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Councilmember David Grosso

Councilmember Vincent C. Gray

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Drug Paraphernalia Act of 1982 to allow the use of testing kits for specified purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

that this act may be cited as the “Controlled Substance Testing Emergency Amendment Act of 2017”.

Sec. 2. Section 4(a) of the Drug Paraphernalia Act of 1982, effective September 17, 1982 (D.C. Law 4-149; D.C. Official Code § 48-1103(a)), is amended by adding a new paragraph (3) to read as follows:

“(3) Notwithstanding paragraph (1) of this subsection, it shall not be unlawful for a person ingesting a controlled substance to use, or possess with the intent to use, the materials described in Section 2(3)(D) of the Drug Paraphernalia Act of 1982, effective September 17, 1982 (D.C. Law 4-149; D.C. Official Code § 48-1101(3)(D)).”.

Sec. 3. Section 4 of the Drug Paraphernalia Act of 1982, effective September 17, 1982 (D.C. Law 4-149; D.C. Official Code § 48-1103(b)), is amended by adding a new paragraph (3) to read as follows:

“(3) Notwithstanding paragraph (1) of this subsection, it shall not be unlawful for

31 a community based organization to deliver or sell, or possess with intent to deliver or sell,
32 the materials described in Section 2(3)(D) of the Drug Paraphernalia Act of 1982,
33 effective September 17, 1982 (D.C. Law 4-149; D.C. Official Code § 48-1101(3)(D)).”.

34 Sec. 4. Fiscal impact statement.

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

38 Sec. 5. Effective date.

39 This act shall take effect following approval by the Mayor (or in the event of veto
40 by the Mayor, action by the Council to override the veto), and shall remain in effect for
41 no longer than 90 days, as provided for emergency acts of the Council of the District of
42 Columbia in section 412(a) of the District of Columbia Home Rule Act, approved
43 December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

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