



# BIG MONEY OUT VA

“DEMOCRACY LOSES WHEN BIG MONEY WINS”

## What does the history of campaign finance in Virginia look like? Not a success story for good governance.

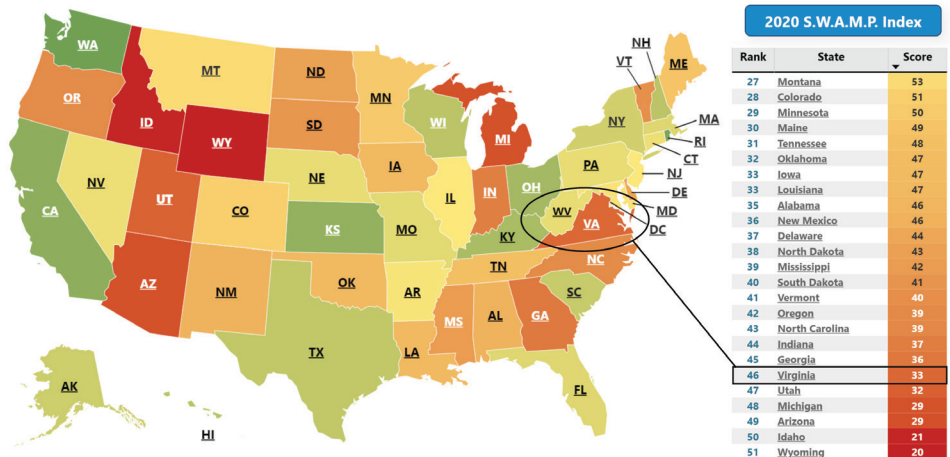
The history of campaign finance reform in Virginia is distinguished by three decades of failure. Over this period, two key studies were undertaken which recommended campaign and related ethics reform in Virginia. They included:

- The 1994 “Campaign Finance Reform, Government Accountability, and Ethics Study” commissioned by then Governor Wilder, which recommended imposing campaign contributions limits, campaign finance reporting, including computerization, and a new state ethics commission.
- The 2014 “Integrity and Public Confidence in State Government Study” released by Governor McAuliffe recommended further refinements for computerization of campaign finance reports and reiterated the need for an ethics review commission. The report also proposed that the ban on fundraising by lawmakers include special as well as regular sessions and that minor modifications be made to rules for personal use of campaign funds.

Despite these recommendations, fundraising is still allowed during special sessions, reporting requirements remain minimal and regulatory oversight remains inadequate. Despite numerous bills being introduced, Virginia remains one of one of only five states with no limits at all. Most egregiously, legislators can legally spend these dollars on personal and family expenses without any restrictions. For these reasons, the Coalition of Integrity in 2020 rated Virginia 46 out of 51 jurisdictions in terms of transparency and accountability.

## Virginia ranks **46** out of **50** states in the S.W.A.M.P. Index,

a cross-state comparative analysis of transparency and accountability.



## A Decade Worth of No Substantive Reform.

Between 2015 and 2022, 147 bills related to campaign finance reform were introduced in the Virginia General Assembly. Only 28 (19 percent) were passed, with most of those related to disclosure. These bills made only minor changes to the 2006 Campaign Finance Disclosure Act, which provides the basis for the current campaign finance laws in Virginia, such as revising reporting requirements for local and others offices and amending deadlines for large pre-election contributions, etc. Improved transparency was introduced by a 2020 bill requiring increased disclosure on political campaign advertisements. Yet, in discussions of a Joint Study Sub-Committee on Campaign Finance Reform, convened in 2021, legislators acknowledged that the Department does not have the budget, nor the technical capacity, to provide adequate oversight of even existing regulations.

More than 80 percent of the bills introduced since 2015. failed to pass. These included bills focused on:

- Limitations on campaign contributions: These included bills that would 1) restrict personal use of contributions; 2) ban contributions from public service corporations (such as Dominion, a state-regulated monopoly); 3) generally cap contributions from individuals, unions, and corporations; 4) constrain the timing of accepting contributions and 5) totally ban corporate contributions.
- Public financing of elections: Four bills introduced over the 2015-2022 legislative sessions proposed state-wide public financing systems or systems only focused on localities.
- Amending the U.S. Constitution: This measure would have used the Article 5 Convention approach to allow Congress and the states to regulate election spending, thus overturning Citizens United and previous Supreme Court rulings which equated election spending with speech.



Key Virginia legislators sponsoring more than three bills over this time period include: Delegates Simon, Carter, Yancey, Cole, Gilbert, and Gooditis and Senators Peterson, Suetterlein, Saslaw, McPike, Marsden, McClellan, and Ebbin.

## 2022 General Assembly

Despite the discussions of the 2021 Joint Sub-Committee of Campaign Finance Reform, the most expensive election in Virginia history and the subsequent introduction of nearly two dozen campaign finance bills during the General Assembly session, only three modest bills passed the gauntlet of legislative scrutiny to become laws. These included:

- an oversight bill (HB 492) obliging campaigns to retain campaign finance records and allowing the Department of Elections to undertake review, with implementation delayed until 2024.
- a disclosure bill (HB125) which imposes civil penalties on sponsors violating political campaign advertisement disclosure laws.
- a resolution (HJ53) extending the mandate of the Sub-Committee to examine opportunities for reform. Yet, legislators have refused to reconvene the Joint Sub-Committee of Campaign Finance Reform, a move which seems to reveal our elected officials' disregard for the need to improve Virginia's standards of accountability and conduct for public servants.

More details on the campaign finance bills introduced in 2022 and the history of campaign reform in Virginia can be found in an updated Citizens Report on Campaign Finance Reform in Virginia which can be found [here](#).