

AN ACT
D.C. ACT 22-578

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 18, 2019

To amend the District of Columbia Statehood Constitutional Convention Initiative of 1979 to make conforming changes; to amend the Confirmation Act of 1978 to make conforming changes and to add the Campaign Finance Board to the list of boards and commissions for which nominations submitted to the Council for approval are deemed disapproved after 90 days; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to add the Campaign Finance Board to the list of independent agencies, to provide that the personnel authority for employees of the Campaign Finance Board is the Campaign Finance Board, to compensate the Campaign Finance Board members, and to require each member of a board or commission appointed by the Mayor to certify that he or she has undergone ethics training within 90 days after the beginning of his or her service; to amend the District of Columbia Election Code of 1955 to make technical and conforming changes, to strike the requirement that members of the District of Columbia Board of Elections have experience in government ethics, to provide that each member of the Campaign Finance Board shall receive compensation, to separate the Campaign Finance Board from the District of Columbia Board of Elections, and to allow the District of Columbia Board of Elections to provide and publish advisory opinions on its own initiative or upon receiving a request from certain persons; to amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to add and amend definitions, to modify the contents of the Director of Government Ethics' quarterly reports to include contributions reported by registrants, to prohibit registrants from bundling contributions to certain types of political committees, to establish the Campaign Finance Board and set forth its composition, powers, and duties, to provide a procedure for investigating alleged campaign finance violations, to require additional information to be submitted by campaign finance filers, to require the preservation of paper and electronic copies of reports and statements by the Director of Campaign Finance, to expand the training provided to candidates and committees, to authorize the Campaign Finance Board to provide and publish advisory opinions on its own initiative or upon receiving a request from certain persons, to require committees to file additional information in their statements of organization, to amend the schedule for filing reports of receipts and expenditures and require additional information to be filed, to require political action committees and independent

expenditure committees to disclose information about bundled contributions, to lower the threshold for reporting by all committees about bundled contributions, to require campaign funds to be used within a certain period to retire the debts of certain types of political committees, to limit the amount of personal loans to a campaign that can be repaid, to prohibit certain public officials from fundraising to retire their campaign debts within a certain period, to establish and regulate non-contribution accounts, to require non-coordination certifications, to enhance reporting requirements for independent expenditures, to expand political advertising disclosures, to lower contribution limits for inaugural and legal defense committees, to authorize the Attorney General for the District of Columbia to maintain a transition committee, to align the contribution limitation for transition committees for the Chairman of the Council and the Attorney General for the District of Columbia with other limitations, to narrow the authorized purposes for legal defense committees and enhance the information such committees report, to repeal the aggregate contribution limitations made by a contributor in a single election to candidates and political committees, to provide that limitations on contributions apply to political action committees in nonelection years, and to restrict the ability of covered contractors to contribute to prohibited recipients during prohibited periods; to amend the Prohibition on Government Employee Engagement in Political Activity Act of 2010 to clarify that government employees may only use annual or unpaid leave when they are designated by a public official to knowingly solicit, accept, or receive contributions, to require that designated employees only perform these functions for certain types of political committees, and to expand the information reported and published about designations; to amend the Procurement Practices Reform Act of 2010 to require summaries of proposed contracts that come before the Council for approval to contain additional information and require websites established by the Chief Procurement Officer to include certain government contracting and campaign finance information; and to amend section 47-4701 of the District of Columbia Official Code to require a tax abatement financial analysis to include certain government contracting and campaign finance information.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Campaign Finance Reform Amendment Act of 2018".

Sec. 2. Section 11(4) of the District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 10, 1981 (D.C. Law 3-171; D.C. Official Code § 1-129.21(4)), is amended by striking the phrase "Office of Campaign Finance" and inserting the phrase "Campaign Finance Board" in its place.

Sec. 3. Section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)), is amended as follows:

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(a) Paragraph (7) is amended by striking the phrase “Elections and Ethics” and inserting the word “Elections” in its place.

(b) Paragraph (29) is amended by striking the phrase “Commission established” and inserting the phrase “Commission, established” in its place.

(c) Paragraph (34) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(d) The first paragraph (35), added by section 2 of the Housing Production Trust Fund Board Nominee Confirmation Clarification Amendment Act of 2018, effective November 17, 2018 (D.C. Law 22-182; 65 DCR 11202), is amended by striking the period and inserting a semicolon in its place.

(e) The second paragraph (35), added by section 221 of the Youth Rehabilitation Amendment Act of 2018, enacted on September 6, 2018 (D.C. Act 22-451; 65 DCR 9554), is amended by redesignating it as paragraph (36) and striking the period and inserting the phrase “; and” in its place.

(f) A new paragraph (37) is added to read as follows:

“(37) The Campaign Finance Board, established by section 302 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1163.02).”.

Sec. 4. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 301 (D.C. Official Code § 1-603.01) is amended as follows:

(1) Paragraph (13) is amended by striking the phrase “Board of Ethics and Government Accountability” and inserting the phrase “the Board of Ethics and Government Accountability, the Campaign Finance Board” in its place.

(2) Paragraph (14A)(A) is amended to read as follows:

“(A) A candidate, as that term is defined in section 101 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01).”.

(b) Section 406(b) (D.C. Official Code § 1-604.06(b)) is amended as follows:

(1) Paragraph (4) is amended to read as follows:

“(4) For employees of the Board of Elections, the personnel authority is the Board of Elections;”.

(2) Paragraph (4A) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new paragraph (4B) is added to read as follows:

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“(4B) For employees of the Campaign Finance Board, the personnel authority is the Campaign Finance Board;”.

(c) Section 908(3) (D.C. Official Code § 1-609.08(3)) is amended by striking the phrase “, District of Columbia Board of Elections and Ethics;” and inserting a semicolon in its place.

(d) Section 1108(c-1) (D.C. Official Code § 1-611.08(c-1)) is amended as follows:

(1) Paragraph (10) is amended by striking the phrase “Chairman per year.” and inserting the phrase “Chairperson per year; and” in its place.

(2) A new paragraph (11) is added to read as follows:

“(11) Campaign Finance Board members shall be entitled to compensation at the hourly rate of \$40 while actually in the service of the Board, not to exceed \$12,500 for each member per year and \$26,500 for the Chairperson per year.”.

(e) Section 1801(a-2)(2) (D.C. Official Code § 1-618.01(a-2)(2)) is amended by striking the phrase “Filers shall” and inserting the phrase “Filers, and members appointed by the Mayor to a board or commission pursuant to section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142, D.C. Official Code § 1-523.01), shall” in its place.

Sec. 5. The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

(a) Section 3(d) (D.C. Official Code § 1-1001.03(d)) is amended by striking the phrase “the Chairman” and inserting the phrase “the Chairperson” in its place.

(b) Section 4 (D.C. Official Code § 1-1001.04) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “government ethics or in elections” and inserting the word “elections” in its place.

(2) Subsection (c) is amended to read as follows:

“(c) Each member of the Board, including the Chairperson, shall receive compensation as provided in section 1108(c-1)(10) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-1)(10)).”.

(c) Section 5 (D.C. Official Code § 1-1001.05) is amended as follows:

(1) Subsection (a)(14) is amended by striking the phrase “this act, the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, passed on 2nd reading on December 20, 2011 (Enrolled version of Bill 19-511),” and inserting the phrase “this act,” in its place.

(2) Subsection (e)(1)(A) is amended by striking the phrase “Board. The Board, at the request of the Director of Campaign Finance, shall provide employees, subject to the compensation provisions of this paragraph, as requested to carry out the powers and duties of the Director. Employees assigned to the Director shall, while so assigned, be under the direction and control of the Director and may not be reassigned without the concurrence of the Director.” and inserting the phrase “Board.” in its place.

(3) Subsection (g) is amended by striking the phrase “this act or under the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, passed on 2nd reading on December 20, 2011 (Enrolled version of Bill 19-511),” and inserting the phrase “this act” in its place.

(d) A new section 5a is added to read as follows:

“Sec. 5a. Advisory opinions.

“(a)(1) On its own initiative, or upon receiving a request from a person listed below and within a reasonable time after its receipt, the Board shall provide an advisory opinion regarding compliance with this act:

“(A) An elected official or a candidate to be an elected official;

“(B) Any person required to or who reasonably anticipates being required to submit filings to the Board under this act in connection with any election; or

“(C) Any other person under the jurisdiction of the Board.

“(2)(A) The Board shall publish a concise statement of each request for an advisory opinion, without identifying the person seeking the opinion, in the District of Columbia Register within 20 days after its receipt by the Board. Comments upon the requested opinion shall be received by the Board for a period of at least 15 days following publication of the concise statement.

“(B) The Board may waive the requirements of subparagraph (A) of this paragraph, following a finding that the issuance of the advisory opinion constitutes an emergency necessary for the immediate preservation of the public peace, health, safety, welfare, or trust.

“(b) Advisory opinions shall be published in the District of Columbia Register within 30 days after their issuance; provided, that the identity of a person requesting an advisory opinion shall not be disclosed in the District of Columbia Register without his or her prior consent in writing. When issued according to rules of the Board, an advisory opinion shall be deemed to be an order of the Board.

“(c) There shall be a rebuttable presumption that a transaction or activity undertaken by a person in reliance on an advisory opinion from the Board is lawful if:

“(1) The person requested the advisory opinion;

“(2) The facts on which the opinion is based are full and accurate, to the best knowledge of the person; and

“(3) The person, in good faith, substantially complies with any recommendations in the advisory opinion.”.

(e) A new section 18 is added to read as follows:

“Sec. 18. Enforcement of act; penalties.

“(a) Recommendations of criminal or civil, or both, violations of this act shall be presented by the General Counsel to the Board in accordance with the rules and regulations adopted by the Board in accordance with the provisions of Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

“(b) Any person who violates any provision of this act may be assessed a civil penalty for each violation of not more than \$2,000 by the Board pursuant to subsection (d) of this section. For the purposes of this section, each day of noncompliance with an order of the Board shall constitute a separate offense.

“(c) A person who aids, abets, or participates in the violation of any provision of this act shall be subject to a civil penalty not to exceed \$1,000.

“(d)(1) A civil penalty shall be assessed by the Board by order. An order assessing a civil penalty may be issued only after the person charged with a violation has been given an opportunity for a hearing and the Board has determined, by a decision incorporating its findings of facts, that a violation did occur, and the amount of the penalty. Any hearing under this section shall be on the record and shall be held in accordance with Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

“(2) If a person against whom a civil penalty is assessed fails to pay the penalty, the Board shall file a petition for enforcement of its order assessing the penalty in the Superior Court of the District of Columbia. The petition shall designate the person against whom the order is sought to be enforced as the respondent. A copy of the petition shall be sent by registered or certified mail to the respondent and the respondent's attorney of record, and the Board shall certify and file in court the record upon which the order sought to be enforced was issued. The court shall have jurisdiction to enter a judgment enforcing, modifying and enforcing as so modified, or setting aside, in whole or in part, the order and the decision of the Board, or it may remand the proceedings to the Board for further action as it may direct. The court may determine *de novo* all issues of law, but the Board's findings of fact, if supported by substantial evidence, shall be conclusive.

“(e) For the purposes of this act, actions of an agent acting for a candidate shall be imputed to the candidate; provided, that the actions of the agent may not be imputed to the candidate in the presence of a provision of law requiring a willful and knowing violation of this act, unless the agency relationship to engage in the act is shown by clear and convincing evidence.”.

Sec. 6. The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

(a) The table of contents is amended as follows:

(1) Strike the phrase “District of Columbia Board of” and inserting the phrase “Board of” in its place.

(2) Strike the phrase “Office of Campaign Finance” and insert the phrase “Campaign Finance Board” in its place.

(b) Section 101 (D.C. Official Code § 1-1161.01) is amended as follows:

(1) A new paragraph (5A) is added to read as follows:

“(5A) “Campaign Finance Board” means the Campaign Finance Board established by section 302.”.

(2) Paragraph (6) is amended as follows:

(A) The lead-in language is amended by striking the phrase ““Candidate” means an individual who seeks nomination for election, or election, to office, whether or not the individual is nominated or elected.” and inserting the phrase ““Candidate” means an individual who seeks election to public office, whether or not the individual is nominated or elected.” in its place.

(B) Subparagraph (A) is amended by striking the phrase “nomination for election, or election, to office” and inserting the phrase “election to public office” in its place.

(C) Subparagraph (B) is amended by striking the phrase “nomination for election, or election, to office” and inserting the phrase “election to public office” in its place.

(D) Subparagraph (C) is amended to read as follows:

“(C) Knows, or has reason to know, that any other person has received contributions or made expenditures for that purpose, and has not notified that person in writing to cease receiving contributions or making expenditures for that purpose; provided, that an individual shall not be deemed to be a candidate if the individual notifies each person who has received contributions or made expenditures that the individual is only testing the waters, has not yet made any decision whether to seek election to public office.”.

(3) Paragraph (9) is amended by striking the phrase ““Compensation” means” and inserting the phrase ““Compensation”, for the purposes of Subtitle E of Title II, means” in its place.

(4) A new paragraph (9B) is added to read as follows:

“(9B) For the purposes of a contract, as that term is defined in paragraph (10C)(A)(ii) of this section, “contracting authority” means:

“(A) The Chief Procurement Officer, as defined in section 104(11) of the PPRA;

“(B) Any agency listed in section 201(b) of the PPRA;

“(C) Any agency listed in section 105(c) of the PPRA that transmits contracts to the Council for approval pursuant to section 202 of the PPRA; and

“(D) The Council of the District of Columbia.”.

(5) Paragraph (10) is amended as follows:

(A) Subparagraph (A) is amended as follows:

(i) Sub-subparagraph (i) is amended as follows:

(I) Sub-sub-subparagraph (I) is amended by striking the phrase “The nomination or election” and inserting the phrase “The election” in its place.

(II) Sub-sub-subparagraph (II) is amended by striking the phrase “political committee or political action committee” and inserting the phrase “political committee, political action committee, or independent expenditure committee” in its place.

(ii) Sub-subparagraph (ii)(IV) is amended by striking the period and inserting a semicolon in its place.

(iii) Sub-subparagraph (iii) is amended by striking the period and inserting the phrase “; and” in its place.

(iv) A new sub-subparagraph (iv) is added to read as follows:

“(v) An expenditure that is coordinated with a public official, a political committee affiliated with a public official, or an agent of any person described in this sub-subparagraph.”.

(B) Subparagraph (B)(iii) is amended by striking the phrase “endorse nor oppose” and inserting the phrase “support nor oppose” in its place.

(6) Paragraph (10B) is amended to read as follows:

“(10B)(A) “Coordinate” or “coordination” means to take an action, including making a contribution or an expenditure:

“(i) At the explicit or implicit direction, request, or suggestion of a public official, a political committee affiliated with a public official, or an agent of a public official or a political committee affiliated with a public official; or

“(ii) In cooperation, consultation, or concert with, or with other material involvement of a public official, a political committee affiliated with a public official, or an agent of a public official or a political committee affiliated with a public official.

“(B) There shall be a rebuttable presumption that a contribution or an expenditure is coordinated with a public official, a political committee affiliated with a public official, or an agent of a public official or a political committee affiliated with a public official, if:

“(i) The contribution or expenditure is made based on information that the public official, political committee affiliated with the public official, or an agent of a public official or a political committee affiliated with a public official, provided to the particular person making the contribution or expenditure about its needs or plans, including information about campaign messaging or planned expenditures;

“(ii) The person making the contribution or expenditure retains the professional services of a person who also provides the public official, political committee affiliated with the public official, or an agent of a public official or a political committee affiliated with a public official, with professional services related to campaign or fundraising strategy;

“(iii) The person making the contribution or expenditure is a political committee, political action committee, or independent expenditure committee that was established or is or was staffed in a leadership role by an individual who:

“(I) Works or previously worked in a senior position or in an advisory capacity on the public official’s staff or on the public official’s principal campaign committee; or

family; or

“(II) Who is a member of the public official’s immediate

“(iv) The contribution or expenditure is made for the purpose of financing, directly or indirectly, the election of a candidate or a political committee affiliated with that candidate, and that candidate has fundraised for the person making the expenditure.”.

(7) Paragraphs (10C) and (10D) are redesignated as paragraphs (10D) and (10E).

(8) A new paragraph (10C) is added to read as follows:

“(10C)(A)(i) “Covered contractor” means any business entity, or a principal of a business entity, seeking or holding a contract or multiple contracts with the District government.

“(ii) For the purposes of this paragraph, “contract” means agreements with an aggregate value of \$250,000 or more, including the value of any option period or similar contract extension or modification, for:

“(I) The rendition of services;

“(II) The furnishing of any goods, materials, supplies, or equipment;

“(III) The construction, alteration or repair of any District government-owned or District government-leased property;

“(IV) The acquisition, sale, lease, or surplus and disposition of any land or building;

“(V) A licensing arrangement;

“(VI) A tax exemption or abatement; or

“(VII) A loan or loan guarantee, not including loans made for non-commercial purposes, such as educational loans or residential mortgage loans.

“(iii) For the purposes of this paragraph, the term “contract” shall not include a contract governing the employment of District government employees, including a collective bargaining agreement.

“(B) Only contracts sought or held with overlapping contract periods shall be aggregated for the purposes of determining the aggregate value of multiple contracts under this paragraph.

“(C) The term “seeking”, for the purposes of a tax exemption or abatement, means that legislation authorizing that tax abatement or exemption is pending before the Council.”.

(9) Paragraph (12) is amended by striking the phrase “Elections Board” and inserting the phrase “Campaign Finance Board” in its place.

(10) Paragraph (15) is amended by striking the phrase “to office” both times it appears and inserting the phrase “to public office” in its place.

(11) Paragraph (20) is amended as follows:

(A) Subparagraph (D) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(B) Subparagraph (E) is amended by striking the period and inserting the phrase “; and” in its place.

(C) A new subparagraph (F) is added to read as follows:

“(F) The Campaign Finance Board.”.

(12) Paragraph (21) is amended as follows:

(A) Subparagraph (A)(i)(I) is amended by striking the phrase “nomination or election” and inserting the word “election” in its place.

(B) Subparagraph (B) is amended by striking the phrase “Elections Board” and inserting the phrase “Campaign Finance Board” in its place.

(13) Paragraph (22) is amended to read as follows:

“(22) “Exploratory committee” means any person, or group of persons, organized for the purpose of exploring the feasibility of an individual becoming a candidate for public office in the District.”.

(14) Paragraph (27) is amended by striking the phrase “accepting, and spending” and inserting the phrase “accepting, and expending” in its place.

(15) Paragraph (28A) is amended as follows:

(A) Subparagraph (A) is amended as follows:

(i) The lead-in language is amended by striking the phrase “principal purpose” and inserting the word “purpose” in its place.

(ii) Sub-subparagraph (iii) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(B) Subparagraph (B) is amended as follows:

(i) Sub-subparagraph (i) is amended by striking the phrase “or candidate; or” and inserting a semicolon in its place.

(ii) Sub-subparagraph (ii) is amended to read as follows:

“(ii) Any agent of a public official, including a political committee; and”.

(C) A new subparagraph (C) is added to read as follows:

“(C) Not a contribution to a political committee, political action committee, or candidate.”.

(16) Paragraph (28B) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase “principal purpose” and inserting the word “purpose” in its place.

(B) Subparagraph (B) is amended as follows:

(i) Sub-subparagraph (i) is amended by striking the phrase “or candidate; or” and inserting the phrase “; or” in its place.

(ii) Sub-subparagraph (ii) is amended to read as follows:

“(ii) An agent of a public official, including a political committee; and”.

(C) The lead-in language of subparagraph (C) is amended to read as follows:

“(C) Does not transfer or contribute to:”.

(17) Paragraph (30) is amended by striking the phrase “spending funds to defray the professional fees and costs for a public official’s legal defense to one or more civil, criminal, or administrative proceedings” and inserting the phrase “expending funds to defray the professional fees and costs for a public official’s legal defense to one or more civil, criminal, or administrative proceedings arising directly out of the conduct of a campaign, the election process, or the performance of the public official’s governmental activities and duties” in its place.

(18) Paragraph (33B) is amended to read as follows:

“(33B) “Material involvement” means, with respect to a contribution or expenditure, any communication to or from a public official, political committee affiliated with public official, or any agent of a public official or political committee affiliated with a public official, related to the contribution or expenditure. Material involvement includes devising or helping to devise the strategy, content, means of dissemination, or timing of the contribution or expenditure, or making any express or implied solicitation of the contribution or expenditure.”.

(19) A new paragraph (34A) is added to read as follows:

“(34A) “Non-contribution account” means a financial account of a political action committee that is segregated from other accounts of the political action committee and is used for the sole purpose of making independent expenditures.”.

(20) Paragraph (43A) is amended as follows:

(A) Subparagraph (A) is amended as follows:

(i) The lead-in language is amended by striking the phrase “principal purpose” and inserting the word “purpose” in its place.

(ii) Sub-subparagraph (i) is amended by striking the phrase “The nomination or election” and inserting the phrase “The election” in its place.

(B) Subparagraph (B) is amended as follows:

(i) Sub-subparagraph (i) is amended by striking the phrase “or candidate; or” and inserting the phrase “; or” in its place.

(ii) Sub-subparagraph (ii) is amended to read as follows:

“(ii) Any agent of a public official, including a political committee.”.

(21) Paragraph (44) is amended as follows:

(A) The lead-in language is amended by striking the phrase “any committee (including any principal campaign, inaugural, exploratory, transition, or legal defense committee)” and inserting the phrase “any committee” in its place.

(B) Subparagraph (A) is amended as follows:

(i) The lead-in language is amended by striking the phrase “principal purpose” and inserting the word “purpose” in its place.

(ii) Sub-subparagraph (i) is amended by striking the phrase “The nomination or election” and inserting the phrase “The election” in its place.

(iii) Sub-subparagraph (ii) is amended by striking the phrase “party;” and inserting the phrase “party; or” in its place.

(C) Subparagraph (C) is amended to read as follows:

“(C) Controlled by or coordinated with any public official or agent of a public official.”.

(22) New paragraphs (45A), (45B), (45C), and (45D) are added to read as follows:

“(45A) “PPRA” means the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*).

“(45B) “Principal” of a business entity, for purposes of paragraph (10C) of this section, means senior officers of that business entity, such as president, executive director, chief executive officer, chief operating officer, or chief financial officer. If a business entity is an educational institution, the term “principal” shall not include deans of that business entity.

“(45C) “Prohibited period” means:

“(A) For the types of contracts described in paragraph (10C)(A)(ii)(I), (II), (III), and (IV) (but not leases, or surpluses and dispositions) of this section, from the date of the solicitation or similar invitation or opportunity to contract to:

“(i) If the covered contractor's response to the solicitation is unsuccessful, the termination of negotiations or notification by the District that the covered contractor's response was unsuccessful; or

“(ii) If the covered contractor's response to the solicitation is successful, one year after the termination of the contract;

“(B) For the types of contracts described in paragraphs (10C)(A)(ii)(IV) (only leases), (V), and (VII) of this section, from the date of the solicitation or similar invitation or opportunity to contract to:

“(i) If the covered contractor's response to the solicitation is unsuccessful, the termination of negotiations or notification by the District that the covered contractor's response was unsuccessful; or

“(ii) If the covered contractor's response to the solicitation is successful, one year after the entrance into the contract;

“(C) For the types of contracts described in paragraph (10C)(A)(ii)(IV) (only surpluses and dispositions) of this section, from the date of the solicitation or similar invitation or opportunity to contract to:

“(i) If the covered contractor's response to the solicitation is unsuccessful before the introduction of legislation before the Council, the termination of negotiations or notification by the District that the covered contractor's response was unsuccessful; or

“(ii) If the covered contractor's response to the solicitation is successful and legislation is introduced before the Council:

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“(I) If the legislation is not passed before the end of that Council Period or is disapproved, the end of that Council period; or

“(II) If the legislation passes, one year after the effective date of the legislation; and

“(D) For the types of contracts described in paragraph (10C)(A)(ii)(VI) of this section, from the introduction of legislation, or the inclusion of such a contract in pending legislation, before the Council to:

“(i) If the legislation is not passed before the end of that Council Period or is disapproved, the end of that Council Period; or

“(ii) If the legislation passes, one year after the effective date of the legislation.

“(45D) “Prohibited recipient” means:

“(A) If the covered contractor is seeking or holding a contract, as defined in paragraph (10C)(A)(ii) of this section, with, or for which the procurement process would be overseen by, a District agency subordinate to the Mayor:

“(i) The Mayor;

“(ii) Any candidate for Mayor;

“(iii) Any political committee affiliated with the Mayor or a candidate for Mayor; and

“(iv) Any constituent-service program affiliated with the Mayor;

“(B) If the covered contractor is seeking or holding a contract, as defined in paragraph (10C)(A)(ii) of this section, with the Office of the Attorney General:

“(i) The Attorney General;

“(ii) Any candidate for Attorney General; and

“(iii) Any political committee affiliated with the Attorney General or a candidate for Attorney General; and

“(C) If the covered contractor is seeking or holding a contract, as defined in paragraph (10C)(A)(ii) of this section, with the Council, that must come before the Council for its approval pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), or which must otherwise be approved by the Council legislatively to take effect (such as tax abatements or exemptions, or surpluses and dispositions of District property):

“(i) Any Councilmember;

“(ii) Any candidate for Councilmember;

“(iii) Any political committee affiliated with a Councilmember or a candidate for Councilmember; and

“(iv) Any constituent-service program affiliated with a Councilmember.”.

(23) Paragraph (47)(A) is amended to read as follows:

“(A) A candidate;”.

(24) Paragraph (52) is amended by striking the phrase “Chairman of the Council or the Mayor” and inserting the phrase “Mayor, Attorney General, or Chairman of the Council” in its place.

(c) Section 220(a) (D.C. Official Code § 1-1162.20(a)) is amended as follows:

(1) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (5) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new paragraph (6) is added to read as follows:

“(6) All political contributions, including bundled contributions, reported as required in section 230.”.

(d) Section 224(a) (D.C. Official Code § 1-1162.24(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “nomination for election, or election, to” and inserting the phrase “election to” in its place.

(2) Paragraph (3) is amended by striking the phrase “nomination for election, or election, to” both times it appears and inserting the phrase “election to” in its place.

(e) Section 231 (D.C. Official Code § 1-1162.31) is amended by adding a new subsection (h) to read as follows:

“(h) Registrants shall not bundle contributions to principal campaign committees, exploratory committees, inaugural committees, transition committees, or legal defense committees.”.

(f) Section 302 (D.C. Official Code § 1-1163.02) is amended to read as follows:

“Sec. 302. Campaign Finance Board established; duties; enforcement of title.

“(a) There is established the Campaign Finance Board, whose purpose shall be to:

“(1) Appoint a Director of Campaign Finance, who shall:

“(A) Serve at the pleasure of the Campaign Finance Board; and

“(B) Be compensated at the maximum rate for Grade 16 of the District Schedule, pursuant to Title XI of the Merit Personnel Act;

“(2) Annually review the performance of the Director of Campaign Finance;

“(3) Administer and enforce the District’s campaign finance laws;

“(4) Refer alleged violations for prosecution as provided in this title; and

“(5) Issue rules related to the District’s campaign finance laws.

“(b)(1) Where the Campaign Finance Board, following the presentation by the Director of Campaign Finance of evidence constituting an apparent violation of this title, makes a finding of an apparent violation of this title, it shall refer the case for prosecution as provided for in section 335, and shall make public the fact of such referral and the basis for the finding.

“(2) The Campaign Finance Board, through its General Counsel:

“(A) Shall initiate, maintain, defend, or appeal any civil action (in the name of the Campaign Finance Board) relating to the enforcement of the provisions of this title; and

“(B) May petition the courts of the District of Columbia for declaratory or injunctive relief concerning any action covered by the provisions of this title.”.

(g) New sections 302a and 302b are added to read as follows:

“Sec. 302a. Composition; term; qualifications; removal.

“(a)(1) The Campaign Finance Board shall consist of 5 members, no more than 3 of whom shall be of the same political party, appointed by the Mayor with the advice and consent of the Council.

“(2) Members shall be appointed to serve for terms of 6 years, except the members first appointed. Of the members first appointed, one member shall be appointed to serve for a 2-year term, 2 members shall be appointed to serve a 4-year term, and 2 members shall be appointed to serve a 6-year term, as designated by the Mayor. The terms of the 5 initial members shall begin on October 1, 2019.

“(b) The Mayor shall designate the Chairperson of the Campaign Finance Board.

“(c) Unless the unexpired term is less than 6 months, any person appointed to fill a vacancy on the Campaign Finance Board shall be appointed only for the unexpired term of the member whose vacancy he or she is filling.

“(d) A member may be reappointed, and, if not reappointed, notwithstanding section 2(c) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(c)), the member may serve until the member’s successor has been appointed and approved.

“(e) When appointing a member of the Campaign Finance Board, the Mayor and Council shall consider whether the individual possesses particular knowledge, training, or experience in campaign finance law or administration.

“(f) A person shall not be a member of the Campaign Finance Board unless the person:

“(1) Is a duly-registered District voter;

“(2) Has resided in the District continuously for the 3-year period preceding the day the person is appointed; and

“(3) Holds no other office or employment in the District government.

“(g) No person, while a member of the Campaign Finance Board, shall:

“(1) Campaign for any public office;

“(2) Serve in a leadership capacity or hold any office in a political party or political committee, political action committee, or independent expenditure committee;

“(3) Participate in any political campaign in any District election, including by:

“(A) Making speeches for or publicly supporting or opposing a District candidate, political party, political committee, political action committee, independent expenditure committee, recall, initiative, or referendum;

“(B) Fundraising for or contributing to a District candidate, political party, political committee, political action committee, independent expenditure committee, recall, initiative, or referendum; or

“(C) Attending or purchasing a ticket for a dinner or other event sponsored by or supporting or opposing a District candidate, political party, political committee, political action committee, independent expenditure committee, recall, initiative, or referendum;

“(4) Be a lobbyist;

“(5) Be an officer, director, or employee of an organization receiving District funds who has managerial or discretionary responsibilities with respect to those funds;

“(6) Use their status as a member to directly or indirectly attempt to influence any decision of the District government relating to any action that is not within the Board’s purview; or

“(7) Be convicted of having committed an election- or campaign finance-related felony in the District of Columbia; or if the crime is committed elsewhere, conviction of such offense as would be an election- or campaign finance-related felony in the District of Columbia.

“(h) Each member of the Campaign Finance Board, including the Chairperson, shall receive compensation as provided in section 1108(c-1)(11) of the Merit Personnel Act.

“(i) A member may be removed for good cause, including engaging in any activity prohibited by subsection (f) or (g) of this section.

“(j)(1) The Campaign Finance Board shall hold regular monthly meetings in accordance with a schedule to be established by the Campaign Finance Board. Additional meetings may be called as needed.

“(2) The Campaign Finance Board shall provide notice of meetings and shall conduct its meetings in compliance with the Open Meetings Act.

“Sec. 302b. Board independent agency; facilities; seal.

“(a) In the performance of its duties, or in matters of procurement, the Campaign Finance Board shall not be subject to the direction of any nonjudicial officer of the District, except as provided in the Merit Personnel Act.

“(b) The District government shall furnish to the Campaign Finance Board such records, information, services, personnel, offices, equipment, and such other assistance and facilities as may be necessary to enable the Campaign Finance Board to properly to perform its functions.

“(c) Subject to the approval of the Mayor, the Campaign Finance Board is authorized to adopt and use a seal.”.

(h) Section 303 (D.C. Official Code § 1-1163.03) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) The lead-in language is amended by striking the phrase “of general applicability approved by the Elections Board” and inserting the phrase “approved by the Campaign Finance Board” in its place.

(ii) Subparagraph (A) is amended by striking the phrase “under oath” and inserting the phrase “under oath, affirmation,” in its place.

(iii) Subparagraph (C) is amended by striking the phrase “administer oaths” and inserting the phrase “administer oaths and affirmations” in its place.

(iv) Subparagraph (D) is amended by striking the phrase “of its duties” and inserting the phrase “of the Campaign Finance Board’s duties” in its place.

(v) Subparagraph (E) is amended by striking the phrase “to administer oaths” and inserting the phrase “to administer oaths and affirmations” in its place.

(vi) Subparagraph (F) is amended by striking the semicolon and inserting the phrase “; and” in its place.

(vii) Subparagraph (G) is repealed.

(viii) Subparagraph (H) is amended as follows:

(I) Strike the phrase “Elections Board” wherever it appears and inserting the phrase “Campaign Finance Board” in its place.

(II) Strike the phrase “in section 302(c)” and insert the phrase “in section 302(b)” in its place.

(B) Paragraph (2) is amended by striking the phrase “Elections Board” and inserting the phrase “Campaign Finance Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Elections Board” both times it appears and inserting the phrase “Campaign Finance Board” in its place.

(3) Subsection (c) is amended to read as follows:

“(c)(1) All investigations of alleged violations of this title shall be made by the Director of Campaign Finance in his or her discretion, in accordance with procedures of general applicability issued by the Director of Campaign Finance in accordance with the Administrative Procedure Act.

“(2) All allegations of violations of this title, which shall be presented to the Campaign Finance Board in writing, shall be transmitted to the Director of Campaign Finance without action by the Campaign Finance Board.

“(3) The Director of Campaign Finance shall present evidence concerning the alleged violation to the Campaign Finance Board within a reasonable time, if he or she believes that sufficient evidence exists constituting an apparent violation.

“(4) Following the presentation of evidence to the Campaign Finance Board, in an adversary proceeding and an open hearing, the Campaign Finance Board may refer the matter for prosecution in accordance with the provisions of section 302(b) or may dismiss the action. In no case may the Campaign Finance Board refer information concerning an alleged violation of this title for prosecution without the presentation of evidence by the Director of Campaign Finance.

“(5) Should the Director of Campaign Finance fail to present a matter or advise the Campaign Finance Board that insufficient evidence exists to present a matter or that an additional period of time is needed to investigate the matter further, the Campaign Finance Board may order the Director of Campaign Finance to present the matter within 90 days after its receipt.”.

(i) Section 304 (D.C. Official Code § 1-1163.04) is amended as follows:

(1) The section heading is amended by striking the phrase “of Director” and inserting the phrase “of the Director” in its place.

(2) Paragraph (1) is amended by striking the phrase “for the making of the reports and statements required to be filed with him or her” and inserting the phrase “for persons to make the reports and statements required to be filed with the Director of Campaign Finance” in its place.

(3) Paragraph (1A) is amended to read as follows:

“(1A) Require that all reports filed with the Director of Campaign Finance pursuant to this title be submitted electronically; provided, that reasonable accommodations shall be made where an actual hardship in complying with this paragraph is demonstrated to the Director of Campaign Finance;”.

(4) Paragraph (1B) is amended as follows:

(A) Designate the existing text as subparagraph (A).

(B) The newly designated subparagraph (A) is amended by striking the phrase “recipients and agencies pursuant to sections of this title” and inserting the phrase “filers pursuant to this title” in its place.

(C) A new subparagraph (B) is added to read as follows:

“(B) For the purposes of searching receipts of contributions and expenditures, “sortable” means able to be downloaded and filtered by street address, city, state, or zip code of the contributor or payee;”.

(5) Paragraph (2) is amended by striking the phrase “consonant with” and inserting the phrase “consistent with” in its place.

(6) Paragraph (3) is amended by striking the phrase “statement by hand and by duplicating machine” and inserting the word “statement” in its place.

(7) Paragraph (4) is amended to read as follows:

“(4) Preserve paper and electronic copies of reports and statements for a period of at least 10 years from date of receipt;”.

(8) Paragraph (5) is amended by striking the phrase “current list of all statements or parts of statements” and inserting the phrase “current list of all reports and statements” in its place.

(9) Paragraph (6) is repealed.

(10) Paragraph (7) is amended to read as follows:

“(7)(A) Make any reports prepared under this title available online, including a biennial report summarizing the receipts and expenditures of candidates, political committees, political action committees, and independent expenditure committees, during the prior 2-year period.

“(B) The Director of Campaign Finance shall publish the biennial report required in subparagraph (A) of this paragraph by December 31 of each odd-numbered year. The report shall describe the receipts and expenditures of candidates for Mayor, Attorney General, Chairman and members of the Council, members of the State Board of Education, shadow Senator, and shadow Representative, but shall exclude candidates for Advisory Neighborhood Commissioner. The report shall provide, at a minimum, the following information:

“(i) A summary of each candidate’s receipts, in dollar amount and percentage terms, by categories of contributors that the Director of Campaign Finance considers appropriate, such as the candidate himself or herself, individuals, political committees, corporations, partnerships, and labor organizations;

“(ii) A summary of each candidate’s receipts, in dollar amount and percentage terms, by the size of the contribution, including contributions of:

“(I) \$500 or more;

“(II) \$250 or more but less than \$500;

“(III) \$100 or more but less than \$250; and

“(IV) Less than \$100;

“(iii) The total amount of a candidate’s receipts and expenditures for primary and general elections, respectively, when applicable;

“(iv) A summary of each candidate’s expenditures, in dollar amount and percentage terms, by operating expenditures, transfers to other authorized committees, loan repayments, and refunds of contributions; and

“(v) A summary of the receipts and expenditures of political committees, political action committees, and independent expenditure committees using categories considered appropriate by the Director of Campaign Finance;”.

(11) Paragraph (7A) is amended as follows:

(A) A new subparagraph (A-i) is added to read as follows:

“(A-i) Include content on the Fair Elections Program and the requirements of this title pertaining to business contributors, including their affiliated entities, and covered contractors;”.

(B) Subparagraph (C) is amended by striking the phrase “The names of the participants shall be posted on the website of the Office of Campaign Finance” and inserting the phrase “The names of the participants and those participants who have not completed the training shall be prominently displayed on the website of the Campaign Finance Board” in its place.

(12) Paragraph (9) is amended by striking the phrase “Elections Board” and inserting the phrase “Campaign Finance Board” in its place.

(j) Section 306 (D.C. Official Code § 1-1163.06) is amended as follows:

(1) Subsection (a) is amended to read as follows:

“(a)(1) On its own initiative, or upon receiving a request from a person listed below and within a reasonable time after its receipt, the Campaign Finance Board shall provide an advisory opinion regarding compliance with this act:

“(A) A public official;

“(B) A political committee, political action committee, or independent expenditure committee;

“(C) An official of a political party;

“(D) Any person required to or who reasonably anticipates being required to submit filings to the Campaign Finance Board under this title; or

“(E) Any other person under the jurisdiction of the Campaign Finance Board.

“(2) The Campaign Finance Board shall publish a concise statement of each request for an advisory opinion, without identifying the person seeking the opinion, in the District of Columbia Register within 20 days after its receipt. Comments upon the requested opinion shall be received by the Campaign Finance Board for a period of at least 15 days following publication. The Campaign Finance Board may waive the advance notice and public comment provisions, following a finding that the issuance of the advisory opinion constitutes an emergency necessary for the immediate preservation of the public peace, health, safety, welfare, or trust.”.

(2) Subsection (b) is amended by striking the phrase “Elections Board” both times it appears and inserting the phrase “Campaign Finance Board” in its place.

(3) Subsection (c) is amended by striking the phrase “Elections Board” and inserting the phrase “Campaign Finance Board” in its place.

(k) Section 307 (D.C. Official Code § 1-1163.07) is amended as follows:

(1) Paragraph (1)(B) is amended by striking the phrase “and position of the custodian of books and accounts” and inserting the phrase “employer of the treasurer” in its place.

(2) Paragraph (4) is amended by striking the word “chairman” both times it appears and inserting the word “chairperson” in its place.

(3) Paragraph (5) is amended as follows:

(A) Subparagraph (A) is amended as follows:

(i) Strike the phrase “occupation and the principal” and insert the phrase “occupation, employer, and the principal” in its place.

(ii) Strike the phrase “was made” and insert the phrase “was made, if applicable” in its place.

(B) Subparagraph (B) is amended by striking the phrase “Elections Board” and inserting the phrase “Campaign Finance Board” in its place.

(4) Paragraph (6) is amended by striking the phrase “officers, members” and inserting the phrase “officers, directors, members” in its place.

(l) Section 308(b) (D.C. Official Code § 1-1163.08(b)) is amended by striking the phrase “Elections Board” and inserting the phrase “Campaign Finance Board” in its place.

(m) Section 309 (D.C. Official Code § 1-1163.09) is amended as follows:

(1) Subsection (b) is amended to read as follows:

“(b)(1) The reports required by subsection (a) of this section shall be filed according to the following schedule:

“(A) For political committees:

“(i) In an election year for the office sought, by the 10th day of February, April, July, September, and December, and 8 days before the primary, general, or special election, as applicable to the candidate; and

“(ii) In a non-election year for the office sought, by the 10th day of February, July, September, and December; and

“(B) For political action committees and independent expenditure committees, by the 10th day of February, April, July, September, and December, and 8 days before a primary, general, or special election.

“(2) The reports shall be complete as of the closing date prescribed by the Director of Campaign Finance, which shall not be more than 10 days before the date of filing, except that any contribution of \$200 or more received after the closing date prescribed by the Director of Campaign Finance for the last report required to be filed before the election shall be reported within 24 hours after its receipt.”.

(2) Subsection (c) is amended as follows:

(A) Strike the phrase “the occupation” wherever it appears and insert the phrase “the occupation, employer,” in its place.

(B) A new paragraph (2B) is added to read as follows:

“(2B) For a report filed by a political action committee that has established a non-contribution account, any receipts that have been allocated to that account;”.

(3) Subsection (e)(4) is amended by striking the phrase “The Elections Board” and inserting the phrase “The Campaign Finance Board” in its place.

(4) Subsection (f) is amended as follows:

(A) The lead-in language is amended by striking the phrase “Each political committee (including principal campaign, inaugural, transition, and exploratory committees)” and inserting the phrase “Each political committee, political action committee, and independent expenditure committee” in its place.

(B) Paragraph (1) is amended to read as follows:

“(1) Name, address, employer, and occupation of each person reasonably known by the committee to have bundled in excess of \$5,000 during the reporting period; and”.

(n) Section 310 (D.C. Official Code § 1-1163.10) is amended as follows:

(1) Subsection (a) is amended to read as follows:

“(a) Each candidate shall designate in writing one political committee as his or her principal campaign committee. The principal campaign committee shall receive all reports made by any other political committee accepting contributions or making expenditures for the purpose of influencing the election of the candidate who designated it as his or her principal campaign committee. The principal campaign committee may require additional reports to be made to it by any political committee and may designate the time and number of all reports. No political committee may be designated as the principal campaign committee of more than one candidate; provided, that a principal campaign committee supporting the election of a candidate as an official of a political party may support the election of more than one candidate but may not support the election of a candidate for any public office.”.

(2) Subsection (c) is amended by striking the phrase “Elections Board” and inserting the phrase “Campaign Finance Board” in its place.

(o) Section 310a (D.C. Official Code § 1-1163.10a) is amended to read as follows:

“Sec. 310a. Fund balance requirements of principal campaign committees.

“(a) Except as provided in section 332h, within the limitations specified in this act, any surplus, residual, or unexpended campaign funds received by or on behalf of a candidate shall be:

“(1) Contributed to a political party for political purposes;

“(2) Within 12 months after the election, used to retire the proper debts of his or her political committee that received the funds, after which the candidate shall be personally liable for any remaining debts; provided, that:

“(A) Personal liability shall not attach until the Campaign Finance Board is no longer auditing the principal campaign committee; and

“(B) Any loans made by a candidate to support his or her campaign may only be repaid up to the amount of \$25,000;

“(3) Transferred to:

“(A) A political committee;

“(B) A nonprofit organization within the meaning of section 501(c) of the Internal Revenue Code, operating in good standing in the District for a minimum of one calendar year before the date of any transfer; or

“(C) In the case of the Mayor or a Councilmember, an established constituent-service program; or

“(4) Returned to the donors as follows:

“(A) In the case of an individual defeated in an election, within 6 months after the election;

“(B) In the case of an individual elected to office, within 6 months after the election; and

“(C) In the case of an individual ceasing to be a candidate, within 6 months thereafter.

“(b) No public official elected to office shall fundraise after 6 months after the election to retire the proper debts of the public official’s political committee.”.

(p) Section 311 (D.C. Official Code § 1-1163.11) is amended as follows:

(1) The section heading is amended by striking the phrase “organization filed by political committees” and inserting the word “organization” in its place.

(2) Paragraph (1) is amended by striking the phrase “affiliated or connected” and inserting the word “affiliated” in its place.

(3) Paragraph (3) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase “Each candidate” and inserting the phrase “Any candidate” in its place.

(B) Subparagraph (B) is amended by striking the phrase “nomination for election or election,” and inserting the word “election” in its place.

(4) Paragraph (4) is amended by striking the phrase “political committee” and inserting the phrase “political committee, political action committee, or independent expenditure committee” in its place.

(5) Paragraph (5) is amended by striking “The disposition” and inserting “The plan for the disposition” in its place.

(q) Section 312(a) (D.C. Official Code § 1-1163.12(a)) is amended by striking the phrase “within 5 days of becoming a candidate, or within 5 days of the day on which he or she, or any person authorized by him or her to do so, has received a contribution or made an expenditure in connection with his or her campaign or for the purposes of preparing to undertake his or her campaign” and inserting the phrase “within 5 days after becoming a candidate,” in its place.

(r) A new section 312a is added to read as follows:

“Sec. 312a. Non-contribution accounts.

“(a) A political action committee shall not make an independent expenditure unless it establishes a non-contribution account for the purpose of making such independent expenditures.

“(b) A political action committee must notify the Campaign Finance Board within 10 days after establishing a non-contribution account.

“(c) A political action committee that establishes a non-contribution account shall ensure that:

“(1) The non-contribution account remains segregated from any accounts of the political action committee that are used to make contributions to candidates, political committees, political action committees, or political parties;

“(2) No contribution to the political action committee is deposited in the non-contribution account unless the contributor has specifically designated the contribution for the purpose of making an independent expenditure;

“(3) Contributions by the political action committee are not made from the non-contribution account; and

“(4) The non-contribution account pays a proportional share, as determined by the Director of Campaign Finance, of the political action committee's administrative expenses.

“(d) If a political action committee has established a non-contribution account, it must, in any reports it files pursuant to section 309, identify any receipts that have been allocated to that account.”.

(s) Section 313 (D.C. Official Code § 1-1163.13) is amended as follows:

(1) Subsection (a) is amended to read as follows:

“(a)(1) Every political action committee and independent expenditure committee shall certify, in each report filed with the Director of Campaign Finance, that the contributions it has received and the expenditures it has made have not been controlled by or coordinated with any public official, political committee affiliated with a public official, or an agent of a public official or political committee affiliated with a public official.

“(2) Every independent expenditure committee shall further certify, in each report filed with the Director of Campaign Finance, that it has not made any contributions or transfers of funds to any public official, political committee, or any political action committee.”.

(2) Subsection (b) is amended as follows:

(A) Paragraph (2) is amended to read as follows:

“(2) A business contributor shall comply with all requests from the Campaign Finance Board to provide information about its individual owners, the identity of affiliated entities, the individual owners of affiliated entities, the contributions or expenditures made by such entities, and any other information the Director of Campaign Finance deems relevant to enforcing the provisions of this act.”.

(B) Paragraph (3) is amended to read as follows:

“(3)(A) Any person other than a political committee, political action committee, or independent expenditure committee that makes one or more independent expenditures in an aggregate amount of \$1,000 or more within a calendar year shall, in a report filed with the Director of Campaign Finance, identify:

“(i) The name and address of the person;

“(ii) The name and address of any of the person's affiliated entities that have also made an independent expenditure;

“(iii) The amount and purpose of the expenditures;

“(iv) The names of any candidates, initiatives, referenda, or recalls in support of or in opposition to which the expenditures are directed; and

“(v) A certification that, to the best of the person's knowledge, the independent expenditures were not controlled by or coordinated with any public official, political committee affiliated with a public official, or an agent of any person described in this sub-subparagraph.

“(B) If the person under subparagraph (A) of this paragraph is not an individual, any report filed under this paragraph shall also include:

“(i) The person's principal place of business;

“(ii) The name and address of each person whose total contributions, made for the purpose of making an independent expenditure, to the person reporting during the period covered by the report exceeded \$500; and

“(iii) The date and amount of each contribution, made for the purpose of making an independent expenditure, by each person whose total contributions to the person reporting during the period covered by the report exceeded \$500.

“(C) The report shall be filed on the dates which reports by committees are filed, unless the value of the independent expenditure totals \$1,000 or more in a 2-week period, in which case the report shall be filed within 14 days after the independent expenditure.”.

(t) Section 315 (D.C. Official Code § 1-1163.15) is amended to read as follows:

“Sec. 315. Identification of political advertising.

“(a)(1) A candidate, political committee, or political action committee shall identify its political advertising by the words “paid for by”, followed by the name and address of the candidate or committee and the name of the committee’s treasurer, as applicable.

“(2) An independent expenditure committee or person making an independent expenditure shall identify its political advertising by the words “paid for by”, followed by the name and address of the independent expenditure committee and the name of the committee’s treasurer, or the name and address of the person making the independent expenditure. The political advertising shall also include a written or oral statement of the words “Top Five Contributors”, followed by a list of the 5 largest contributors over the amount of \$5,000, whose contributions were made for the purpose of making an independent expenditure, to the independent expenditure committee or person making the independent expenditure, if applicable, during the 12-month period before the date of the political advertising.

“(b) A political committee, political action committee, independent expenditure committee, or person making an independent expenditure shall include a statement on the face or front page, if printed, or an oral statement, if audiovisual, of all political advertising soliciting contributions the following notice: “A copy of our report is filed with the Director of Campaign Finance of the Campaign Finance Board.”

“(c) The identifications required by this section need not be included on items the size of which makes the inclusion of such identifications impractical.

“(d) For the purposes of this section, the term “political advertising” includes newspaper and magazine advertising; posters; circulars and mailers; billboards; handbills; bumper stickers; sample ballots; initiative, referendum, or recall petitions; radio or television advertisements; paid telephone calls and text messaging; digital media advertisements; and other printed and digital materials produced by the persons in this subsection and intended to support or oppose:

“(1) A candidate or group of candidates; or

“(2) Any initiative, referendum, or recall measure.

(u) Section 316 (D.C. Official Code § 1-1163.16) is amended to read as follows:

“Sec. 316. Liability of candidates for financial obligations incurred by committees; imputing actions of agents of candidates.

“(a) Except as provided in sections 310a(a)(2), 324(a)(2), and 327(a)(2), no provision of this subtitle shall be construed as creating liability on the part of any candidate for any financial obligation incurred by a committee.

“(b) For the purposes of this subtitle, actions of an agent of a candidate shall be imputed to the candidate; provided, that the actions of the agent may not be imputed to the candidate in the presence of a provision of law requiring a willful and knowing violation of this subtitle, unless the agency relationship to engage in the act is shown by clear and convincing evidence.”.

(v) Section 317(b) (D.C. Official Code § 1-1163.17(b)) is amended to read as follows:

“(b) In the case of reports filed by a political committee or political action committee on behalf of initiative, referendum, or recall under this section, as applicable, the reports shall be filed on the dates that the Campaign Finance Board may by rule prescribe.”.

(w) Section 318 (D.C. Official Code § 1-1163.18) is amended as follows:

(1) Subsection (a) is amended to read as follows:

“(a) Any balance in the exploratory committee fund shall be transferred only to an established political committee or nonprofit organization, within the meaning of section 501(c) of the Internal Revenue Code, operating in good standing in the District for a minimum of one calendar year before the date of any transfer.”.

(2) Subsection (b) is amended by striking the phrase “elective office” and inserting the phrase “public office” in its place.

(x) Section 319 (D.C. Official Code § 1-1163.19) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (4) is amended by striking the phrase “or President” and inserting the phrase “or at-large member” in its place.

(B) Paragraph (5) is amended by striking the phrase “a member” and inserting the phrase “a ward member” in its place.

(2) Subsection (b) is amended as follows:

(A) Paragraph (4) is amended by striking the phrase “or President” and inserting the phrase “or at-large member” in its place.

(B) Paragraph (5) is amended by striking the phrase “a member” and inserting the phrase “a ward member” in its place.

(y) Section 321 (D.C. Official Code § 1-1163.21) is amended by striking the phrase “a candidate’s” and inserting the phrase “an individual’s” in its place.

(z) Section 322 (D.C. Official Code § 1-1163.22) is amended by striking the number “\$10,000” both times it appears and inserting the number “\$4,000” in its place.

(aa) Section 324 (D.C. Official Code § 1-1163.24) is amended to read as follows:

“Sec. 324. Duration of an inaugural committee.

“(a)(1) An inaugural committee shall terminate no later than 6 months after the beginning of the term of the new Mayor.

“(2) An inaugural committee may accept contributions necessary to retire the debts of the committee for 6 months after the beginning of the term of the new Mayor, after which the Mayor shall be personally liable for any remaining debts; provided, that personal liability shall not attach until the Campaign Finance Board is no longer auditing the inaugural committee.

“(b) The Mayor shall not fundraise to retire the proper debts of his or her inaugural committee, for which he or she is now personally liable, after 6 months after the beginning of his or her term.”.

(bb) Section 326(b) (D.C. Official Code § 1-1163.26(b)) is amended to read as follows:

“(b) No person, including a business contributor, may make any contribution to or for a transition committee, and the Chairman of the Council or Chairman-elect, or Attorney General or Attorney General-elect, may not receive any contribution to or for a transition committee from any person, that when aggregated with all other contributions to the transition committee

received from the person, exceed \$1,500 in an aggregate amount; provided, that the \$1,500 limitation shall not apply to contributions made by the Chairman of the Council or Chairman-elect, or the Attorney General or Attorney General-elect, for the purpose of funding his or her own transition committee within the District.”.

(cc) Section 327(a) (D.C. Official Code § 1-1163.27(a)) is amended to read as follows:
“Sec. 327. Duration of a transition committee; restriction on formation.

“(a)(1) A transition committee shall terminate no later than 6 months after the beginning of the term of the new Mayor, Chairman of the Council, or Attorney General.

“(2) A transition committee may continue to accept contributions necessary to retire the debts of the committee for 6 months after the beginning of the new term, after which the Mayor, Chairman of the Council, or Attorney General shall be personally liable for any remaining debts of their respective committees; provided, that personal liability shall not attach until the Campaign Finance Board is no longer auditing the respective transition committee.

“(b) The Mayor, Chairman, or Attorney General shall not fundraise to retire the proper debts of his or her respective transition committees, for which he or she is now personally liable, after 6 months after the beginning of his or her new term.”.

(dd) Section 328 (D.C. Official Code § 1-1163.28) is amended as follows:

(1) Subsection (a)(1) is amended by striking the phrase “administrative proceedings.” and inserting the phrase “administrative proceedings arising directly out of the conduct of a campaign, the election process, or the performance of the public official’s governmental activities and duties.” in its place.

(2) Subsection (b)(3) is amended by striking the phrase “principal officers” and inserting the word “officers” in its place.

(ee) Section 329 (D.C. Official Code § 1-1163.29) is amended as follows:

(1) Subsection (a) is amended by striking the word “chairman” both times it appears and inserting the word “chairperson” in its place.

(2) Subsection (b) is amended by striking the phrase “the occupation” and inserting the phrase “the occupation, employer,” in its place.

(3) Subsection (c) is amended by striking the phrase “the occupation” both times it appears and inserting the phrase “the occupation, employer,” in its place.

(4) Subsection (d) is amended by striking the phrase “Elections Board” and inserting the phrase “Campaign Finance Board” in its place.

(5) Subsection (e) is amended as follows:

(A) Paragraph (1) is amended by striking the number “\$10,000” both times it appears and inserting the number “\$2,000” in its place.

(B) Paragraph (2) is amended by striking the phrase “a person acting on behalf” and inserting the phrase “an agent” in its place.

(C) Paragraph (3) is amended by striking the phrase “a person acting on behalf” and inserting the phrase “an agent” in its place.

(ff) Section 330 (D.C. Official Code § 1-1163.30) is amended by striking the phrase “registration statement” and inserting the phrase “statement of organization” in its place.

(gg) Section 331(b) (D.C. Official Code § 1-1163.31(b)) is amended by striking the phrase “the occupation” wherever it appears and inserting “including the occupation, employer,” in its place.

(hh) Section 332 (D.C. Official Code § 1-1163.32) is amended as follows:

(1) Subsection (b) is amended by striking the phrase “Elections Board in a published regulation” and inserting the phrase “Campaign Finance Board by regulation” in its place.

(2) Subsection (c) is amended by striking the phrase “The Elections Board shall, by published regulations of general applicability,” and inserting the phrase “The Campaign Finance Board shall, by regulation,” in its place.

(3) Subsection (e) is amended by striking the phrase “the Elections Board” and inserting the phrase “the Campaign Finance Board” in its place.

(ii) Section 332a (D.C. Official Code § 1-1163.32a) is amended by striking the phrase “the Office of Campaign Finance” and inserting the phrase “the Campaign Finance Board” in its place.

(jj) Section 332c (D.C. Official Code § 1-1163.32c) is amended by striking the phrase “the Elections Board” both times it appears and inserting the phrase “the Board” in its place.

(kk) Section 332f(d)(7) (D.C. Official Code § 1-1163.32f(d)(7)) is amended by striking the phrase “the Elections Board” and inserting the phrase “the Board” in its place.

(ll) Section 332h (D.C. Official Code § 1-1163.32h) is amended by striking the phrase “the Office of Campaign Finance” wherever it appears and inserting the phrase “the Campaign Finance Board” in its place.

(mm) Section 332j (D.C. Official Code § 1-1163.32j) is amended by striking the phrase “the Office of Campaign Finance’s” and inserting the phrase “the Campaign Finance Board’s” in its place.

(nn) Section 332l(a) (D.C. Official Code § 1-1163.32l(a)) is amended by striking the phrase “the Elections Board” and inserting the phrase “the Board” in its place.

(oo) Section 333 (D.C. Official Code § 1-1163.33) is amended as follows:

(1) Subsection (c) is amended as follows:

(A) Paragraph (1) is repealed.

(B) Paragraph (2) is designated as the lead-in language.

(2) Subsection (f) is amended as follows:

(A) The existing text is designated as paragraph (1).

(B) The newly designated paragraph (1) is amended by striking the phrase “election, including primary and general elections, but excluding special elections,” and inserting the word “election” in its place.

(C) A new paragraph (2) is added to read as follows:

“(2) Contributions to a political action committee that are designated for a non-contribution account shall not be subject to the contribution limitations of this subsection.”.

(3) A new subsection (f-1) is added to read as follows:

“(f-1) Limitations on contributions under this section shall apply to political action committees during nonelection years.”.

(4) A new subsection (h-1) is added to read as follows:

“(h-1) The contribution limitations in this section shall not apply to independent expenditure committees.”.

(pp) A new section 334a is added to read as follows:

“Sec. 334a. Covered contractor contributions.

“(a) No agency or instrumentality of the District government, including an independent agency, shall enter into or approve a contract with a covered contractor if the covered contractor has contributed to a prohibited recipient during the prohibited period.

“(b) No covered contractor shall contribute to a prohibited recipient during the prohibited period. This prohibition shall not include a contribution by a covered contractor who is also a prohibited recipient to finance his or her own election.

“(c) To facilitate compliance with this section:

“(1) Each contracting authority shall:

“(A) Require that covered contractors report their principals to the contracting authority;

“(B) Maintain a publicly-available list on its website of all covered contractors, including their principals, for the contracts of that contracting authority;

“(C) Notify covered contractors, in the solicitation or similar invitation or opportunity to contract, of:

“(i) The prohibited recipients or, if the value of the contract is estimated, the likely prohibited recipients for the contract based on its estimated value; and

“(ii) Any other relevant provisions of this act;

“(D) With the Director of Campaign Finance, identify, for each covered contractor, whether the covered contractor has contributed to a prohibited recipient during the prohibited period;

“(E) Enforce the provisions of subsection (e)(1) of this section against covered contractors who have violated this section and provide their names to the Campaign Finance Board for the purposes of subsection (e)(2) of this subsection; and

“(F) For contracting authorities other than the Office of Contracting and Procurement, notify the Office of Contracting and Procurement of any enforcement actions taken pursuant to subsection (e)(1) of this section; and

“(2) The Director of Campaign Finance shall:

“(A) Check the publicly-available lists of covered contractors maintained pursuant to paragraph (1)(B) of this subsection against the reports of receipts and expenditures submitted to the Director of Campaign Finance pursuant to section 309 to identify any unlawful

contributions, and then notify the covered contractor, the prohibited recipient who accepted the contribution, and the relevant contracting authority in order to allow the covered contractor and the prohibited recipient to cure the violation; and

“(B) Notify prohibited recipients and campaign treasurers of the relevant provisions of the Campaign Finance Reform Amendment Act of 2018, passed on 2nd reading on December 4, 2018 (Enrolled version of Bill 22-107).

“(d) The Director of Campaign Finance shall make available any necessary information to the contracting authorities and the Office of the Chief Financial Officer to facilitate compliance with this section.

“(e)(1) A covered contractor that violates this section may be considered to have breached the terms of any existing contract with the District. At the discretion of the relevant contracting authority, any existing contract of the covered contractor may be terminated. The covered contractor may also be disqualified from eligibility for future District contracts, including the extension or modification of any existing contract, for a period of 4 calendar years after the date of determination that a violation of this section has occurred.

“(2) The names of any prohibited recipients or covered contractors found to be in violation of this section shall be prominently displayed on the webpage of the Campaign Finance Board.

“(f) Within 180 days after the effective date of the Campaign Finance Reform Amendment Act of 2018, passed on 2nd reading on December 4, 2018 (Enrolled version of Bill 22-107), the Office of Contracting and Procurement, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this section.”.

(qq) Section 335 (D.C. Official Code § 1-1163.35) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Strike the phrase “Elections Board” both times it appears and insert the phrase “Campaign Finance Board” in its place.

(ii) Strike the phrase “of this title or of Title I of the Election Code” and insert the phrase “of this title” in its place.

(B) Paragraph (2) is amended as follows:

(i) Subparagraph (C) is amended by striking the phrase “Elections Board” and inserting the phrase “Campaign Finance Board” in its place.

(ii) Subparagraph (D) is amended by striking the phrase “this title or of Title I of the Election Code” and inserting the phrase “this title” in its place.

(C) Paragraph (3) is amended by striking the phrase “the Elections Board” both times it appears and inserting the phrase “the Campaign Finance Board” in its place.

(D) Paragraph (4) is amended by striking the phrase “the Elections Board” both times it appears and inserting the phrase “the Campaign Finance Board” in its place.

(E) Paragraph (5) is amended by striking the phrase “the Elections Board” wherever it appears and inserting the phrase “the Campaign Finance Board” in its place.

(2) Subsection (d) is amended by striking the phrase “he shall” and inserting the phrase “he or she shall” in its place.

(3) Subsection (e) is amended by striking the phrase “the Elections Board” and inserting the phrase “the Campaign Finance Board” in its place.

(rr) Section 336 (D.C. Official Code § 1-1163.36) is amended by striking the phrase “elected office” both times it appears and inserting the phrase “public office” in its place.

(ss) Section 337 (D.C. Official Code § 1-1163.37) is amended as follows:

(1) Subsection (a) is amended to read as follows:

“(a) Notwithstanding any other provisions of this title, neither the Campaign Finance Board, the Director of Campaign Finance, or any of the Director’s officers or employees, may require that a document be sworn under oath or affirmed unless the Campaign Finance Board and Director of Campaign Finance maintain at the place of receipt of such documents and during regular business days and hours, a notary public to administer such oaths or affirmations.”.

(2) Subsection (b) is amended by striking the phrase “an oath” and inserting the phrase “an oath or affirmation” in its place.

(tt) Section 338 (D.C. Official Code § 1-1163.38) is amended as follows:

(1) Subsection (d) is amended by striking the word “chairman” both times it appears and inserting the word “chairperson” in its place.

(2) Subsection (h) is amended by striking the phrase “section 221” and inserting the phrase “section 335” in its place.

Sec. 7. Section 3 of the Prohibition on Government Employee Engagement in Political Activity Act of 2010, effective March 31, 2011 (D.C. Law 18-355; D.C. Official Code § 1-1171.02), is amended as follows:

(a) Subsection (a)(1) is amended by striking the phrase “his official” and inserting the phrase “his or her official” in its place.

(b) Subsection (b) is amended as follows:

(1) The lead-in language is amended by striking the phrase “while on leave” and inserting the phrase “while on annual or unpaid leave” in its place.

(2) Paragraph (1) is amended by striking the phrase “the activities” and inserting the phrase “the functions” in its place.

(3) A new paragraph (1A) is added to read as follows:

“(1A) The employee may only perform these functions for a principal campaign committee, exploratory committee, or transition committee;”.

(4) Paragraph (3) is amended to read as follows:

“(3)(A) Any designated employee shall file a report, in a form as prescribed by the Board, with the Board within 15 days after being designated.

“(B) The report shall identify only the employee's name, the name of the person who designated the employee, and the name of the principal campaign committee, exploratory committee, or transition committee for which the employee is designated.

“(C) The Board shall, on its website, identify each designated employee, and for each designated employee shall identify the name of the person who designated the employee, as well as the name of the principal campaign committee, exploratory committee, or transition committee for which the employee is designated.

“(D) The report required by this paragraph shall be in addition to any disclosure required under section 224 or section 225 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.24 or § 1-1162.25); and”.

Sec. 8. The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), is amended as follows:

(a) Section 202 (D.C. Official Code § 2-352.02) is amended as follows:

(1) Subsection (c) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “contractor,” and inserting the phrase “contractor, the names of the contractor’s principals,” in its place.

(B) A new paragraph (3B) is added to read as follows:

“(3B) A description of any other contracts the proposed contractor is currently seeking or holds with the District;”.

(C) A new paragraph (8B) is added to read as follows:

“(8B)(A) A certification that the proposed contractor has not been determined to be in violation of section 334a of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, passed on 2nd reading on December 4, 2018 (Enrolled version of Bill 22-107); and

“(B) A certification from the proposed contractor that it currently is not and will not be in violation of section 334a of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, passed on 2nd reading on December 4, 2018 (Enrolled version of Bill 22-107);”.

(2) Subsection (c-1) is amended as follows:

(A) Paragraph (6) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(B) Paragraph (7) is amended by striking the period and inserting the phrase “; and” in its place.

(C) A new paragraph (8) is added to read as follows:

“(8)(A) A certification that the proposed contractor has been determined not to be in violation of section 334a of the Board of Ethics and Government Accountability

Establishment and Comprehensive Ethics Reform Amendment Act of 2011, passed on 2nd reading on December 4, 2018 (Enrolled version of Bill 22-107); and

“(B) A certification from the proposed contractor that it currently is not and will not be in violation of section 334a of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, passed on 2nd reading on December 4, 2018 (Enrolled version of Bill 22-107).”.

(b) Section 1104(b) (D.C. Official Code § 2-361.04(b)) is amended as follows:

(1) Paragraph (2)(B) is amended to read as follows:

“(B) Each website linked to by the webpage provided for in subparagraph (A) of this paragraph shall:

“(i) Provide clear instructions on how to respond electronically to each solicitation, unless a solicitation cannot be responded to electronically, in which case the website shall provide clear instructions on how to respond to the solicitation through non-electronic means;

“(ii) Include information in the solicitation regarding:

“(I) The prohibited recipients or, if the value of the contract is estimated, the likely prohibited recipients, as that term is defined in section 101(45D) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(45D)), for the contract based on its estimated value; and

“(II) Any other relevant provisions of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq.*).”.

(2) Paragraph (3) is amended as follows:

(A) Subparagraph (D) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(B) Subparagraph (E) is amended by striking the period and inserting the phrase “; and” in its place.

(C) A new subparagraph (F) is added to read as follows:

“(F) A notation identifying:

“(i) Whether the vendor is a covered contractor, as that term is defined in section 101(10C) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(10C)); and

“(ii) To which prohibited recipients, as that term is defined in section 101(45D) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(45D)), the vendor is prohibited from making campaign contributions and during what prohibited period, as that term is defined in section 101(45C) of

the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(45C)).”.

Sec. 9. Section 47-4701(b)(1) of the District of Columbia Official Code is amended by adding a new subparagraph (C-i) to read as follows:

“(C-i) If the estimated aggregate value of the exemption or abatement is \$250,000 or more:

“(i) A list of the contributions, as that term is defined in section 101(10) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(10)), made, from the date of the bill’s introduction to the date that the TAFA is provided to the Council, by the grantee and the principals of the grantee, to the following persons:

“(I) The Mayor and any Councilmember;

“(II) A candidate for Mayor or Councilmember;

“(III) Any political committee, as that term is defined in section 101(44) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(44)), affiliated with an individual listed in sub-sub-paragraphs (I) or (II) of this sub-subparagraph; and

“(IV) Any constituent-service program established pursuant to section 338 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1163.38), affiliated with an individual listed in sub-sub-paragraphs (I) or (II) of this sub-subparagraph; and

“(ii) A list, provided by the grantee, of any contracts, as that term is defined in section 101(10C)(A)(ii) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(10C)(A)(ii)), that the grantee is seeking or holds with the District government;”.

Sec. 10. Applicability.

(a)(1) Except as provided in subsection (b) of this section, this act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(2) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan and provide notice to the Budget Director of the Council of the certification.

(3)(A) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(B) The date of publication of the notice of the certification shall not affect the applicability of this act.

(b) Sections 6(b)(4), (8), and (22) and (pp), 8, and 9 shall:

(1) Apply as of November 4, 2020; and

(2) Not apply to contracts, as defined in section 101(10C)(A)(ii) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(10C)(A)(ii)), including those contracts' option periods or similar contract extensions or modifications, sought, entered into, or executed before November 4, 2020.

Sec. 11. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 12. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia

UNSIGNED
Mayor
District of Columbia
January 18, 2019



**COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004**

Docket No. **B22-107**

☐ ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

ADOPTED FIRST READING, 11/20/18

☒ VOICE VOTE

RECORDED VOTE ON REQUEST

APPROVED, Voted Present McDuffie and Todd

ABSENT

☐ ROLL CALL VOTE – Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Mendelson	X				Gray	X				Silverman	X			
Allen	X				Grosso	X				T. White	X			
Bonds	X				McDuffie			X		Todd			X	
Cheh	X				Nadeau	X								
Evans	X				R. White	X								
X – Indicate Vote					AB – Absent					NV – Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

12-17-18

Date

☐ ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

ADOPTED FINAL READING, 12/4/18

☒ VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

☐ ROLL CALL VOTE – Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Mendelson	X				Gray	X				Silverman	X			
Allen	X				Grosso	X				T. White	X			
Bonds	X				McDuffie				X	Todd	X			
Cheh	X				Nadeau	X								
Evans	X				R. White	X								
X – Indicate Vote					AB – Absent					NV – Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

12-17-18

Date

☐ ITEM ON CONSENT CALENDAR

☐ ACTION & DATE

☐ VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

☐ ROLL CALL VOTE – Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Mendelson					Gray					Todd				
Allen					Grosso					White, R.				
Bonds					McDuffie					White, T.				
Cheh					Nadeau									
Evans					Silverman									
X – Indicate Vote					AB – Absent					NV – Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

Date