

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 section 23-581(a)(3) of the District of Columbia Official Code to make a technical correction to clarify that a law enforcement officer may arrest, without a warrant having been previously issued, a person that the officer has probable cause to believe has committed the offense of fleeing from the scene of an accident, if the officer has reasonable grounds to believe that, unless the person is immediately arrested, reliable evidence of alcohol or drug use may become unavailable or the person may cause personally injury or property damage.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Law Enforcement Arrest Authority Technical Correction Congressional Review Emergency Declaration Resolution of 2023”.

Sec. 2. (a) On June 6, 2023, the Council passed the Law Enforcement Arrest Authority Technical Correction Emergency Amendment Act of 2023, effective June 27, 2023 (D.C. Act 25-129; 70 DCR 9036) (“emergency act”), which expires on September 25, 2023.

(b) On June 20, 2023, the Council passed the Law Enforcement Arrest Authority Technical Correction Temporary Amendment Act of 2023, enacted on July 10, 2023 (D.C. Act 25-156; 70 DCR 9687) (“temporary act”), which is undergoing congressional review and has a projected law date of October 4, 2023.

33 (c) This emergency legislation is necessary to prevent a gap in the law between the
34 expiration of the emergency act and the effective date of the temporary act.

35 Sec. 3. The Council of the District of Columbia determines that the circumstances
36 enumerated in section 2 constitute emergency circumstances making it necessary that the Law
37 Enforcement Arrest Authority Technical Correction Congressional Review Emergency
38 Amendment Act of 2023 be adopted after a single reading.

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