

A RESOLUTION

23-431

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to prohibit the District of Columbia government from discriminating, in employment, against an individual for participation in a medical marijuana program; and to amend the Department of Corrections Employee Mandatory Drug and Alcohol Testing Act of 1996 to do the same.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Marijuana Program Patient Employment Protection Congressional Review Emergency Declaration Resolution of 2020”.

Sec. 2. (a) On June 18, 2019, the Council passed the Medical Marijuana Program Patient Employment Protection Emergency Amendment Act of 2019, enacted on July 8, 2019 (D.C. Act 23-77; 66 DCR 8089) (“first emergency act”), which expired on October 6, 2019.

(b) On July 9, 2019, the Council passed the Medical Marijuana Program Patient Employment Protection Temporary Amendment Act of 2019, effective October 4, 2019 (D.C. Law 23-26; 66 DCR 15182) (“first temporary act”).

(c) On September 17, 2019, due to a delay in the transmission of the first temporary act, the Council passed the Medical Marijuana Program Patient Employment Protection Congressional Review Emergency Amendment Act of 2019, effective October 7, 2019 (D.C. Act 23-125; 66 DCR 13158), to prevent a gap in the law between the expiration of the first emergency act and the anticipated effective date of the first temporary act.

(d) The COVID-19 pandemic response interrupted the work on the permanent legislation, prompting the Council to pass, on May 18, 2020, the Medical Marijuana Program Patient Employment Protection Emergency Amendment Act of 2020, effective June 8, 2020 (D.C. Act 23-327; 67 DCR 7595) (“second emergency act”), to prevent a gap in the law, because the first temporary act was set to expire on June 5, 2020.

(e) On June 9, 2020, the Council passed the Medical Marijuana Program Patient Employment Protection Temporary Amendment Act of 2020, passed on 2nd reading on June 9, 2020 (Enrolled version of Bill 23-756) (“second temporary act”), to accompany the second emergency act.

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(f) Due to the ongoing COVID-19 pandemic response and Congressional recess, the second temporary act is not anticipated to be in effect before September 6, 2020, when the second emergency act is set to expire.

(g) This congressional review emergency legislation is necessary to prevent a gap in the law between the expiration of the second emergency act and the anticipated effective date of the second temporary act.

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 Medical Marijuana Program Patient Employment Protection Congressional Review Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.