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A BILL
25-198

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the Migrant Services and Supports Temporary Amendment Act of 2022 to aid newcomers in settling in the District, obtaining healthcare and identification documents, and accessing emergency shelter services.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Migrant Services Eligibility Clarification Temporary Amendment Act of 2023”.

Sec. 2. Title I of the Migrant Services and Supports Temporary Amendment Act of 2022, effective December 21, 2022 (D.C. Law 24-234; D.C. Official Code § 4-773.01 *et seq.*) is amended as follows:

(a) Section 101 is amended as follows:

(1) Paragraph (2) is amended by striking the phrase “clothing, and” and inserting the phrase “clothing, baby supplies including formula, if formula is reasonably available for purchase in the District, and” in its place.

(2) Paragraph (3) is amended to read as follows:

“(3) Temporary shelter which:

ENGROSSED ORIGINAL

25 “(A) May be provided in a congregate setting; provided, that
26 families with minor children shall be prioritized to be housed in non-congregate shelter units;
27 and

28 “(B) Is maintained in safe, clean, and sanitary condition that meets
29 all applicable District health, sanitation, fire, building, and zoning codes for residential
30 dwellings;”.

31 (3) Paragraph (5) is amended to read as follows:

32 “(5) Relocation services, including:

33 “(A) Services associated with traveling to a secondary destination outside
34 of the District; and

35 “(B) Services associated with settling recent immigrants in the District
36 when a ~~person~~ recent immigrant intends to make the District their permanent home.”

37 (b) Section 102(a) is amended to read as follows:

38 “(a) The Mayor shall establish and publish eligibility and termination criteria for services
39 and supports funded pursuant to this ~~Act~~ act within 30 days ~~after~~ of the effective date of the
40 Migrant Services Eligibility Clarification Emergency Amendment Act of 2023, as introduced on
41 March 16, 2023 (Bill ~~25-XX~~;197), provided, that the eligibility and termination criteria:

42 “(1) May include statutory, regulatory, or programmatic categories of
43 immigration, means of entering the District, and length of time in the United States or the
44 District;

45 “(2) Shall ensure ~~that~~ individuals are provided with adequate written and oral
46 notice ~~in the individual’s requested language~~ when services are denied or terminated pursuant to
47 the established eligibility criteria; ~~and~~ provided, that individuals with limited or no English
48 proficiency receive such notice in the individual’s primary language; and

49 “(3) Shall be published online in English and Spanish””.””

50 (c) Section 106 is amended to read as follows:

51 “~~If the Mayor chooses to establish~~ establishes an office pursuant to section 101 of this
52 title, the Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act,
53 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*) shall issue rules
54 to implement the provisions of this title, which shall include the eligibility and termination
55 criteria required by Section 102(a) of this title.”.

56 Sec. 3. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. 91
57 Law 16-35; D.C. Official Code § 4-751 *et seq.*) is amended as follows:

58 (a) Section 2(32)(C) (D.C. Official Code § 4-751.01(32)(C)(ii)) is amended as follows:

59 (1) Sub-subparagraph (ii) is amended to read as follows:

60 “(ii) Was paroled into the United States after April 1, 2022, under
61 section 212(d)(5) of the Immigration and Nationality Act, approved June 27, 1952 (66 Stat. 182;
62 8 U.S.C. § 1182(d)(5)), until the completion of their immigration proceedings, including any
63 appeals, except for:

64 “(I) Individuals who entered the United States pursuant to a
65 special parole program established by the federal government that is indicated on the parole or
66 entry document; or

67 “(II) Individuals granted parole while residing outside of
68 the United States; or²².”

69 (2) Sub-subparagraph (iii) is amended to read as follows:

70 “(iii) Cannot produce proof of residency documents required under
71 ~~sub~~-subparagraph (A)(iii) of this paragraph dated prior to April 1, 2022, and has been issued,
72 after April 1, 2022, a notice to appear in a proceeding to be held under section 240 of the
73 Immigration and Nationality Act, approved June 27, 1952 (66 Stat. 182; 8 U.S.C. § 1229a), until
74 the completion of their immigration proceedings, including any appeals.”

75 (b) Section (7)(c)(3)(B) (D.C. Official Code § 4-753.01(c)(3)(B)) is amended to read as
76 follows:

77 “(B) The Mayor shall determine that a person seeking shelter by reason of
78 domestic violence, sexual assault, human trafficking, refugee status, or asylum, is a resident of
79 the District without receiving demonstration of District residency in accordance with Section
80 2(32) of this act, except if the Mayor can demonstrate that a person seeking asylum is eligible for
81 and will receive shelter under Title I of the Migrant Services and Supports Temporary
82 Amendment Act of 2022, effective December 21, 2022 (D.C. Law 24-234; DC Official Code §

83 4-773.01 *et seq.*), or any subsequently enacted substantially similar act (“Title I”), the Mayor
84 may direct that person to the Office of Migrant Services to obtain shelter.”

85 Sec. 4. Fiscal impact statement.

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

89 Sec. 5. Effective date.

90 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
91 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
92 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
93 24, 1973 (87 Stat. 788; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
94 Columbia Register.

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