

Councilmember Charles Allen



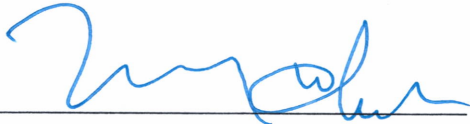
Councilmember David Grosso



Councilmember Anita Bonds



Councilmember Elissa Silverman



Councilmember Mary M. Cheh

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to establish formal processes to identify address and resolve conflicts of interests and appearances of conflict; to clarify who may be included as closely affiliated to an employee; and to expand restrictions on employee's outside employment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "BEGA Loophole Closure Amendment Act of 2020".

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 § 1-1162 *et. seq.*), is amended as follows:

(a) Section 202(a) (D.C. Official Code § 1-1162.02(a)) is amended as follows:

(1) Paragraph (5) is amended by striking the phrase "mandatory training" and inserting "mandatory annual training" in its place.

36 (2) Paragraph (8) is amended by striking the phrase “; and” and inserting a
37 semicolon in its place.

38 (3) A new paragraph (10) and (11) is added to read as follows:

39 “(10) Analyze reports submitted pursuant to section 224 to determine accuracy
40 and provide feedback when public officials submit inaccurate or incomplete financial
41 disclosures; and

42 “(11) Establish a formal process to identify, address, and resolve conflicts of
43 interest, appearances of conflicts of interest, and violations of the Code of Conduct.”.

44 (b) Section 223 (D.C. Official Code § 1-1162.23) is amended as follows:

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

46 “(a) No employee shall use his or her official position or title, or personally and
47 substantially participate, through decision, approval, disapproval, recommendation, the rendering
48 of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a
49 ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other
50 particular matter, or attempt to influence the outcome of a particular matter, in a manner that the
51 employee knows is likely to have a direct and predictable effect on the financial interests of:

52 “(1) The employee;

53 “(2) A person closely affiliated with the employee;

54 “(3) The employee’s spouse, child, or family member as defined by § 32-501(4);

55 or

56 “(4) The employee’s affiliated organization as defined by § 1-1161.01(3).”.

57 (2) Subsection (d)(1) is amended by striking the phrase “gratuity, or any other
58 thing of value” and inserting the phrase “gratuity, annual retainer, business income, or any other
59 thing of value” in its place.

60 (c) Section 224(a)(1)(A) is amended to read as follows:

61 “(A) The name of each business entity, including sole proprietorships, partnerships,
62 trusts, nonprofit organizations, corporations, and clients including clients of any affiliated
63 organizations, whether or not transacting any business with the District of Columbia government,
64 in or from which the public official or his or her spouse, domestic partner, or dependent children:

65 (d) Section 231(f) (D.C. Official Code § 1-1162.31(f)) is amended to read as follows:

66 “(f) While acting as a public official, except as provided in section 228, no public official
67 shall be employed as:

68 “(1) A lobbyist;

69 “(2) An advisor or consultant for an entity with business before the District; or

70 “(3) An advisor or consultant for an entity representing one or more clients with
71 business before the District.”

72 Sec. 3. Fiscal impact statement.

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

76 Sec. 4. Effective date.

77 This act shall take effect following approval by the Mayor (or in the event of veto by the
78 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
79 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

80 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
81 Columbia Register.