



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. Currently, oversight mainly consists of 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. Furthermore, it lacks the institutional capacity and the budget to complete regular reviews of compliance and investigations into potential campaign finance infractions. It is currently recognized that there is not sufficient oversight capability to monitor existing legislation, such as the “stand by your ad” act, due to lack of staffing in the Department of Elections. This highlights the challenges to enforcing any 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, such as the Washington State Public Disclosure Board, to ensure there are adequate resources for strengthening campaign finance compliance.
- ✔ Ensure adequate staffing, which has been pivotal in many jurisdictions across the country, such as the Minnesota Campaign Finance and Public Disclosure Board and the New York City Campaign Finance Board.
- ✔ Enact regulations, like the Maryland Division of Candidacy and Campaign Finance, 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 support to candidates.
- ✔ Upgrade information technology software to make access and analysis easier, while also providing capacity for further upgrades on an ongoing basis.

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. Investing in increased oversight would be a cost-effective way to improve Virginia’s governance, integrity, and associated reputation and representative democracy.

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.

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.