


Councilmember David Grosso

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 and the Department of Corrections Employee Mandatory Drug and Alcohol Testing Act of 1996 to prohibit the District of Columbia government from discriminating, in employment, against an individual for participation in a medical marijuana program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Marijuana Program Patient Employment Protection Congressional Review Emergency Declaration Resolution of 2020”.

Sec. 2. (a) On June 18, 2019, the Council passed the Medical Marijuana Program Patient Employment Protection Emergency Amendment Act of 2019, enacted on July 8, 2019 (D.C. Act 23-77; 66 DCR 8089), which expired on October 6, 2019.

(b) On July 9, 2019, the Council passed the Medical Marijuana Program Patient Employment Protection Temporary Amendment Act of 2019, on final reading, enacted on September 5, 2019, (D.C. Law 23-26; 66 DCR 15182).

(c) On September 17, 2019, due to a delay in the transmission of the Medical Marijuana Program Patient Employment Protection Temporary Amendment Act of 2019, the Council passed the Medical Marijuana Program Patient Employment Protection Congressional Review

37 Emergency Amendment Act of 2019, to prevent a gap in the law between the expiration of the
38 emergency act and the anticipated effective date of the temporary act.

39 (d) The COVID-19 pandemic response interrupted the work on the permanent legislation,
40 prompting the Council to pass, on May 18, 2020, the Medical Marijuana Program Patient
41 Employment Protection Emergency Amendment Act of 2020, enacted June 8, 2020 (D.C. Act 23-
42 327; 67 DCMR 759), to prevent a gap in the law, because the Medical Marijuana Program Patient
43 Employment Protection Temporary Amendment Act of 2019, enacted on September 5, 2019 (D.C.
44 Act 23-114), was set to expire on June 5, 2020.

45 (e) On June 9, 2020, the Council passed the Medical Marijuana Program Patient
46 Employment Protection Temporary Amendment Act of 2020, on final reading (Enrolled version
47 of Bill 23-756), to accompany the emergency legislation.

48 (f) Due to the ongoing COVID-19 pandemic response and Congressional recess, the
49 Medical Marijuana Program Patient Employment Protection Temporary Amendment Act of 2020
50 is not anticipated to be in effect prior to the September 6, 2020 expiration of the Medical Marijuana
51 Program Patient Employment Protection Emergency Amendment Act of 2020.

52 (g) This congressional review emergency legislation is necessary to prevent a gap in the
53 law between the expiration of the emergency act and the anticipated effective date of the temporary
54 act.

55 Sec. 3. The Council of the District of Columbia determines that the circumstances
56 enumerated in section 2 constitute emergency circumstances making it necessary that the
57 Medical Marijuana Program Patient Employment Protection Congressional Review Emergency
58 Amendment Act of 2020 be adopted after a single reading.

59 Sec. 4. This resolution shall take effect immediately.