

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to clarify the maximum amount participating candidates may receive in matching payments under the Fair Elections Program, and to explicitly provide that participating candidates may make expenditures for childcare expenses.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fair Elections Clarification Emergency Amendment Act of 2021”.

Sec. 2. 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) Section 101(10D) (D.C. Official Code § 1-1161.01(10D)) is amended by striking the phrase “member of the Council, and member of the State Board of Education” and inserting the phrase “member of the Council elected at-large, member of the Council elected by ward, member of the State Board of Education elected at-large, and member of the State Board of Education elected by ward” in its place.

(b) Section 332c(c)(4) (D.C. Official Code § 1-1163.32c(c)(4) is amended by striking the phrase “his or her candidacy” and inserting the phrase “the participating candidate’s candidacy” in its place.

34 (c) Section 332e(d) (D.C. Official Code § 1-1163.32e(d)) is amended to read as follows:

35 “(d) The maximum amount participating candidates may receive under this section shall
36 be:

37 “(1) For candidates for Mayor, 110% of the average expenditures per election cycle
38 of all candidates who were elected Mayor in the prior 4 general elections for Mayor;

39 “(2) For candidates for Chairman of the Council, 110% of the average expenditures
40 per election cycle of all candidates who were elected Chairman of the Council in the prior 4 general
41 elections for Chairman of the Council;

42 “(3) For candidates for Attorney General, 110% of the average expenditures per
43 election cycle of all candidates who were elected Attorney General in all prior general elections
44 for Attorney General, until such time as 4 general elections for Attorney General have been held,
45 after which time, 110% of the average expenditures per election cycle of all candidates who were
46 elected Attorney General in the prior 4 general elections for Attorney General;

47 “(4) For candidates for member of the Council elected at-large, 110% of the average
48 expenditures per election cycle of all candidates who were elected member of the Council elected
49 at-large in the prior 2 general elections for member of the Council elected at-large;

50 “(5) For candidates for member of the Council elected by ward, 110% of the
51 average expenditures per election cycle of all candidates who were elected member of the Council
52 elected by ward in the prior 2 general elections for member of the Council elected by ward;

53 “(6) For candidates for member of the State Board of Education elected at-large,
54 110% of the average expenditures per election cycle of all candidates who were elected member
55 of the State Board of Education elected at-large in the prior 2 general elections for member of the
56 State Board of Education elected at-large; and

57 “(7) For candidates for member of the State Board of Education elected by ward,
58 110% of the average expenditures per election cycle of all candidates who were elected member
59 of the State Board of Education elected by ward in the prior 2 general elections for member of the
60 State Board of Education elected by ward.”.

61 (d) Section 332f(d)(3) (D.C. Official Code § 1-1163.32f(d)(3)) is amended by striking the
62 phrase “campaign purposes” and inserting the phrase “campaign purposes, including the
63 participating candidate’s childcare expenses” in its place.

64 Sec. 3. Fiscal impact statement.

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

68 Sec. 4. Effective date.

69 This act shall take effect following approval by the Mayor (or in the event of veto by the
70 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
71 90 days, as provided for emergency acts of the Council of the District of Columbia in section
72 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
73 D.C. Official Code § 1-204.12(a)).