

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Human Rights Act of 1977 to establish the Commission on Human Rights as a statutory agency and to define the purpose, functions, composition, appointment, and organization of the Commission.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Commission on Human Rights Establishment Amendment Act of 2004".

Sec. 2. The Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 2-1401.02) is amended as follows:

(1) Subsection (d) is amended by striking the phrase "District of Columbia Commission on Human Rights, as established by Commissioner's Order No. 71-224, dated July 8, 1971" and inserting the phrase "Commission on Human Rights, as established under Title IV" in its place.

Amend
§ 2-1401.02

(2) Subsection (s) is amended by striking the phrase "District of Columbia Commission on Human Rights, as established by Commissioner's Order No. 71-224, dated July 8, 1971" and inserting the phrase "Office of Human Rights" in its place.

(b) A new Title IV is added to read as follows:

"Title IV. Commission on Human Rights.

"Sec. 401. Establishment of the Commission on Human Rights.

"There is hereby established, in the Executive Branch of the District government, a Commission on Human Rights.

"Sec. 402. Purpose and functions.

"The Commission shall serve as an impartial forum for the hearing and deciding of cases of unlawful discrimination in employment, real estate transactions, public accommodations, or educational institutions. The Commission shall hear such cases following a determination by the Office that there is probable cause to believe that an act of unlawful discrimination has occurred. In hearing and deciding such cases, the Commission shall follow the procedures set forth and

use, in its discretion, the powers and authority provided in Title III.

“Sec. 403. Composition and appointment.

“(a) The Commission shall consist of 15 members, appointed by the Mayor and confirmed by the Council, in accordance with the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01).

“(b) The Commission members shall be residents of the District of Columbia who have a demonstrated background or interest in human rights.

“(c) The Commission members shall serve 3-year terms. The terms shall be staggered so that 5 positions expire on December 31 of each year.

“(d) The Mayor shall designate one member to serve, at the Mayor’s pleasure, as Chairperson of the Commission.

“(e) Any person appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed only for the remainder of the term.

“(f) Commission members who began their service before the effective date of this title shall serve the remainder of their terms.

“(g) Commission members shall serve without compensation, but shall be eligible for reimbursement of expenses as provided in section 1108(d) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(d)).

“Sec. 404. Organization.

“(a) At the initial meeting of each year, the Commission shall determine its organization and name its officers, other than the Chairperson. The officers serving on the effective date of this title shall serve until the initial meeting of the following year.

“(b) The Commission shall meet at the invitation of the Chairperson or a majority of the members.

“(c) The Commission may establish subcommittees to review issues and make recommendations to the Commission.”.

Sec. 3. Conforming amendment.

Section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(8)), is amended to read as follows:

“(8) The Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, passed on 2nd reading on July 13, 2004 (Enrolled version of Bill 15-51);”.

Amend
§ 1-523.01

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia