AN ACT

*Codification
District of
Columbia
Official Code*

2001 Edition

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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Publisher**

To amend the District of Columbia Home Rule Act to require that in the event of a vacancy in
the Council of a member elected from a ward, the Board of Elections and Ethics shall
hold a special election to fill such vacancy on the 1st Tuesday occurring more than 70
days after the date on which such vacancy occurs, unless the Board of Elections and
Ethics determines that such vacancy could be more practicably filled in a special
election held in the District within 60 days of the date on which the special election
would otherwise have been held; and to amend the District of Columbia Election Code
of 1955 to require that in the event of a vacancy on the State Board of Education of an
elected member, the Board of Elections and Ethics shall hold a special election to fill
such vacancy on the 1st Tuesday occurring more than 70 days after the date on which
such vacancy occurs, unless the Board of Elections and Ethics determines that such
vacancy could be more practicably filled in a special election held in the District within
60 days of the date on which the special election would otherwise have been held.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
act may be cited as the "Special Election Amendment Act of 2008".

Sec. 2. Section 401(d)(1) of the District of Columbia Home Rule Act, approved
December 24, 1973 (87 Stat. 785; D.C. Official Code § 1-204.01(d)(1)), is amended by striking
the phrase "more than one hundred fourteen days" and inserting the phrase "more than seventy
days" in its place.

**Amend
§ 1-204.01**

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) Section 108 (D.C. Official Code § 1-1001.08) is amended as follows:
        (1) Subsection (j)(1)(A) is amended by striking the phrase "such general
election" and inserting the phrase "such general election (35 days in the case of a special
election to fill a vacancy for a ward member of the Council)" in its place.
        (2) Subsection (n) is amended by striking the phrase "69th calendar day before
the date of such general or special election" and inserting the phrase "69th calendar day before

**Amend
§ 1-1001.08**

the date of a general election or not later than the 35th calendar day before the date of a special election" in its place.

   (3) Subsection (o)(2) is amended by striking the phrase "Within 3 days after the announcement of the determination of the Board with respect to the validity of the nominating petition," and inserting the phrase "Within 3 days after the announcement of the determination of the Board with respect to the validity of the nominating petition for a general election or within 2 days after the announcement of the determination of the Board with respect to the validity of the nominating petition for a special election," in its place.

  (b) Section 110(e)(1) (D.C. Official Code § 1-1001.10(e)(1)) is amended by striking the phrase "more than 114 days" and inserting the phrase "more than 70 days" in its place.

Amend § 1-1001.10

  Sec. 4. Applicability.
  This act shall apply upon enactment of section 2 by Congress.

  Sec. 5. Fiscal impact statement.
  The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

  Sec. 6. 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 30-day period of Congressional review as provided in section 602 (c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia