

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the Human Rights Act of 1977 to clarify the available remedies for the Attorney General in the prosecution of certain civil rights violations.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Attorney General Civil Rights Enforcement Second Temporary Amendment Act of 2022”.

Sec. 2. The Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 2-1401.02) is amended by adding a new paragraph (2A) to read as follows:

“(2A) “Attorney General” means the Attorney General for the District of Columbia, as established under section 435 of the Home Rule Act, effective May 28, 2011 (D.C. Law 18-160A; D.C. Official Code § 1-204.35).”.

(b) A new section 316a is added to read as follows:

“Sec. 316a. Civil actions by the Attorney General.

“In a civil action initiated by the Attorney General for violations of this act, other than an action brought under section 307, the Attorney General:

“(1) May obtain:

33 “(A) Injunctive relief, as described in section 307;
34 “(B) Civil penalties, up to the amounts described in section 313(a)(1)(E-i),
35 for each action or practice in violation of this act, and, in the context of a discriminatory
36 advertisement, for each day the advertisement was posted; and

37 “(C) Any other form of relief described in section 313(a)(1); and

38 “(2)(A) May seek subpoenas for the production of documents and materials or for
39 the attendance and testimony of witnesses under oath, or both, which shall contain the information
40 described in section 110a(b) of the Attorney General for the District of Columbia Clarification and
41 Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official
42 Code § 1-301.88d(b)) (“Act”); and

43 “(B) Shall follow the procedures described in section 110a(c), (d), and (e)
44 of the Act (D.C. Official Code § 1-301.88d(c), (d), and (e)); provided, that the subpoenas are not
45 directed to a District government official or entity.”.

46 Sec. 3. Fiscal impact statement.

47 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
48 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
49 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

50 Sec. 4. Effective date.

51 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
52 the Mayor, action by the Council to override the veto), a 30-day period of congressional review as
53 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,
54 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
55 Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

DRAFT