

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To require the use of respectful language when referring to people with disabilities in all new and revised District laws, regulations, rules, and publications and all internet publications, to require the use of respectful language in all existing regulations, rules, publications, and signage on a date certain following the effective date of this act, and to require a report on the use of the term mental retardation in all District laws, regulations, rules, and public records; to amend the District of Columbia Administrative Procedure Act to require the use of respectful language; and to amend the District of Columbia Documents Act of 1978 to require the Administrator of the Office of Documents to establish editorial standards for the use of respectful language.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "People First Respectful Language Modernization Act of 2006".

Sec. 2. Definitions.

For purposes of this act, the term:

- (1) "Disability" means, with respect to an individual:
 - (A) A physical or mental impairment that substantially limits one or more of the major life activities of that individual;
 - (B) A record of such an impairment; or
 - (C) Being regarded as having such an impairment.
- (2) "Internet publication" means any information posted to an official web site of a public body, except for archival documents.
- (3) "Policies" means official instructions and guiding principles issued by a public body for the implementation of its programs.
- (4) "Public body" shall have the same meaning as set forth in section 3(18A) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-502(18A))("APA").
- (5) "Publications" means any written material issued by a public body, either for internal or external use, and does not include internet publications, policies, rules, regulations, and signage.

(6) "Regulation" shall have the same meaning as set forth in section 3(17) of the APA (D.C. Official Code § 2-502(17)).

(7) "Rule" shall have the same meaning as set forth in section 3(6) of the APA (D.C. Official Code § 2-502(6)).

(8) "Signage" means any poster on paper larger than 8½ inches by 11 inches issued by a public body and any signs regardless of size made of any material other than paper and posted or issued by a public body.

Sec. 3. Respectful language.

(a) On or after the effective date of this act, all new and revised sections of the District of Columbia Official Code, all new, revised, or republished District regulations, rules, policies, or publications and all internet publications shall, when referring to persons with disabilities:

(1) Avoid any use of following terms, except as required by any law or regulation: "afflicted," "cripple," "crippled," "defective," "feeble-minded," "handicapped," "handicap," "idiot," "lunatic," "imbecile," "insane," "invalid," "maimed," "moron," "suffering," "wheelchair user," or "wheelchair bound";

(2) Use "person," "people," "individual," "individuals," "adult," "adults," "child," "children," or "youth" in sentence construction so that the language refers to individuals:

(A) With disabilities or with conditions that result in disability;

(B) Who have disabilities or who have conditions that result in disability; or

(C) Who use or who need assistive technology.

(b) On or after 6 months following the effective date of this act, all policies and signage shall comply with subsection (a) of this section.

(c) Upon the earlier of reprinting or September 30, 2007, all publications shall comply with subsection (a) of this section.

(d) No statute, regulation, or rule shall be invalid because it does not comply with this section.

Sec. 4. Report.

Within 6 months of the effective date of this act, the District of Columbia Developmental Disabilities State Planning Council, established by Mayor's Order 98-7, issued on January 21, 1998 (45 DCR 882), shall submit to the Mayor and the Council a report on the use of the term "mental retardation," which shall at a minimum include:

(1) A review of current national and local practices and trends with regard to the use of the term mental retardation;

(2) An assessment of the sentiment of District residents with developmental disabilities with regard to the use of term mental retardation; and

(3) Recommendations for the continued use or replacement of the term mental retardation in all laws, regulations, rules, and public records.

Sec. 5. The District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), is amended as follows:

(a) Section 302 (D.C. Official Code § 2-552) is amended by adding a new subsection (g) to read as follows:

“(g) All documents compiled in the District of Columbia Municipal Regulations shall be formulated in accordance with the requirements of section 3 of the People First Respectful Language Modernization Act of 2006, passed on 2nd reading on July 11, 2006 (Enrolled version of Bill 16-665).”.

(b) Section 303 (D.C. Official Code § 2-553) is amended by adding a new subsection (i) to read as follows:

“(i) All documents published in the District of Columbia Register shall be formulated in accordance with the requirements of section 3 of the People First Respectful Language Modernization Act of 2006, passed on 2nd reading on July 11, 2006 (Enrolled version of Bill 16-665).”.

Sec. 6. Section 3 of the District of Columbia Documents Act of 1978, effective March 6, 1979 (D.C. Law 2-153; D.C. Official Code § 2-612), is amended by adding a new paragraph (5A) to read as follows:

“(5A) Establish editorial standards for the use of respectful language in documents as required under section 3 of the People First Respectful Language Modernization Act of 2006, passed on 2nd reading on July 11, 2006 (Enrolled version of Bill 16-665).”.

Sec. 7. 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. 8. 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 Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973

ENROLLED ORIGINAL

(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