

Pay-to-Play Restrictions on Campaign Contributions from Government Contractors, 2016

by Craig Holman, Ph.D., Public Citizen;
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Pay-to-play is the all-too-common practice of an individual or business entity making campaign contributions to a public official with the hope of gaining a lucrative government contract. Usually, though not always, pay-to-play abuses do not take the form of outright bribery for a government contract. Rather, pay-to-play more often involves an individual or business entity buying access for consideration of a government contract.

Using campaign contributions to influence the awarding of government contracts not only damages the integrity of the contracting process and undermines the public's confidence in government, it can also endanger otherwise promising careers of those who may be tempted to cross the line. Illinois Governor George Ryan, who was once rumored to be in the running for a Nobel Peace Prize, instead was convicted of corruption and spent five years in prison.

This report identifies 15 states, the federal government and the Securities and Exchange Commission (SEC) and the Municipal Securities Rulemaking Board (MSRB) with some form of campaign contribution limits on contractors. Several other jurisdictions have disclosure-only requirements on government contractors and dozens of municipalities also have such restrictions.

The laws vary widely in effectiveness and scope. The strongest pay-to-play laws will have several key elements, including: (i) a broad definition of contractors subject to the restrictions to include senior executive personnel; (ii) special disclosure requirements so that compliance can be easily monitored; (iii) forfeiture of the contract and future contract business for serious violations; and (iv) a cure provision to clean up inadvertent mistakes.

This report describes the federal and state pay-to-play laws. In a separate report, Public Citizen documents the scandals that have given rise to these laws, which is available at:
<http://www.citizen.org/documents/wagner-case-record.pdf>

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MSRB Rule G-37

What types of contracts are subject to “Pay to Play” limits?

Only no-bid contracts

What is minimum value of a contract subject to “Pay to Play” limits?

No minimum value

Which public officials are subject to “Pay to Play” limits?

Issuers of municipal securities

Which members of contracting entity are subject to “Pay to Play” limits?

Brokers, dealers, and municipal securities professionals

What are the “Pay to Play” limits for individual members of the contracting entity?

\$250 per election to officials in the dealers’ district 2 years before to 1 year after the contract

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

Same as for individual, if permitted by state and local law

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

\$250 per election to officials in the dealers’ district 2 years before to 1 year after the contract

What are the pre-negotiation limits?

2 Years

Are there negotiation through termination “Pay to Play” limits?

Yes

What are the post-termination limits?

12 months

What are the disclosure mandates for contractors?

Quarterly contribution reports

Are Cures allowed?

Yes

What are the penalties for “Pay to Play” violations by government contractors?

Government contract cancellation and license suspension

Enforcement Agencies:

Municipal Securities Rulemaking Board; Securities and Exchange Commission

Statutory citation:

MSRB Rule G-37

SEC Rule 206(4)-5

What types of contracts are subject to “Pay to Play” limits?

Both no-bid and competitive bid contracts

What is minimum value of a contract subject to “Pay to Play” limits?

None stated

Which public officials are subject to “Pay to Play” limits?

Any elected official for federal, state, or local office

Which members of contracting entity are subject to “Pay to Play” limits?

Any general partner, managing member, executive officer, or equivalent, as well as any employee or supervisor of an employee who solicits a government entity for the investment advisor, and any PAC controlled by the investment advisor each acting directly or indirectly

What are the “Pay to Play” limits for individual members of the contracting entity?

\$350 per candidate for whom they are entitled to vote and \$150 per candidate for whom they are not entitled to vote

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

None stated

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

PACs fall within the limit for the contractor

What are the pre-negotiation limits?

2 years

Are there negotiation through termination “Pay to Play” limits?

None stated

What are the post-termination limits?

None

What are the disclosure mandates for contractors?

None stated

Are Cures allowed?

Yes

What are the penalties for “Pay to Play” violations by government contractors?

End the contract, disgorge the contract value, and fines for violating elect laws

Enforcement Agencies:

Securities and Exchange Commission

Statutory citation:

17 C.F.R. § 275.206(4)-5

Federal Pay to Play Statute

What types of contracts are subject to “Pay to Play” limits?

Both no-bid and competitive bid contracts

What is minimum value of a contract subject to “Pay to Play” limits?

No minimum value

Which public officials are subject to “Pay to Play” limits?

Political parties, committees, or candidates for public office, or any person for any political purpose

Which members of contracting entity are subject to “Pay to Play” limits?

Just the individual contractor or corporation

What are the “Pay to Play” limits for individual members of the contracting entity?

None stated

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

None stated

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

None

What are the pre-negotiation limits?

None

Are there negotiation through termination “Pay to Play” limits?

Yes

What are the post-termination limits?

None

What are the disclosure mandates for contractors?

None stated

Are Cures allowed?

No

What are the penalties for “Pay to Play” violations by government contractors?

Enter into a conciliation agreement with the FEC or face prosecution by the DOJ

Enforcement Agencies:

Federal Election Commission

Statutory citation:

52 U.S.C. § 30119

California

What types of contracts are subject to “Pay to Play” limits?

No-bid contracts or entitlements issued by state or local agencies

What is minimum value of a contract subject to “Pay to Play” limits?

No minimum value

Which public officials are subject to “Pay to Play” limits?

Bans contribution to state and local agency officers, but exempts popularly elected officials

Which members of contracting entity are subject to “Pay to Play” limits?

Agent or representative, majority shareholders

What are the “Pay to Play” limits for individual members of the contracting entity?

\$250 during pendency of proceeding or within 3 months of agency decision. Agency officers must recuse from any decision in which they received contributions in excess of \$250 within 12 months.

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

\$250 from entity during pending decision and within 3 months of final decision.

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

A PAC affiliated with a party to a proceeding, agent of a party, or a participant in a proceeding are subject to contribution limits.

What are the pre-negotiation limits?

12 months

Are there negotiation through termination “Pay to Play” limits?

Yes, 12 months prior requires recusal; 3 months prior to decision violates the law.

What are the post-termination limits?

None

What are the disclosure mandates for contractors?

Officers disclose donations more than \$250 within the preceding year.

Are Cures allowed?

Yes

What are the penalties for “Pay to Play” violations by government contractors?

Disqualification of agency official from participating in proceeding; criminal sanctions and fines for violating election laws. Criminal penalties of up to \$10,000 or 3 times the amount – Civil penalties of up to \$1,000

Enforcement Agencies:

California Fair Political Practices Commission; applicable state and local agencies

Statutory citation:

Cal. Gov't Code § 84308

Connecticut

What types of contracts are subject to “Pay to Play” limits?

Both no-bid and competitive bid contracts

What is minimum value of a contract subject to “Pay to Play” limits?

\$50,000 for a single contract or \$100,000 for all contracts.

Which public officials are subject to “Pay to Play” limits?

State candidates and state and local party committees

Which members of contracting entity are subject to “Pay to Play” limits?

Board members, officers, managers, and those with least 5% ownership interest, as well as their spouses and children age 18 and older

What are the “Pay to Play” limits for individual members of the contracting entity?

Covered individuals in the “contracting entity” may not make contributions during the contract period

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

\$0 from the negotiation to the December 31st after the termination of the contract

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

PACs fall within the aggregate limit for the business entity

What are the pre-negotiation limits?

None

Are there negotiation through termination “Pay to Play” limits?

Yes

What are the post-termination limits?

December 31st after termination

What are the disclosure mandates for contractors?

Prequalifying report available online.

Are Cures allowed?

Yes

What are the penalties for “Pay to Play” violations by government contractors?

Government contract cancellation and eligibility suspension for 1 year as well as fines for violating election laws

Enforcement Agencies:

State Elections Enforcement Commission; Department of Administrative Services

Statutory citation:

Conn. Gen. Stat. § 9-612

Hawaii

What types of contracts are subject to “Pay to Play” limits?

Both no-bid and competitive bid contracts

What is minimum value of a contract subject to “Pay to Play” limits?

No minimum value

Which public officials are subject to “Pay to Play” limits?

State and local candidates, parties, and committees

Which members of contracting entity are subject to “Pay to Play” limits?

Just the business itself

What are the “Pay to Play” limits for individual members of the contracting entity?

None

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

\$0 from the award to the termination of the contract

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

None

What are the pre-negotiation limits?

None

Are there negotiation through termination “Pay to Play” limits?

Yes, from the award to the termination of the contract

What are the post-termination limits?

None

What are the disclosure mandates for contractors?

Regular campaign reports

Are Cures allowed?

No

What are the penalties for “Pay to Play” violations by government contractors?

Fines for violating election laws

Enforcement Agencies:

Hawaii Campaign Spending Commission

Statutory citation:

Haw. Rev. Stat. § 11-355

Illinois

What types of contracts are subject to “Pay to Play” limits?

Both, except for highway projects eligible for federal highway funds

What is minimum value of a contract subject to “Pay to Play” limits?

\$50,000 in aggregate annual state contracts

Which public officials are subject to “Pay to Play” limits?

State candidates and officials responsible for awarding contracts and their committees

Which members of contracting entity are subject to “Pay to Play” limits?

All members of the contracting entity with at least 7.5% controlling interest; officers, spouses, minors, and subsidiaries and nonprofits

What are the “Pay to Play” limits for individual members of the contracting entity?

Covered individuals in the “contracting entity” may not make contribution during the contract period and 2 years thereafter

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

\$0 from the negotiation to the termination of the contract

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

PACs and non-profit groups fall within the aggregate limit for the business entity

What are the pre-negotiation limits?

From the date of the RFP to the award of the contract

Are there negotiation through termination “Pay to Play” limits?

Yes, either the term of office of the officeholder granting the award, or 2 years following the termination of the contract

What are the post-termination limits?

2 years or term of office

What are the disclosure mandates for contractors?

Registration with the State Comptroller, and regular campaign reports.

Are Cures allowed?

No

What are the penalties for “Pay to Play” violations by government contractors?

Immediate contract cancellation, payment of money given to campaigns to the State, If there are more than 3 instances in a 36 month period, the business entity loses ALL State contracts, and cannot bid on new contracts for 3 years. In addition, offending business entities will be listed in the Illinois Register and the Procurement Bulletin.

Enforcement Agencies:

State Board of Elections, State Comptroller Office

Statutory citation:

30 Ill. Comp. Stat. 500/50-37

Indiana

What types of contracts are subject to "Pay to Play" limits?

State lottery contracts

What is minimum value of a contract subject to "Pay to Play" limits?

No minimum value

Which public officials are subject to "Pay to Play" limits?

Candidates for state office, party committees and legislative caucuses

Which members of contracting entity are subject to "Pay to Play" limits?

Individual listed as an officer of the contractor, the business and any PAC of the contractor

What are the "Pay to Play" limits for individual members of the contracting entity?

Contractor, officer of the contractor, or PAC of the contractor may not make a contribution to a candidate or a committee while the contract is in effect and during the 3 years following the final expiration or termination of the contract

What are the aggregate "Pay to Play" limits for all members of the contracting entity combined?

Contractor, officer of the contractor, or PAC of the contractor may not make a contribution to a candidate or a committee while the contract is in effect and during the 3 years following the final expiration or termination of the contract

What are the "Pay to Play" limits for PACs affiliated with the contracting entity?

PACs affiliated with the contractor are included in the prohibitions that apply from award of contract through 3 years after termination

What are the pre-negotiation limits?

3 years

Are there negotiation through termination "Pay to Play" limits?

Yes, 3 years prior through 3 years after termination

What are the post-termination limits?

3 years

What are the disclosure mandates for contractors?

None stated

Are Cures allowed?

No

What are the penalties for "Pay to Play" violations by government contractors?

Individuals who "knowingly or willfully" violate the statute can be convicted of a Level 6 felony, and in addition the court may order the defendant not to engage in lobbying for up to 10 years

Enforcement Agencies:

The Division of Security oversees the "integrity" of the contracting

Statutory citation:

Ind. Code §§ 4-30-3-19.7 and 4-30-3-19.5; P.L. 158-2013 (H.E.A. 1006)

Kentucky

What types of contracts are subject to “Pay to Play” limits?

Only no-bid contracts

What is minimum value of a contract subject to “Pay to Play” limits?

No minimum value

Which public officials are subject to “Pay to Play” limits?

Elected officials and any of their appointees. Specific rules only applicable to candidates for Governor and Lieutenant Governor

Which members of contracting entity are subject to “Pay to Play” limits?

The officers or employees of an entity, or the spouses of officers or employees of the entity.

What are the “Pay to Play” limits for individual members of the contracting entity?

For candidates for Governor or Lieutenant Governor: Any individuals or individual entities that have at least a 10% ownership interest are limited to \$1,000 per election for each individual and immediate family.

For all other elected officials: Entities that contributed more than \$5,000 in aggregate in any one election

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

For all other elected officials: \$5,000 per election bundled from all officers and employees of business entity for no-bid contracts.

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

None

What are the pre-negotiation limits?

Election prior to current term

Are there negotiation through termination “Pay to Play” limits?

Through current term

What are the post-termination limits?

Through current term

What are the disclosure mandates for contractors?

Regular campaign reports

Are Cures allowed?

No

What are the penalties for “Pay to Play” violations by government contractors?

If found guilty of violating the “Pay to Play” limit, the corporate entity will not be eligible for a government contract for the governor’s term of office. It will also be subject to fines for violating election laws

Enforcement Agencies:

Kentucky Registry of Election Finance; state procurement offices

Statutory citation:

KRS §§ 121.055, 121.056, and 121.330

Louisiana

What types of contracts are subject to “Pay to Play” limits?

Casino operating licenses

What is minimum value of a contract subject to “Pay to Play” limits?

No minimum value

Which public officials are subject to “Pay to Play” limits?

Any person seeking election or reelection to a public office

Which members of contracting entity are subject to “Pay to Play” limits?

Only casino gaming operator

What are the “Pay to Play” limits for individual members of the contracting entity?

No person licensed by the corporation or authorized by contract with the corporation to conduct gaming operations or gaming activities may engage in business activities with public officials. However, only entities that hold casino operating contracts are ineligible to make campaign contributions

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

No entity that holds a casino operating contract shall be eligible to make a campaign contribution

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

None

What are the pre-negotiation limits?

None

Are there negotiation through termination “Pay to Play” limits?

No

What are the post-termination limits?

None

What are the disclosure mandates for contractors?

None stated

Are Cures allowed?

No

What are the penalties for “Pay to Play” violations by government contractors?

The Corporation may institute an action in the district court to enjoin violations and hold the public officer liable for all costs of instituting and maintaining the action

Enforcement Agencies:

Louisiana Gaming Control Board

Statutory citation:

LSA-R.S. § 27:261

Nebraska

What types of contracts are subject to “Pay to Play” limits?

State lottery contracts

What is minimum value of a contract subject to “Pay to Play” limits?

\$25,000

Which public officials are subject to “Pay to Play” limits?

Candidates for statewide office

Which members of contracting entity are subject to “Pay to Play” limits?

The business, officer, a separate segregated fund, or anyone acting on their behalf

What are the “Pay to Play” limits for individual members of the contracting entity?

Contractor, officer of the contractor, or PAC of the contractor may not make a contribution within 3 years of award of the contract. Moreover, the entity may not make a contribution or independent expenditure during term of contract through 3 years after termination

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

\$0 from 3 years prior and for 3 years following the contract

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

PACS fall within the limit for the contractor

What are the pre-negotiation limits?

3 years

Are there negotiation through termination “Pay to Play” limits?

Yes, 3 years prior through 3 years after termination

What are the post-termination limits?

3 years

What are the disclosure mandates for contractors?

None stated

Are Cures allowed?

No

What are the penalties for “Pay to Play” violations by government contractors?

Contract cancellation, and “knowing or intentional” violations are punishable as a Class IV felony, which provides for a maximum sentence of up to 5 years, a \$10,000 fine, or both

Enforcement Agencies:

The Tax Commissioner must approve all contracts

Statutory citation:

Neb. Rev. Stat. §§ 9-835 and 49- 1476.01(1)

New Jersey

What types of contracts are subject to “Pay to Play” limits?

Both bid and no-bid, except for highway contracts and those involving eminent domain

What is minimum value of a contract subject to “Pay to Play” limits?

\$17,500

Which public officials are subject to “Pay to Play” limits?

Gubernatorial candidates and state and county party committees

Which members of contracting entity are subject to “Pay to Play” limits?

All the principals with 10% ownership interest and spouses of individual contractors. Also subsidiaries and Section 527s controlled by the business entity.

What are the “Pay to Play” limits for individual members of the contracting entity?

Covered individuals within the “contracting entity” \$300 per election from 18 months prior to contract without disqualifying entity

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

\$300 aggregate per election from the entity 18 months or a full gubernatorial term before the award to the termination of the contract

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

PACs fall within the aggregate limit for the business entity

What are the pre-negotiation limits?

18 months or a full gubernatorial term

Are there negotiation through termination “Pay to Play” limits?

Yes

What are the post-termination limits?

None

What are the disclosure mandates for contractors?

Must report any contributions over the past 4 years to any political organization to the State Treasurer and New Jersey ELEC who will determine the proper manner and form of disclosures

Are Cures allowed?

Yes

What are the penalties for “Pay to Play” violations by government contractors?

Contractors are liable for a penalty up to the value of the contract and are banned from government contracts for 5 years

Enforcement Agencies:

Contracting agency in the Department of the Treasury; ELEC (for campaign reporting violations)

Statutory citation:

N.J. Stat. § 19:44A-20.13 et seq.

New Mexico

What types of contracts are subject to “Pay to Play” limits?

Both bid and no-bid contracts

What is minimum value of a contract subject to “Pay to Play” limits?

No minimum value

Which public officials are subject to “Pay to Play” limits?

Elected officials ultimately responsible for awarding contract

Which members of contracting entity are subject to “Pay to Play” limits?

Directors and officers of corporation; managers of LLCs; trustees and partners; and immediate family members

What are the “Pay to Play” limits for individual members of the contracting entity?

Covered individuals may not make contributions from contract negotiation through the award

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

Covered entities may not make contributions from negotiation through award of contract

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

None

What are the pre-negotiation limits?

None

Are there negotiation through termination “Pay to Play” limits?

Yes

What are the post-termination limits?

None

What are the disclosure mandates for contractors?

Entity discloses donations more than \$250 within prior 2 years

Are Cures allowed?

No

What are the penalties for “Pay to Play” violations by government contractors?

Contract is terminated

Enforcement Agencies:

Department of Finance and contracting agencies

Statutory citation:

N.M. Stat. § 13-1-191.1

Ohio

What types of contracts are subject to “Pay to Play” limits?

Only no-bid contracts

What is minimum value of a contract subject to “Pay to Play” limits?

\$500 for a single contract or a series of contracts valued at \$10,000 or more in a calendar year

Which public officials are subject to “Pay to Play” limits?

State and local officials ultimately responsible for awarding the contract or appointing administrators who award the contract

Which members of contracting entity are subject to “Pay to Play” limits?

Individual, partners, shareholders, administrators of estates, executors of estates, trustees of trusts who own more than 20% of a corporation or business trust, and the spouse or child of any person identified

What are the “Pay to Play” limits for individual members of the contracting entity?

\$500

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

\$1,000 within two years of the award

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

None

What are the pre-negotiation limits?

2 years

Are there negotiation through termination “Pay to Play” limits?

Yes

What are the post-termination limits?

None

What are the disclosure mandates for contractors?

Signed compliance certifications and campaign reports

Are Cures allowed?

No

What are the penalties for “Pay to Play” violations by government contractors?

Fines or cancellation of the awarded contract

Enforcement Agencies:

Ohio Ethics Committee and Inspector General’s Office

Statutory citation:

O.R.C. §§ 3517.13 and 3517.992

South Carolina

What types of contracts are subject to “Pay to Play” limits?

Only no-bid contracts

What is minimum value of a contract subject to “Pay to Play” limits?

No minimum value

Which public officials are subject to “Pay to Play” limits?

State and local candidates responsible for awarding the contract

Which members of contracting entity are subject to “Pay to Play” limits?

Just the business itself

What are the “Pay to Play” limits for individual members of the contracting entity?

None

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

\$0 from the award to the termination of the contract, applies to individual contractors

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

None

What are the pre-negotiation limits?

None

Are there negotiation through termination “Pay to Play” limits?

Yes, from the award to the termination of the contract

What are the post-termination limits?

None

What are the disclosure mandates for contractors?

Regular campaign reports

Are Cures allowed?

No

What are the penalties for “Pay to Play” violations by government contractors?

Fines for violating election laws

Enforcement Agencies:

South Carolina Ethics Committee

Statutory citation:

S.C. Code § 8-13- 1342

Vermont

What types of contracts are subject to “Pay to Play” limits?

Both no-bid and competitive bid contracts with the State Treasurer’s office

What is minimum value of a contract subject to “Pay to Play” limits?

No minimum value

Which public officials are subject to “Pay to Play” limits?

Candidates for the Officer of State Treasurer

Which members of contracting entity are subject to “Pay to Play” limits?

Any person that provides investment services. Includes all owners, managers, officers, directors, partners or employees who have managerial or discretionary responsibility to invest funds, manage funds or provide investment services. (Excludes shareholders owning less than one percent of the firm’s outstanding shares.)

What are the “Pay to Play” limits for individual members of the contracting entity?

Covered members of the firm may not be granted contracts if the firm has made or solicited contributions after July 1, 1997 and within 5 years of the contract date

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

\$0 after July 1, 1997 and within 5 years of the contract date

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

A PAC affiliated with the contracting business or any of its covered individuals is subject to the contribution prohibition

What are the pre-negotiation limits?

5 years

Are there negotiation through termination “Pay to Play” limits?

No

What are the post-termination limits?

5 years

What are the disclosure mandates for contractors?

None stated

Are Cures allowed?

No

What are the penalties for “Pay to Play” violations by government contractors?

Termination of firm’s contract. Preclusion from contracts with Treasurer’s office for 5 years

Enforcement Agencies:

None stated

Statutory citation:

Vt. Stat. Ann. tit. 32, § 109

Virginia

What types of contracts are subject to “Pay to Play” limits?

Both, except those awarded through competitive sealed bidding as provided in Va. Code § 2.2-4302.1

What is minimum value of a contract subject to “Pay to Play” limits?

\$5 million

Which public officials are subject to “Pay to Play” limits?

Governor (and Governor’s Secretaries if they responsible for the agency that has jurisdiction over the contract at issue.)

Which members of contracting entity are subject to “Pay to Play” limits?

Officers and directors of the contracting entity

What are the “Pay to Play” limits for individual members of the contracting entity?

Covered individual may not donate more than \$50 from negotiations through award

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

No aggregate limit

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

None

What are the pre-negotiation limits?

None

Are there negotiation through termination “Pay to Play” limits?

Yes, from negotiation through award of contract

What are the post-termination limits?

None

What are the disclosure mandates for contractors?

None stated

Are Cures allowed?

No

What are the penalties for “Pay to Play” violations by government contractors?

Civil penalties of \$500 or up to twice the violating contribution, whichever is greater

Enforcement Agencies:

Secretary of State

Statutory citation:

Va. Code Ann. §§ 2.2-3104.01 and 2.2-4376.1

West Virginia

What types of contracts are subject to “Pay to Play” limits?

Both no-bid and competitive-bid contracts

What is minimum value of a contract subject to “Pay to Play” limits?

None

Which public officials are subject to “Pay to Play” limits?

State and local candidates, parties, and committees

Which members of contracting entity are subject to “Pay to Play” limits?

Just the business itself

What are the “Pay to Play” limits for individual members of the contracting entity?

None

What are the aggregate “Pay to Play” limits for all members of the contracting entity combined?

\$0 from the negotiation to the termination of the contract

What are the “Pay to Play” limits for PACs affiliated with the contracting entity?

None

What are the pre-negotiation limits?

None

Are there negotiation through termination “Pay to Play” limits?

Yes

What are the post-termination limits?

None

What are the disclosure mandates for contractors?

Regular campaign reports

Are Cures allowed?

No

What are the penalties for “Pay to Play” violations by government contractors?

Fines for violating election laws

Enforcement Agencies:

West Virginia Ethics Committee

Statutory citation:

W. VA Code § 3-8-12