

\_\_\_\_\_  
Councilmember Tommy Wells

A BILL

\_\_\_\_\_  
IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
\_\_\_\_\_

Councilmember Tommy Wells introduced the following bill, which was referred to the committee on \_\_\_\_\_.

To amend the District of Columbia Campaign Finance Reform and Conflict of Interest Act to create and establish filing and reporting requirements for transition committees, and to regulate termination donations from a constituent services fund; and amend of the District of Columbia Campaign Contribution Limitation Initiative of 1992 to prohibit bundling of campaign contributions from subsidiary corporation.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Campaign Finance Accountability and Reform Amendment Act of 2011".

Sec. 2. The District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August 14, 1974 (88 Stat. 447; D.C. Official Code § 1-1101.01 *et seq.*) ("Conflict of Interest Act"), is amended as follows:

(a) Section 102 is amended by adding a new paragraph (12) to read as follows:

“(12) “Transition and inaugural committee” means any individual, or group of individuals, organized for the purpose of office and personnel transition, including inaugural activities, on behalf of an individual elected to office.”.

(b) A new section 212 (to be codified at D.C. Official Code § 1-1102.12) is added to read as follows:

“Sec. 212. Transition and inaugural committee. 1

“(a) Each transition and inaugural committee shall: 2

    “(1) File with the Director a statement of organization within 5 days after its 3  
organization, which includes: 4

        “(A) The name and address of the transition and inaugural committee; 5

        “(B) The name, address, and position of the custodian of the books and 6  
accounts; 7

        “(C) The name, address, and position of other principal officers; 8

        “(D) The name and address of each bank designated as a transition 9  
depository; and 10

        “(E) Any other information required by the Director, or regulations 11  
promulgated pursuant to this act. 12

    “(2) Have a chairman; 13

    “(3) Have a treasurer; and 14

    “(4) File with the Office of Campaign Finance a monthly disclosure report, which 15  
shall be filed on the last day of each month (or if the last day is a Saturday, Sunday, or holiday, 16  
on the next business day) and a final report, which shall be filed within 30 days of the 17  
disbandment of the transition and inaugural committee, which include: 18

        “(A) The name and address of each contributor and the contribution 19  
received by the committee from the contributor; 20

        “(B) The name and address of each person, along with the person’s 21  
occupation and the principal place of business, to whom the transition and inaugural committee 22

made an expenditure or was made on behalf of the transition and inaugural committee, including: 1

- “(i) The amount of the expenditure; 2
- “(ii) The date that the expenditure was made; and 3
- “(iii) The purpose of the expenditure, itemized by category, such as 4  
salary, travel, office rent, administrative costs, or as required by the Director; 5

- “(C) The balance of the transition and inaugural committee fund; and 6
- “(D) The amount and nature of debts and obligations owed by and to the 7  
transition and inaugural committee. 8

“(b) No contribution and no expenditure shall be accepted or made by or on behalf of a 9  
transition and inaugural committee at a time when there is a vacancy in the office of treasurer and 10  
no other person has been designated and has agreed to perform the functions of treasurer. No 11  
expenditure shall be made for or on behalf of a transition and inaugural committee without the 12  
authorization of its chairman or treasurer, or their designated agents. 13

“(c) Any balance in the transition and inaugural committee fund shall be transferred only 14  
to a nonprofit organization, within the meaning of § 501(c) of the Internal Revenue Code of 15  
1954, operating in good standing in the District of Columbia for a minimum of one calendar year 16  
prior to the date of any transfer. 17

“(d) Transition and inaugural committee fund balances shall not be the personal funds of 18  
any individual, including the individual elected to office, but are deemed to be the funds of the 19  
Transition and inaugural committee.”. 20

(c) Section 402(d) of Conflict of Interest Act is amended by striking the last sentence and 21  
inserting the following sentence in its place: 22

“At the time of termination, any excess funds shall either be used to retire the debts of the program or donated to a nonprofit organization, within the meaning of the Internal Revenue Cod of 1954, and operating in good standing in the District of Columbia for a minimum of one calendar year prior to the date of donation.”.

Sec. 3. Section 3 of the District of Columbia Campaign Contribution Limitation Initiative of 1992, effective March 17, 1993 (D.C. Law 9-203; D.C. Official Code § 1-1131.01), is amended by adding a new subsection (j) to read as follows:

“(j)(1) All contributions by an affiliated or a subsidiary corporation, whether owned in whole or in part, to a candidate’s principal political committee shall be treated as a contribution of the parent corporation and subject to the limitations set forth in this section.

“(2) For the purposes of this subsection, an affiliated or subsidiary corporation includes:

“(A) A corporation that is owned or controlled, in whole or in part, by another corporation;

“(B) A corporation that shares the same address of registration or incorporation as another corporation;

“(C) A corporation that shares the same bank account as another corporation; or

“(D) A corporation showing other indicia of being an affiliate or a subsidiary corporation, as determined by the Director.”.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal

impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, 1  
approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)). 2

Sec. 5. Effective date. 3

This act shall take effect following approval by the Mayor (or in the event of veto by the 4  
Mayor, action by the Council to override the veto), a 30-day period of Congressional review as 5  
provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 6  
24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of 7  
Columbia Register. 8