

ENROLLMENT(S)

kwiktag®

062 317 378



(5)


COUNCIL OF THE DISTRICT OF COLUMBIA

D.C. LAW 11- 44

**"Prevention of Transmission of the Human Immunodeficiency
Virus Temporary Amendment Act of 1995".**

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 11-311 on first and second readings, June 6, 1995 and June 20, 1995, respectively. Following the signature of the Mayor on June 28, 1995, pursuant to Section 404(e) of "the Act", and was assigned Act No. 11-82 and published in the July 7, 1995, edition of the D.C. Register (Vol. 42 page 3456) and transmitted to Congress on June 30, 1995 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 11-44, effective September 16, 1995.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

June	30
July	10,11,12,13,14,17,18,19,20,21,24,25,26,27,28,31
Aug.	1,2,3,4
Sept.	5,6,7,8,11,12,13,14,15

ENROLLED ORIGINAL

Codification
District of Columbia Code
(1996 Supplement)

AN ACT
D.C. ACT 11-82

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 28, 1995

To amend, on a temporary basis, the Drug Paraphernalia Act of 1982 to allow qualified community based organizations or other qualified individuals specifically designated by the Commissioner of Public Health, to operate the Needle Exchange Program in the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Prevention of Transmission of the Human Immunodeficiency Virus Temporary Amendment Act of 1995".

Sec. 2. Section 4a of the Drug Paraphernalia Act of 1982, effective March 25, 1993 (D.C. Law 9-252; D.C. Code § 33-603.1), is amended as follows:

Note, Section
33-603.1

(a) Subsection (b) is amended to read as follows:

"(b) The Program authorized by subsection (a) of this section shall be administered by the Commission of Public Health in the Department of Human Services. Only qualified medical officers, registered nurses, counselors, community based organizations, or other qualified individuals specifically designated by the Commissioner of Public Health shall be authorized to exchange hypodermic needles and syringes under the provisions of subsections (c) through (i) of this section."

(b) Subsection (e) is amended to read as follows:

"(e) The District of Columbia, its officers, or employees shall not be liable for any injury or damage resulting from use of, or contact with, any needle exchanged as part of the Program authorized by subsection (a) of this section."

(c) A new subsection (e-1) is added to read as follows:

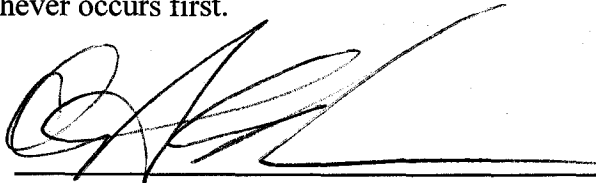
"(e-1) A community based organization or other qualified individual designated by the Commissioner on Public Health under subsection (b) of this section shall not be liable for any injury or damage resulting from the use of, or contact with, any needle exchanged as part of the

ENROLLED ORIGINAL

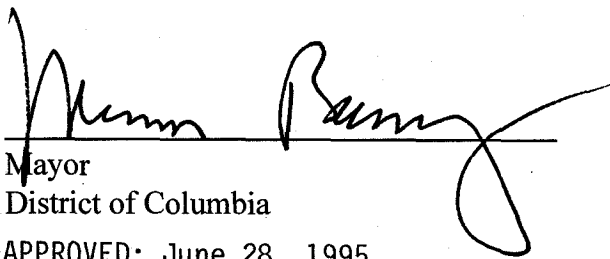
Program authorized by subsection (a) of this section, unless such injury or damage is a direct result of the gross negligence or intentional misconduct of such community based organization or other qualified individual."

Sec. 3. (a) This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.

(b) This act shall expire after 225 days of its having taken effect or upon the effective date of the Prevention of Transmission of the Human Immunodeficiency Virus Amendment Act of 1995, whichever occurs first.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: June 28, 1995



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

Docket No. B11-311

ITEM ON CONSENT CALENDAR

ACTION & DATE ADOPTED FIRST READING, 06-06-95

VOICE VOTE APPROVED
 RECORDED VOTE ON REQUEST

ABSENT BRAZIL, EVANS, LIGHTFOOT AND RAY

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

June 22, 1995
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE ADOPTED FINAL READING, 06-20-95

VOICE VOTE APPROVED
 RECORDED VOTE ON REQUEST

ABSENT ALL PRESENT

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates no

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

June 22, 1995
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE _____

VOICE VOTE _____
 RECORDED VOTE ON REQUEST

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date