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A BILL

23-212

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA



To amend the District of Columbia Election Code of 1955 to require the Board of Elections to accept absentee ballots postmarked or otherwise proven to have been sent on or before the day of the election and received by the Board of Elections no later than the 7th day after the election, to move the primary election date in presidential election years to the first Tuesday in June, and to require the Board of Elections, at each early voting center, to allow persons to vote in person for not more than 12 days before election day; and to amend the Uniform Military and Overseas Voters Act of 2012 to require the Board of Elections to accept military overseas ballots postmarked or otherwise proven to have been sent on or before the day of the election and received by the Board of Elections no later than the 7th day after the election.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Primary Date Alteration Amendment Act of 2019".

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 5 (D.C. Official Code § 1-1001.05) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (6) is amended by striking the phrase “election, provided, however,” and inserting the phrase “election; provided, that” in its place.

(B) Paragraph (10A) is amended by striking the phrase “received by the Board by 8:00 p.m. on the day of the election” and inserting the phrase “postmarked or otherwise

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31 proven to have been sent on or before the day of the election, and received by the Board no later
32 than the 7th day after the election” in its place.

33 (C) Paragraph (14) is amended by striking the phrase “to: Determine” and
34 inserting the phrase “to determine” in its place.

35 (2) Subsection (a-1)(1) is amended by striking the phrase “48 hours” and inserting
36 the phrase “48 hours” in its place.

37 (3) Subsection (b)(1) is amended by striking the phrase “3rd Tuesday” and inserting
38 the phrase “1st Tuesday” in its place.

39 (b) Section 9(b-1)(2) (D.C. Official Code § 1-1001.09(b-1)(2)) is amended by striking the
40 number “10” and inserting the number “12” in its place.

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

42 (1) Paragraph (1) is amended by striking the phrase “3rd Tuesday” and inserting
43 the phrase “1st Tuesday” in its place.

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

45 (A) Subparagraph (A) is amended by striking the phrase “3rd Tuesday in
46 June of each even-numbered year” and inserting the phrase “1st Tuesday in June in a presidential
47 election year and on the 3rd Tuesday in June of each even-numbered non-presidential election
48 year” in its place.

49 (B) Subparagraph (B) is amended by striking the phrase “3rd Tuesday in
50 June of each even-numbered year” and inserting the phrase “1st Tuesday in June in a presidential

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51 election year and on the 3rd Tuesday in June of each even-numbered non-presidential election
52 year” in its place.

53 Sec. 3. Section 110 of the Uniform Military and Overseas Voters Act of 2012, effective
54 June 5, 2012 (D.C. Law 19-137; D.C. Official Code § 1-1061.10), is amended by striking the
55 phrase “received by the Board of Elections no later than 8:00 p.m. on the date of the election” and
56 inserting the phrase “postmarked or otherwise proven to have been sent on or before the day of the
57 election, and received by the Board of Elections no later than the 7th day after the election” in its
58 place.

59 Sec. 4. Fiscal impact statement.

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

63 Sec. 5. Effective date.

64 This act shall take effect following approval by the Mayor (or in the event of veto by the
65 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
66 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,
67 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
68 Columbia Register.