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2 Councilmember Marion Barry

Councilmember Vincent Bernard Orange, Sr.

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8 A BILL  
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11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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14 At-large Councilmember, Vincent Bernard Orange, Sr. introduced the following bill, which was  
15 referred to the Committee on \_\_\_\_\_  
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17 To amend the Board of Ethics and Government Accountability Establishment and  
18 Comprehensive Ethics Reform Amendment Act of 2011 to prohibit contractors who  
19 employ or retain a member of the Council from doing business with the District and to  
20 require family members of public officials to disclose whether they are employed or  
21 retained by a contractor that currently has or intends to seek a contract with the District  
22 government.  
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24 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
25 act may be cited as the “Prohibition on Third-Party Employers Amendment Act of 2013”.  
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27 Sec. 2. Board of Ethics and Government Accountability Establishment and

28 Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-  
29 124; D.C. Official Code § 1-1161.01 *et seq.*) as follows:

30 A new section 223a is added to read as follows:

31 “Sec. 223a. Prohibition on third-party employers.

32 “(a) As used in this section, the term:

33 “(1) “Contractor” means:

34 “(A) An individual;

35 “(B) A business corporation as defined in the D.C. Official Code § 29-  
36 101.01(2);

1                   “(C) A nonprofit organization; or

2                   “(D) An entity that has a contract with the District government to supply  
3 goods or services.

4                   “(2) “Immediate family” means the spouse or domestic partner of a public official  
5 and any parent, grandparent, brother, sister, or child of the public official, and he spouse or  
6 domestic partner of any such parent, grandparent, brother, sister, or child.

7                   “(b)(1) A contractor who employs or retains a member of the Council shall be prohibited  
8 from bidding or receiving a contract or an award from the District.

9                   (2) A contractor who employs or retains a member of the Council and has a  
10 contract or received an award from the District prior to the effective date of this act shall be  
11 prohibited from bidding on any follow-on or renewable acquisitions or awards.

12                   “(c)(1) A member of the immediate family of a public official who is employed or  
13 retained by a contractor or has a financial interest in the contractor’s business shall file, on an  
14 annual basis, a financial disclosure form with the Ethics Board.

15                   “(2) On the financial disclosure form, the immediate family member shall:

16                   “(A) Make full disclosure of his or her financial interest with the  
17 contractor; and

18                   “(B) Disclose his or her role in any work he or she has completed on  
19 behalf of the contractor.

20                   “(d) Any person who fails to file the financial disclosure form set forth in subsection (c)  
21 of this section with the Ethics Board in a timely manner shall be assessed a civil penalty of \$10  
22 per day, not to exceed \$500, that the report or registration form is late. The Ethics Board may  
23 waive the penalty for failure to file the form in a timely manner for good cause shown.”.

1           Sec. 3. Fiscal impact statement.

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

5           Sec. 4. Effective date.

6           This act shall take effect following approval by the Mayor (or in the event of veto by the  
7 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as  
8 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
9 24, 1973 (87 Stat, 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
10 Columbia Register.

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