

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 prohibit lobbyists from providing free or discounted legal representation to elected officials, to require elected officials to disclose the receipt of any free or discounted legal representation, to reduce the amount allowed to be raised by elected officials for constituent services programs, to prohibit corporations with existing and pending contracts from contributing to constituent services programs; and amend of the District of Columbia Campaign Contribution Limitation Initiative of 1992 to prohibit lobbyists and registrants from making contributions to political campaigns and constituent services funds.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Prohibition on Corporate and Lobbyist Giving to Public Officials Reform Amendment Act of 2011".

Sec. 2. 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 as follows:

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

“(d)(1) No person shall make contributions to any 1 political committee in any election, whether a primary, general, or special, that, in the aggregate exceeds \$2,000.”.

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

1 “(h-1) A lobbyist, as that term is defined in section 501(8) of the District of Columbia
2 Campaign Finance Reform and Conflict of Interest Act, approved August 14, 1974 (88 Stat. 447;
3 D.C. Official Code § 1-1105.02(8)) (“Conflict of Interest Act”) or registrant, as that term is
4 defined in section 501(12) of the Conflict of Interest Act shall not make any contribution to:

5 “(1) A principal campaign committee, established in accordance with section
6 202 of the Conflict of Interest Act;

7 “(2) A constituent services program, established pursuant to section 402 of the
8 Conflict of Interest Act; or

9 “(3) An exploratory committee, as defined in section 2 of the Exploratory
10 Committee Regulation Amendment Act of 2007, effective February 2, 2008 (D.C. Law 17-104;
11 D.C. Official Code § 1-1151.01).

12

13 Sec. 3. The District of Columbia Campaign Finance Reform and Conflict of Interest Act,
14 approved August 14, 1974 (88 Stat. 447; D.C. Official Code § 1-1101.01 *et seq.*) (“Conflict of
15 Interest Act”), is amended as follows:

16 (a) Section 403 (D.C. Official Code § 1-1104.03) is amended as follows:

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

18 (A) Strike the phrase “ aggregate amount of \$80,000 in any 1 calendar
19 year” and insert the phrase “aggregate amount of \$10,000 in any 1 calendar year; provided,
20 further that no contributions shall be received from any corporation that has an existing contract
21 or is bidding, or otherwise applying, for a contract to provide goods or services to the District, or
22 from a lobbyist or registrant, as those terms are defined in section 501(8) and (12).

23 (B) Strike the phrase “maximum of \$80,000” and insert the phrase

1 “maximum of \$10,000” in its place.

2 (C) Strike the phrase “citizen-service” wherever it appears and insert the
3 phrase “constituent-service” in its place.

4 (2) Subsection (a-1) is amended by striking the phrase “citizen-service” both
5 times it appears and inserting the phrase “constituent-service” in its place.

6 (3) Subsection (e) is amended by striking the phrase “citizen-service”
7 and inserting the phrase “constituent-service” in its place.

8

9 (b) Section 506 (D.C. Official Code § 1-1105.06) is amended as follows:

10 (1) Subsection (a) is amended by striking the word “gift” and inserting the
11 phrase “gift or service” in its place.

12 (2) A new subsection (f) is added to read as follows:

13 “(f) No lobbyist or registrant, as those terms are defined in section 501(8) and
14 (12), or person acting on behalf of the lobbyist or registrant, shall provide legal representation
15 to an official in the legislative or executive branch, or to a member of his or her staff, at no cost
16 or at a rate that is less than the lobbyist or registrant would routinely bill for the representation.

17 (d) Section 602 (D.C. Official Code § 1-1106.02) is amended as follows:

18 (1) Paragraph (5) is amended by striking the word “and” at the end.

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

20 “(5A) Any legal representation received by such person at no cost or at a rate that
21 is less than the person would routinely bill for the representation, including the value of the
22 services and the name and address of the counsel from whom the services were received; and”.

23

1 Sec. 4. Fiscal impact statement.

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

5 Sec. 5. Effective date.

6 This act shall take effect following approval by the Mayor (or in the event of veto by the
7 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
8 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
9 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
10 Columbia Register.