



COUNCILMEMBER ANITA BONDS, CHAIRPERSON
COMMITTEE ON EXECUTIVE ADMINISTRATION AND LABOR
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, NW
WASHINGTON, DC 20004

February 21, 2025

Nyasha Smith, Secretary
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004

Dear Secretary Smith,

Today, I am introducing the **“Special Election in the Office of Delegate Amendment Act of 2025.”** Please find enclosed a signed copy of the legislation, which amends the District of Columbia Election Code of 1955 by requiring the Board of Elections to hold a special election for the Office of Delegate in the event that the Speaker of House of Representatives declares extraordinary circumstances, defined as more than 100 vacancies in the House of Representatives.

District of Columbia law outlines the timeline for a special election to be held for the Office of Delegate in the event of a vacancy in the position. The law specifies that if the vacancy occurs prior to May 1 of the last year of the term of office, the Board of Elections will hold a special election on a Tuesday occurring at least 70 days but not more than 174 days after the vacancy is declared.¹ In the event the vacancy occurs after May 1 of the last year of the term, the Mayor is authorized to appoint a successor to complete the remainder of the term. This legislation keeps these provisions in place but clarifies that the Board of Elections shall follow the federal law outlined below in the event of specific extraordinary circumstances.

In 2005, Congress passed Public Law 109-55 (119 Stat. 565), an Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006. Title III of the Act, providing for continuity in representation in the event of significant vacancies in the House of Representatives, requires the states to hold special elections if the Speaker of the House declares that more than 100 seats are vacant. In these extraordinary circumstances, the states are directed to hold special elections within 49 days unless a regular or special election is already scheduled

¹ [D.C. Code § 1-1001.10\(d\)](#)

which will occur within 75 days of the vacancy announcement. The Act specifies that this subsection applies to a Delegate of the District of Columbia.

This legislation clarifies that in the event the Speaker of the House declares more than 100 vacancies in the House of Representatives and there exists a vacancy in the office of Delegate of the District of Columbia, the Board of Elections shall hold a special election for the office according to the timeline outlined by federal law. If a vacancy occurs in the office outside of these circumstances, the timeline established by D.C. Code § 1-1001.10(d) and all other provisions of DC law will prevail.

Should you have any questions about this legislation, please contact Elspeth Callahan, Legislative Director, at ecallahan@dccouncil.gov.

Thank you,

A handwritten signature in black ink, appearing to read 'ANB', is positioned above the name Anita Bonds.

Anita Bonds

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Councilmember Anita Bonds

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Election Code of 1955 to require that the Board of Elections hold a special election to fill a vacancy in the office of Delegate within 49 days after the declaration by the Speaker of the House of Representatives of extraordinary circumstances.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Special Election in the Office of Delegate Amendment Act of 2025”.

Sec. 2. Section 10(d)(2) of the District of Columbia Election Code of 1955, approved August 12 (69 Stat. 699, D.C. Official Code § 1-1001.10(d)(2)) is amended by adding a new subparagraph (C) to read as follows:

“(C) Notwithstanding subparagraphs (A) and (B) of this paragraph and any other provision of District law, in extraordinary circumstances, as defined in section 26(b)(4)(A) of the Revised Statutes of the United States (2 U.S.C. 8(b)(4)(A)), a vacancy in the office of Delegate shall be filled in accordance with section 26 of the Revised Statutes of the United States (2 U.S.C. 8(b)).”.

Sec. 3. Fiscal impact statement.

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

39 Sec. 4. Effective date.

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