

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend, on an emergency basis, due to congressional review, the District of Columbia Election Code of 1955 to allow members of the District of Columbia Board of Elections to hold employment in the federal government and to change the date of primary elections to ensure compliance with federal law; to amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to remove the redundant 8-day, pre-primary election filing date; and to amend the Prohibition on Government Employee Engagement in Political Activity Act of 2010 to clarify the definition of “employee”.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Primary Date Alteration Congressional Review Emergency Amendment Act of 2017”.

Sec. 2. The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

(a) Section 4(a)(3) (D.C. Official Code § 1-1001.04(a)(3)) is amended by striking the phrase “and no active office, position, or employment in the federal government”.

(b) Section 5(b)(1) (D.C. Official Code § 1-1001.05(b)(1)) is amended by striking the phrase “2nd Tuesday in June” and inserting the phrase “3rd Tuesday in June” in its place.

(c) Section 10(a) (D.C. Official Code § 1-1001.10(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “2nd Tuesday in June” and inserting the phrase “3rd Tuesday in June” in its place.

(2) Paragraph (3) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase “2nd Tuesday in June of 2016 and the 1st Tuesday in September of each even-numbered year thereafter;” and inserting the phrase “3rd Tuesday in June of each even-numbered year,” in its place.

(B) Subparagraph (B) is amended by striking the phrase “2nd Tuesday in June of 2016 and the 1st Tuesday in September of each even-numbered year thereafter;” and inserting the phrase “3rd Tuesday in June of each even-numbered year,” in its place.

(C) Subparagraph (C) is amended by striking the phrase “2nd Tuesday of June of 2016 and the 1st Tuesday of September of every 4th year thereafter,” and inserting the phrase “3rd Tuesday in June of 2018 and every 4th year thereafter,” in its place.

Sec. 3. Section 309(b) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1163.09(b)), is amended by striking the phrase “8 days before an election” and inserting the phrase “8 days before a special or general election” in its place.

Sec. 4. Section 2(3)(A)(iii) of the Prohibition on Government Employee Engagement in Political Activity Act of 2010, effective March 31, 2011 (D.C. Law 18-335; D.C. Official Code § 1-1171.01(3)(A)(iii)), is amended by striking the phrase “, after January 1, 2018”.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Primary Date Alteration Amendment Act of 2017, enacted on June 28, 2017 (D.C. Act 22-91; 64 DCR 6245), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia