

ENROLLMENT(S)

kwiktag®

062 328 793



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 12-65

"Comprehensive Merit Personnel Employee Viatical Settlement Amendment Act of 1997"

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. 12-228, on first and second readings, October 7, 1997 and November 4, 1997, respectively. Following the signature of the Mayor on November 21, 1997, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-204, and published in the December 19, 1997, edition of the D.C. Register (Vol. 44 page 7608) and transmitted to Congress on December 18, 1997 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 12-65, effective March 20, 1998.



LINDA W. CROPP
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Jan.	27,28,29
Feb.	2,3,4,5,9,10,11,12,23,24,25,26,27
Mar.	2,3,4,5,6,9,10,11,12,13,16,17,18,19

AN ACT
D.C. ACT 12-204

*Codification
District of
Columbia
Code
1998 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 21, 1997

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to provide authority for the offering of viatical settlements to terminally ill employees and former employees enrolled in the District of Columbia Group Life Insurance Program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Comprehensive Merit Personnel Employee Viatical Settlement Amendment Act of 1997".

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code § 1-623.1 *et seq.*), is amended as follows:

(a) Section 2204 (D.C. Code § 1-623.4) is amended by adding a new paragraph (5) to read as follows:

Section
1-623.4

"(5) "Viatical settlement" means an irrevocable assignment of all an employee's or former employee's incidents of ownership in a life insurance policy."

(b) Section 2208 (D.C. Code § 1-623.8) is amended as follows:

Section
1-623.8

(1) The section heading is amended to read as follows:

"Sec. 2208. Death claims; order of precedence; viatical settlements."

(2) Subsection (a) is amended by striking the phrase "The amount" and inserting the phrase "Except as provided in subsection (a-1) of this section, the amount", in its place.

(3) Subsection (b) is amended by inserting the phrase "or an assignee pursuant to subsection (a-1) of this section", after the phrase "subsection (a) of this section".

(4) A new subsection (a-1) is added to read as follows:

"(a-1)(1) Except as provided in paragraph (2) of this subsection, pursuant to rules and regulations prescribed by the Mayor, each policy purchased pursuant to section 2205 shall provide that an insured employee or former employee who is terminally ill may make a viatical settlement, which is an irrevocable assignment of all of the employee's or former employee's incidents of ownership in the policy. The assignment shall automatically cancel any designation of beneficiary the insured person might have made, and the insured person shall no longer have

the right to designate a beneficiary. The assignee shall assume the right to convert the insurance when the insured employee's employment circumstances would have provided this option to the insured employee.

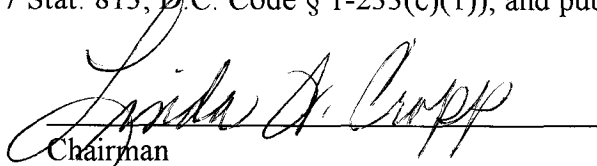
"(2) The assignment shall exclude accidental dismemberment insurance and family optional insurance."

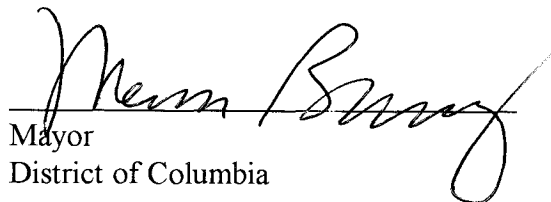
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the Committee report on Bill 12-228 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. 913; D.C. Code § 1-233 (c)(3)).

Sec. 4. 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), 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 Authority Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: November 21, 1997



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

B12-228

Docket No. _____

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 10-07-97

VOICE VOTE
 RECORDED VOTE ON REQUEST

APPROVED

ABSENT _____

ALL PRESENT

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

Angela Jones
Secretary to the Council

November 10, 1997
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 11-04-97

VOICE VOTE
 RECORDED VOTE ON REQUEST

APPROVED

ABSENT _____

JARVIS

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

Angela Jones
Secretary to the Council

November 10, 1997
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					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

Secretary to the Council

Date