

## Union Calendar No. 23

113<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1246

**[Report No. 113-37]**

To amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office.

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### IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2013

Ms. NORTON introduced the following bill; which was referred to the  
Committee on Oversight and Government Reform

APRIL 12, 2013

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# **A BILL**

To amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office.

1       *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “District of Columbia  
 5 Chief Financial Officer Vacancy Act”.

6 **SEC. 2. AUTHORIZING DISTRICT OF COLUMBIA TREASURER**

7                   **OR DEPUTY CHIEF FINANCIAL OFFICER OF**  
 8                   **OFFICE OF CHIEF FINANCIAL OFFICER OF**  
 9                   **THE DISTRICT OF COLUMBIA TO SERVE AS**  
 10                   **ACTING CHIEF FINANCIAL OFFICER IN**  
 11                   **EVENT OF VACANCY IN OFFICE.**

12       (a) AUTHORIZING SERVICE IN ACTING CAPACITY IN  
 13 EVENT OF VACANCY IN OFFICE.—Section 424(b) of the  
 14 District of Columbia Home Rule Act (sec. 1–204.24(b),  
 15 D.C. Official Code) is amended by adding at the end the  
 16 following new paragraph:

17                   “(3) AUTHORIZING TREASURER OR DEPUTY  
 18 CFO TO PERFORM DUTIES IN ACTING CAPACITY IN  
 19 EVENT OF VACANCY IN OFFICE.—

20                   “(A) SERVICE AS CFO.—

21                   “(i) IN GENERAL.—Except as pro-  
 22 vided in clause (ii), if there is a vacancy in  
 23 the Office of Chief Financial Officer be-  
 24 cause the Chief Financial Officer has died,

1 resigned, or is otherwise unable to perform  
2 the functions and duties of the Office—

3 “(I) the District of Columbia  
4 Treasurer shall serve as the Chief Fi-  
5 nancial Officer in an acting capacity,  
6 subject to the time limitation of sub-  
7 paragraph (B); or

8 “(II) the Mayor may direct one  
9 of the Deputy Chief Financial Officers  
10 of the Office referred to in subpara-  
11 graphs (A) through (D) of subsection  
12 (a)(3) to serve as the Chief Financial  
13 Officer in an acting capacity, subject  
14 to the time limitation of subparagraph  
15 (B).

16 “(ii) EXCLUSION OF CERTAIN INDI-  
17 VIDUALS.—Notwithstanding clause (i), an  
18 individual may not serve as the Chief Fi-  
19 nancial Officer under such clause if the in-  
20 dividual did not serve as the District of  
21 Columbia Treasurer or as one of such Dep-  
22 uty Chief Financial Officers of the Office  
23 of the Chief Financial Officer (as the case  
24 may be) for at least 90 days during the 1-

1                   year period which ends on the date the va-  
2                   cancy occurs.

3                   “(B) TIME LIMITATION.—A vacancy in the  
4                   Office of the Chief Financial Officer may not be  
5                   filled by the service of any individual in an act-  
6                   ing capacity under subparagraph (A) after the  
7                   expiration of the 210-day period which begins  
8                   on the date the vacancy occurs.”.

9                   (b)           CONFORMING           AMENDMENT.—Section  
10 424(b)(2)(D) of such Act (sec. 1–204.24(b)(2)(D), D.C.  
11 Official Code) is amended by striking “Any vacancy” and  
12 inserting “Subject to paragraph (3), any vacancy”.

13                   (c) EFFECTIVE DATE.—The amendments made by  
14 this Act shall apply with respect to vacancies occurring  
15 on or after the date of the enactment of this Act.

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