


Government of the District of Columbia
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer 

DATE: November 26, 2012

SUBJECT: Fiscal Impact Statement – “Council Notification on Enforcement of Laws Amendment Act of 2012”

REFERENCE: Bill 19-802 – Draft Committee Print shared with the Office of Revenue Analysis on November 25, 2012

Conclusion

Funds are sufficient in the FY 2013 through FY 2016 budget and financial plan to implement the bill.

Background

The bill imposes¹ two new reporting requirements on the Office of the Attorney General (OAG).

First, the bill requires OAG to inform the Council of any legal action or suit that challenges the constitutionality or validity of any District statute, rule or regulation under the Home Rule Act, when the Council is not a party to the said legal action. Second, the bill requires OAG to report to the Council any formal or informal policy by the Attorney General to refrain from enforcing, applying, administering, or defending, any provision of any District statute, rule, regulation, program, or policy.

The bill allows OAG thirty days for both reporting requirements.

Financial Plan Impact

Funds are sufficient in the FY 2013 through FY 2016 budget and financial plan to implement the bill.

¹ The bill amends the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2009, effective May 27, 2009 (D.C. Law 18-160; D.C. Official Code § 1-301.81 *et seq.*).

The Honorable Phil Mendelson

FIS: Bill 19-802, "Council Notification on Enforcement of Laws Amendment Act of 2012" Draft Committee
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OAG can meet the requirements of the bill with its existing resources. OAG already informs the Council when a District law or policy is challenged, so the first requirement is already current practice. According to the agency, it is exceedingly rare that the Attorney General would decide to refrain from enforcing or defending a District law or regulation, so the second requirement can be met with existing resources.