

A RESOLUTION

22-245

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2017

To declare the existence of an emergency with respect to the need to amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to increase the quorum requirement of the District of Columbia Board of Ethics and Government Accountability from 2 members to a majority of the sitting members.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Ethics Board Quorum Emergency Declaration Resolution of 2017”.

Sec. 2. (a) The District of Columbia Board of Ethics and Government Accountability (“Ethics Board”) was established in 2012 as a 3-member board, pursuant to section 202 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 § 1-1162.02). Since its establishment, the Ethics Board has had a quorum requirement of 2 members.

(b) When the Council increased the size of the Ethics Board from 3 members to 5 members in section 1082(a) of the Board of Ethics and Government Accountability Board Size Amendment Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), it did not also increase the Ethics Board’s quorum requirement.

(c) Having a quorum requirement of 2 members makes it difficult for 2 members to have even an informal discussion without running the risk of having a “meeting,” as that term is defined in section 404(1) of the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-574(1)).

(d) Emergency legislation is necessary to amend the quorum requirement to align with the Ethics Board’s expansion.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Ethics Board Quorum Emergency Amendment Act of 2017 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.