



# BIG MONEY OUT VA

“DEMOCRACY LOSES WHEN BIG MONEY WINS”

## ISSUE BRIEF: Ensuring strong regulatory oversight of campaign contributions

### OVERVIEW

Existing campaign finance law in Virginia does little to hold candidates accountable. Reporting requirements are vague and oversight is currently limited to verifying the submission and timeliness of campaign finance reports. While the Virginia Department of Elections Campaign Finance Office is responsible for overseeing campaign finance reports in the state, the office lacks sufficient legal authority and the budget necessary to monitor campaign finance filings for accuracy and completeness.

**More robust oversight over campaign finance in Virginia would promote integrity and provide further reason for citizens to place their trust in the electoral process.**

The lack of institutional capacity and the budget to complete regular reviews of compliance and investigations into potential campaign finance infractions may be improved as the result of the signing into law of a new oversight bill (HB492) which requires record retention and periodic record reviews, starting in 2024. However, the Department will still not be able to monitor compliance with existing legislation, such as the “stand by your ad” act. This lack of capacity would potentially undermine enforcement of future campaign finance legislation. (e.g., personal use, broader disclosure, contribution limits).

### How can oversight improve in Virginia?

- Provide regular and sufficient funding for the Virginia Department of Elections, or a new, separate oversight agency, to ensure there are adequate resources, including staffing, for strengthening campaign finance compliance.
- Enact regulations which require registration and monitoring of persons/groups making aggregate independent expenditures.
- Require more clarity and rigor in reporting requirements and impose sanctions for incomplete, inaccurate, and late reports while also providing compliance guidance to candidates.
- Upgrade information technology software to make access, analysis, and cross-checks easier, while also providing capacity for further upgrades on an ongoing basis.

Maryland, Washington State, Minnesota, and New York City all provide examples of stronger oversight institutions that merit consideration.

### Does Virginia have the funds necessary for increased oversight?

Given the state’s fiscal surplus in recent years, upgrading the current system would be a relatively small cost. It would be a cost-effective way to improve Virginia’s governance and reputation.

### Wouldn’t increased oversight lead to frivolous claims about campaign finance or ethics transgressions among candidates?

An effective compliance support system with clear standards for registering complaints and maintaining initial confidentiality would help prevent frivolous claims and allow candidates to defend themselves.