need for more study to refine the bills.
- The public's confidence in government has eroded because Virginians increasingly perceive that their legislators engage in "pay-to-play" politics and have failed to prevent the abuse of campaign funds. **73% of Virginians support closing the personal use loophole.**



¹ Note that these bills have slightly different wording in several areas, e.g., the definition of prohibited uses and requirements for the promulgation of rules.



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