

**ENROLLED ORIGINAL**

A RESOLUTION

23-455

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to expand the standby guardianship law to enable a parent, legal guardian, or legal custodian who is, or may be, subject to an adverse immigration action or who has been exposed to COVID-19 to make short-term plans for a child without terminating or limiting that person’s parental or custodial rights.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Standby Guardian Emergency Declaration Resolution of 2020”.

Sec. 2. (a) In 2019, the Council enacted emergency and temporary legislation to expand the standby guardianship laws to enable a parent, legal guardian, or legal custodian to be able to make plans to protect the wellbeing of their children in advance of an adverse immigration action. The temporary legislation, the Standby Guardian Temporary Amendment Act of 2019, effective November 26, 2019 (D.C. Law 23-30; 66 DCR 13135) (“standby guardian temporary legislation”), became law on November 26, 2019, and is set to expire on July 8, 2020.

(b) In 2020, the Council enacted emergency and temporary legislation to enable a parent, legal guardian, or legal custodian to be able to make plans to protect the wellbeing of their children in the event that they are unable to do so as a result of COVID-19. In doing so, the Council added additional language to provisions that the standby guardian temporary legislation had previously amended. The temporary legislation, section 504 of the Coronavirus Support Temporary Amendment Act of 2020, passed on 2nd reading on June 9, 2020 (Enrolled version of Bill 23-758) (“COVID-19 standby guardian legislation”), passed on its final reading on June 9, 2020.

(c) Emergency legislation is necessary to ensure that the provisions of the standby guardian temporary legislation and the COVID-19 standby guardian legislation continue, without interruption, until permanent legislation is in effect.

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 Standby Guardian Emergency Amendment Act of 2020 be adopted after a single reading.

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Sec. 4. This resolution shall take effect immediately.