

111TH CONGRESS
1ST SESSION

H. R. 960

To amend the District of Columbia Home Rule Act to eliminate Congressional review of newly-passed District laws.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2009

Ms. NORTON introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the District of Columbia Home Rule Act to eliminate Congressional review of newly-passed District laws.

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; REFERENCES IN ACT.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “District of Columbia Legislative Autonomy Act of 2009”.

6 (b) REFERENCES IN ACT.—Except as may otherwise
7 be provided, whenever in this Act an amendment is ex-
8 pressed in terms of an amendment to or repeal of a section
9 or other provision, the reference shall be considered to be

1 made to that section or other provision of the District of
2 Columbia Home Rule Act.

3 **SEC. 2. ELIMINATION OF CONGRESSIONAL REVIEW OF**
4 **NEWLY-PASSED DISTRICT LAWS.**

5 (a) IN GENERAL.—Section 602 (sec. 1–206.02, D.C.
6 Official Code) is amended by striking subsection (c).

7 (b) CONGRESSIONAL RESOLUTIONS OF DIS-
8 APPROVAL.—

9 (1) IN GENERAL.—The District of Columbia
10 Home Rule Act is amended by striking section 604
11 (sec. 1–206.04, D.C. Official Code).

12 (2) CLERICAL AMENDMENT.—The table of con-
13 tents is amended by striking the item relating to sec-
14 tion 604.

15 (3) EXERCISE OF RULEMAKING POWER.—This
16 subsection and the amendments made by this sub-
17 section are enacted by Congress—

18 (A) as an exercise of the rulemaking power
19 of the House of Representatives and the Sen-
20 ate, respectively, and as such they shall be con-
21 sidered as a part of the rules of each House, re-
22 spectively, or of that House to which they spe-
23 cifically apply, and such rules shall supersede
24 other rules only to the extent that they are in-
25 consistent therewith; and

1 (B) with full recognition of the constitu-
 2 tional right of either House to change such
 3 rules (so far as relating to such House) at any
 4 time, in the same manner, and to the same ex-
 5 tent as in the case of any other rule of such
 6 House.

7 (c) CONFORMING AMENDMENTS.—

8 (1) DISTRICT OF COLUMBIA HOME RULE ACT.—

9 (A) Section 303 (sec. 1–203.03, D.C. Official Code)
 10 is amended—

11 (i) in subsection (a), by striking the second
 12 sentence; and

13 (ii) by striking subsection (b) and redesign-
 14 ating subsections (c) and (d) as subsections
 15 (b) and (c).

16 (B) Section 404(e) (sec. 1–204.04(3), D.C. Of-
 17 ficial Code) is amended by striking “subject to the
 18 provisions of section 602(c)” each place it appears.

19 (C) Section 462 (sec. 1–204.62, D.C. Official
 20 Code) is amended—

21 (i) in subsection (a), by striking “(a) The
 22 Council” and inserting “The Council”; and

23 (ii) by striking subsections (b) and (c).

24 (D) Section 472(d) (sec. 1–204.72(d), D.C. Of-
 25 ficial Code) is amended to read as follows:

1 “(d) PAYMENTS NOT SUBJECT TO APPROPRIA-
 2 TION.—The fourth sentence of section 446 shall not apply
 3 to any amount obligated or expended by the District for
 4 the payment of the principal of, interest on, or redemption
 5 premium for any revenue anticipation note issued under
 6 subsection (a).”.

7 (E) Section 475(e) (sec. 1–204.75(e), D.C. Of-
 8 ficial Code) is amended to read as follows:

9 “(e) PAYMENTS NOT SUBJECT TO APPROPRIA-
 10 TION.—The fourth sentence of section 446 shall not apply
 11 to any amount obligated or expended by the District for
 12 the payment of the principal of, interest on, or redemption
 13 premium for any revenue anticipation note issued under
 14 this section.”.

15 (2) OTHER LAWS.—(A) Section 2(b)(1) of
 16 Amendment No. 1 (relating to initiative and ref-
 17 erendum) to title IV (the District Charter) (sec. 1–
 18 204.102(b)(1), D.C. Official Code) is amended by
 19 striking “the appropriate custodian” and all that fol-
 20 lows through “portion of such act to”.

21 (B) Section 5 of Amendment No. 1 (relating to
 22 initiative and referendum) to title IV (the District
 23 Charter) (sec. 1–204.105, D.C. Official Code) is
 24 amended by striking “, and such act” and all that
 25 follows and inserting a period.

(C) Section 16 of the District of Columbia Election Code of 1955 (sec. 1-1001.16, D.C. Official Code)—

(i) in subsection (j)(2)—

(I) by striking “sections 404 and 602(c)” and inserting “section 404”, and

(II) by striking the second sentence; and

(ii) in subsection (m)—

(I) in the first sentence, by striking “the appropriate custodian” and all that follows through “parts of such act to”,

(II) by striking “is held. If, however, after” and inserting “is held unless, under”, and

(III) by striking “section, the act which” and all that follows and inserting “section.”.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to each act of the District of Columbia—

(1) passed by the Council of the District of Columbia and signed by the Mayor of the District of Columbia;

1 (2) vetoed by the Mayor and repassed by the
2 Council;

3 (3) passed by the Council and allowed to be-
4 come effective by the Mayor without the Mayor's sig-
5 nature; or

6 (4) in the case of initiated acts and acts subject
7 to referendum, ratified by a majority of the reg-
8 istered qualified electors voting on the initiative or
9 referendum,

10 on or after October 1, 2009.

○