

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Chapter 8 of Title 16 of the District of Columbia to permit sealing by motion for certain criminal records.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “ Fair Chance at Record Sealing Amendment Act of 2024”

Sec 2. Title 16 of the District of Columbia Official Code is amended as follows:

(a) Section 16-801

(1) Subparagraph (6) is amended to read as follows:

(A) Strike the phrase “means any felony other than failure to appear” and inserting the phrase “means any felony that is not an ineligible felony.

(2) Subsection (8) is amended to read as follows:

(A): Strike the phrase “means any other felony than a failure to appear (16-1327) [3-1327]” and replacing it with “any felony except an offense involving:

(a) n intrafamily offense;

(b) a sex crime, sexual abuse, or violation of the Sex Offender

Registration Act;

33 (c) abuse of a vulnerable or protected adult, or abuse of authority
34 to care for a vulnerable or protected adult;

35 (d) abuse, neglect, or any crime committed against a child by an
36 adult.”

37 (b) Section 16-803 is amended to read as follows:

38 (2) Subsection (c)(1) is amended to read as follows:

39 (A) Strike the phrase “a waiting period of at least 8 years has elapsed since
40 the completion of the movant’s sentence; and” and inserting the phrase “a waiting period
41 of at least 2 years has elapsed since the completion of the movant’s sentence for a
42 misdemeanor offense and at least 4 years has elapsed since the completion of the
43 movant’s sentence for a felony offense, except that the waiting period for an eligible
44 felony offense in Offense Severity Group 1, 2, or 3 of the Master Grid, developed by the
45 District of Columbia Sentencing Commission, shall be 10 years after the completion of
46 the movant’s sentence; and

47 (d) A new section “(n)” is added to read as follows:

48 “(n) Notwithstanding any law or provision, the Court shall grant the
49 request to seal the publicly available arrest and court proceedings of a movant who has:

50 (1) attained 70 years of age

51 (2) has not been subjected to arrest or prosecution for at least ten years
52 from the termination of the case, and

53 (3) does not have any pending criminal matters in any state or federal
54 Court.”

55 Sec. 2. Fiscal impact statement.

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

59 Sec. 3. Effective date.

60 This act shall take effect following approval by the Mayor (or in the event of veto by the
61 Mayor, action by the Council to override the veto), a 60-day period of congressional review as
62 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December
63 24, 1973, (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of
64 Columbia Register.