



Councilmember Brandon T. Todd

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Drug-Related Nuisance Abatement Act of 1998 to require the Superior Court of the District of Columbia to impose a fine and allow the Attorney General for the District of Columbia to attach a judgment lien on a property found to be a drug-, firearm- or prostitute-related nuisance owned by a repeat offender.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Nuisance Property Lien Attachment Amendment Act of 2020”.

Sec. 2. The Drug-Related Nuisance Abatement Act of 1998, effective March 26, 1999 (D.C. Law 12-194; D.C. Official Code § 42-3101 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 42-3101) is amended by adding a new paragraph (8B) to read as follows:

“(8B) “Repeat Offender” means an individual, corporation, partnership, trust association, joint venture, or any other business entity, who owns all or an interest in a property previously designated by the Superior Court of the District of Columbia to be a drug-, firearm-, or prostitution-related nuisance.”.

(b) Section 3(a) (D.C. Official Code § 42-3102(a)) is amended as follows:

(1) Strike the phrase “Corporation Counsel for the District of Columbia” and insert the phrase “Attorney General for the District of Columbia” in its place.

33 (2) Strike the word “nuisance” and insert the phrase “nuisance produced by the  
34 owner or a tenant” in its place.

35 (c) Section 4(c) (D.C. Official Code § 42-3103(c)) is amended by striking the phrase “at  
36 least 1 person residing, either as a tenant or otherwise, or owning real property” and inserting the  
37 phrase “a resident”.”

38 (d) Section 8 (D.C. Official Code § 42-3107) is amended by striking the phrase  
39 “Corporation Counsel” and inserting the phrase “Attorney General” in its place.

40 (e) Section 11(D.C. Official Code § 42-3110) is amended as follows:

41 (1) subsection (a) is amended by striking “subsection (b)” and inserting  
42 “subsections (b) or (b-1)” in its place.

43 (1) A new subsection (b-1) is added to read as follows:

44 “(b-1) Except in the case of a repeat offender, the court shall attach a lien on the property  
45 found to be a drug-, firearm- or prostitution-related nuisance in the amount of \$5,000 for the  
46 second violation, and \$10,000 for each subsequent violation. The lien attachment is subject to the  
47 following provisions:

48 (f) Section 12 (D.C. Official Code § 42-3111) is amended as follows:

49 (1) Designated the existing text as subsection (a).

50 (2) Subsection (a) is s amended by striking the phrase “Corporation Counsel” and  
51 inserting the phrase “Attorney General” in its place.

52 Sec. 3. Fiscal impact statement.

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

56           Sec. 4. Effective date.

57           The act shall take effect following approval by the Mayor (or in the event of veto by the  
58 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
59 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,  
60 1973, (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
61 Columbia Register.