



Council of the **DISTRICT OF COLUMBIA**

Code of the District of Columbia

§ 1–1163.32b. Fair Elections Program contribution limitations and requirements.

(a) Neither a candidate seeking certification nor a participating candidate may accept a qualified small-dollar contribution or a contribution from a non-District resident individual, that, when aggregated with all other qualified small-dollar contributions received from that small-dollar contributor or contributions received from that non-District resident individual, exceeds, per election cycle:

(1) In the case of a qualified small-dollar contribution or contribution from a non-District resident individual in support of a candidate for Mayor, \$200;

(2) In the case of a qualified small-dollar contribution or contribution from a non-District resident individual in support of a candidate for Chairman of the Council or Attorney General, \$200;

(3) In the case of a qualified small-dollar contribution or contribution from a non-District resident individual in support of a candidate for member of the Council elected at-large, \$100;

(4) In the case of a qualified small-dollar contribution or contribution from a non-District resident individual in support of a candidate for member of the Council elected from a ward or for member of the State Board of Education elected at-large, \$50; and

(5) In the case of a qualified small-dollar contribution or contribution from a non-District resident individual in support of a candidate for member of the State Board of Education elected from a ward, \$20.

(b) For each qualified small-dollar contribution and contribution from a non-District resident individual, the candidate shall collect and retain the following information:

(1) The contributor's physical or electronic signature or other indicia of identity (such as an affirmation checkbox), printed or typed name, address, occupation and principal

place of business, if any, and the name of the candidate to whom the contribution is made; and

(2) An indication, including by clicking a checkbox or button, that the contributor has sworn or affirmed that the contributor:

(A) Is making the contribution in the contributor's own name and from the contributor's own funds;

(B) Is making the contribution voluntarily and has not received anything of value in return for the contribution;

(C) In the case of a small-dollar contributor, is a District resident;

(D) In the case of a contribution from a non-District resident individual, is a non-District resident individual; and

(E) Understands that a false statement is a violation of law.

(b-1) Notwithstanding subsection (b)(2) of this section:

(1) If a contributor agrees to make contributions to a candidate that recur automatically on a periodic basis, the contributor's initial indication made pursuant to subsection (b)(2) of this section or paragraph (2) of this subsection is sufficient to indicate continuous assent, and the contributor need not provide an indication pursuant to subsection (b)(2) of this section or paragraph (2) of this subsection for each recurring contribution.

(2) If a contributor makes a contribution to a candidate over the phone, the indication required by subsection (b)(2) of this section may be provided by the contributor orally.

(c) A candidate seeking certification and a participating candidate may accept qualified small-dollar contributions and contributions from non-District resident individuals made by means of personal check, credit card, cash, or electronic payment account; provided, that contributions in the form of cash cannot, in the aggregate, exceed \$100 per small-dollar contributor or non-District resident individual per candidate per election cycle.

[\(Apr. 27, 2012, D.C. Law 19-124, § 332b; as added May 5, 2018, D.C. Law 22-94, § 2\(b\)\(5\), 65 DCR 2847; Oct. 30, 2018, D.C. Law 22-168, § 1002\(c\), 65 DCR 9388; Sept. 11, 2019, D.C. Law 23-16, § 1042\(i\), 66 DCR 8621.\)](#)

Applicability

Section 3 of D.C. Law 22-168 amended [section 3 of D.C. Law 22-94](#), removing the applicability restriction impacting this section. Therefore the creation of this section by section 2(b)(5) of D.C. Law 22-94 has been implemented as of November 7, 2018.

Applicability of [D.C. Law 22-94: § 3 of D.C. Law 22-94](#) provided that the creation of this section by [§ 2\(b\)\(5\) of D.C. Law 22-94](#) is subject to the inclusion of the law's fiscal effect in an approved budget and financial plan. Therefore that amendment has not been implemented.

Emergency Legislation

[For temporary \(90 days\) amendment of this section, see § 2\(c\) of Fair Elections Emergency Amendment Act of 2019 \(D.C. Act 23-50, May 22, 2019, 66 DCR 6583\).](#)

[For temporary \(90 days\) amendment of this section, see § 1002\(c\) of Fiscal Year 2019 Budget Support Congressional Review Emergency Act of 2018 \(D.C. Act 22-458, Oct. 3, 2018, 65 DCR 11212\).](#)

[For temporary \(90 days\) amendment of this section, see § 1002\(c\) of Fiscal Year 2019 Budget Support Emergency Act of 2018 \(D.C. Act 22-434, July 30, 2018, 65 DCR 8200\).](#)

Temporary Legislation

[For temporary \(225 days\) amendment of this section, see § 2\(c\) of Fair Elections Temporary Amendment Act of 2019 \(D.C. Law 23-13, Aug. 24, 2019, 66 DCR 8058\).](#)

PUBLICATION INFORMATION

Current through

June 16, 2022

Last codified Emergency Law:

[Act 24-439 effective June 16, 2022](#)

Last codified D.C. Law:

[Law 24-126 effective May 19, 2022](#)

Last codified Federal Law:

[Public Law 115-334 approved Dec. 20, 2018](#)

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