



**AN AMENDMENT (No. 2)**

Bill 20-134, "The Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013"

*(Engrossed Original)*

October 1, 2013

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**Amendment:**

Section 201 (Page 2, Line 6 through Page 9, Line 2) is amended to read as follows:

Sec. 201. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D. C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) A new section 851a is added to read as follows:

"Sec. 851a. Creation of the Mayor's Office of Legal Counsel.

"(a) There is established, within the executive branch of the District of Columbia government, a Mayor's Office of Legal Counsel. The duties of the Mayor's Office of Legal Counsel shall include:

"(1) Providing legal and policy advice and consultation to the Mayor; and

"(2) Supervising outside counsel appointed pursuant to section 109 of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2009, effective May 27, 2010 (D. C. Law 18-160; D.C. Official Code § 1-301.89.).

"(b) This Office shall be headed by a Director, who shall be appointed by the Mayor with the advice and consent of the Council pursuant to section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)). The Director shall:

"(1) Become a bona fide resident of the District within 180 days of the effective date of the appointment, and shall remain a District resident for the duration of the employment. Failure to become a District resident or to maintain District residency shall result in forfeiture of the position to which the person has been appointed.

"(2) Be a member of the District of Columbia bar in good standing.

"(c) The Director may hire and employ attorneys and support staff to assist in carrying out the duties of the Office.

“(1) Personnel employed by the Mayor’s Office of Legal Counsel shall be under the direction, supervision, and control of the Director of the Mayor’s Office of Legal Counsel.

“(2) Personnel employed by the Mayor’s Office of Legal Counsel shall become a bona fide resident of the District within 180 days of the effective date of the appointment, and shall remain a District resident for the duration of the employment. Failure to become a District resident or to maintain District residency shall result in forfeiture of the position to which the person has been hired.”.

**Rationale:**

This amendment returns the agency general counsels to the Office of the Attorney General, thereby preserving the powers of the Attorney General and supporting the independent voice the voters chose. Frontline attorneys would again be hired, supervised, and managed by the OAG, where they are free to provide legal advice in the best interest of the citizens of the District.

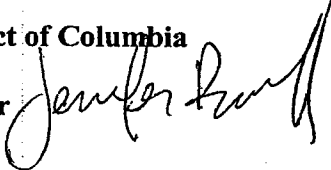
**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**Office of the Budget Director**



**Jennifer Budoff**  
Budget Director

**FISCAL IMPACT STATEMENT**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Jennifer Budoff, Budget Director 

**DATE:** October 1, 2013

**SHORT TITLE:** "Elected Attorney General Implementation and Legal Service  
Establishment Amendment Act of 2013"

**TYPE:** Amendment #3

**REQUESTED BY:** Chairman Phil Mendelson

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**Conclusion**

This amendment will not have an adverse impact on the District's budget and financial plan because there is no cost associated with the amendment.

**Background**

This amendment would re-establish the Mayor's Office of Legal Counsel that was originally contemplated by the committee print of this legislation. The costs of that office are included in the budget and financial plan; see the June 28, 2013 fiscal impact statement of the Chief Financial Officer issued for the committee print of this legislation.

**Analysis of Impact on Spending**

This amendment will not adversely impact spending.

**Analysis of Impact on Revenue**

This amendment will not adversely impact revenue.