

Government of the District of Columbia
Office of the Chief Financial Officer



Jeff DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeff DeWitt
Chief Financial Officer

DATE: March 24, 2014

SUBJECT: Fiscal Impact Statement – “Comprehensive Code of Conduct and BEGA Amendment Act of 2014”

REFERENCE: Bill 20-412, Committee Print as provided to the Office of Revenue Analysis on March 20, 2014

Conclusion

Funds are sufficient in the FY 2014 through FY 2017 budget and financial plan to implement the bill.

Background

The bill makes changes to the powers and responsibilities of the Board of Ethics and Government Accountability (BEGA). First, the bill requires BEGA to submit legislation to Council to codify a new comprehensive Code of Conduct (“COC”)¹ applicable to all employees and public officials of the District of Columbia, and upon enactment, issue rules to implement the new COC. The bill affirms the applicability of the current COC to all employees and agencies of the District of Columbia, independent agencies, the Council, boards and commissions, and Advisory Neighborhood Commissions. It broadens COC’s coverage to include acceptance and use of gifts by District employees.

The bill gives BEGA the authority to access documents of District agencies without a subpoena, and requires all District employees to cooperate with the official functions of BEGA and the Director of Government Ethics. BEGA will be able to retain jurisdiction over matters that are concurrently referred to the Office of the Attorney General or the United States Attorney. Failure to obey a court order enforcing a BEGA penalty can be treated as contempt of court. Lastly, the bill requires District employees to report to the Director of Government Ethics conduct that violates the COC.

¹ D.C. Official Code § 1-1161.01(7).

The Honorable Phil Mendelson

FIS: "Comprehensive Code of Conduct and BEGA Amendment Act of 2014," Bill 20-412, Committee Print as provided to the Office of Revenue Analysis on March 20, 2014.

Financial Plan Impact

Funds are sufficient in the FY 2014 through FY 2017 budget and financial plan to implement the bill. Many of the changes were recommended by BEGA in its annual best practices report,² and it is able to manage the requirements of the bill within its current resources.

² *Annual Best Practices Report*, D.C. BOARD OF ETHICS AND GOV'T ACCOUNTABILITY (December 2014).