



Councilmember Charles Allen

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 Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1982 to expand the offense of defacement of certain symbols or display of certain emblems.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Community Harassment Prevention Second Congressional Review Emergency Declaration Resolution of 2020”.

Sec. 2. (a) On October 6, 2020, the Council passed the Community Harassment Prevention Emergency Amendment Act of 2020, effective October 29, 2020 (D.C. Act 23-434; 67 DCR 12987) (“emergency act”). The emergency act will expire on January 19, 2021.

(b) On October 20, 2020, the Council passed the Community Harassment Prevention Temporary Amendment Act of 2020, enacted on November 16, 2020 (D.C. Act 23-493; 67 DCR 13915) (“temporary act”), which is pending transmittal to Congress.

(c) On December 15, 2020, the Council will take the final vote on the Bella Evangelista and Tony Hunter Panic Defense Prohibition and Hate Crimes Response Amendment Act of 2020, passed on 1st reading on December 1, 2020 (Engrossed version of Bill 23-409) (“permanent bill”). One section of the permanent bill contains provisions substantially similar to the emergency and temporary acts.

34 (d) This congressional review emergency legislation is now necessary to prevent a gap in
35 the law between the expiration of the emergency act and the effective date of the temporary act.
36 However, since the permanent bill is also moving forward along a similar timeline, this
37 congressional review emergency legislation conforms to the language of the permanent bill, rather
38 than that of the temporary act.

39 Sec. 3. The Council of the District of Columbia determines that the circumstances
40 enumerated in section 2 constitute emergency circumstances making it necessary that the
41 Community Harassment Prevention Second Congressional Review Emergency Amendment Act
42 of 2020 be adopted after a single reading.

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