A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Campaign Finance Act of 2011 to repeal the existing constituent-service program and related language; and to amend Chapter 3 of Title 47 of the District of Columbia Official Code to establish a government-funded constituent services program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Constituent Service Fund Reform Amendment Act of 2019”.

Sec. 2. The Campaign Finance Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1163.01 et seq.) is amended as follows:

(a) Section 310a(3) (D.C. Official Code § 1-1163.10a(3)) is amended by striking the phrase “Transferred to a political committee, a charitable organization in accordance with § 47-1803.03(a)(8), or, in the case of an elected official, an established constituent services fund; or”
and inserting the phrase “Transferred to a political committee, a charitable organization in accordance with § 47-1803.03(a)(8); or” in its place.

(b) Section 323 (D.C. Official Code § 1-1163.23) is amended by striking the phrase “transfer, or to a constituent-service program pursuant to section 338.” and inserting the phrase “transfer.” in its place.

(c) Section 325 (D.C. Official Code § 1-1163.25) is amended by striking the phrase “transfer, or to a constituent-service program pursuant to section 338.” and inserting the phrase “transfer.” in its place.

(d) Section 328(e) (D.C. Official Code § 1-1163.28(e)) is amended by striking the phrase “transfer, or to a constituent-service program pursuant to section 338.” and inserting the phrase “transfer.” in its place.

(e) Subtitle F (D.C. Official Code § 1-1163.38) is repealed.

Sec. 3. Subchapter IV-A of Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

“47-368.08. Constituent services expenditures.”.

(b) A new section 47-368.08 is added to read as follows:

“§ 47-368.08. Constituent services expenditures.

“(a) The Chief Financial Officer shall administer District funds appropriated for the purpose of constituent services expenditures.
“(b) The Mayor, the Attorney General, the Chairman of the Council, and each member of
the Council is authorized to direct no more than $40,000 in any one fiscal year toward
constituent services expenditures.

“(c)(1) No constituent services expenditure may be made without the approval of the
Chief Financial Officer.

“(2) The Chief Financial Officer shall file quarterly and annual reports of all
constituent services expenditures and make the reports publicly available.

“(d)(1) Upon the request of any member of the Council or the Attorney General, the
Mayor shall provide suitable office space in a publicly owned building for the operation of a
constituent-service program office located in the ward represented by the member.

“(2) The Mayor shall provide suitable office space in a publicly owned building
for each at-large member of the Council and the Attorney General located in a ward of the
elected official’s choice.

“(3) Elected officials shall be provided with space of approximately equivalent
square footage, and in similar proximity to commercial corridors and public transportation,
where practicable.

“(4) The space provided shall also be easily accessible by persons with disabilities
or persons who are elderly.

“(e) The Chief Financial Officer, 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.

“(f) For the purposes of this section, “constituent services expenditures” means
expenditures on an activity, service, or program, which directly provides emergency,
informational, charitable, scientific, educational, medical, or recreational services to the residents
of the District and which primarily benefits residents of the District:

(1) Including expenditures on the following for District residents:

“(A) Funeral arrangements;

“(B) Emergency housing and other necessities of life;

“(C) Past due utility payments;

“(D) Food and refreshments or an in-kind equivalent on infrequent
occasions;

“(E) Community events sponsored by the constituent-service program or
an entity other than the District government; and

“(F) Community-wide events; but

(2) Excluding the following expenditures:

“(A) Promoting or opposing, as a primary purpose, a political party,
committee, candidate, elected official, or issue;

“(B) Fines and penalties inuring to the District;

“(C) Any expenditure of cash;

“(D) Admissions to theatrical, sporting, or cultural events;

“(E) Sponsorships for political organizations;

“(F) Any mass mailing within the 90-day period immediately preceding a
primary, special, or general election by a member of the Council, or the Mayor, who is a
candidate for office; and

“(G) Advertising, signs, t-shirts, or other publicity materials intended to
promote the name of an elected official.”
Sec. 4. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) 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.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

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

Sec. 5. Fiscal impact statement.


Sec. 6. 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.