


Councilmember Vincent Bernard Orange, Sr.

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To provide for, on an emergency basis, the Council to adopt a resolution to reprimand or censure the Mayor and may, by a 5/6 vote of its members, adopt a resolution to expel the Mayor; to amend the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010 to provide that the Council may adopt a resolution to reprimand or censure the Attorney General and may, by a 5/6 vote of its members, adopt a resolution to expel the Attorney General; to amend the District of Columbia Home Rule Act to provide for the expulsion of the Mayor and the Attorney General.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Mayor and Attorney General Reprimand, Censure and Expulsion Emergency Act of 2013".

Sec. 2. The District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201, *et seq.*), is amended as follows:

(a) Section 421(c) (D.C. Official Code § 1-204.21(c)) is amended by adding a new paragraph 1A to read as follows:

"(1A) By a 5/6 vote of its members, the Council may adopt a resolution of expulsion if it finds, based on substantial evidence, that the Mayor took an action that amounts to a gross failure to meet the highest standards of personal and professional conduct. Expulsion is the most severe punitive action, serving as a penalty imposed for egregious wrongdoing.

Expulsion results in the removal of the Mayor. Expulsion should be used for cases in which the Council determines that the violation of law is of the most serious nature, including those

1 violations that substantially threaten the public trust. To protect the exercise of official Mayoral
2 duties and the overriding principle of freedom of speech, the Council shall not impose expulsion
3 on the Mayor for the exercise of his or her First Amendment right, no matter how distasteful the
4 expression of that right was to the District or in the official exercise of his or her office.”.

5 (b) Section 435 (D.C. Official Code § 1-204.35) is amended by adding a new subsection
6 (a-1) to read as follows:

7 “(a-1) By a 5/6 vote of its members, the Council may adopt a resolution of
8 expulsion if it finds, based on substantial evidence, that the Attorney General took an action that
9 amount to a gross failure to meet the highest standards of personal and professional conduct.
10 Expulsion results in the removal of the Attorney General. Expulsion should be used for cases in
11 which the Council determines that the violation of law is of the most serious nature, including
12 those violations that substantially threaten the public trust. To protect the exercise of official
13 Attorney General duties and the overriding principle of freedom of speech, the Council shall not
14 impose expulsion on the Attorney General for the exercise of the Attorney General’s First
15 Amendment right, no matter how distasteful the expression of that right was to the District or in
16 the official exercise of his or her office.”.

17 Sec. 3. Fiscal impact statement.

18 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
19 statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved
20 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

21 Sec. 4. Effective date.

22 This act shall take effect following approval by the Mayor (or in the event of veto

1 by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer
2 than 90 days, as provided for emergency acts of the Council of the District of Columbia in
3 section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87
4 Stat. 788; D.C. Official Code § 1-204.12(a)).

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