

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 expand the standby guardianship law to enable a parent, legal guardian, or legal custodian who is, or may be, subject to an adverse immigration action or who has been exposed to COVID-19, to make short-term plans for a child without terminating or limiting that person’s parental or custodial rights.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Standby Guardian Congressional Review Emergency Declaration Resolution of 2020”.

Sec. 2. (a) Emergency legislation is necessary to prevent a gap in the law as the:

(1) The previously approved Standby Guardian Emergency Amendment Act of 2020, effective July 27, 2020, is set to expire on October 6, 2020.

(2) The corresponding permanent legislation, the Standby Guardian Amendment Act of 2020, passed on 2nd reading on September 22, 2020 (Enrolled version of Bill 23-402) is currently under Mayoral Review.

(3) The corresponding temporary legislation, the Standby Guardian Temporary Amendment Act of 2020, enacted on August 12, 2020 (D.C. Act 23-398; 67 DCR 9916), is currently under congressional review with a projected law date on November 16, 2020 (“temporary legislation”).

1 (b) There exists an immediate need for the District to enact legislation to extend
2 the standby guardianship laws to enable a parent, legal guardian, or legal custodian to be
3 able to make plans to protect the wellbeing of their children in advance of an adverse
4 immigration or as a result of COVID-19, without interruption, until the temporary
5 legislation has become law.

6 Sec. 3. The Council of the District of Columbia determines that the circumstances
7 enumerated in section 2 constitute emergency circumstances making it necessary that the
8 Standby Guardian Congressional Review Emergency Amendment Act of 2020 be
9 adopted after a single reading.

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