

# ENROLLMENT(S)

(5)

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# COUNCIL OF THE DISTRICT OF COLUMBIA

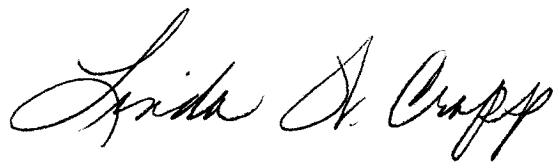
## NOTICE

### D.C. LAW 12-127

#### "Drug House Abatement Amendment Act of 1998".

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. 12-141, on first and second readings, December 4, 1997 and January 6, 1998, respectively. Following the signature of the Mayor on January 26, 1998, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-261 and published in the March 13, 1998, edition of the D.C. Register (Vol. 45 page 1304) and transmitted to Congress on February 27, 1998 for a 60-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 12-127, effective June 19, 1998.



LINDA W. CROPP  
Chairman of the Council

#### Dates Counted During the 60-day Congressional Review Period:

Feb. 27

Mar. 2,3,4,5,6,9,10,11,12,13,16,17,18,19,20,23,24,25,26,  
27,30,31

Apr. 1,21,22,23,24,27,28,29,30

May 1,4,5,6,7,8,11,12,13,14,15,18,19,20,21,22

June 1,2,3,4,5,9,10,11,12,16,17,18

AN ACT  
D.C. ACT 12-261

*Codification  
District of  
Columbia  
Code  
1998 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 26, 1998

To amend An Act to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof, by adding buildings in which illegal drug activity takes place to the category of nuisances specified, and by adding the Corporation Counsel of the District of Columbia to the list of persons with standing to bring an action in equity for abatement of nuisances.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Drug House Abatement Amendment Act of 1998".

Sec. 2. An Act To enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof, approved February 7, 1914 (38 Stat. 280; D.C. Code § 22-2713 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Code § 22-2713) is amended by designating the existing text as subsection (a) and by adding a new subsection (b) to read as follows:

**Section  
22-2713**

"(b) Whoever shall erect, establish, continue, maintain, use, own, occupy, or release any building, erection, or place which is resorted to by persons using controlled substances in violation of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Code § 33-501 *et seq.*), for the purpose of using any of these substances or for the purpose of keeping or selling any of these substances in violation of the Controlled Substances Act of 1981, is guilty of a nuisance, and the building, erection, or place, or the ground itself in or upon which such activity is conducted, permitted, or carried on, continued, or exists, and the furniture, fixtures, and contents thereof, are also declared a nuisance and disorderly house, and shall be enjoined and abated as hereinafter provided."

**Note, Section  
33-501**

(b) The first sentence of section 2 (D.C. Code § 22-2714) is amended to read as follows:

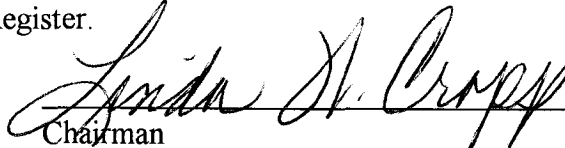
**ENROLLED ORIGINAL**

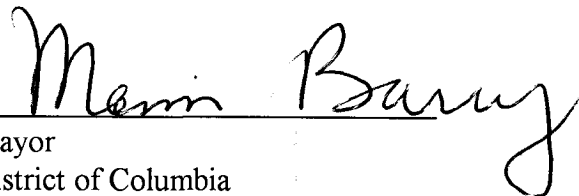
Section  
22-2714

"Whenever a nuisance is kept, maintained, or exists, as defined in section 1, the United States Attorney for the District of Columbia, the Attorney General of the United States, the Corporation Counsel of the District of Columbia, or any citizen of the District of Columbia, may maintain an action in equity in the name of the United States of America or in the name of the District of Columbia, upon the relation of such United States Attorney for the District of Columbia, the Attorney General of the United States, the Corporation Counsel of the District of Columbia, or citizen, to perpetually enjoin said nuisance, the person or persons conducting or maintaining the same, and the owner or agent of the building or ground upon which said nuisance exists."

Sec. 3. 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. Code § 1-233(c)(3)).

Sec. 4. 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), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), 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. Code § 1-233(c)(2)), and publication in the District of Columbia Register.

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia

APPROVED: January 26, 1998



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

B12-141

Docket No. \_\_\_\_\_

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 12-4-97

VOICE VOTE  
RECORDED VOTE ON REQUEST

APPROVED

ALL PRESENT

ABSENT \_\_\_\_\_

| | ROLL CALL VOTE - Result \_\_\_\_\_

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Dixon					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Chavous					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

*[Signature]*

Secretary to the Council

*January 8, 1998*

Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 1-6-98

VOICE VOTE  
RECORDED VOTE ON REQUEST

APPROVED

ALL PRESENT

ABSENT \_\_\_\_\_

| | ROLL CALL VOTE - Result \_\_\_\_\_

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

*[Signature]*

Secretary to the Council

*January 8, 1998*

Date

| | ITEM ON CONSENT CALENDAR

| | ACTION & DATE

| | VOICE VOTE  
RECORDED VOTE ON REQUEST

ABSENT \_\_\_\_\_

| | ROLL CALL VOTE - Result \_\_\_\_\_

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date