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4 Councilmember Anita Bonds



Councilmember Janeese Lewis George

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9 A BILL

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12 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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16 To amend, on a temporary basis, the Universal Paid Leave Amendment Act of 2016 to prohibit
17 private disability insurance providers from reducing short-term disability benefits based
18 on actual or estimated paid leave benefits an eligible individual may be entitled to from
19 the District, regardless of the jurisdiction in which the insurance policy was issued or
20 written; and to amend Title I of the Insurance Trade and Economic Development
21 Amendment Act of 2000 to make offsetting or reducing benefits under a private market
22 short-term disability insurance policy, based on estimated or actual benefits received
23 under the Universal Paid Leave Amendment Act of 2016, enforceable under that law,
24 regardless of the jurisdiction in which the insurance policy was issued or written.

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26 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
27 act may be cited as the “Short-Term Disability Insurance Benefit Protection Clarification
28 Temporary Amendment Act of 2023”.

29 Sec. 2. Section 107(j)(1) of the Universal Paid Leave Amendment Act of 2016, effective
30 April 7, 2017 (D.C. Law 21-264; D.C. Official Code § 32-541.07(j)(1)), is amended to read as
31 follows:

32 “(1) No insurer may offset or reduce benefits or income available to an eligible
33 individual under an individual or group policy for temporary or short-term disability insurance
34 based on estimated or actual benefits the eligible individual may or does receive under this act,
35 regardless of the jurisdiction in which such policy was issued, executed, written, or delivered.”.

36 Sec. 3. Section 120a the Insurance Trade and Economic Development Amendment Act of
37 2000, effective April 2, 2001 (D.C. Law 13-265; D.C. Official Code § 31-2231.20a), is amended
38 as follows:

39 (a) Subsection (a) is amended to read as follows:

40 “(a) No insurer may offset or reduce benefits or income available to an eligible individual
41 under a temporary or short-term disability insurance policy, based on estimated or actual benefits
42 the eligible individual may or does receive under the subchapter IV of Chapter 5 of Title 32
43 regardless of in which jurisdiction such policy was executed, written, or delivered.”.

44 (b) Subsection (c) is amended to read as follows:

45 “(c) For the purposes of this section, the term:

46 “(1) “Eligible individual” shall have the same meaning as provided in section
47 101(6) of the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C. Law
48 21-264; D.C. Official Code § 32-541.01(6)).

49 “(2) “Self-insured employer” shall have the same meaning as provided in section
50 101(19A) of the Universal Paid Leave Amendment Act of 2016, effective April 7, 2017 (D.C.
51 Law 21-264; D.C. Official Code § 32-541.01(19A)).”.

52 Sec. 4. Fiscal impact statement.

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

56 Sec. 5. Effective date.

57 (a) This act shall take effect following the approval by the Mayor (or in the event of veto
58 by the Mayor, action by the Council to override the veto), a 30-day period of Congressional

59 review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved
60 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the
61 District of Columbia Register.

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