

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Omnibus Public Safety and Justice Amendment Act of 2009 to make it unlawful to tamper with a detection device required by any custodial or supervision entity with authority over an individual subject to monitoring.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Tampering with a Detection Device Congressional Review Emergency Declaration Resolution of 2017.”

Sec. 2. (a) There exists an immediate need to amend the Omnibus Public Safety and Justice Amendment Act of 2009 to make it unlawful to tamper with a detection device required by any custodial or supervision entity with authority over an individual subject to monitoring.

(b) This congressional review emergency legislation is necessary to prevent a gap in the law as the current emergency act, the Tampering with a Detection Device Emergency Amendment Act of 2016, effective January 4, 2017 (D.C. Act 21-0596; 64 DCR 152), will expire on April 4, 2017.

(c) The provisions of the emergency act were included in permanent legislation, the Omnibus Public Safety and Justice Amendment Act of 2016, enacted on January 6, 2017 (D.C. Act 21-0603; 64 DCR 168), which was transmitted to Congress for the 60-day review period

34 required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,
35 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

36 (d) The permanent legislation is projected to become law on May 12, 2017, after the
37 emergency act expires. This congressional review emergency legislation is therefore necessary to
38 prevent a gap in the law.

39 Sec. 3. The Council of the District of Columbia determines that the circumstances
40 enumerated in section 2 constitute emergency circumstances making it necessary that the
41 Tampering with a Detection Device Congressional Review Emergency Amendment Act of 2017
42 be adopted after a single reading.

43 Sec. 4. This resolution shall take effect immediately.