



1   
2 Councilmember Elissa Silverman

  
Councilmember David Grosso

3  
4   
5  
6 Councilmember Robert C. White, Jr.

  
Councilmember Brianne K. Nadeau

7  
8   
9  
10 Councilmember Charles Allen

11  
12  
13  
14  
15  
16 A BILL

17 \_\_\_\_\_  
18 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
19 \_\_\_\_\_

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

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

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

27 (a) Section 310a(3) (D.C. Official Code § 1-1163.10a(3)) is amended by striking the  
28 phrase “Transferred to a political committee, a charitable organization in accordance with § 47-  
29 1803.03(a)(8), or, in the case of an elected official, an established constituent services fund; or”

30 and inserting the phrase “Transferred to a political committee, a charitable organization in  
31 accordance with § 47-1803.03(a)(8); or” in its place.

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

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

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

41 (e) Subtitle F (D.C. Official Code § 1-1163.38) is repealed.

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

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

46 “47-368.08. Constituent services expenditures.”.

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

48 “§ 47-368.08. Constituent services expenditures.

49 “(a) The Chief Financial Officer shall administer District funds appropriated for the  
50 purpose of constituent services expenditures.

51           “(b) The Mayor, the Attorney General, the Chairman of the Council, and each member of  
52 the Council is authorized to direct no more than \$40,000 in any one fiscal year toward  
53 constituent services expenditures.

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

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

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

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

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

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

69           “(e) The Chief Financial Officer, pursuant to Title I of the District of Columbia  
70 Administrative Procedure Act, approved October 21, 1968, (82 Stat. 1204; D.C. Official Code  
71 §2-501 *et seq.*), shall issue rules to implement the provisions of this section.

72           “(f) For the purposes of this section, “constituent services expenditures” means  
73 expenditures on an activity, service, or program, which directly provides emergency,

74 informational, charitable, scientific, educational, medical, or recreational services to the residents  
75 of the District and which primarily benefits residents of the District:

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

77 “(A) Funeral arrangements;

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

79 “(C) Past due utility payments;

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

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

84 “(F) Community-wide events; but

85 (2) Excluding the following expenditures:

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

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

89 “(C) Any expenditure of cash;

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

91 “(E) Sponsorships for political organizations;

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

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

97           Sec. 4. Applicability.

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

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

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

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

107           Sec. 5. Fiscal impact statement.

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

111           Sec. 6. Effective date.

112           This act shall take effect following approval by the Mayor (or in the event of veto by the  
113 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
114 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
115 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
116 Columbia Register.