

AN ACT

**Bill 19-511**  
**Act 19-318**  
effective  
April 27, 2012

*To . . . amend the District of Columbia Home Rule Act to make ineligible to serve any Councilmember or Mayor convicted of a felony while in office, and to provide that the Council may, by a 5/6 vote of its members, adopt a resolution to expel a Councilmember. . . .*

**Codification**  
**District of**  
**Columbia**  
**Official Code**  
**2001 Edition**

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011”.

**Board of**  
**Ethics and**  
**Government**  
**Accountability**  
**Establishment**  
**and**  
**Comprehen-**  
**sive Ethics**  
**Reform**  
**Amendment**  
**Act of 2011**

\* \* \* \*

**TITLE IV. AMENDMENTS TO THE HOME RULE ACT.**

Sec. 401. The District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.01 *et seq.*), is amended as follows:

(a) Section 401 (D.C. Official Code § 1-204.01) is amended by adding a new subsection (e) to read as follows:

**Amend**  
**§ 1-204.01**

“(e)(1) By a 5/6 vote of its members, the Council may adopt a resolution of expulsion if it finds, based on substantial evidence, that a member of the Council took an action that amounts to a gross failure to meet the highest standards of personal and professional conduct. Expulsion is the most severe punitive action, serving as a penalty imposed for egregious wrongdoing. Expulsion results in the removal of the member. Expulsion should be used in cases in which the Council determines that the violation of law committed by a member is of the most serious nature, including those violations that substantially threaten the public trust. To protect the exercise of official member duties and the overriding principle of freedom of speech, the Council shall not impose expulsion on any member for the exercise of his or her First Amendment right, no matter how distasteful the expression of that right was to the Council and the District, or in the official exercise of his or her office.

“(2) The Council shall include in its Rules of Organization procedures for investigation, and consideration of, the expulsion of a member.”.

(b) Section 402 (D.C. Official Code § 1-204.02) is amended by striking the phrase “to be held; and (d) holds” and inserting the phrase “to be held; (d) has not been convicted of a felony while holding the office; and (e) holds” in its place.

**Amend**  
**§ 1-204.02**

(c) Section 421(c)(1) (D.C. Official Code § 1-204.21(c)(1)) is amended by striking the phrase “to be held; and (C) is” and inserting the phrase “to be held; (C) has not been convicted

**Amend**  
**§ 1-204.21**

of a felony while holding the office; and (D) is” in its place.

\* \* \* \*

## **TITLE VI. TRANSITION PROVISIONS; APPLICABILITY.**

Sec. 601. Transition provisions; applicability.

\* \* \* \*

(j) Title IV shall apply on its effective date as provided in section 303 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 784; D.C. Official Code § 1-203.03).

Note,  
§§ 1-204.01,  
1-204.02,  
1-204.21

\* \* \* \*

## **TITLE VII. FISCAL IMPACT AND EFFECTIVE DATE.**

Sec. 701. 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. 702. Effective date.

(a) Except as provided in subsection (b) of this section, 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.

(b) Title IV shall take effect as provided in section 303 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 784; D.C. Official Code § 1-203.03).

Title IV  
(containing  
section 401)  
was ratified  
by the electors  
of the District  
of Columbia  
in a general  
and special  
election held  
on November  
6, 2012, and  
certified by  
the District of  
Columbia  
Board of  
Elections on  
November 29,  
2012. Section  
401 became  
effective as  
law on July  
31, 2013,  
following 35  
days of  
congressional  
review and  
assigned Law  
Number 19-  
124A.