

AN ACT

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, during the inmate intake process and upon release from custody, to determine whether an inmate is a qualified elector, to provide an inmate who is a qualified elector with a voter registration application, and provide oral and written notification of voting rights for individuals currently incarcerated or with criminal records in the District, 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 6 months to the Office on Returning Citizen Affairs; and to amend 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.
- (b) Paragraph (17) is amended by striking the period and inserting the phrase “; and” in its place.
- (c) A new paragraph (18) is added to read as follows:

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

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

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

“(a) In addition to any obligations imposed upon the Department of Corrections (“Department”) due to its designation as a voter registration agency by section 7(d)(1)(B) of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 700; D.C. Official Code § 1-1001.07(d)(1)(B)), the Department shall, during the inmate intake process and again when an inmate exits the Department’s custody:

“(1) Determine whether an inmate is a qualified elector, as that term is defined in section 2(2) of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.02(2));

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

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

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

“(c) Beginning on the effective date of the Voting Rights Notification Amendment Act of 2018, passed on 2nd reading on December 18, 2018 (Enrolled version of Bill 22-312), and every 6 months thereafter, the Department shall provide to the Office on Returning Citizen Affairs the names and contact information of inmates released from its custody in the prior 6 months.”.

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

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

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

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

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

Sec. 5. Fiscal impact statement.

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

Sec. 6. 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 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia