Commonwealth of Virginia
Office of the Governor

Executive Order

NUMBER THIRTY THREE (2014) (UPDATED as of April 24, 2015)

DESIGNATION OF EXECUTIVE BRANCH OFFICERS AND EMPLOYEES REQUIRED TO FILE FINANCIAL DISCLOSURE STATEMENTS

Importance of the Issue

The State and Local Government Conflict of Interest Act reflects the Commonwealth's steadfast commitment to ensuring that public officers and employees maintain the highest standards of ethical behavior when conducting the business of the Commonwealth, avoiding even the appearance of impropriety arising out of personal economic interests.

Directive

In furtherance of the purposes of the State and Local Government Conflict of Interests Act, Section 2.2-3100 et seq. of the *Code of Virginia* (hereinafter, "the Act"), and by virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia and under the laws of the Commonwealth, I hereby delegate to the Secretary of the Commonwealth the power and duty to implement the Act with respect to Executive Branch agencies, institutions, boards, commissions, councils, and authorities through the following policies and procedures:

1. Each of the Governor's Secretaries and the head of each agency, institution, board, commission, council and authority within the Executive Branch shall submit to the Office of the Secretary of the Commonwealth a report identifying by name and job title the positions that are required to file a Statement of Economic Interests.

   By issuance of this Executive Order, the following Executive Branch officers and employees are required to file a disclosure form:

   Office of the Governor
   - Secretaries, Deputy Secretaries, and Assistant Secretaries
   - Chief of Staff and Deputy Chief of Staff
   - Counsel and Deputy Counsel
   - Legislative Director and Deputy Legislative Director
   - Policy Director and Deputy Policy Director

- Communications Office
- Scheduling Office
- Policy Analysts
- Designated Special Assistants

Executive Branch Agencies

- Agency Heads, Chief Deputies, and Deputies
- Chief Administrative Officers and Deputies
- Chief Financial Officers and Deputies
- Chief Procurement Officers and Deputies
- Chief Technology Officers and Deputies
- Chief Human Resources Officer
- Legislative Liaisons

Institutions of Higher Education

- Presidents/Vice Presidents/Provosts/Deans
- Any other persons as designated by the institution including those persons with approval authority over contracts or audits

Executive Branch Authorities

- Authorities established within the Executive Branch
- All persons within this group will file the form set forth in Section 2.2-3118, unless required by law to file the form set forth in Section 2.2-3117

Executive Branch Appointees

- All non-salaried citizen members of Executive Branch advisory boards, commissions, councils, and authorities are hereby designated to file the financial disclosure form included in Section 2.2-3118
- Appointees to boards or commissions who are salaried, such as the Parole Board or ABC Board, shall file the form set forth in Section 2.2-3117

In addition to the above-mentioned positions that are required to file, the agency's report shall include a list of other senior-level positions with responsibility affecting legislative policies and rule-making authority or substantive authorization and decision-making regarding 1) policy, 2) contracts and procurement, 3) audits, 4) licensure, 5) inspections and investigations, and 6) investments or other financial matters.

2. From the reports submitted, the Secretary of the Commonwealth shall maintain a comprehensive list of officers and employees, including their position titles, who shall be designated to file the statement of economic interests. The Secretary of the Commonwealth may add or delete positions on the list.

3. The head of each agency, institution, board, commission, council and authority within the Executive Branch shall be responsible for ensuring that designated officers and employees file their statements of economic interests in accordance with Section 2.2-3114 of the *Code of*

Virginia. This includes obtaining a statement of economic interests from each new officer or employee so long as the officer or employee is hired for a position previously designated; and ensuring that appropriate additions to and deletions from the list of those designated to file are recommended to the Secretary in a timely fashion. Agency heads shall also be responsible for ensuring that appropriate employees receive the necessary orientation on the State and Local Government Conflict of Interests Act in accordance with the provisions of Section 2.2-3128 of the *Code of Virginia.*

Effective Date of the Executive Order

This Executive Order revises Executive Order Number 33 (2014) issued on November 14, 2014.

This Executive Order shall be effective upon its signing and shall remain in full force and effect until June 30, 2018, unless amended or rescinded by further Executive Order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 24th day of April, 2015.

Terence R. McAuliffe, Governor

Attest:

Levar M. Stoney, Secretary of the Commonwealth