



Councilmember Vincent C. Grey



Councilmember David Grosso

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Title 25 of the D.C. Official Code to remove possession of certain drug paraphernalia for personal use as a grounds for denial of a license; to amend Title 47 of the D.C. Official Code to remove possession of certain drug paraphernalia for personal use as a grounds for denial of a license; to amend the District of Columbia Uniform Controlled Substances Act of 1981 to remove penalties for possession of certain drug paraphernalia for personal use; to amend the Drug Paraphernalia Act of 1982 to allow possession of certain drug paraphernalia for personal use; and to amend the District of Columbia Appropriations Act of 2001 to remove the prohibition on the operation of needle exchange programs in certain areas of the District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Safe Access for Public Health Amendment Act of 2017.”

Sec. 2. Title 25 of the District of Columbia Official Code is amended as follows:

(a) Section 25-335(2) is amended as follows:

(1) Strike the phrase “, or the use,”.

(2) Strike the phrase “, the possession or sale, or negotiations for sale,” and insert the phrase “the possession, other than for personal use, or sale, or negotiations for sale,” in its place.

(b) Section 25-822(2)(B) is amended by striking the phrase “possession or” and inserting the phrase “the possession, other than for personal use, or” in its place.

37           Sec. 3. Section 47-2844(a-1)(B) of the District of Columbia Official Code is amended by  
38 striking the phrase “possession, sale, or” and inserting the phrase “possession, other than for  
39 personal use, sale, or” in its place.

40           Sec. 4. Section 410 of the District of Columbia Uniform Controlled Substances Act of  
41 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-904.10), is repealed.

42           Sec. 5. The Drug Paraphernalia Act of 1982, effective September 17, 1982 (D.C. Law 4-  
43 149; D.C. Official Code § 48-1101, *et seq.*), is amended as follows:

44           (a) Section 2(3) (D.C. Official Code § 48-1101(3)) is amended as follows:

45                   (1) Subparagraph (D) is repealed.

46                   (2) Subparagraphs (H) through (L) are repealed.

47           (b) Section 4 (D.C. Official Code § 48-1103) is amended as follows:

48                   (1) Subsection (a)(1) is amended by striking the phrase “, prepare, test, analyze,  
49 pack, repack, store, contain, conceal, inhale, ingest, or otherwise introduce into the human  
50 body”.

51                   (2) Subsection (b)(1) is amended by striking the phrase “, prepare, test, analyze,  
52 pack, repack, store, contain, conceal, inhale, ingest, or otherwise introduce into the human  
53 body”.

54           (c) Section 5 (D.C. Official Code § 48-1104) is amended by repealing paragraphs (2) and  
55 (3).

56           Sec. 6. Section 150 of the District of Columbia Appropriations Act of 2001, approved  
57 November 22, 2000 (114 Stat. 2440; D.C. Official Code § 48-1121), is repealed.

58           Sec. 7. Fiscal Impact.

59           The Council adopts the fiscal impact statement in the committee report as the fiscal  
60 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
61 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

62           Sec. 8. Effective date.

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