

A RESOLUTION

23-269

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 5, 2019

To declare the existence of an emergency with respect to the need to amend the Advisory Neighborhood Councils Act of 1975 to clarify when an Advisory Neighborhood Commission shall forfeit quarterly allotments for failing to timely file quarterly reports approved by the Office of Advisory Neighborhood Commissions.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Advisory Neighborhood Commission Accountability Clarification Emergency Declaration Resolution of 2019”.

Sec. 2. (a) On June 18, 2019, the Council passed the Advisory Neighborhood Commission Accountability Amendment Act of 2019, effective September 11, 2019 (D.C. Law 23-16; 66 DCR 8621) (“Act”), which tightened financial reporting accountability measures for Advisory Neighborhood Commissions.

(b) The Act requires the forfeiture of Advisory Neighborhood Commission allotments when Commissions fail to timely file 2 or more consecutive quarterly reports approved by the OANC.

(c) Prior to the Act, Advisory Neighborhood Commissions had until the last day of the fiscal year to file quarterly reports before the Commissions forfeited all unclaimed allotments for the fiscal year.

(d) The effective date of the Act would result in Commissions forfeiting allotments for failure to timely file quarterly reports prior to the Commissions receiving notice of the new requirements in the Act.

(e) The Act also resulted in a lack of accountability for a Commission failing to timely file 2 or more non-consecutive quarterly reports.

(f) This emergency legislation would amend section 16(j)(3) of the Advisory Neighborhood Councils Act of 1976 to clarify that the implementation of new financial reporting accountability measures will take effect for the failure to timely file quarterly financial reports beginning with the 2020 fiscal year and to provide that forfeiture shall result for failure to file 2 or more quarterly reports, regardless of whether or not they are consecutive.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Advisory Neighborhood Commission Accountability Emergency Amendment Act of 2019 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.