

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 4-120

"District of Columbia Election Code of 1955
Amendments Act of 1982".

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. 4-235 on first and second readings, April 6, 1982 and April 27, 1982, respectively. Following the Signature of the Mayor on May 11, 1982, this legislation was assigned Act No. 4-183, published in the May 21, 1982 edition of the D.C. Register, (Vol. 29 page 2064) and transmitted to Congress on May 17, 1982 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 4-120, effective July 1, 1982.



ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

May	17, 18, 19, 20, 21, 24, 25, 26, 27
June	2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30

D.C. LAW 4 - 120
EFFECTIVE DATE JUL 01 1982

AN ACT

D.C. ACT 4 - 183

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 11 1982

To amend the District of Columbia Election Code of 1955 to clarify the responsibilities of the qualified elector in voter registration and to provide for reporting updated voter registration information to the citizens of the District of Columbia, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Election Code of 1955 Amendments Act of 1982".

Sec. 2. The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Code, sec. 1-1301 et seq.) is amended as follows:

(a) Section 5(a) (D.C. Code, sec. 1-1306(a)) is amended as follows:

(1) by redesignating paragraphs (7) through (15) as (8) through (16) respectively; and

(2) by inserting a new paragraph (7) to read as follows:

"(7) Publish in the District of Columbia Register on the third Friday of every month, the total number of qualified electors registered to vote in the District as of the last day of the month preceding publication. Such notice shall be broken down by ward

CODIFICATION
D.C. Code,
sec. 1-1306
(1981 ed.)

and political party affiliation, where applicable, and shall list the total number of new registrants, party changes, cancellations, changes of names, and/or addresses processed under each category."

(b) Section 7 (D.C. Code, sec. 1-1311) is amended as follows:

D.C. Code,
sec. 1-1311
(1981 ed.)

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

"(a)(1) A person shall be entitled to vote in an election in the District only if he or she is a qualified elector, and except as provided in subsection (e) of this section, he or she is duly registered in the District on the date of such election.

"(2) If a registered voter has been registered but has not voted at least once at a primary, general, or special election within the 4 preceding calendar years, it shall be the duty of the Board unless cause to the contrary be shown, to cause the registration of that voter to be cancelled by removing the registration cards or forms of the voter from the original and duplicate files and placing them in a transfer file. Voting in any election held under this Act during such period will satisfy the requirements of this section. A notice of this action and the reason therefore shall be sent to the address listed on the official registration roll for the voter, notifying the voter that his or her name will be purged

from the registration rolls unless within 30 days from the date of mailing of the notice the voter executes an affidavit stating that he or she is a qualified elector in the District and desires that his or her name be maintained on the rolls.

"(3) During January of each year, the Board shall determine which persons have not voted at least once at a primary, general, or special election, within the 4 calendar years immediately preceding January 1st of the current year and send those persons the notice required in paragraph (2) of this subsection.

"(4) Lists containing the names and last known street addresses of those voters whose registration is to be cancelled shall be made available on request 30 days prior to the date of removal. The Board may charge reasonable fees for such lists but the rate may not exceed 1/2 cent per name and address. Such lists for the 2 preceding calendar years shall be available at each precinct on election day. The Board shall publish notice of the availability of such list in the District of Columbia Register.

"(5)(A) Any qualified registered elector may file with the Board objections to the registration of any person whom such voter has reason to believe is fictitious, deceased, a disqualified person, or otherwise ineligible to vote, or a request for the

addition of any person whose name has been erroneously omitted or dropped from the registration list.

Application for the correction of any such registration list or the challenge of the right to vote of such person named on such list may be made by any qualified registered elector at the office of the Board no later than 75 days before the date of any election held under this Act.

"(B) Persons whose existing registrations have been challenged and persons whose names are alleged to have been erroneously omitted or dropped from the voter registration rolls, and if such registrations cannot be verified by the Board's own records, shall be given the same notice as provided in paragraph (2) of this subsection.

"(6) A voter whose registration has been cancelled under this section shall not therefore be eligible to vote except by reregistering as provided in this section.";

(2) A new subsection (f-1) is added to read as follows:

"(f-1)(1) If the Board learns that a registered voter has changed his or her name or has moved within or outside of the election ward or precinct in which he or she is registered, and within 30 days from the date of such change, has not applied to the Board to change his or her registration records,

the Board shall notify the voter by first-class mail sent to the address as it appears on the Board's registration records, and to the new address, if it is known, that if he or she does not advise the Board by a signed affidavit of his or her correct address or name within 2 weeks of the date appearing on the notice, his or her name will be removed from the registration records, and he or she will have to reregister before he or she can vote in future elections.

"(2) The Board, upon receipt of a signed authorization from a voter to cancel his or her registration, shall remove the registration form from the registration records. Upon receipt of this authorization, the Board, upon a comparison of the voter's signature with his or her signature as it appears on the registration records shall remove the voter's registration from the records and retain the cancellation authorization in the records of the Board."; and

(3) Subsection (h) is amended as follows:

(A) by designating the existing text as paragraph "(2)" and by redesignating the existing paragraphs "(1)" and "(2)" as subparagraphs "(A)" and "(B)" respectively;

(B) by adding a new paragraph "(1)" to read as follows:

"(1) No later than 45 days preceding any

election held under this Act, the Board shall cause a District-wide alphabetical list of qualified electors registered to vote in the District to be placed in the main public library and shall cause an alphabetical ward list of qualified registered electors for each ward to be placed in each branch library located within the respective ward. Such lists shall be current as the 60th day preceding such elections."; and

(C) Paragraph (2) (as designated by this subsection) is amended as follows:

(i) by striking the word "current";

(ii) by inserting immediately

following the word "vote" the phrase "as of the date the voter registry closed"; and

(iii) by striking the word "city"

and inserting the word "District" in lieu thereof.

(c) Section 8(i) (D.C. Code, sec. 1-1312(i)) is amended as follows:

D.C. Code,
sec. 1-1312
(1981 ed.)

(1) by redesignating existing paragraph (3) as paragraph (4); and

(2) by inserting a new paragraph (3) to read as follows:

"(3) For the purpose of computing nominating petition signature requirements, the Board shall by noon on the 123rd day preceding the election post and make available the exact number of qualified registered electors in the District by party, ward, and precinct,

as provided in this subsection. The Board shall make available for public inspection, in the office of the Board, the entire list of registered electors upon which such count was based. Such list shall be retained by the Board until the period for circulating, filing, and challenging petitions has ended."

(d) Section 9 (D.C. Code, sec. 1-1313) is amended as follows:

D.C. Code,
sec. 1-1313
(1981 ed.)

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

"(b) The vote of a person who is registered as a qualified elector of the District shall be valid only if cast, in the voting precinct where the residence shown on his or her registration is located: PROVIDED, HOWEVER, That the Board shall by regulation permit voting by any registered elector who is absent from the District or who, because of his or her physical condition is unable to vote in person at the polling place in his or her voting precinct on election day."; and

(2) Subsection (d) is amended by adding the following sentence at the end thereof:


": PROVIDED, HOWEVER, That the official in charge of the polling place shall not allow the prospective voter to cast a 'challenged' ballot unless such voter:

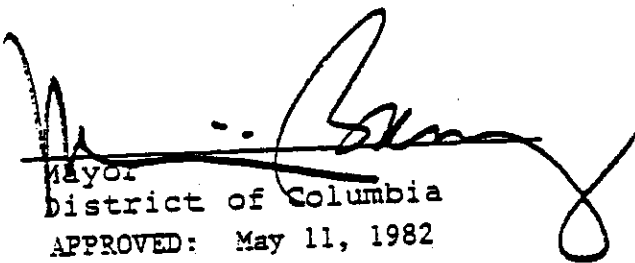
"(A) signs an affidavit under penalty of

perjury, that he or she is a registered qualified elector in the District; and

"(B) provides identification indicating that he or she is a resident of the precinct in which the ballot is to be cast."

Sec. 3. 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, D.C. Code, sec. 1-233(c)(1)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED: May 11, 1982



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Four
First Session

DOCKET NO: B 4-235

Item on Consent Calendar

ACTION: Adopted First Reading, 4-6-82

VOICE VOTE: By Majority

Absent: Ray and Crawford

ROLL CALL VOTE:

COUNCIL MEMBER	Y	N	A	A.B.	COUNCIL MEMBER	Y	N	A	A.B.	COUNCIL MEMBER	Y	N	A	A.B.
CEN. DIXON					KANE					SPACKLETON				
WYLER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

Vivian B. Cunningham
Secretary to the Council

4/29/82
Date

Item on Consent Calendar

ACTION: Adopted Final Reading, 4-27-82

VOICE VOTE: Unanimous

Absent: all present

ROLL CALL VOTE:

COUNCIL MEMBER	Y	N	A	A.B.	COUNCIL MEMBER	Y	N	A	A.B.	COUNCIL MEMBER	Y	N	A	A.B.
CEN. DIXON					KANE					SPACKLETON				
WYLER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

Vivian B. Cunningham
Secretary to the Council

4/29/82
Date

Item on Consent Calendar

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	Y	N	A	A.B.	COUNCIL MEMBER	Y	N	A	A.B.	COUNCIL MEMBER	Y	N	A	A.B.
CEN. DIXON					KANE					SPACKLETON				
WYLER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

Secretary to the Council

Date