

A BILL

22-312

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Department of Youth Rehabilitation Services Establishment Act of 2004 to require the Department of Youth Rehabilitation Services to provide youth in its care oral and written notification of voting rights for individuals currently incarcerated or with criminal records in the District; to amend An Act To create a Department of Corrections in the District of Columbia to require the Department of Corrections to provide inmates with voter registration applications and notification of voting rights for individuals currently incarcerated or with criminal records in the District during the intake process and upon release from custody, to require the Department of Corrections to include information about voting rights in its Inmate Handbook or other similar resource provided to inmates, and to require the Department of Corrections to transmit the names and contact information of inmates released from its custody every six months to the Office on Returning Citizen Affairs; and amends the Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006 to require the Office on Returning Citizen Affairs to develop a plan to register to vote qualified electors who are in the custody of the Department of Corrections or the Department of Youth Rehabilitation Services, or are returning citizens, and provide them with information about the voting rights of individuals currently incarcerated or with a criminal record in the District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Voting Rights Notification Amendment Act of 2018".

Sec. 2. Section 104 of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.04), is amended as follows:

(a) Paragraph (16) is amended by striking the phrase “; and” and inserting a semicolon in its place.

35 (b) Paragraph (17) is amended by striking the period and inserting the phrase “; and” in its
36 place.

37 (c) A new paragraph (18) is added to read as follows:

38 “(18) In addition to any obligations imposed upon the Department due to its
39 designation as a voter registration agency by section 7(d)(1)(B) of the District of Columbia
40 Election Code of 1955, approved August 12, 1955 (69 Stat. 700; D.C. Official Code § 1-
41 1001.07(d)(1)(B)), providing an oral and written notification to each youth of the right of an
42 individual currently incarcerated or with a criminal record to vote in the District.”.

43 Sec. 3. An Act To create a Department of Corrections in the District of Columbia, approved
44 June 27, 1946 (60 Stat. 320; D.C. Official Code § 24-211.01 *et seq.*), is amended by adding a new
45 section 8 to read as follows:

46 “Sec. 8. Voting assistance and notifications to inmates in Department of Corrections
47 custody.

48 “(a) In addition to any obligations imposed upon the Department of Corrections
49 (“Department”) due to its designation as a voter registration agency by section 7(d)(1)(B) of the
50 District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 69; D.C. Official
51 Code § 1-1001.07(d)(1)(B)), the Department shall, during the inmate intake process and again
52 when an inmate exits the Department’s custody:

53 “(A) Determine whether an inmate is a qualified elector, as that term is
54 defined in section 2(2) of the District of Columbia Election Code of 1955, approved August 12,
55 1955 (69 Stat. 700; D.C. Official Code § 1-1001.02(2));

56 “(B) If the Department determines that an inmate is a qualified elector, as
57 that term is defined in section 2(2) of the District of Columbia Election Code of 1955, approved
58 August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.02(2)), but is not registered to vote,
59 provide that inmate with a voter registration application; and

60 “(C) Provide an oral and written notification to each inmate of the right of
61 an individual currently incarcerated or with a criminal record to vote in the District.

62 “(b) The Department shall include information about the District voting rights of
63 individuals currently incarcerated or with a criminal record in its Inmate Handbook or other similar
64 resource provided to inmates.

65 “(c) Beginning on the effective date of the Voting Rights Notification Amendment Act of
66 2018, as approved by the Committee on Judiciary and Public Safety on November 15, 2018
67 (Committee print of Bill 22-312), and every six months thereafter, the Department shall provide
68 to the Office on Returning Citizen Affairs the names and contact information of inmates released
69 from its custody in the prior six months.”.

70 Sec. 4. Section 3(b)(2) of the Office on Ex-Offender Affairs and Commission on Re-Entry
71 and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243;
72 D.C. Official Code § 24-1302(b)(2)), is amended as follows:

73 (a) Subparagraph (H) is amended by striking the phrase “; and” and inserting a semicolon
74 in its place.

75 (b) Subparagraph (I) is amended by striking the period and inserting the phrase “; and” in
76 its place.

77 (c) A new subparagraph (J) is added to read as follows:

78 “(J) By January 1, 2020, develop a plan to register qualified electors, as that
79 term is defined in section 2(2) of the District of Columbia Election Code of 1955, approved August
80 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.02(2)), who are in the custody of the
81 Department of Corrections or the Department of Youth Rehabilitation Services, or are returning
82 citizens, to vote, and provide them with information about the voting rights of individuals currently
83 incarcerated or with a criminal record in the District.”.

84 Sec. 5. Fiscal impact statement.

85 The Council adopts the fiscal impact statement in the committee report as the fiscal impact
86 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
87 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

88 Sec. 6. Effective date.

89 This act shall take effect following approval by the Mayor (or in the event of veto by the
90 Mayor, action by the Council to override the veto), a 60-day period of congressional review as
91 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24,

ENGROSSED ORIGINAL

92 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of
93 Columbia Register.