

DC Pay-to-Play Law to Take Effect November 2022

January 2022

The District of Columbia's long-awaited pay-to-play law will take effect on November 9, 2022, after over two years of delay. The District's pay-to-play law was originally set to go into effect on November 4, 2020, but was postponed as part of the fiscal year 2021 appropriations bill due to lack of funding to implement the law. The effective date was uncertain until the law's implementation was provided for in the recently approved fiscal year 2022 budget.

Once the law takes effect in November, certain entities and individuals will be prohibited from making political contributions to certain government officials. In general, the ban will affect those having or seeking business of \$250,000 or more with the District government. The individuals covered generally include senior officers at covered entities.

The law also creates reporting and certification obligations, including the provision of a list by government contractors of their covered principals and pre-contract certification that a bidder has not previously violated the pay-to-play law. Violation of the pay-to-play law could lead to termination of current contracts and disqualification for four calendar years from future contracts.

The District joins a sizable list of states and local jurisdictions that regulate political contributions from government contractors and potential government contractors through pay-to-play laws aimed at reducing corruption. Wiley regularly advises on pay-to-play issues at the local, state, and federal level.

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