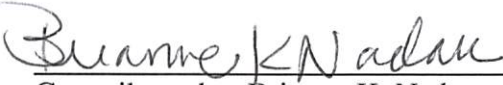


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3 Councilmember Anita Bonds

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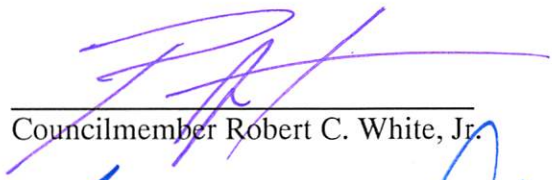
7 Councilmember David Grosso

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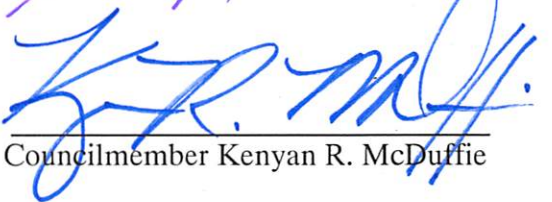
12 Councilmember Brianne K. Nadeau

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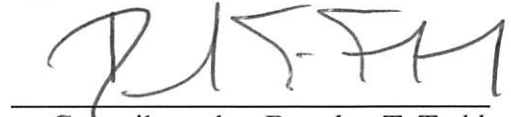
17 Councilmember Trayon White, Sr.



Councilmember Robert C. White, Jr.



Councilmember Kenyan R. McDuffie



Councilmember Brandon T. Todd

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26 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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31 To prohibit criminal history providers from reporting criminal history information related to
32 records that have been sealed, expunged, or set aside, or related to offenses or infractions
33 that did not result in a conviction, to authorize the Office of Human Rights to adjudicate
34 complaints filed under this act, and to establish penalties for non-compliance.
35

36 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
37 act may be cited as the "Criminal Record Accuracy Assurance Act of 2017".

38 Sec. 2. Definitions.

39 For the purposes of this act, the term:

40 (1) "Criminal history report" means criminal history information that has been
41 compiled for the purposes of evaluating a person's character or eligibility for employment,

42 housing, or participation in any activity or transaction; provided that information collected or
43 disseminated solely for journalistic purposes is not a criminal history report.

44 (2)(A) "Criminal history provider" means any person or organization that
45 assembles criminal history reports and either uses the reports or provides the reports to a third
46 party.

47 (B) The term "criminal history provider" shall not include a government
48 agency or a person or organization that provide reports solely to a government agency for
49 purposes other than determining suitability for government employment, is a criminal history
50 provider.

51 (3) "Government agency" means any office, department, division, board,
52 commission, or other agency of the government of the District of Columbia, the government of
53 the United States, or the government of another jurisdiction within the United States.

54 Sec. 3. Restrictions on criminal history reports.

55 (a) A criminal history provider shall provide only criminal history information that relates
56 to criminal convictions.

57 (b) A criminal history provider shall not provide information relating to the following:

58 (1) An infraction, arrest, or a charge that did not result in a conviction;

59 (2) A record that has been expunged, sealed, or set aside; or

60 (3) A record that the criminal history provider knows is inaccurate.

61 (c) A criminal history provider shall not include criminal history information in a
62 criminal history report if the criminal history information has not been updated to reflect changes
63 to the information occurring 60 days or more before the date the criminal history report is
64 provided.

65 Sec. 4. Filing a complaint with the Office of Human Rights; exclusive remedy.

66 (a) A person claiming to be aggrieved by a violation of this act may file an administrative
67 complaint with the Office of Human Rights within one year after the unlawful act, or discovery
68 thereof, in accordance with the procedures set forth in Title III of the Human Rights Act of 1977,
69 effective December 13, 1977 (D.C. Law 2-38, D.C. Official Code § 2-1403.01 *et seq.*).

70 (b) A person claiming to be aggrieved by a violation of this act shall not have a private
71 cause of action in any court based on a violation of this act.

72 Sec. 5. Penalties.

73 (a) If the Office of Human Rights determines that there is probable cause to believe that a
74 violation of this act has occurred, the Office of Human Rights shall certify the complaint to the
75 Commission on Human Rights, who may impose the following penalties, of which half shall be
76 awarded to the complainant and half shall be awarded to the District of Columbia and deposited
77 into the General Fund of the District of Columbia:

78 (1) For a first violation, a fine of up to \$1,000;

79 (2) For a second or subsequent violation, a fine of up to \$5,000.

80 (b) For any violation that occurs within 6 months after the date this act applies, the
81 Commission on Human Rights shall issue warnings and orders to correct.

82 Sec. 6. Fiscal impact statement.

83 The Council adopts the fiscal impact statement in the committee report as the fiscal
84 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
85 approved October 16, 2006 (120 Stat..2038; D.C. Official Code § 1-301.47a).

86 Sec. 7. Effective date.

87 The act shall take effect following approval by the Mayor (or in the event of veto by the
88 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
89 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
90 24, 1973, (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
91 Columbia Register.