

ENROLLMENT(S)

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(5)

AN ACT

D.C. ACT 12-340

*Codification
District of
Columbia
Code
1999 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 22, 1998

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to require all newly hired District employees in the Career Service, Excepted Service and Educational Service to maintain residency in the District of Columbia, and to allow the Mayor to exempt hard to fill positions.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be known as the "Residency Requirement Reinstatement Amendment Act of 1998".

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-601.1 *et seq.*), is amended as follows:

(a) Section 801 (D.C. Code §1-608.1) is amended by adding a new subsection (e-1) to read as follows:

**Section
1-608.1**

"(e-1) Notwithstanding any provision of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Code § 1-2501 *et seq.*), and subsection (e) of this section, on the effective date of the Residency Requirement Reinstatement Amendment Act of 1998, any person who is hired to fill a position in the Career Service shall become a bona fide resident of the District within 180 days of the effective date of the appointment, and shall maintain District residency for the duration of employment. Failure to become a District resident or to maintain District residency, shall result in the forfeiture of the position.

**Note, Section
1-2501**

"(2) All applicants shall submit proof of bona fide residency in a manner determined by the Mayor.

"(3) The Mayor shall be authorized to exempt hard to fill positions and positions located in facilities located outside the District of Columbia."

(b) Section 801(A) (D.C. Code §1-609.1) is amended by adding a new subsection (d-1) to read as follows:

**Note, Section
1-609.1**

"(d-1) Notwithstanding any provision of the Human Rights Act of 1977, effective

ENROLLED ORIGINAL

December 13, 1977 (D.C. Law 2-38; D.C. Code §1-2501 *et seq.*), and subsection (d) of this section, on the effective date of the Residency Requirement Reinstatement Amendment Act of 1998, any person who is hired to fill a position in the Educational Service shall become a bona fide resident of the District within 180 days of the effective date of the appointment and shall maintain District residency for the duration of employment. Failure to become a District resident or to maintain District residency, shall result in the forfeiture of the position.

Note, Section 1-2501

"(2) All applicants shall submit proof of bona fide residency in a manner determined by the Board of Education and the Board of Trustees of the University of the District of Columbia ("Boards").

"(3) The Boards shall be authorized to exempt hard to fill positions and positions located in facilities located outside the District of Columbia."

(c) A new section 751 is added to read as follows:

"Sec. 751. Residency Requirement.

New Subchapter VII-A, Chapter 6, Title 1

"(a)(1) Any person hired by a Service created, after the effective date of the Residency Requirement Reinstatement Amendment Act of 1998, shall be a resident of the District of Columbia or shall obtain residency within 180 days of the effective date of appointment and shall maintain residency during the course of their employment with the District of Columbia Government. Failure to maintain District residency shall result in a forfeiture of the position to which the person has been appointed.

New Section 1-607.51

"(2) The Mayor shall be authorized to exempt hard-to-fill positions.

"(b) The provisions of the Human Rights Act of 1997, effective December 13, 1977 (D.C. Law 2-38; D.C. Code § 1-2501 *et seq.*) shall not apply to the provisions of this section."

Note, Section 1-2501

(d) Section 906 (c) (D.C. Code § 1-610.6(c)) is repealed.

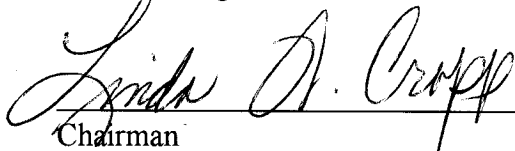
Section 1-610.6

Sec. 3. This act has no fiscal impact.

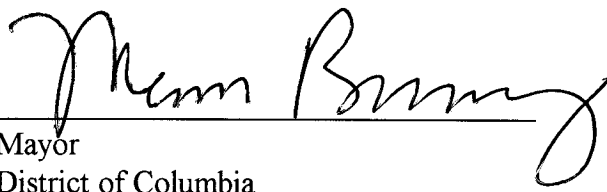
Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule

ENROLLED ORIGINAL

Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: April 22, 1998



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

Docket No.

B12-137

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 3-17-98

VOICE VOTE

RECORDED VOTE ON REQUEST

APPROVED, AMBROSE, EVANS AND PATTERSON VOTED NO
CHAVOUS

ABSENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Alien					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

[Signature]

Secretary to the Council

April 9, 1998

Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 4-7-98

VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result

PASSED

10 2 0 1

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp	X				Chavous	X				Schwartz	X			
Allen	X				Evans	X				Smith, Jr.	X			
Ambrose		X			Jarvis				X	Thomas, Sr.	X			
Brazil	X				Mason	X								
Catania	X				Patterson			X						

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

[Signature]

Secretary to the Council

April 9, 1998

Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date