

112TH CONGRESS  
2D SESSION

# H. R. 3902

To amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2012

Ms. NORTON introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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## A BILL

To amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “District of Columbia  
5 Special Election Reform Act”.

6 **SEC. 2. TIMING OF SPECIAL ELECTIONS FOR LOCAL OF-**  
7 **FACE IN DISTRICT OF COLUMBIA.**

8 (a) COUNCIL.—

9 (1) CHAIR.—The first sentence of section  
10 401(b)(3) of the District of Columbia Home Rule

1 Act (sec. 1–204.01(b)(3), D.C. Official Code) is  
2 amended to read as follows: “To fill a vacancy in the  
3 Office of Chairman, the Board of Elections shall  
4 hold a special election in the District on the Tuesday  
5 occurring at least 70 days and not more than 174  
6 days after the date on which such vacancy occurs  
7 which the Board of Elections determines, based on  
8 a totality of the circumstances, taking into account,  
9 inter alia, cultural and religious holidays and the ad-  
10 ministrability of the election, will provide the largest  
11 opportunity for voter participation.”.

12 (2) MEMBERS ELECTED FROM WARDS.—The  
13 first sentence of section 401(d)(1) of such Act (sec.  
14 1–204.01(d)(1), D.C. Official Code) is amended to  
15 read as follows: “In the event of a vacancy in the  
16 Council of a member elected from a ward, the Board  
17 of Elections shall hold a special election in the Dis-  
18 trict on the Tuesday occurring at least 70 days and  
19 not more than 174 days after the date on which  
20 such vacancy occurs which the Board of Elections  
21 determines, based on a totality of the circumstances,  
22 taking into account, inter alia, cultural and religious  
23 holidays and the administrability of the election, will  
24 provide the largest opportunity for voter participa-  
25 tion.”.

1           (3) MEMBERS ELECTED AT-LARGE.—The sec-  
2           ond sentence of section 401(d)(2) of such Act (sec.  
3           1–204.01(d)(2)) is amended by striking “and such  
4           special election” and all that follows and inserting  
5           the following: “and such special election shall be  
6           held on the Tuesday occurring at least 70 days and  
7           not more than 174 days after the date on which  
8           such vacancy occurs which the Board of Elections  
9           determines, based on a totality of the circumstances,  
10          taking into account, inter alia, cultural and religious  
11          holidays and the administrability of the election, will  
12          provide the largest opportunity for voter participa-  
13          tion.”.

14          (b) MAYOR.—The first sentence of section 421(c)(2)  
15          of such Act (sec. 1–204.21(c)(2), D.C. Official Code) is  
16          amended to read as follows: “To fill a vacancy in the Of-  
17          fice of Mayor, the Board of Elections shall hold a special  
18          election in the District on the Tuesday occurring at least  
19          70 days and not more than 174 days after the date on  
20          which such vacancy occurs which the Board of Elections  
21          determines, based on a totality of the circumstances, tak-  
22          ing into account, inter alia, cultural and religious holidays  
23          and the administrability of the election, will provide the  
24          largest opportunity for voter participation.”.

1           (c) ATTORNEY GENERAL.—The first sentence of sec-  
2 tion 435(b)(1) of such Act (sec. 1–204.35(b)(1), D.C. Of-  
3 ficial Code) is amended by striking “the Board” and all  
4 that follows and inserting the following: “the Board of  
5 Elections shall hold a special election in the District on  
6 the Tuesday occurring at least 70 days and not more than  
7 174 days after the date on which such vacancy occurs  
8 which the Board of Elections determines, based on a total-  
9 ity of the circumstances, taking into account, inter alia,  
10 cultural and religious holidays and the administrability of  
11 the election, will provide the largest opportunity for voter  
12 participation.”.

13 **SEC. 3. EFFECTIVE DATE.**

14           The amendments made by section 2 shall apply with  
15 respect to vacancies occurring on or after the enactment  
16 of this Act.

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