

2024 ANNUAL REPORT



VIRGINIA
CONFLICT OF INTEREST AND
ETHICS ADVISORY COUNCIL

Malfourd W. Trumbo, Chair
Bruce D. White, Vice-Chair
G. Stewart Petoe, Executive Director



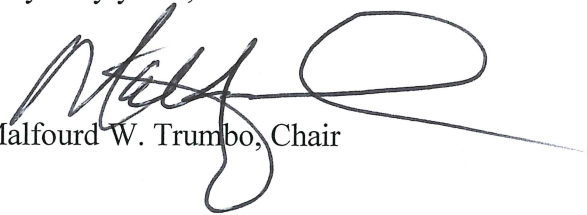
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November 20, 2024

TO: The Honorable Glenn Youngkin, Governor of Virginia
Members of the General Assembly of Virginia

Pursuant to the provisions of § 30-356 of the *Code of Virginia*, establishing the powers and duties of the Virginia Conflict of Interest and Ethics Advisory Council, and as specifically mandated by subdivision 13 of that section, I have the honor of submitting herewith the Council's annual report.

Very truly yours,



Malfourd W. Trumbo, Chair

The Honorable Adam P. Ebbin
The Honorable Richard H. Stuart
The Honorable Malfourd Trumbo

The Honorable M. Keith Hodges
The Honorable Vivian E. Watts
The Honorable Bruce D. White

John C. Blair
Adam Kinsman
Tracy Retchin

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AUTHORITY OF THE VIRGINIA CONFLICT OF INTEREST AND ETHICS ADVISORY COUNCIL

Established in 2015, the Virginia Conflict of Interest and Ethics Advisory Council (the Council) was created as “an advisory council in the legislative branch to encourage and facilitate compliance with the State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq.) and the General Assembly Conflicts of Interests Act (§ 30-100 et seq.) . . . and the lobbying laws in Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2” of the Code of Virginia.¹

Pursuant to § 30-356 of the Code of Virginia, the Council is tasked with furnishing formal advisory opinions or guidelines and other appropriate information, including informal advice, as well as conducting training on the laws under its purview and establishing a method for the filing of disclosure forms.

The Council is composed of the following nine members: two delegates and a former judge of a court of record appointed by the Speaker of the House of Delegates; two senators and a former judge of a court of record appointed by the Senate Committee on Rules; and three gubernatorial appointees, one of whom is a current or former executive branch employee, one of whom is selected from a list of three nominees submitted by the Virginia Association of Counties, and one of whom is selected from a list of three nominees submitted by the Virginia Municipal League. In the appointment of both the delegates and the senators, “equal representation shall be given to each of the political parties having the highest and next highest number of members elected to their respective body.”² All of the Council members “are subject to confirmation by the General Assembly by a majority vote in each house of (i) the members present of the majority party and (ii) the members present of the minority party.”³

¹ Subsection A of *Va. Code* § 30-355.

² Subsection B of *Va. Code* § 30-355.

³ *Id.*

MEMBERS OF THE COUNCIL

Appointed by the Speaker of the House of Delegates

The Honorable M. Keith Hodges

The Honorable Vivian E. Watts

The Honorable Bruce D. White

Appointed by the Senate Committee on Rules

The Honorable Adam P. Ebbin

The Honorable Thomas K. Norment, Jr.*

The Honorable Richard H. Stuart

The Honorable Malfourd W. Trumbo

Appointed by the Governor

John C. Blair

Adam Kinsman

Tracy Retchin

*Replaced by the Honorable Richard H. Stuart

Council Staff

G. Stewart Petoe, Executive Director

Rebekah Stefanski, Senior Attorney

Elizabeth Sundberg, Filing Manager

Valerie Mizzell, Filing Coordinator

Jake Mullican, Filing Associate

2024 SUMMARY OF ACTIVITIES

Meeting

The Council met on November 20, 2024.

At this meeting, pursuant to the requirements of subsection D of § 30-355 of the Code of Virginia, the Council voted to elect a new chair and vice-chair for two-year terms. Malfourd W. Trumbo was elected as chair, and Bruce D. White was elected as vice-chair.

The Council then considered the following proposed formal advisory opinion:

- 2024-F-XXX Appointing a spouse to a volunteer position on a board

After consideration, the Council did not approve the proposed formal advisory opinion. The Council then voted, pursuant to subdivision 13 of § 30-356 of the Code of Virginia, to recommend the following legislative change: Officers and employees should not be permitted to nominate or vote for their spouses to be appointed to a board or agency, even for volunteer positions that would not create a direct or indirect benefit for either the nominating person or the spouse.

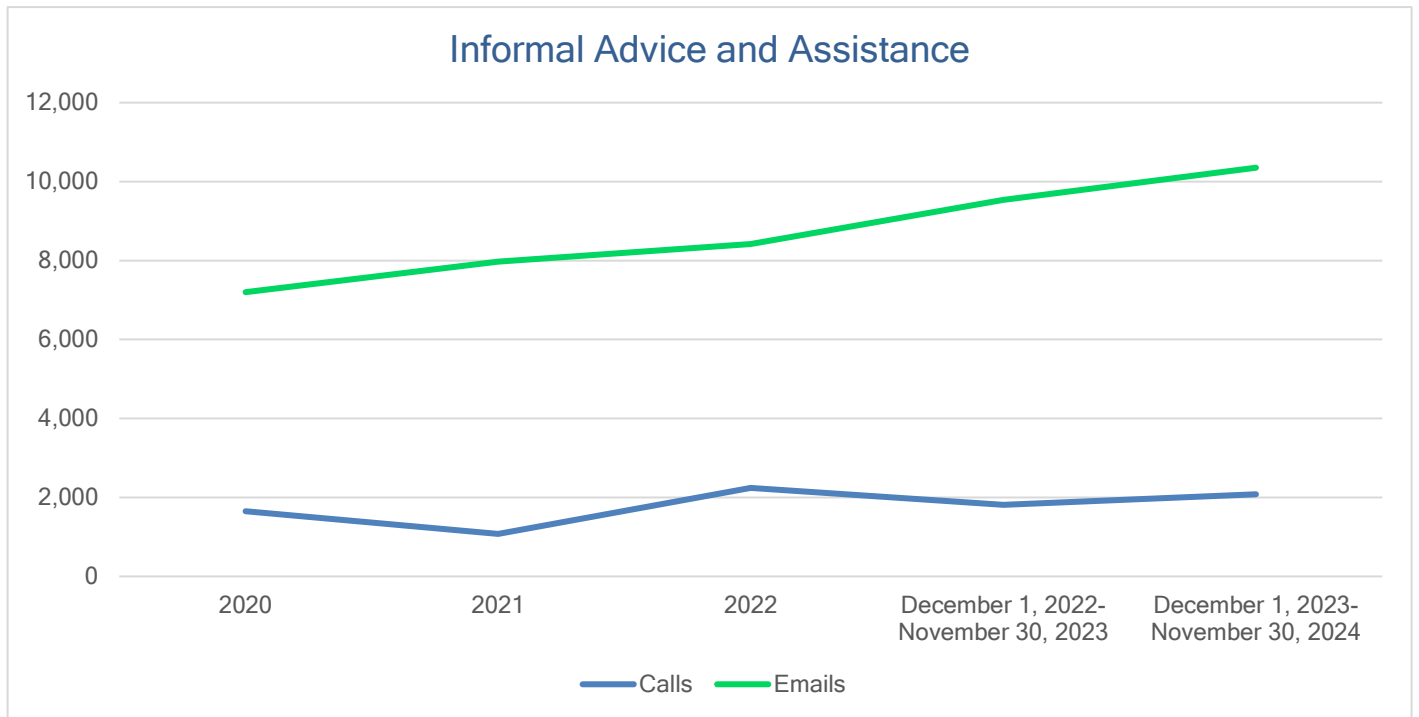
The Council reviewed its duties and responsibilities when complaints are received against state and local officers, employees, and members of the General Assembly. The Council has no investigatory or enforcement powers and does not take complaints involving state or local officers and employees. If a written complaint is received concerning a member of the General Assembly, the Council's role is limited to submitting the complaint to the Chair of either the House Ethics Advisory Panel or the Senate Ethics Advisory Panel. The House Ethics Advisory Panel or the Senate Ethics Advisory Panel then conducts a confidential preliminary inquiry into the complaint, after which the complaint is either dismissed or a public hearing is held.

Finally, the Council considered in a preliminary way what changes would be needed if the Council were to be given enforcement powers by the General Assembly.

Formal and Informal Advice

As noted on page 6, the Council received one request for a formal advisory opinion during 2024. Additionally, Council staff provided informal advice and other assistance through email and phone conversations as well as through some in-person and virtual meetings. Requests for informal advice and assistance included the following subject areas:

- Navigating the online filing system;
- Maintaining databases of agency coordinators and clerks;
- Processing and acknowledging emails and receipt of lobbyist registrations and disclosures;
- Completing disclosure forms;
- Generating and providing training reports to agency coordinators and clerks;
- Clarifying whether certain activities constitute lobbying;
- Clarifying whether registration as a lobbyist is required for certain activities;
- Clarifying whether particular gifts can be lawfully accepted and how they should be reported; and
- Answering conflict of interest questions, such as whether it is lawful for a person to vote on a particular matter, whether a family member can have a contract with a particular agency, or whether a local government officer can apply for a grant for his local business.



Both the number of phone calls and emails the Council received in 2024 increased over the previous year. The volume of emails continues to trend upwards each year.

Training Seminars and Educational Programs

Pursuant to subdivision 7 of § 30-356 of the Code of Virginia, the Council is directed to conduct training seminars and educational programs for lobbyists, state and local government officers and employees, legislators, and other interested persons on the subject of Virginia's lobbying laws and the State and Local Government Conflict of Interests Act and the General Assembly Conflicts of Interests Act (the Acts). All state officers and employees who file disclosure forms pursuant to § 2.2-3114 of the Code of Virginia are required to receive training on the State and Local Government Conflict of Interests Act (COIA) within two months of assuming their positions; thereafter, they must receive training at least once every two years. Members of the General Assembly similarly must receive training on the General Assembly Conflicts of Interests Act pursuant to § 30-129.1 of the Code of Virginia.

In 2019, the General Assembly passed legislation creating § 2.2-3132 of the Code of Virginia, which mandates that all local elected officials must receive training on COIA. This training must be provided by the Council and must be completed within two months of such officials

assuming office. In 2020, the General Assembly added all members and executive directors of industrial development authorities (IDAs) and economic development authorities (EDAs) to the statute. The most recent change to the statute was in 2023 when the General Assembly included appointed school board members to the list of local officials required to complete the biannual training on COIA. To satisfy its training responsibilities, the Council maintains a series of online training modules and conducts in-person training sessions throughout the year.

In-Person Training

Council staff normally conduct between 20 and 30 in-person training presentations throughout the Commonwealth in the course of a year. From December 1, 2023, to November 30, 2024, Council staff conducted 26 in-person training presentations. The groups and organizations for which in-person training was provided include:

Executive Branch and its Agencies, Authorities, and Commissions

- Office of the Governor
- Department of Behavioral Health and Development Services Board
- State Compensation Board
- Virginia Board of Accountancy
- Department of Health Professions Board
- Department of the Treasury
- Virginia Economic Development Partnership Authority Board of Directors
- Marine Products Board

Judicial Branch

- Supreme Court of Virginia
- Court of Appeals of Virginia
- Office of the Executive Secretary of the Supreme Court of Virginia

Legislative Branch

- Members of the Virginia House of Delegates
- Members of the Senate of Virginia

- Legislative Assistants of the Virginia House of Delegates
- Legislative Assistants of the Senate of Virginia

Local Elected Officials and Associations

- Commissioners of the Revenue Association of Virginia
- Constitutional officers
- Hampton City Council Members
- Pittsylvania County Board of Supervisors
- Virginia Association of Soil and Water Conservation Districts
- Virginia Municipal League
- Virginia School Boards Association
- Virginia Sheriffs' Association
- Virginia Sheriffs' Institute
- Williamsburg Tourism Council

Online Training

The following modules are available on the Council's website to accommodate the different categories of individuals required to complete training on the Acts every two years. Each of these modules is tailored to the statutory requirements of the role in which an individual serves.

- State Officer or Employee — This training is for all individuals who file statements of economic interests using the Council's online filing system.
- Citizen Members Appointed to a State Board — This module is for all citizens who file financial disclosure statements using the Council's online filing system.
- Local Elected Officials or EDAs/IDAs — This training satisfies the training requirement for local elected officials and executive directors and members of EDAs and IDAs.
- General Assembly — This training is for the elected members of the General Assembly.

The number of people who have completed the Council's online training is as follows:

	State Officers or Employees	Local Elected Officials	Citizen Members of State Boards
December 1, 2023-November 30, 2024	3,749	1,214	436
December 1, 2022-November 30, 2023	3,469	1,098	465
November 1, 2021-November 30, 2022	3,108	941	359
November 1, 2020-November 30, 2021	3,528	1,383	3
November 1, 2019-November 30, 2020	5,163	3,088	151*
November 1, 2018-November 30, 2019	3,033	1,578	N/A

** Previously, these members had taken the training for state officers or employees, which contained substantial content that was extraneous for them.*

As the training requirement is for every two years, it is to be expected that the number of people who access the online training modules will vary from year to year in a two-year cycle.

Disclosures and Registrations Filings

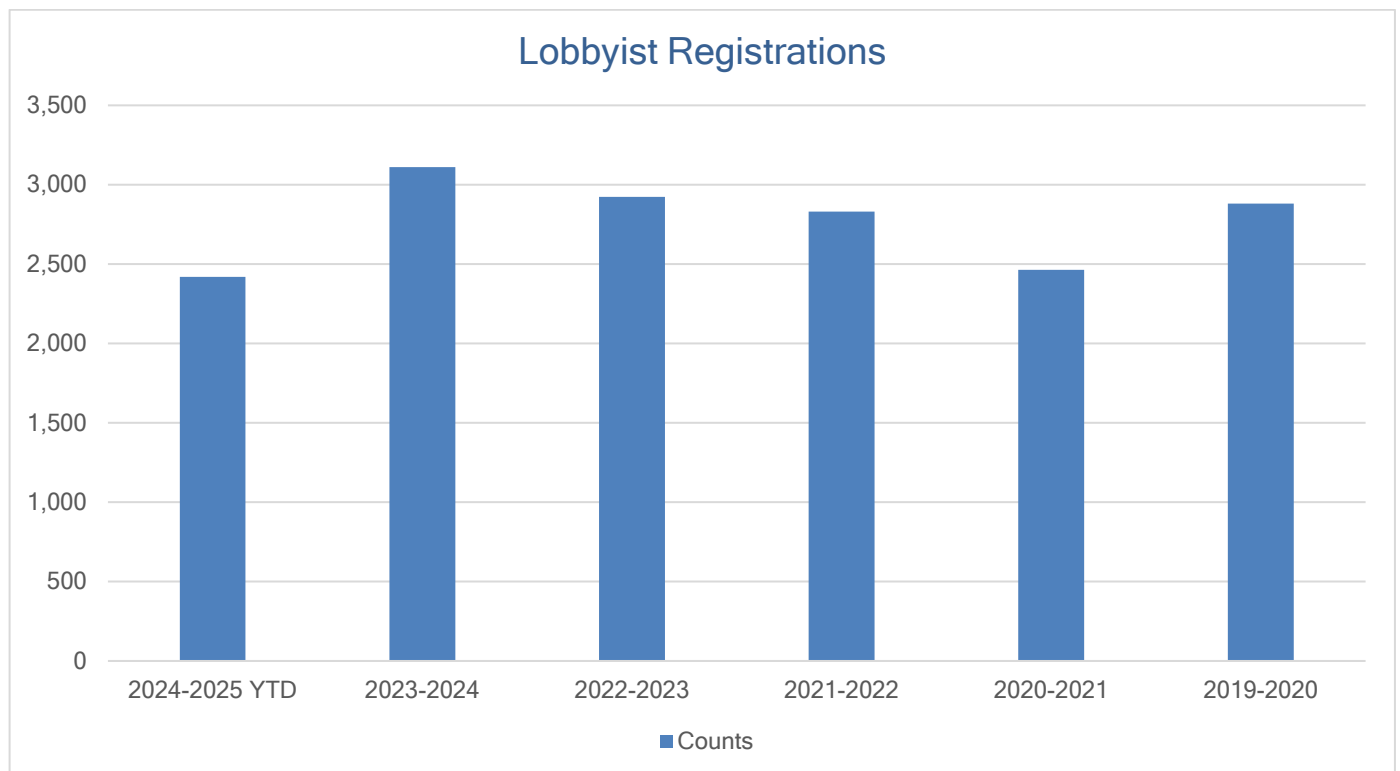
The Council receives financial disclosure statement filings from across the Commonwealth from the following individuals:

- Members of the General Assembly
- District and circuit court judges
- Justices of the Supreme Court of Virginia and Judges of the Court of Appeals of Virginia
- Governor
- Lieutenant Governor
- Attorney General
- Constitutional officers
- State officers and employees who are required to file statements of economic interests
- Executive branch board appointees

In addition to financial disclosure statements, all members of the General Assembly, the Governor and his Cabinet, the Lieutenant Governor, and the Attorney General are required to submit session gift reports after the General Assembly adjourns sine die from its regular session.

	Statements of Economic Interests	Financial Disclosure Statements
December 1, 2023-November 30, 2024	9,001	3,053
December 1, 2022-November 30, 2023	8,990	2,895
January 1, 2022-November 1, 2022	9,016	3,156
January 1, 2021-November 1, 2021	9,085	2,744
January 1, 2020-November 1, 2020	8,870	3,117
January 1, 2019-November 1, 2019	8,742	2,982

In addition, the Council processes lobbyist registrations and disclosures. The lobbying year runs from May 1 to April 30, and all registrations and disclosures must be submitted electronically using the Council's online filing system.



Note: The 2024-2025 year-to-date figures are through November 30, 2024.

Travel Waivers

Requests for travel waivers increased for the period of December 1, 2023, to November 30, 2024, and have surpassed pre-pandemic levels.

	Travel Waivers Received	Travel Waivers Approved	Unnecessary or Withdrawn Travel Waivers
December 1, 2023-November 30, 2024	163	149	14
December 1, 2022-November 30, 2023	116	96	20
2022	104	86	18
2021	65	53	12
2020	47	34	13
2019	124	95	29

Each person who made an unnecessary travel waiver request was contacted by Council staff and informed that a travel waiver was not needed, either because the person requesting the travel waiver was not required to submit one, the entity paying for the travel was not a prohibited donor, or the travel was to be paid by a state agency or locality.

Conclusion

Throughout 2024, the Council continued its normal operations. The number of phone calls received increased slightly and the number of emails received continued to grow. Requests for travel waivers also increased. Requests for in-person training presentations remained at a similar level to the previous year.

The Council continues to be a resource for all state and local officials and employees as well as legislators. The Council looks forward to continuing to serve the needs of state and local officials and employees and registered lobbyists throughout the Commonwealth for all matters related to the Acts and Virginia's lobbying laws.

The Council would like to thank all who have participated in its work throughout the year.