

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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District of
Columbia
Official Code*

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To require, on a temporary basis, all exploratory committees to file informational reports with the Office of Campaign Finance, to establish individual and aggregate contribution limits, and to treat exploratory contributions as campaign contributions; and to amend the District of Columbia Campaign Finance Reform and Conflict of Interest Act to define terms relating to this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Exploratory Committee Regulation Temporary Amendment Act of 2007”.

Sec. 2. Definitions.

For the purposes of this act, the term “exploratory committee” means any individual, or group of individuals organized for the purpose of examining or exploring the feasibility of becoming a candidate for an elective office in the District of Columbia.

Sec. 3. Reports of exploratory committees.

(a) Each exploratory committee shall file an informational report with the Office of Campaign Finance that lists the following:

- (1) Each contributor’s full name and the contribution received by the committee;
- (2) Itemized expenditures by category, including polling, travel, office rent, and administrative costs; and
- (3) The balance of the exploratory committee fund.

(b) The informational report shall be filed semiannually, on January 31st and July 31st; provided, that within 12 months of an election for the office that is the subject of the exploratory committee, reports shall be filed on the last day of each month.

Sec. 4. Fund balance requirements.

(a) Any balance in the exploratory committee fund may be transferred to an established principal campaign committee, political committee, or charitable organization in accordance with D.C. Official Code § 47-1803.03(a)(8).

(b) Exploratory committee fund balances shall not be deemed the personal funds of any individual, including the individual seeking elective office.

Sec. 5. Aggregate and individual contribution limits.

(a) Exploratory committees shall not receive aggregate contributions in excess of:

- (1) \$200,000 for Mayoral exploratory committees;
- (2) \$150,000 for Chairman of the Council exploratory committees;
- (3) \$100,000 for an at-large member of the Council exploratory committees;
- (4) \$50,000 for Ward Councilmember and President of the Board of Education

exploratory committees; and

- (5) \$20,000 for member of the Board of Education exploratory committees.

(b) Exploratory committees shall not receive individual contributions in excess of:

- (1) \$2,000 for Mayoral exploratory committees;
- (2) \$1,500 for Chairman of the Council exploratory committees;
- (3) \$1,000 for at-large member of the Council exploratory committees;
- (4) \$500 for Ward Councilmember and President of the Board of Education

exploratory committees; and

- (5) \$200 for member of the Board of Education exploratory committees.

Sec. 6. Contribution prohibition.

When an individual decides to run for office and becomes a candidate, contributions received during the exploratory period, beginning June 2, 2006, shall apply to the campaign contribution limits for the candidate, as provided under section 3 of the District of Columbia Campaign Contribution Limitation Initiative Act of 1992, effective March 17, 1993 (D.C. Law 9-204; D.C. Official Code § 1-1131.01).

Note,
§ 1-1101.01

Sec. 7. Section 102 of 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), is amended as follows:

(a) Paragraph (2)(C) is amended by striking the phrase “for that purpose.” and inserting the phrase “for that purpose; provided, that an individual shall not be deemed a candidate if he or she notifies each person who has made contributions, received contributions on his or her behalf, or made expenditures on his or her behalf that such individual is only testing the waters, has not yet made any decision whether to seek nomination or election to public office, and is not a candidate.” in its place.

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(b) A new paragraph (12) is added to read as follows:

“(12) The term “campaign activity” means, but shall not be limited to:

“(A) Making or authorizing statements that refer to an individual as a candidate;

“(B) Using general public political advertising to publicize an individual’s intent to seek elective public office;

“(C) Raising more money than is permitted by section 4(a) of the Exploratory Committee Regulation Temporary Amendment Act of 2007, passed on 2nd reading on February 6, 2007 (Re-Enrolled version of Bill 17-13);

“(D) Conducting exploratory activities for a particular elected office and a particular election in the District of Columbia for an aggregate period exceeding 12 months; or

“(E) Taking action to qualify for the ballot.”.

Sec. 8. Fiscal impact statement.

The Council adopts the January 8, 2007 fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 9. Effective date.

(a) 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.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia

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