

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend the Advisory Neighborhood Commissions Act of 1975 to remove the requirement, for an Advisory Neighborhood Commissioner (“ANC”) representing the single-member district that includes the Central Detention Facility and Correctional Treatment Facility, that the ANC cannot have been convicted of a felony committed while serving, to allow for electronic circulation of ANC candidate petitions, to allow the signer of a petition sheet to be the circulator of the same petition sheet, to require, for ANC elections for the single-member district containing the Central Detention Facility and Correctional Treatment Facility, the District of Columbia Board of Elections (“Board”) to develop, and the Department of Corrections (“DOC”) to distribute, educational elections materials for individuals in DOC care and custody, to require DOC to facilitate the transmission and circulation of petition sheets, to require DOC to make voting available to registered qualified electors in its care and custody in ANC vacancy elections, including by distributing ballots, collecting ballots, and transmitting ballots for counting, to require DOC to employ a staff liaison for any ANC in its care and custody who represents that single-member district, and to allow an ANC in DOC’s care and custody to remotely participate in meetings and vote on matters before their Commission through electronic means; to amend the District of Columbia Election Code of 1955 to align the age requirements for qualified electors and qualified petition circulators, to require the Board to provide a Vote Center for incarcerated individuals in DOC’s care and custody at the Central Detention Facility and Correctional Treatment Facility, to require the Board to provide every registered qualified elector in the care and custody of DOC and the Department of Youth Rehabilitation Services information about the importance of and process for keeping their voter registration information current and up-to-date, to require the Board to mail every registered qualified elector a mail-in ballot and postage-paid return envelope, to require the Board to accept mail-in ballots postmarked on or before election day and received by the Board no later than the 10th day after the election and mail-in ballots received by 8 p.m. on election day in a ballot drop box, at a Vote Center, or electronically, to require the Board to create, maintain, and user-test and electronic ballot tracking system, to require the Board to promulgate rules governing signature verification for mail-in ballots, to require the Board to operate no fewer than 55 ballot drop boxes for at least 10 hours a day during early voting and on election day and to

publish the proposed locations of the boxes for public comment, to require the Board to maintain a centralized process for receiving public comments through its website, to require the Board to take all reasonable steps to inform qualified electors about elections and voting, including by ensuring any voter guide published is accessible and online, to require the Board to email instructions about mail-in voting, early voting, and ballot drop box and Vote Center locations to voters, to require the Board to establish and maintain a publicly accessible and searchable election data portal on the Board’s website, to prohibit use of the seal adopted by the Board without prior written authorization, to require the Board to confirm the address of each registered voter by March 31 of each odd-numbered year, to require DOC to provide the Board, at least monthly, with the name and date of birth of each person transferred from DOC to the Bureau of Prisons, to prohibit an elector’s ballot for President or Vice President from being accepted if the elector does not vote for the candidate of the party the elector has been elected to represent and to establish a process to remove and replace an elector who violates this provision, to require the District of Columbia Public Schools system to be closed on election day, to permit voters to vote at any Vote Center, regardless of their residence address, and to make technical and conforming changes; to amend the Comprehensive Military and Overseas Voters Accommodation Amendment Act of 2012 to make conforming changes; to amend the Department of Youth Rehabilitation Services Establishment Act of 2004 to require the Department of Youth Rehabilitation Services to provide its residents with certain voting information; to amend the Address Confidentiality Act of 2018 to make conforming changes; to amend An Act To create a Department of Corrections in the District of Columbia to require DOC to provide individuals in its care and custody with certain voting information; to amend the State Board of Education Establishment Act of 2007 to allow employees of the District of Columbia Public Schools to be members of the State Board of Education; and to amend the Advisory Neighborhood Commission Boundaries Act of 2022 to correct a technical error.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Elections Modernization Amendment Act of 2022”.

Sec. 2. The Advisory Neighborhood Commissions Act of 1975, effective October 10, 1975 (D.C. Law 1-21; D.C. Official Code § 1-309.01 *et seq.*), is amended as follows:

(a) Section 2(c)(1) (D.C. Official Code § 1-309.01(c)(1)) is amended by striking the phrase “Elections and Ethics.” and inserting the phrase “Elections.” in its place.

(b) Section 6 (D.C. Official Code § 1-309.05) is amended as follows:

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

(A) Paragraph (1) is amended as follows:

(i) The lead-in language is amended by striking the phrase “unless he” and inserting the phrase “unless the person” in its place.

(ii) Subparagraph (A) is amended by striking the phrase “he was elected” and inserting the phrase “the person was elected” in its place.

(iii) Subparagraph (B) is amended by striking the phrase “he files” and inserting the phrase “the person files” in its place.

(iv) Subparagraph (D) is amended by striking the phrase “Has not been convicted” and inserting the phrase “With the exception of a member representing the single-member district that includes the Central Detention Facility and Correctional Treatment Facility, has not been convicted” in its place.

(B) Paragraph (2) is amended by striking the phrase “Office of Mayor of the District of Columbia, Chairman or member of the Council of the District of Columbia, member of the District of Columbia Board of Education” and inserting the phrase “offices of Mayor, Chairman or member of the Council, member of the State Board of Education” in its place.

(2) Subsection (b) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase “he intends” and inserting the phrase “the person intends” in its place.

(ii) Subparagraph (B) is amended by striking the phrase “he seeks” and inserting the phrase “the candidate seeks” in its place.

(B) New paragraphs (3), (4), and (5) are added to read as follows:

“(3) Petition sheets circulated in support of a candidate shall be filed with the Board in hard copy but may be electronically provided by the:

“(A) Board to the candidate;

“(B) Candidate to a qualified petition circulator; and

“(C) Qualified petition circulator to the candidate.

“(4) No signature on a petition sheet shall be invalidated because the signer was also the circulator of the same petition sheet on which the signature appears.

“(5)(A) If the election is for a member of an Advisory Neighborhood Commission representing the single-member district containing the Central Detention Facility and Correctional Treatment Facility:

“(i) The Board shall develop, and the Department of Corrections shall distribute, lay-friendly educational materials for individuals in the Department of Corrections’ care and custody about how to register to vote and how to vote, residency and elections requirements to run for Advisory Neighborhood Commissioner, and the functions of an Advisory Neighborhood Commission; and

“(ii) The Department of Corrections shall facilitate the transmission of petition sheets to any candidates who are in its care and custody, petition circulation among the registered qualified electors in its care and custody, and transmission of those petition sheets from candidates in its care and custody to the Board.

“(B) No Department of Corrections employee properly exercising their duties pursuant to the requirements of subparagraph (A) of this paragraph shall be found to have committed a violation of the District’s Code of Conduct, as defined in section 101(7) 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 § 1-1161.01(7)), or 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 *et seq.*), for so doing.”.

(c) Section 8 (D.C. Official Code § 1-309.06) is amended as follows:

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

(A) Paragraph (3) is amended by striking the phrase “of the date” and inserting the phrase “after the date” in its place.

(B) Paragraph (6) is amended as follows:

(i) Subparagraph (C) is amended by striking the phrase “21 days of” and inserting the phrase “21 days after” in its place.

(ii) Subparagraph (E) is amended to read as follows:

“(E)(i) If the Board transmits a list of qualified candidates containing more than one name, the affected Advisory Neighborhood Commission shall give notice at a public meeting of a time and location, to be determined in consultation with the OANC, at which the qualified registered electors of the affected single-member district shall vote to elect a Commissioner. At the location selected, the affected Advisory Neighborhood Commission, in consultation with the OANC, shall make in-person voting available to qualified registered electors during at least a 4-hour time period. To vote, all qualified registered electors shall display their voter identification card or, alternatively, be listed as a voter in the affected single-member district on the Board's voter registration list. Ballot counting shall be facilitated by at least 2 representatives of the OANC, and the results shall be read aloud at the conclusion of the selected time period by the Chairperson of the Advisory Neighborhood Commission, by such Commissioner as the Chairperson shall designate, or in the event that the Office of the Chairperson is vacant or there are no Commissioners present, by the presiding Commissioner at the next regularly scheduled meeting of the Commission.

“(ii) Notwithstanding sub-subparagraph (i) of this subparagraph, if the affected single-member district contains the Central Detention Facility and Correctional Treatment Facility, the affected Advisory Neighborhood Commission, in consultation with the OANC, shall make in-person voting available to qualified registered electors within the single-member district who are not in the care and custody of the Department of Corrections, and the Department of Corrections, in consultation with the affected Advisory Neighborhood Commission and the OANC, shall make voting available to registered qualified electors in its care and custody, including by distributing ballots to registered qualified electors listed as voters in the affected single-member district on the voter registration list provided by the Board,

collecting the ballots, and transmitting the ballots for counting and transmission of the results to the OANC and the affected Advisory Neighborhood Commission.”.

(2) Subsection (e) is amended by striking the phrase “which he or she” and inserting the phrase “which the member” in its place.

(3) Subsection (f) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “which he or she” and inserting the phrase “which the member” in its place.

(B) Paragraph (2) is amended by striking the phrase “declare the vacancy” and inserting the phrase “declare the vacancy based upon its own determination, or upon the receipt of a written allegation that a vacancy has occurred in such Advisory Neighborhood Commission; provided, that such allegation shall include any evidence in support of the allegation” in its place.

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

(i) Subparagraph (A) is amended by striking the phrase “District of Columbia Board of Elections” both times it appears and inserting the word “Board” in its place.

(ii) Subparagraph (B) is amended by striking the phrase “District of Columbia Board of Elections” both times it appears and inserting the word “Board” in its place.

(iii) Subparagraph (D) is amended by striking the phrase “District of Columbia Board of Elections” and inserting the word “Board” in its place.

(4) Subsection (h) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “the Office of Advisory Neighborhood Commissions” and inserting the phrase “the OANC” in its place.

(B) Paragraph (3) is amended by striking the phrase “the Office of Advisory Neighborhood Commissions” and inserting the phrase “the OANC” in its place.

(C) Paragraph (4) is amended by striking the phrase “the Office of Advisory Neighborhood Commissions” and inserting the phrase “the OANC” in its place.

(d) Section 13(c) (D.C. Official Code § 1-309.10(c)) is amended by adding a new paragraph (5) to read as follows:

“(5) The Department of Corrections shall employ a staff liaison for any Commissioner in its care and custody who represents the single-member district containing the Central Detention Facility and Correctional Treatment Facility. Such liaison shall assist the Commissioner in carrying out the Commissioner’s duties, including pursuant to this section. The Commissioner shall be entitled to technology and space necessary to access Commission meetings and perform the Commissioner’s duties.”.

(e) Section 14(b) (D.C. Official Code § 1-309.11(b)) is amended as follows:

(1) Paragraph (1A) is amended by striking the phrase “A Commissioner” and inserting the phrase “Except as provided in paragraph (1B) of this subsection, a Commissioner” in its place.

(2) A new paragraph (1B) is added to read as follows:

“(1B) If the Commission contains the Central Detention Facility and Correctional Treatment Facility:

“(A) A Commissioner on that Commission shall be entitled to call a meeting, remotely participate in that meeting, and vote on matters before the Commission, through a teleconference or other electronic means identified by the Commission for this purpose;

“(B) Commissioners in the care and custody of the Department of Corrections in the Central Detention Facility or the Correctional Treatment Facility shall be permitted to participate in meetings and vote on matters before the Commission remotely; and

“(C) Commissioners on that Commission who are physically or electronically present shall be counted toward the determination of a quorum.”.

Sec. 3. 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) The lead-in language of section 1 (D.C. Official Code § 1-1001.01) is amended by striking the phrase “the Mayor” and inserting the phrase “the Mayor, United States Senator and Representative, Advisory Neighborhood Commissioners,” in its place.

(b) Section 2 (D.C. Official Code § 1-1001.02) is amended as follows:

(1) Paragraph (25) is amended by striking the phrase ““Election” and inserting the phrase “The term “election” in its place.

(2) The lead-in language of paragraph (26) is amended to read as follows:

“(26) The term “qualified petition circulator” means a person who is at least 17 years of age and who will be 18 years of age on or before the next general election and either:”.

(3) Paragraph (27)(C) is amended to by striking the phrase “an absentee ballot” and inserting the phrase “a mail-in ballot” in its place.

(4) Paragraph (29) is amended by striking the phrase ““Mobile” and inserting the phrase “The term “mobile” in its place.

(5) Paragraph (30) is amended by striking the phrase ““Mobile” and inserting the phrase “The term “mobile” in its place.

(6) Paragraph (31) is amended to read as follows:

“(31) The term “polling place” shall have the same meaning as the term “Vote Center”.”.

(7) New paragraphs (35), (36), and (37) are added to read as follows:

“(35) The term “ballot drop box” means a secured container in which a registered qualified elector may deposit a completed ballot.

“(36) The term “mail-in ballot” means:

“(A) A physical ballot received by a registered qualified elector via mail;

or

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“(B) An alternate format ballot, such as a web-based ballot, that is accessible to registered qualified electors with disabilities and absent uniformed services and overseas voters.

“(37) The term “Vote Center” means a centralized polling place at which registered qualified electors may vote, regardless of their address within the District; except, that only registered qualified electors in the care and custody of the Department of Corrections may vote at Vote Centers located in Department of Corrections facilities.”.

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

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

(A) Paragraph (5) is repealed.

(B) Paragraph (8) is amended by striking the phrase “persons; draw” and inserting the phrase “persons; and draw” in its place.

(C) Paragraph (9) is amended to read as follows:

“(9) Operate Vote Centers, including a Vote Center for incarcerated individuals in the Department of Corrections' care and custody at the Central Detention Facility and Correctional Treatment Facility;”.

(D) Paragraph (9B) is redesignated as paragraph (9A).

(E) The newly redesignated paragraph (9A) is amended as follows:

(i) The lead in language is amended by striking the phrase “absentee ballot” and inserting the phrase “mail-in ballot” in its place.

(ii) Subparagraph (A)(ii) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(iii) Subparagraph (B) is amended as follows:

(I) Sub-subparagraph (i) is amended by striking the semicolon and inserting the phrase “, if such a guide is published by the Board;” in its place.

(II) Sub-subparagraph (iii) is amended to read as follows:

“(iii) A mail-in ballot and postage-paid return envelope; and”.

(iv) A new subparagraph (C) is added to read as follows:

“(C) Provide to every registered qualified elector in the care and custody of the Department of Corrections and the Department of Youth Rehabilitation Services information about the importance of and process for keeping their voter registration information, including their residence address, current and up-to-date;”.

(F) Paragraph (10) is amended to read as follows:

“(10) Provide information regarding procedures for voter registration and mail-in ballots to absent uniformed services voters and overseas voters in United States elections, accept valid voter registration applications and mail-in ballots, including write-in ballots, from those voters, and comply with the Uniformed and Overseas Citizens Absentee Voting Act, approved August 28, 1966 (100 Stat. 924; 42 U.S.C. § 1873ff *et seq.*);”.

(G) Paragraph (10A) is amended to read as follows:

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“(10A) Prior to any Board-run election, mail every registered qualified elector a mail-in ballot, that includes language on the penalties for fraudulent voting, and a postage-paid return envelope;”.

(H) New paragraphs (10B), (10C), (10D), (10E), and (10F) are added to read as follows:

“(10B) Accept mail-in ballots that are either:

“(A) Postmarked or otherwise proven to have been mailed on or before election day and received by the Board no later than the 10th day after election day; or

“(B) Received by the Board by 8 p.m. on election day:

“(i) In a ballot drop box or at a Vote Center; or

“(ii) Electronically, in the case of alternate format ballots submitted by registered qualified electors with disabilities and absent uniformed services and overseas voters;

“(10C) Create, maintain, and user-test an electronic ballot tracking system, updated daily, to:

“(A) Notify voters regarding the status of their mail-in and special ballots; and

“(B) Allow voters to:

“(i) Track, via the Board’s website, the status of their:

“(I) Mail-in ballots, including the dates on which the mail-in ballot was mailed to the voter and received, processed, and accepted or rejected by the Board; and

“(II) Special ballots, including the date of acceptance or rejection and reason, if rejected; and

“(ii) Submit comments to the Board regarding the status of their mail-in and special ballots or the electronic ballot tracking system;

“(10D) Promulgate rules governing signature verification for mail-in ballots, including processes for curing signature deficiencies and, if a registered qualified elector has a disability preventing them from signing a mail-in ballot return envelope, allowing the registered qualified elector to use a mark instead of a signature;

“(10E) Procure, maintain, and operate no fewer than 55 ballot drop boxes throughout the District that are accessible to registered qualified electors, including registered qualified electors who use wheelchairs, at least 10 hours per day during the period designated for early voting and on election day, the proposed locations of which shall be published in the District of Columbia Register and on the Board’s website for public comment;

“(10F) Maintain a centralized process for receiving public and voter concerns and comments through the Board’s website that confirms receipt and provides confirmation numbers to allow those submitting concerns and comments to track their submission;”.

(I) Paragraph (12) is amended to read as follows:



“(12) Take all reasonable steps to inform qualified electors about elections and voting, including by:

“(A) If a voter guide is published by the Board:

“(i) Ensuring the voter guide is available on the Board’s website and accessible for voters with visual impairments;

“(ii) Permitting registered qualified electors to elect to receive the voter guide by electronic means in lieu of by mail;

“(iii) Emailing an electronic voter guide to those registered qualified electors for whom the Board maintains email addresses; and

“(iv) Mailing a physical voter guide to those registered qualified electors who have not elected to receive a voter guide by electronic means in lieu of by mail; and

“(B) Separately from the information’s inclusion in a voter guide, emailing those registered qualified electors for whom the Board maintains email addresses instructions about mail-in voting, early voting, Vote Center locations, Vote Center wait times, ballot drop box locations, and how to update their voter registration information;”.

(J) Paragraph (15) is amended by striking the phrase “blind persons and persons with physical and developmental disabilities” and inserting the phrase “persons with disabilities” in its place.

(K) Paragraph (15A) is amended by striking the phrase “his or her name” and inserting the phrase “the candidate’s name” in its place.

(L) Paragraph (19)(D) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(M) Paragraph (20)(C) is amended as follows:

(i) Sub-subparagraph (ii) is amended by striking the phrase “Polling place locations” and inserting the word “Vote Center locations” in its place.

(ii) Sub-subparagraph (iv) is amended by striking the period and inserting the phrase “; and” in its place.

(N) A new paragraph (21) is added to read as follows:

“(21) Establish and maintain a publicly accessible and searchable election data portal and data visualization dashboards on the Board’s website that include the following aggregated data:

“(A) For each primary, general, and special election, election results and turnout data, sortable by at least the following categories:

“(i) Vote Center, precinct, single-member district, Advisory Neighborhood Commission, and Ward;

“(ii) Voter age or age range;

“(iii) Voter history, including length and whether voters were newly registered since the last election;

“(iv) Method of voting, such as in-person, separated by special ballots, ballot drop box, or mail-in;

“(v) Timing of voting, such as early voting or election day and by day and Vote Center; and

“(vi) For mail-in ballots, dates of mailing to voters and receipt by voters, dates returned to the Board and accepted or rejected by the Board, and number and percentage of undeliverable mail-in ballots; and

“(B) Regarding voter registration, the:

“(i) Number of voters registered by month;

“(ii) Locations of their registration; and

“(iii) Registered voters’ ages, precincts, single-member districts, and wards of residence.”.

(2) Subsection (a-1) is amended by striking the phrase “Additional meetings” and inserting the phrase “Meetings may be rescheduled, and additional meetings” in its place.

(3) Subsection (e)(4) is amended to read as follows:

“(4)(A) Except as provided in subparagraph (C) of this paragraph, the Board shall select, appoint, and fix the compensation of temporary election workers to operate Vote Centers, including site coordinators, who shall oversee the operations of Vote Centers in accordance with rules prescribed by the Board, and election workers, who shall assist the site coordinators. Site coordinators shall be qualified registered electors in the District. Election workers shall be individuals who are at least 16 years of age by the day that they are working in this capacity, who reside in the District of Columbia, and who are enrolled in or have graduated from a public or private secondary school or an institution of higher education. An election worker shall be required to:

“(i) Complete at least 4 hours of training;

“(ii) Receive certification as an election worker under standards that the Board shall promulgate; and

“(iii) Take and sign an oath of office or affirmation to perform the duties of office honestly, faithfully, and promptly.

“(B) The Board shall establish standards to measure the performance of election workers, including the past performance of an election worker, and consider the election worker's past performance before appointing the election worker to work as an election worker in a subsequent election. Past service as an election worker shall not entitle a person to appointment as an election worker in a subsequent election.

“(C) Election workers, including site coordinators, who are District government employees are not required to be District residents or qualified electors.”.

(4) Subsection (i) is amended as follows:

(A) The lead-in language is amended by striking the phrase “each polling place” and inserting the phrase “each Vote Center” in its place.

(B) Paragraph (2) is amended by striking the phrase “which polling places” and inserting the phrase “which Vote Centers” in its place.

(C) Paragraph (7) is amended by striking the phrase “the polling place” and inserting the phrase “the Vote Center” in its place.

(5) Subsection (j) is amended by striking the phrase “absentee ballots” and inserting the phrase “mail-in ballots” in its place.

(6) Subsection (k) is amended as follows:

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

(i) Subparagraph (A) is amended by striking the number “30” and inserting the number “21” in its place.

(ii) Subparagraph (B) is amended by striking the number “30” and inserting the number “21” in its place.

(B) Paragraph (3) is amended to read as follows:

“(3) The number of election workers, by Vote Center;”.

(C) Paragraph (5) is amended by striking the phrase “in precinct captain” and inserting the phrase “in site coordinator” in its place.

(D) Paragraph (6) is amended by striking the phrase “polling place workers” and inserting the word “election workers” in its place.

(E) Paragraph (7) is amended by striking the phrase “experienced on” and inserting the phrase “experienced during early voting and on” in its place.

(d) Section 6 (D.C. Official Code § 1-1001.06) is amended as follows:

(1) Subsection (b) is amended by striking the phrase “as registration or polling places” and inserting the phrase “as registration or Vote Centers” in its place.

(2) Subsection (c) is amended by striking the period and inserting the phrase “. The seal adopted by the Board shall not be used by any individual or entity without the prior written authorization of the Board.” in its place.

(e) Section 7 (D.C. Official Code § 1-1001.07) is amended as follows:

(1) Subsection (a)(2)(A) is amended by striking the phrase “by physical disability” and inserting the phrase “by disability” in its place.

(2) Subsection (e)(2)(A) is amended by striking the phrase “the address of the applicant’s polling place and the hours during which the polls will be open” and inserting the phrase “and information on how to vote” in its place.

(3) Subsection (g) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “vote in the precinct in which the voter maintains residence by completing a voter registration application and submitting it in person at the Board's office, using the digital voter service system required by subsection (b)(2A) of this section,” and inserting the phrase “vote by completing a voter registration application and submitting it in person at the Board's office, using the digital voter service system required by subsection (b)(2A) of this section,” in its place.

(B) Paragraph (3) is amended by striking the phrase “vote absentee” and inserting the phrase “by mail-in ballot” in its place.

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(C) Paragraph (4) is amended by striking the phrase “to vote in the precinct in which the voter maintains residence” and inserting the phrase “to vote” in its place.

(D) Paragraph (5) is amended by striking the phrase “register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence” and inserting the phrase “register during early voting or on election day by appearing in person at any Vote Center and” in its place.

(E) Paragraph (6) is amended to read as follows:

“(6) The site coordinator shall keep a record of individuals who attempt to register during early voting or on election day and indicate the form of proof of residency provided by the person. The record shall be forwarded to the Board.”.

(4) Subsection (i) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “on the day of the election,” and inserting the phrase “at the time of voting,” in its place.

(B) Paragraph (2) is amended by striking the phrase “vote at the polling place that serves the current residence address by” and inserting the phrase “vote by” in its place.

(C) Paragraph (3) is amended to read as follows:

“(3) Each registered voter who votes at a Vote Center during early voting or on election day shall affirm the registered voter's residence address as it appears on the official registration roll. The act of signing a copy of the official registration roll shall be deemed affirmation of the voter’s address as it appears on the Board’s registration records.”.

(D) Paragraph (4) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase “, at the polling place serving the current residence address;” and inserting a semicolon in its place.

(ii) Subparagraph (C) is amended to read as follows:

“(C) A registered voter who files a change of address at a Vote Center and provides valid proof of residence pursuant to subparagraph (A) of this paragraph may vote by regular ballot during early voting or on election day.”.

(E) Paragraph (5)(A) is amended by striking the phrase “the polls on” and inserting the phrase “the polls during early voting or on” in its place.

(F) Paragraph (6) is amended by striking the phrase “, at the polling place, or when voting by mail,” and inserting the phrase “or when voting in person or by mail,” in its place.

(5) Subsection (j) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase “In January” and inserting the phrase “By March 31” in its place.

(ii) Subparagraph (C) is amended by striking the phrase “the 30th” and inserting the phrase “the 21st” in its place.

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

(i) Subparagraph (A) is amended to read as follows:

“(A) Upon receipt of the United States Postal Service–returned notices described in paragraph (1)(B)(ii) and (iii) of this subsection, the Board shall designate the registrant’s voter registration status as inactive on the voter roll.”.

(ii) Subparagraph (C) is amended by striking the phrase “mails the notice” and inserting the phrase “mails the forwardable notice” in its place.

(C) Paragraph (3) is amended by striking the phrase “Bureau of Vital Statistics,” and inserting the phrase “Vital Records Division of the Department of Health,” in its place.

(D) Paragraph (5)(C)(i) is repealed.

(E) A new paragraph (6) is added to read as follows:

“(6) The Board may use reliable information obtained from the Department of Corrections or the Federal Bureau of Prisons to update the address information of incarcerated voters.”.

(6) Subsection (k) is amended by adding a new paragraph (4B) to read as follows:

“(4B) At least monthly, at the request of the Board, the Department of Corrections shall provide the Board with the name and date of birth of each person transferred from the Department of Corrections to the Bureau of Prisons.”.

(f) Section 8 (D.C. Official Code § 1-1001.08) is amended as follows:

(1) Subsection (b)(3A) is amended as follows:

(A) Subparagraph (A) is amended as follows:

(I) The lead-in language is amended by striking the phrase “must be” and inserting the phrase “shall be” in its place.

(II) Sub-subparagraph (ii) is amended by striking the phrase “qualified petition circulators” and inserting the phrase “a qualified petition circulator” in its place.

(B) Subparagraph (B) is amended by striking the phrase “Signatures on such petition sheets shall not” and inserting the phrase “No signature on a petition sheet shall” in its place.

(2) Subsection (e) is amended by striking the phrase “determined by that Board” and inserting the phrase “determined by the Board” in its place.

(3) Subsection (g) is amended by adding new paragraphs (3) and (4) to read as follows:

“(3) An elector’s ballot for President or Vice President shall not be accepted if the elector does not vote for the candidate of the party whom the elector has been elected to represent. An elector who refuses to present a ballot, presents an unmarked ballot, or refuses to vote for the candidate of the party whom the elector has been selected to represent shall vacate the office of elector.

“(4) In the event of a vacancy in the office of elector, the Board shall appoint a substitute elector, who meets the eligibility requirements of paragraphs (1) and (2) of this

subsection, by appointing an elector who has been chosen from a list submitted by the party whom the elector would be selected to represent.”.

(4) Subsection (h)(1)(B)(i) is amended by striking the phrase “A member of the office of Council” and inserting the phrase “A member of the Council” in its place.

(5) Subsection (n) is amended by striking the phrase “In a general or special election for members of the State Board of Education, the Board shall arrange the ballot for each school district or ward to enable a voter registered in that school district or ward to vote for any 1 candidate duly nominated to be elected to such office from such school district or ward, and to vote for as many candidates duly nominated for election at large to such office as there are State Board of Education members to be elected at large in such election” and inserting the phrase “In a general or special election for members of the State Board of Education, the Board shall arrange the ballot for each ward to enable a voter registered in that ward to vote for any one candidate duly nominated to be elected to such office from such ward, and to vote for any one candidate duly nominated to be elected at large to such office” in its place.

(6) Subsection (o) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “the petition. A copy of the challenge shall be sent by the Board promptly to the person designated for the purpose in the nominating petition. In a special election to fill a vacancy in an Advisory Neighborhood Commission single-member district, the period prescribed in this paragraph for posting and challenge shall be 5 days, excluding weekends and holidays.” and inserting the phrase “the petition. Any challenge shall be filed with the Board by 5:00 p.m. on the 10th day of the challenge period. A copy of the challenge shall be sent by the Board promptly to the person designated for the purpose in the nominating petition. In a special election to fill a vacancy in an Advisory Neighborhood Commission single-member district, the period prescribed in this paragraph for posting and challenge shall be 5 business days, excluding weekends and holidays.” in its place.

(B) Paragraph (3)(B) is amended by striking the phrase “during the first 10 days of the period designated for resolving challenges to petitions” and inserting the phrase “by no later than 5:00 p.m. on the 10th day after the day the candidate receives notice of the challenge” in its place.

(7) Subsection (r) is amended as follows:

(A) Paragraph (2) is amended by striking the phrase “4:45” and inserting the phrase “5:00” in its place.

(B) Paragraph (3) is amended by striking the phrase “4:45” and inserting the phrase “5:00” in its place.

(g) Section 9 (D.C. Official Code § 1-1001.09) is amended as follows:

(1) The section heading is amended by striking the phrase “at polling place” and inserting the phrase “at Vote Centers” in its place.

(2) A new subsection (a-1) is added to read as follows:

“(a-1) The District of Columbia Public Schools system shall be closed to instruction on election day for District primary and general elections in order to facilitate voting in its facilities, beginning with the 2024 primary election.”.

(3) Subsection (b) is amended as follows:

(A) Paragraph (1) is repealed.

(B) Paragraph (2) is amended by striking the phrase “by absentee ballot” and inserting the phrase “by mail-in ballot” in its place.

(C) Paragraph (3) is repealed.

(D) A new paragraph (4) is added to read as follows:

“(4) The Board shall permit a registered qualified elector to vote at any Vote Center, regardless of the registered qualified elector’s current residence address within the District.”.

(4) Subsection (b-1) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “early voting centers, with at least one early voting center” and inserting the phrase “Vote Centers to be used for early voting, with at least one early Vote Center” in its place.

(B) Paragraph (2) is amended by striking the phrase “early voting center, the Board shall allow persons to vote in person for not more than” and inserting the phrase “Vote Center used for early voting, the Board shall allow persons to vote in person for a period of not more than” in its place.

(C) Paragraph (3) is amended by striking the phrase “locations for use as early voting centers” and inserting the phrase “locations for Vote Centers to be used for early voting” in its place.

(D) Paragraph (4) is amended by striking the phrase “early voting center” and inserting the phrase “Vote Center to be used for early voting” in its place.

(E) Paragraph (5) is repealed.

(5) Subsection (c) is amended as follows:

(A) Strike the phrase “polling places” and insert the phrase “Vote Centers” in its place.

(B) Strike the phrase “polling place” and insert the phrase “Vote Center” in its place.

(6) Subsection (c-1) is amended to read as follows:

“(c-1) The Board shall issue rules for granting access to the electoral process, including access to Vote Centers, ballot tabulation centers, and other similar locations, to election observers. The rules shall consider the need to avoid disruption and crowding in Vote Center and ballot tabulation centers and the need to ensure that all questions posed by observers should be answered as fully, accurately, and cooperatively as possible. Election observers shall be allowed uniform and nondiscriminatory access to all stages of the election process, including the certification of election technologies, early and mail-in voting, and vote tabulation. The Board shall issue a public notice with respect to any denial of a request by any election observer for

access to any Vote Center for purposes of observing an election. The notice shall be issued not later than 24 hours after the denial.”.

(7) Subsection (d) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “the precinct captain or other official in charge of the polling place” and inserting the phrase “the site coordinator or other official in charge of the Vote Center” in its place.

(B) Paragraph (2) is amended by striking the phrase “precinct captain” both times it appears and inserting the phrase “site coordinator” in its place.

(C) Paragraph (3) is amended by striking the phrase “precinct captain” wherever it appears and inserting the phrase “site coordinator” in its place.

(D) Paragraph (4) is amended to read as follows:

“(4) If the site coordinator denies the challenge, the site coordinator shall inform the challenger that the challenger may appeal the decision to the Board and shall give the challenger copies of the rules regarding challenges and appeals to the Board. Any appeal of the site coordinator’s decision to deny the challenge shall be made either before the challenged voter casts a regular ballot, or before either the challenger or the challenged voter leaves the Vote Center, whichever is earlier. If the challenger does not appeal the site coordinator’s decision to deny the challenge, the challenged voter shall cast a regular ballot.”.

(E) The lead-in language of paragraph (5) is amended to read as follows:

“(5) If the challenger appeals the site coordinator’s decision to deny the challenge, the site coordinator shall state the facts of the case to the Board’s hearing officer, who is authorized to rule on the appeal for the Board. A Board member, the Board’s Executive Director, or the Board’s chief voter registration official may serve as the Board’s hearing officer for the appeal. The site coordinator shall contact the hearing officer by telephone. The hearing officer shall ensure that the hearing is recorded, and shall take testimony under oath from the challenger, the person challenged, the site coordinator, and any witnesses to the challenge who wish to testify. Each person who testifies before the hearing officer shall state for the record their:”.

(F) Paragraph (6) is amended by striking the phrase “precinct captain’s” and inserting the phrase “site coordinator’s” in its place.

(G) Paragraph (7) is amended to read as follows:

“(7) The hearing officer shall notify the site coordinator of the hearing officer’s decision on the appeal of the unsuccessful challenge, and the site coordinator shall notify each party of the hearing officer’s decision. If the hearing officer affirms the site coordinator’s decision to deny the challenge, the challenged voter shall cast a regular ballot. The site coordinator shall inform the challenger of the challenger’s right to appeal the decision of the Board hearing officer to the Superior Court of the District of Columbia. If the hearing officer overturns the site coordinator’s decision to deny the challenge, the challenged voter shall be allowed to vote only by casting a paper ballot marked “challenged” in accordance with the procedures set forth in paragraph (8) of this subsection.”.

(H) Paragraph (8) is amended to read as follows:



“(8) If the site coordinator affirms the challenge made at the Vote Center, or if the Board’s hearing officer overturns the decision of the site coordinator to deny a challenge, the site coordinator shall allow the person to vote only by casting a paper ballot marked “challenged” and shall provide the voter with written notification of the voter's right of appeal pursuant to subsection (e) of this section. Challenged ballots shall be segregated, and no challenged ballot shall be counted until the challenge has been removed pursuant to subsection (e) of this section. The site coordinator shall not allow the challenged voter to cast a “challenged” ballot unless the voter signs an affidavit swearing or affirming, under penalty of perjury, that the voter is a qualified registered elector in the District of Columbia who resides in the precinct for which the ballot is to be cast, and if applicable, the Advisory Neighborhood Commission single-member district in which the ballot is to be cast.”.

(8) Subsection (d-1) is amended by striking the phrase “the polling place” and inserting the phrase “the Vote Center” in its place.

(9) Subsection (e) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “voter to vote on election day” and inserting the phrase “voter to vote during early voting or on election day” in its place.

(B) Paragraph (2) is amended by striking the phrase “In sufficient time to comply with the requirements of the Uniformed and Overseas Citizens Absentee Voter Act, approved August 28, 1986 (100 Stat. 924; 42 U.S.C. § 1973ff *et seq.*), the Board” and inserting the phrase “The Board” in its place.

(C) Paragraph (3) is amended by striking the phrase “not later than 2 days after that election” and inserting the phrase “no earlier than 8 days and no later than 10 days after that election” in its place.

(D) Paragraph (4) is amended by striking the phrase “not later than 2 days after any election” and inserting the phrase “no earlier than 8 days and no later than 10 days after any election” in its place.

(10) Subsection (f) is amended by striking the phrase “polling place” both times it appears and inserting the phrase “Vote Center” in its place

(11) Subsection (g)(1) is amended by striking the phrase “declared himself or herself” and inserting the phrase “declared themselves” in its place.

(12) Subsection (h) is amended by striking the phrase “or section 17(i)” both times it appears.

(13) Subsection (i) is amended by striking the phrase “polling place.” and inserting the phrase “Vote Center.” in its place.

(14) Subsection (j-1) is amended by striking the phrase “precinct” both times it appears and inserting the phrase “Vote Center” in its place.

(15) Subsection (j-2) is amended as follows:

(A) The lead-in language is amended by striking the phrase “Precinct captains shall” and inserting the phrase “Site coordinators shall” in its place.

(B) Paragraph (1) is amended by striking the phrase “a polling place” and inserting the phrase “a Vote Center” in its place.

(C) Paragraph (3) is amended by striking the phrase “a polling place” and inserting the phrase “a Vote Center” in its place.

(h) Section 9a (D.C. Official Code § 1-1001.09a) is amended as follows:

(1) Subsection (c)(1)(B) is amended by striking the phrase “including absentee ballots” and inserting the phrase “including mail-in ballots” in its place.

(2) Subsection (g)(1) is repealed.

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

(1) Paragraph (1) is amended by striking the phrase “All elections prescribed by this act shall be conducted by the Board in conformity with the provisions of this act. In all elections held pursuant to this act, the polls shall be open from 7:00 a.m. to 8:00 p.m., except in instances when the time established for closing the polls is extended pursuant to a federal or District court order or any other order. The Board may, upon request of the precinct captain or upon its own initiative, if an emergency exists by reason of mechanical failure of a voting machine, an unanticipated shortage of ballots, excessive wait times, bomb threats, or similar unforeseen event warrants it, extend the polling hours for that precinct until the emergency situation has been resolved.” and inserting the phrase “In all elections held pursuant to this act, the polls shall be open from 7:00 a.m. to 8:00 p.m. on election day, except in instances when the time established for closing the polls is extended pursuant to a federal or District court order or any other order. The Board shall also establish hours for early voting. The Board may, upon request of the site coordinator or upon its own initiative, if an emergency exists by reason of mechanical failure of a voting machine, an unanticipated shortage of ballots, excessive wait times, bomb threats, or a similar unforeseen event warrants, extend the hours for that Vote Center until the emergency has been resolved.” in its place.

(2) Paragraph (2)(A) is amended by striking the phrase “polling place” both times it appears and inserting the phrase “Vote Center” in its place.

(j) Section 16(g-1) (D.C. Official Code § 1-1001.16(g-1)) is amended as follows:

(1) The lead-in language of paragraph (1) is amended by striking the phrase “made available by” and inserting the phrase “provided by” in its place.

(2) Paragraph (2) is amended by striking the phrase “Signatures on petition sheets shall not” and inserting the phrase “No signature on a petition sheet shall” in its place.

(k) Section 17(l) (D.C. Official Code § 1-1001.17(l)) is amended to read as follows:

“(l)(1) After determining that the number and validity of signatures in the recall petition meet the requirements established in this section, and that determination is upheld if challenged, the Board shall certify the sufficiency of such recall petition. The Board shall conduct a special election to determine whether the elected officer who is the subject of the recall shall be removed from office within 114 days after the date the petition to recall has been certified as to its sufficiency. If a previously scheduled general, primary, or special election will occur between 54

and 114 days after the date the petition to recall has been certified as to its sufficiency, the Board may present the recall measure at that election.

“(2) If the elected officer who is the subject of the recall represents a particular ward, the recall election shall be conducted only in that ward.

“(3) If the elected officer who is the subject of the recall is an Advisory Neighborhood Commissioner, the recall election shall be conducted only in that single-member district. A special election called to consider the recall of an Advisory Neighborhood Commissioner shall not be considered an election for the purposes of section 16(p).

“(4) Notwithstanding any other provision of this act, for a special election called to consider the recall of an Advisory Neighborhood Commissioner, the Board shall determine the number and location of ballot drop boxes and Vote Centers used.”.

Sec. 4. Section 110 of the Comprehensive Military and Overseas Voters Accommodation Amendment Act of 2012, effective June 5, 2012 (D.C. Law 19-137; D.C. Official Code § 1-1061.10), is amended by striking the phrase “7th day” and inserting the phrase “10th day” in its place.

Sec. 5. Section 104(18) of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.04(18)), is amended as follows:

(a) Subparagraph (A) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) Subparagraph (B) is amended by striking the period and inserting the phrase “; and” in its place.

(c) A new subparagraph (C) is added to read as follows:

“(C) Providing information about the importance of voting and the right of an individual currently incarcerated or with a criminal record to vote in the District, and of the importance of keeping their voter registration information, including their residence address, current and up-to-date, including upon transfer or release from the Department’s custody.”.

Sec. 6. Section 105(c)(2) of the Address Confidentiality Act of 2018, effective July 3, 2018 (D.C. Law 22-118; D.C. Official Code § 4-555.05(c)(2)), is amended by striking the phrase “by absentee ballot” and inserting the phrase “by mail-in ballot” in its place.

Sec. 7. Section 8(b) of An Act To create a Department of Corrections in the District of Columbia, effective April 26, 2019 (D.C. Law 22-309; D.C. Official Code § 24-211.08(b)), is amended by striking the phrase “to inmates” and inserting the phrase “to incarcerated individuals. Such information shall discuss the importance of and process for keeping voter registration information, including their residence address, current and up to date, including upon transfer or release from Department custody” in its place.

Sec. 8. Section 402(e) of the State Board of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-2651(e)), is amended as follows:

(a) Paragraph (1)(D) is amended to read as follows:

“(D) Not be an officer or employee of:

“(i) The Board; or

“(ii) With the exception of employees of the District of Columbia Public Schools, the District of Columbia government.”.

(b) Paragraph (2) is amended by striking the phrase “forfeit his or her” and inserting the phrase “forfeit the member’s” in its place.

Sec. 9. The Advisory Neighborhood Commission Boundaries Act of 2022, effective August 10, 2022 (D.C. Law 24-148; 69 DCR 7626), is amended as follows:

(a) The Ward 8 heading is amended to read as follows:

“Ward 8 (including part of Ward 6 in ANC 8F)”.

(b) The ANC 8F description is amended as follows:

(1) Strike the phrase “ANC 8F” and insert the phrase “ANC 6/8F” in its place.

(2) Strike the phrase “SMD 8F01” and insert the phrase “SMD 6/8F01” in its place.

(3) Strike the phrase “SMD 8F02” and insert the phrase “SMD 6/8F02” in its place.

(4) Strike the phrase “SMD 8F03” and insert the phrase “SMD 6/8F03” in its place.

(5) Strike the phrase “SMD 8F04” and insert the phrase “SMD 6/8F04” in its place.

(6) Strike the phrase “SMD 8F05” and insert the phrase “SMD 6/8F05” in its place.

Sec. 10. Applicability.

(a) Section 2(d) and the amendatory section 5(10A), (10E), and (21) within section 3(c)(1)(G), (H), and (N) shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of the provisions identified in subsection (a) of this section.

**Sec. 11. Fiscal impact statement.**

The Council adopts the fiscal impact statement in the committee report 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. 12. 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), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia