

Suspend the Rules and Pass the Bill H.R. 3902 With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

112TH CONGRESS
2^D 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.

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

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”.

1 **SEC. 2. TIMING OF SPECIAL ELECTIONS FOR LOCAL OF-**
2 **FICE IN DISTRICT OF COLUMBIA.**

3 (a) COUNCIL.—

4 (1) CHAIR.—The first sentence of section
5 401(b)(3) of the District of Columbia Home Rule
6 Act (sec. 1–204.01(b)(3), D.C. Official Code) is
7 amended to read as follows: “To fill a vacancy in the
8 Office of Chairman, the Board of Elections shall
9 hold a special election in the District on the Tuesday
10 occurring at least 70 days and not more than 174
11 days after the date on which such vacancy occurs
12 which the Board of Elections determines, based on
13 a totality of the circumstances, taking into account,
14 inter alia, cultural and religious holidays and the ad-
15 ministrability of the election, will provide the oppor-
16 tunity for the greatest level of voter participation.”.

17 (2) MEMBERS ELECTED FROM WARDS.—The
18 first sentence of section 401(d)(1) of such Act (sec.
19 1–204.01(d)(1), D.C. Official Code) is amended to
20 read as follows: “In the event of a vacancy in the
21 Council of a member elected from a ward, the Board
22 of Elections shall hold a special election in the Dis-
23 trict on the Tuesday occurring at least 70 days and
24 not more than 174 days after the date on which
25 such vacancy occurs which the Board of Elections
26 determines, based on a totality of the circumstances,

1 taking into account, inter alia, cultural and religious
2 holidays and the administrability of the election, will
3 provide the opportunity for the greatest level of
4 voter participation.”.

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

18 (b) MAYOR.—The first sentence of section 421(c)(2)
19 of such Act (sec. 1–204.21.(c)(2), D.C. Official Code) is
20 amended to read as follows: “To fill a vacancy in the Of-
21 fice of Mayor, the Board of Elections shall hold a special
22 election in the District on the Tuesday occurring at least
23 70 days and not more than 174 days after the date on
24 which such vacancy occurs which the Board of Elections
25 determines, based on a totality of the circumstances, tak-

1 ing into account, inter alia, cultural and religious holidays
2 and the administrability of the election, will provide the
3 opportunity for the greatest level of voter participation.”.

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

16 **SEC. 3. EFFECTIVE DATE.**

17 The amendments made by section 2 shall apply with
18 respect to vacancies occurring on or after the enactment
19 of this Act.