

A BILL

20-803

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Office of Human Rights Establishment Act of 1999 to require the Director of the Office to have a demonstrated professional background in human rights law; to amend the Human Rights Act of 1977 to require the annual report include information on investigations and inquiries undertaken by the Director or the Office; to repeal the exemption allowing religiously-affiliated educational institutions to discriminate on the basis of sexual orientation; and to clarify that the section 12-309 notice requirement does not apply to Human Rights Act claims.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the “Human Rights Amendment Act of 2014”.

Sec. 2. Section 202 of the Office of Human Rights Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 2-1411.01), is amended by adding a new subsection (c) to read as follows:

“(c)(1)The Director shall have a demonstrated professional background in human rights law.

“(2) For the purposes of this subsection, the term “human rights law” means District or federal laws related to discrimination by reason of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political

30 affiliation, genetic information, disability, source of income, status as a victim of an
31 intrafamily offense, and place of residence or business.

32 Sec. 3. The Human Rights Act of 1977, effective December 13, 1977 (D.C. Law
33 2-38; D.C. Official Code § 2-1401 *et seq.*), is amended as follows:

34 (a) Section 241(3) (D.C. Official Code § 2-1402.41(3)), is repealed.

35 (b) Section 301(g) (D.C. Official Code § 2-1403.01(g)) is amended as follows:

36 (1) The existing text is designated paragraph (1);

37 (2) A new paragraph (2) is added to read as follows:

38 “(2) The annual report required by paragraph (1) of this subsection shall
39 include information regarding concluded investigations, including concluded inquiries by
40 the Director conducted pursuant to subsection (b) of this section; provided, that the
41 Director may withhold information relating to a concluded investigation or inquiry if the
42 Director finds that including the information in the annual report would:

43 (A) Undermine the integrity of the concluded investigation or
44 inquiry; or

45 (B) Violate a work-sharing agreement with the Equal Employment
46 Opportunity Commission, the U.S. Department of Housing and Urban Development; or
47 any other federal agency.”.

48 (c) Section 316 (D.C. Code § 2-1403.16) is amended by adding a new subsection
49 (c) to read as follows:

50 “(c) D.C. Official Code § 12-309 shall not apply to any action brought against the
51 District of Columbia under this section.”.

52 Sec. 4. Section 12-309 of the District of Columbia Official Code is amended as
53 follows:

54 (a) The existing text is designated as subsection (a).

55 (b) Subsection (a) is amended by striking the phrase “An action” and inserting the
56 phrase “Except as provided in subsection (b) of this section, an action” in its place.

57 (c) A new subsection (b) is added to read as follows:

58 “(b) This section shall not apply to claims brought under § 2-1403.16 or § 1-
59 615.54.”.

60 Sec. 5. Fiscal impact statement.

61 The Council adopts the fiscal impact statement in the committee report as the
62 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home
63 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
64 206.02(c)(3)).

65 Sec. 6. Effective date.

66 This act shall take effect following approval by the Mayor (or in the event of a
67 veto by the Mayor, action by the Council to override the veto), a 30-day period of
68 congressional review as provided in section 602(c)(1) of the District of Columbia Home
69 Rule Act, approved December 24, 1973 (87 Stat 813; D.C. Official Code § 1-
70 206.02(c)(1)), and publication in the District of Columbia Register.