

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.

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”.

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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