

# The Virginia NEWS LETTER

## Virginia's Ethics Rules for Public Officials: The Need for Reform

by Quentin Kidd & Meyrem Baer

### Introduction

Virginia rightly prides itself as a national leader in many areas. For instance, the Old Dominion has among the best public higher education institutions in the nation. The commonwealth was rated by *Forbes* as the top state for business in 2013 and has held its AAA bond rating for 75 years, longer than any other state.<sup>1</sup> And Virginia's pride in tradition and history makes it a national leader in historical resources and preservation.<sup>2</sup> Yet it may very well be this pride in tradition and history that has held Virginia back in one critical area: public ethics reform. Modern Virginia's notion of public ethics is based upon trust and a belief in the good of public officials. It has its roots in colonial Virginia, where a sense of *noblesse oblige*, the idea that people high in social rank should help others, provided the outlines of proper ethical behavior on the part of the landed gentry and inspired the much-vaunted "Virginia Way."

Yet, despite the commonwealth's commitment to tradition and sense of moral exceptionalism, the corruption investigation that has engulfed Governor Bob McDonnell's last year in office has brought heightened attention to the ethics of public officials and exposed many problems. Virginia's current



Quentin Kidd



Meyrem Baer

ethics rules are based mostly on disclosure rather than on a combination of disclosure and limits. In a recent study by the Center for Public Integrity, Global Integrity, and Public Radio International of all 50 states on the risk of corruption, the commonwealth ranked 47<sup>th</sup>, with an overall grade of F. The Corruption Risk Report Card gave individual grades of F to the Old Dominion on public access to information, executive accountability, political financing, legislative accountability, and ethics enforcement agencies, among others.<sup>3</sup>

Virginia citizens, too, are concerned. In a recent survey of registered voters conducted by the Wason Center for Public Policy at Christopher Newport University, 64 percent of respondents agreed with the statement "Political leaders are less ethical than they used to be." Only 17 percent of voters disagreed with that statement. Distrust of political leaders crossed party lines, gender and race: 68 percent of Democrats, 63 percent of Republicans, 64 percent of males, 69 percent of females, 65 percent of whites, and 76 percent of African Americans said they agreed with the statement.<sup>4</sup> While public officials still may think they operate with a sense of *noblesse oblige*, the public clearly does not.



*“While disclosure of information is very good and accessibility of information is improving, there are areas of much greater concern in Virginia’s ethics laws and regulations.”*

In this article we provide an overview of current ethics laws in Virginia, focusing on four areas of concern: (1) limits on gifts to elected officials and family and disclosure of those gifts; (2) limits on how campaign contributions can be spent; (3) the lack of an independent ethics commission; and (4) the lack of limits on campaign contributions. We then examine the ethics laws and regulations for these four topics across the country and conclude with a set of broad recommendations for reforming Virginia’s ethics laws and regulations.

### **The Current State of Ethics Laws and Regulations in Virginia**

Observers of Virginia politics worry that the lack of ethics oversight in the commonwealth is a recipe for a major scandal, especially as politics in the Old Dominion takes on a sharper partisan tone, given the state’s newly minted status as a highly competitive battleground. At the heart of Virginia’s approach to public ethics is a very strong requirement for disclosure, and Virginia is a national leader in this area. The UCLA School of Law’s Campaign Disclosure Project rated Virginia the 4th best in the nation in terms of the state’s campaign disclosure laws in a 2008 report.<sup>5</sup> All candidates must disclose information about donors who give \$100 or more as well as report detailed information about their expenditures. Independent expenditures must be reported within 24 hours, and all statewide candidates are required to file disclosure reports electronically. Electronic filing is voluntary for legislative candidates, but the rate of voluntary participation is very high. The Campaign Disclosure Project suggests that this high rate of voluntary participation is a result of the innovative ways that the Virginia State Board of Elections makes electronic filing easy for candidates and campaign personnel.

Even though Virginia’s disclosure rules are among the most demanding in the country, the accessibility of this information has been a work in progress and took a big step forward in 1997 when the Virginia Public Access Project (VPAP) began to make available on the Internet campaign finance information.<sup>6</sup> Nevertheless, there is room to improve. In its 2008 report the Campaign Disclosure Project ranks Virginia 20th when it comes to disclosure content accessibility.<sup>7</sup>

While disclosure of information is very good and accessibility of information is improving, there are areas of much greater concern in Virginia’s ethics laws and regulations. Problem areas include (1) rules about gifts such as who can receive them and who should be required to report receiving them; (2) rules related to how campaign money should and should not be spent;

(3) questions about whether the state should have an independent ethics commission; and (4) questions about whether there should be limits on campaign contributions. We briefly address each of these below.

### **Rules About Gifts**

The scandal involving Governor Bob McDonnell and his family has exposed limitations in one part of the state’s ethics law and shone a bright light on the sparse regulation of gifts to elected officials, their family members, and their business entities generally. Virginia law prohibits public officials from taking money or anything of value for a long list of reasons, including for services performed within the scope of their official duties in consideration of obtaining employment, appointment, or promotions for someone. The ban occurs if there is a reasonable likelihood that the opportunity is being offered to influence that position or to help any person or business obtain a contract. However, the law does not speak to a public official’s family members or to any businesses they may own in part or in whole.<sup>8</sup>

### **Rules About How Campaign Money Can Be Spent**

While the timeliness and documentation requirements for reporting money raised by candidates or campaign committees are relatively robust, Virginia law places no real limitations on how the money can be spent. The state code identifies two types of expenditures, direct expenditures and independent expenditures. Direct expenditures are defined as “... money and services of any amount, and any other thing of value, paid, loaned, provided, or in any other way disbursed by any candidate, campaign committee, political committee, or person for the purpose of expressly advocating the election or defeat of a clearly identified candidate or by any inaugural committee for the purpose of defraying the costs of the inauguration of a Governor, Lieutenant Governor, or Attorney General.” The *Code* defines independent expenditures to mean any expenditure “... made by any person, candidate campaign committee, or political committee that is not made to, controlled by, coordinated with, or made with the authorization of a candidate, his campaign committee, or an agent of the candidate or his campaign committee. “Independent expenditure” includes an expenditure made by a candidate campaign committee (i) that is not related to the candidate’s own campaign and (ii) that is not made to, controlled by, coordinated with, or made with the authorization of a different candidate,

his campaign committee, or an agent of that candidate or his campaign committee.”<sup>9</sup>

The law is clear that when a candidate or campaign committee is being disbanded no money left may be converted to personal use, but while the account is active, there are practically no limitations as to how it can be spent. The unlimited way in which campaign money can be spent was illustrated by a recent case involving a delegate from Northern Virginia who reportedly spent nearly \$30,000 on travel, food, and cellphone expenses in an 18-month period.<sup>10</sup> A spokesperson for the State Board of Elections said recently that there were “no restrictions” on how campaign contributions could be spent, suggesting that college tuition could probably be justified.<sup>11</sup> Additionally, there is no regularized auditing process of expense reports or disclosure statements by the commonwealth. When it comes to how campaign contributions are spent, the law leaves it largely up to the candidates and campaign committees to assure the expenses are proper, with no real oversight beyond meeting the reporting and documentation deadlines.

### An Independent Ethics Commission

While each house of the General Assembly does have its own ethics committee, Virginia is one of only nine states that does not have a statewide independent ethics commission. The legislative committees have the authority to review formal complaints made against members of the General Assembly, conduct investigations and issue advisory opinions, recommend disciplinary action, and refer cases to the attorney general if appropriate. The idea of an independent ethics commission has been raised for decades, but became a prominent part of current statewide political debate during the 2009 gubernatorial campaign when then candidate Bob McDonnell proposed the creation of both an inspector general’s office and an independent ethics commission as a part of a broad governmental reform package.<sup>12</sup>

The inspector general’s office was created in legislation passed by the General Assembly in 2011, and it has a mandate that includes investigating allegations of fraud, waste and abuse in state government. But the office is not empowered to investigate elected officials.<sup>13</sup> However, Governor McDonnell, whose spokesperson said that it would duplicate the work of the newly created inspector general’s office and was thus unnecessary, subsequently abandoned the idea of an independent ethics commission.<sup>14</sup> Both Terry McAuliffe and Ken Cuccinelli revived the idea of an independent ethics commission in the 2013 gubernatorial campaign, with McAuliffe calling

for the creation of a fully staffed commission that would be empowered to investigate complaints, examine discrepancies in disclosure reports, and refer violations to relevant disciplinary bodies.<sup>15</sup>

### Limits on Campaign Contributions

Virginia is the Wild West when it comes to campaign contributions, as one of only six states that allows unlimited campaign contributions. Virginia law allows unlimited contributions from individuals, political action committees (PACs), and corporations to candidates for any office (statewide, legislative or local) and to any political committees, political parties, or ballot measures. The only real limitation is when the legislature is meeting in regular session. The law prohibits legislators and statewide office-holders from accepting or soliciting contributions from the first day of the regular General Assembly session until they adjourns. The law also prohibits contributors from offering or promising contributions during this time; however, these restrictions do not apply to the reconvened session or special sessions, at which time candidates and campaign committees are allowed to solicit and accept unlimited campaign contributions.<sup>16</sup>

### Ethics Laws and Regulations Across the Country

A large portion of the ethics codes in many states is focused on explaining and placing limitations on the giving and receiving of gifts by elected officials and public employees. Generally defined as the giving of “anything of value,” gifts typically include anything from food, transportation, loans and discounts to tickets for sporting or entertainment events. Similar to many other states, Virginia has defined a gift as “...anything of value to the extent that a consideration of equal or greater value is not received.”<sup>17</sup> However, Virginia’s gift restrictions deviate from the majority of the states in that they do not specifically apply to family members. Nineteen states explicitly ban giving gifts to any member of an official’s or employee’s family or household (**Table 1**). Most other states do not allow for gifts of any value to be given directly or indirectly to an employee, and they consider gifts to the family of an employee to be a conflict of interest.

While some states, like Alaska, do not permit the receiving of any gift from a person with a known interest, there are several states that allow for gifts to be given so long as the gift is disclosed and does not exceed a maximum value. Most states also impose an annual maximum aggregate value, typically \$50 or less. However, there is a large variance in the maximum aggregate values

*“Virginia is the Wild West when it comes to campaign contributions, as one of only six states that allows unlimited campaign contributions.”*

*“Most states have some form of ethics committee in their legislative body. Virginia is among just over half of all states with some form of standing ethics committee...”*

**Table 1 States That Ban Gifts to Family Members**

Alabama	New Hampshire
Alaska	New Jersey
Colorado	New Mexico
Connecticut	Oklahoma
Illinois	Pennsylvania
Iowa	Rhode Island
Maine	Texas
Massachusetts	Washington
Nebraska	West Virginia
Nevada	

Source: National Council of State Legislatures, “Penalties for Violations of State Ethics and Public Corruption Laws.” (11/7/2013) <http://www.ncsl.org/research/ethics/50-state-table-gift-laws.aspx>

that are allowed. In California, for instance, the gift limit was recently raised to \$250 in one calendar year,<sup>18</sup> while Kansas has a \$40 limit.<sup>19</sup>

In addition to restrictions on the individual amounts and aggregate totals of gifts, some state ethics laws also focus on the intent of the gift and require public officials to be aware of the intent of the gift giver. The significance behind defining a gift’s intent is related to the exemptions described by some states’ codes. Many states—including Connecticut<sup>20</sup> and California<sup>21</sup>—allow for gifts to be given during major life events such as birthdays, weddings, births or funerals. New Mexico allows for gifts that are “clearly motivated by a family or close personal relationship.” However, in the case of lobbyists, even when there is a documented preexisting relationship, state officials are required to disclose anything of value.<sup>22</sup> The goal of gift restrictions is to ensure that those holding a public position do not jeopardize the sanctity of their position by succumbing to conflicts of interest. In an attempt to do this, some states, such as North Carolina, have used the tactic of simply stating that a restricted donor may include any person whom the public servant “knows or has reason to know” is seeking to do business with or is engaged with an activity that is controlled by the “public servant’s employment entity.”<sup>23</sup>

Honoraria are treated differently by many states. As modeled by New York’s Joint Commission on Public Ethics, honoraria may be defined as payments or compensation individuals receive for services performed outside of their official duties; such services might include delivering a speech, writing a publication, attending a conference, or even travel reimbursement for activities outside an employee’s official duties.<sup>24</sup> Allowance of honorariums is typically either specifically addressed, or falls into the category of being “an item of value” and is therefore subject to gift regulations. Most states, including Virginia, expressly prohibit the taking of an honorarium by elected and other high-ranking public officials. California

and Georgia allow public officials to take honorariums of no more than \$50 and \$101, respectively, while Colorado allows for an honorarium of more than \$50 so long as the service for which the honorarium is given is not related to the public official’s duties and is reasonably related to the service provided.<sup>25</sup>

While campaign contributions limits are far more common, a few states also explicitly regulate campaign expenditures. By placing restrictions on the uses of campaign funds, some states aim to cultivate a grassroots campaign style. The attempt to have political campaigns that focus on the locale is displayed in the nature of the restrictions. Therefore, in New Mexico, campaign funds may not be used except in the support of personal campaigns, an opponent’s campaign, or charitable organizations.<sup>26</sup> In Title 15 of the Texas Election Code, the state has established restrictions on the personal use of campaign contributions citing any “use that primarily furthers individual or family purposes not connected with the performance of duties or activities as a candidate for or holder of a public office.”<sup>27</sup> Texas is also among several states that have limits on expenditure.<sup>28</sup> But of the states that have restrictions of aggregate expenditures, there appears to be a fair amount of variance; some states only limit expenditure for certain offices (Texas specifically lists judicial candidates), and others only have voluntary limitations. Colorado, for example, has a voluntary financing plan outlined in the *Colorado Campaign and Political Finance Manual*.<sup>29</sup> Participating in the plan is not mandatory, but it does allow for candidates to decide if they want to partake in an equally funded race.

Most states have some form of ethics committee in their legislative body. Virginia is among just over half of all states with some form of standing ethics committee, either in both chambers of the legislature, a joint committee, or a standing ethics committee in one chamber. A small group of states have no ethics committee or the power to create one, and an equal number of state legislatures can create ad hoc committees when needed.<sup>30</sup> However, the primary challenge that legislative ethics committees face is a skeptical public, weary of elected officials reviewing the ethical conduct of their own members. Because of this, many states also have independent ethics commissions, and the differences between the two are important.

Ethics committees are typically made up of members of the legislature and largely focus on the ethics of their members. Ethics commissions, on the other hand, are usually made up of citizens and not public officials, and they have a broader

mandate to oversee the ethical compliance of state employees and public officials, regulate the registration of lobbyists, oversee any conflicts of interest that arise, and ensure proper financial disclosure. Virginia is in a small group of nine states<sup>31</sup> that have no independent ethics commission, while the remaining forty-one states have at least one independent ethics commissions (Table 2). Overall, they are responsible for ensuring that public office holders do not abuse their positions of power. Several states, including Alaska, Illinois, Indiana, Kentucky, New Hampshire, New Jersey, New York and Washington, have established numerous ethics commissions. In thirty-five states, the commissions have legislative oversight.

Finally, when it comes to contributing to political campaigns, Virginia is among another small group of six states that have no limits on campaign contributions, whether from individuals, political parties, PACs, corporations or unions. The other states include Alabama, Missouri, Nebraska, Oregon and Utah. All other states impose some level of restrictions on campaign contributions. The most common restriction is a dollar amount per year, although many states restrict by election cycle rather than by calendar year. The contributions limits range from a low of \$170 per election from individuals to candidates in Montana to a high of \$41,100 from individuals to a political party gubernatorial slate per year in New York. Although many states treat corporations and unions the same as individuals when it comes to limits on campaign contributions, 20 states prohibit any contributions from corporations to individual candidates, and 16 prohibit any contributions from unions to individual candidates.

## Recommendations for Reforming Ethics Laws in Virginia

The issue of public ethics was one of the most discussed topics during the 2013 gubernatorial

campaign, and both major party candidates agreed that some level of reform is needed. The authors believe there are several areas of reform that the General Assembly should address when it convenes on January 8, 2014. The following five recommendations should be strongly considered.

### 1. Improve What is Already Good about Virginia's Public Ethics Rules

Virginia's reporting requirements are among the best in the nation, but as noted previously, the accessibility of information needs improving. While electronic filing is required of candidates for statewide office, it is not universally required of anyone having to file finance reports. There is no reason that electronic filing should not be a universal requirement in 2014. It is hard to imagine that anyone is not already filling out their financial disclosure reports electronically anyway, so requiring them to be e-filed should be no great burden. Additionally, disclosure deadlines should be the same for anyone having to file disclosure reports. Disclosure rules should also be timelier. Campaigns must report expenses within 24 hours, as should anyone or any organization making contributions to candidates or campaigns. This would go a long way toward improving the accessibility issue and would make it much easier for citizens to connect dots between contributors, candidates and causes.

### 2. Create a Statewide Ethics Commission

Virginia needs an independent ethics commission that is staffed and empowered to conduct independent investigations. An independent ethics commission should be the body that examines expense reports and reviews disclosure statements, conducts independent reviews, issues advisory opinions, and provides general guidance on broad ethics issues.

*“Virginia is in a small group of nine states that have no independent ethics commission, while the remaining forty-one states have at least one independent ethics commissions.”*

**Table 2: States with Ethics Commissions**

Alabama	Indiana	Missouri	Rhode Island
Alaska	Iowa	Montana	South Carolina
Arkansas	Kansas	Nebraska	Tennessee
California	Kentucky	Nevada	Texas
Colorado	Louisiana	New Jersey	Utah
Connecticut	Maine	New York	West Virginia
Delaware	Maryland	North Carolina	Washington
Florida	Massachusetts	Ohio	Wisconsin
Georgia	Michigan	Oklahoma	
Hawaii	Minnesota	Oregon	
Illinois	Mississippi	Pennsylvania	

Source: National Council of State Legislatures, “Penalties for Violations of State Ethics and Public Corruption Laws.” (Updated October 2013) <http://www.ncsl.org/research/ethics/state-ethics-commissions.aspx>

### 3. Clarify the Rules for Gifts and Consider Limits

The commonwealth needs clarity when it comes to gifts. The approach the state currently takes to gifts is the same as for campaign contributions in that there are no limits; instead, public officials must report any gifts to them personally that are worth more than \$50. The most basic reform needed is that the umbrella for reporting needs to cover far more than the elected official personally, to include immediate family members and business interests. But, the General Assembly should also consider limits on gift amounts in general. With exceptions built in for gifts from family and for major life events, limiting the amount that a public official can take as a gift would help ensure public trust in the office holder.

### 4. Clarify the Rules of Campaign Expenditures

Like some states already do, Virginia should clarify how campaign money can be spent so that there is a much clearer separation between official or campaign expenses and personal expenses. If the Virginia State Board of Elections spokesperson who is quoted as saying that lawmakers could probably get away with spending campaign money to send their kids to college is correct, then the law certainly needs clarity.

### 5. Consider Limitations on Campaign Contributions

Finally, while it might appear as the most unlikely reform, imposing limitations on campaign contributions might be one of the most important reforms that the General Assembly should consider. A decade ago it was hard to find a campaign for Virginia Senate or the House of Delegates that spent over \$500,000. In the 2013 election cycle for House of Delegates, one campaign spent over \$1 million, nine spent between \$500,000 and \$1 million, and eighteen spent between \$250,000 and \$500,000. In the 2011 election cycle for Virginia Senate, nine campaigns spent over \$1 million, seventeen spent between \$500,000 and \$1 million, and eighteen spent between \$250,000 and \$500,000. The cost of running for office in Virginia has skyrocketed in the last decades, and threatens to turn the commonwealth's citizen legislature into one full of people who can either pay their way or who have had to spend an enormous amount of time raising money.

#### ABOUT THE AUTHORS

Quentin Kidd is professor of political science and director of the Wason Center for Public Policy at Christopher Newport University, where he has taught for seventeen years. He has won four

campus wide teaching, research, and mentoring awards. Kidd received his Ph.D. from Texas Tech University and M.A. and B.A. in political science from the University of Arkansas. He is the author or co-author of five books including most recently *The Rational Southerner* (Oxford 2012, co-authored with M.V. Hood and Irwin L. Morris) and *Civic Participation in America* (Palgrave Macmillan 2011), and over two-dozen articles

Meyrem Baer is a junior at Christopher Newport University who is majoring in political science. She is from Warrenton, Virginia. Baer is interested in the role ethics plays in the functioning of government and plans to continue researching this topic for her senior thesis. After graduating in May 2015, Baer is planning to attend graduate school.

### Endnotes

- 1 Kurt Badenhausen, "Virginia Tops 2013 List of the Best States for Business," *Forbes* (9/25/2013) <http://www.forbes.com/sites/kurtbadenhausen/2013/09/25/virginia-tops-2013-list-of-the-best-states-for-business/>, and Joint Legislative and Audit Review Commission, *Virginia Compared to the Other States* (January 2013), "Bond Ratings," p. 22. <http://jlarc.virginia.gov/reports/Rpt438.pdf>
- 2 *Virginia Performs*, "Historic Resources," <http://vaperforms.virginia.gov/indicators/naturalResources/historicResources.php>
- 3 Center for Public Integrity, Global Integrity, and Public Radio International, "Virginia Corruption Risk Report Card." <http://www.stateintegrity.org/virginia>
- 4 Christopher Newport University, Judy Ford Watson Center for Public Policy, "Voters See Campaigns as More Negative and Politicians as Less Ethical and More Partisan," *Virginia Survey: 2013 Statewide Elections* (October 9, 2013). [http://cnu.edu/cpp/pdf/oct%209%202013%20report.pdf#Oct\\_9\\_Report](http://cnu.edu/cpp/pdf/oct%209%202013%20report.pdf#Oct_9_Report)
- 5 UCLA School Law Campaign Disclosure Project, "Grading State Disclosure, 2008." <http://www.campaigndisclosure.org/gradingstate/va.html>
- 6 The website for the project is <http://www.vpap.org/>.
- 7 UCLA School of Law Campaign Disclosure Project. <http://www.campaigndisclosure.org/gradingstate/va.html>
- 8 *Code of Virginia*, § 2.2-3103. Prohibited conduct. <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+2.2-3103>
- 9 *Code of Virginia*, § 24.2-945.1. Definitions. <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+24.2-945.1>
- 10 Editorial, "Virginia's Ethics Laws Create a Vacuum," *Washington Post* (8/23/2013) [http://articles.washingtonpost.com/2013-08-23/opinions/41441030\\_1\\_ethics-laws-campaign-funds-virginia-public-access-project](http://articles.washingtonpost.com/2013-08-23/opinions/41441030_1_ethics-laws-campaign-funds-virginia-public-access-project)
- 11 Laura Vozzella, "Va. First Lady McDonnell Spent Thousands from Husband's PAC on Clothes, Other Items," *Washington Post* (7/23/13). [http://www.washingtonpost.com/local/virginia-politics/va-first-lady-mcdonnell-spent-thousands-from-husbands-pac-on-clothes-other-items/2013/07/27/fefddc62-f56c-11e2-aa2e-4088616498b4\\_story.html](http://www.washingtonpost.com/local/virginia-politics/va-first-lady-mcdonnell-spent-thousands-from-husbands-pac-on-clothes-other-items/2013/07/27/fefddc62-f56c-11e2-aa2e-4088616498b4_story.html)
- 12 McDonnell for Governor Website, "Government Reform." [http://web.archive.org/web/20090916044056/http://www.bobmcdonnell.com/index.php/issues/government\\_reform#test](http://web.archive.org/web/20090916044056/http://www.bobmcdonnell.com/index.php/issues/government_reform#test)
- 13 Governor McDonnell, "Governor McDonnell Signs Government Reform Legislation Eliminating 49 Boards and Commissions; Removing Unfunded Mandates on Localities; Establishing Inspector General to Investigate Waste in State Government," Press release dated 4/12/2011. <http://www.governor.virginia.gov/news/viewRelease.cfm?id=681>
- 14 Sean Gorman, "Ethics Panel Deemed Unnecessary," *Politifact Virginia, Richmond Times-Dispatch* (8/13/12). <http://www.politifact.com/virginia/promises/bob-o-meter/promise/985/establish-ethics-commission/>
- 15 "McAuliffe Proposes Formation of Independent Ethics Commission to Hold Elected Officials Accountable," McAuliffe for Governor Press Release (April 30, 2013) <http://terrymauliffe.com/>

- mcauliffe-proposes-formation-of-independent-ethics-commission-to-hold-elected-officials-accountable/  
 16 *Code of Virginia*, § 24.2-954 <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+24.2-954>  
 17 *Code of Virginia*, § 2.2-419. <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+2.2-419>  
 18 *California Code*, Section 89503 <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=89001-90000&file=89503>  
 19 *Kansas Code*, Section 46-237 [http://kslegislature.org/li\\_2012/b2011\\_12/statute/046\\_000\\_0000\\_chapter/046\\_002\\_0000\\_article/046\\_002\\_0037\\_section/046\\_002\\_0037\\_k/](http://kslegislature.org/li_2012/b2011_12/statute/046_000_0000_chapter/046_002_0000_article/046_002_0037_section/046_002_0037_k/)  
 20 Connecticut Office of Governmental Accountability, Office of State Ethics, "Application of the \$1,000 Limit to the 'Major Life Event' Gift Exemption," Advisory Opinion 2008-9 (8/27/2009) <http://www.ct.gov/ethics/cwp/view.asp?a=2305&q=445978>  
 21 *California Code*, Section 89503 <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=89001-90000&file=89503>  
 22 [Justia.com](http://www.justia.com) USLAW, "2013 New Mexico Statutes, Chapter 10—Public Officers and Employees. Article 16B—Gift Act, Section 10-16B-3-Limitation on Gifts. (2007). <http://law.justia.com/codes/new-mexico/2013/chapter-10/article-16b/section-10-16b-3>  
 23 North Carolina Statutes, Section 138-32. Gifts. [http://www.ncleg.net/EnactedLegislation/Statutes/PDF/BySection/Chapter\\_138A/GS\\_138A-32.pdf](http://www.ncleg.net/EnactedLegislation/Statutes/PDF/BySection/Chapter_138A/GS_138A-32.pdf)  
 24 New York State Joint Commission on Public Ethics, Title 19 NYCRR Part 930, "Limitation on the Receipt of Honoraria and Reimbursement for Travel Expenses." <http://www.jcope.ny.gov/about/ethc/Part930.html>  
 25 Colorado Secretary of State, C.R.S. Title 24 Government-State, Article 6 Colorado Sunshine Law, Sections 202 & 203. [http://www.sos.state.co.us/pubs/info\\_center/laws/Title24Article6Part2.html](http://www.sos.state.co.us/pubs/info_center/laws/Title24Article6Part2.html)  
 26 New Mexico Statutes and Codes, Section 1-19-29.1-Campaign Funds; Limitation on Use. Laws.com. <http://statutes.laws.com/new-mexico/chapter-1/article-19/section-1-19-29-1>  
 27 Texas Ethics Commission, Title 15 Election Code, Chapter 253B §253.035 Restrictions on Personal Use of Contributions (d) <http://www.ethics.state.tx.us/statutes/09title15.html>  
 28 Texas Ethics Commission, Title 15 Election Code Regulating Political Funds and Campaigns. (Revised 9/1/2009). <http://www.ethics.state.tx.us/statutes/09title15.html>  
 29 Colorado Secretary of State, *Colorado Campaign and Political Finance Manual* (Revised January 2013). <https://www.sos.state.co.us/pubs/elections/CampaignFinance/files/CPFManual.pdf>  
 30 Peggy Kerns and Luke Martel, "Ethics Committees: Internal Oversight of Ethics Laws," National Conference of State Legislatures Legisbrief, (March 2008) Vol. 16, No. 15. [http://www.ncsl.org/documents/legisbriefs/Ethics\\_Committees\\_08.pdf](http://www.ncsl.org/documents/legisbriefs/Ethics_Committees_08.pdf)  
 31 The other states are Arizona, Idaho, New Hampshire, New Mexico, North Dakota, South Dakota, Vermont and Wyoming.

If you would like to receive email notification of future Web-based issues please visit *The Virginia News Letter* [subscription page](#) to register for inclusion in our email distribution list. Then you will receive notifications six to nine times per year with a synopsis of each article and an opportunity to download a copy.

VOL. 90 NO. 1 JANUARY 2014

Editor: John L. Knapp Consulting Editor: Robert Brickhouse

*The Virginia News Letter* (ISSN 0042-0271) is published by the Weldon Cooper Center for Public Service, University of Virginia, P.O. Box 400206, Charlottesville, Virginia 22904-4206; (434) 982-5704, TDD: (434) 982-HEAR.

Copyright ©2014 by the Rector and Visitors of the University of Virginia. The views expressed are those of the author and not the official position of the Cooper Center or the University.