

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



Glen Lee  
Chief Financial Officer

**MEMORANDUM**

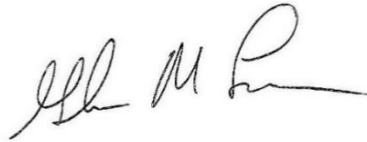
**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Glen Lee  
Chief Financial Officer

**DATE:** November 16, 2022

**SUBJECT:** Fiscal Impact Statement – Attorney General Civil Rights Enforcement  
Clarification Amendment Act of 2022

**REFERENCE:** Bill 24-446, Draft Committee Print as provided to the Office of Revenue  
Analysis on November 15, 2022



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**Conclusion**

Funds are sufficient in the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill.

**Background**

The bill amends the Human Rights Act<sup>1</sup> (Act) to clarify how and when the Attorney General may bring a civil action in the name of the District for violations. The bill provides that the Attorney General may obtain civil penalties of between \$10,000 and \$50,000 per violation, depending on the occurrence of prior instances of discriminatory practice. Discriminatory advertisements constitute a separate violation for each day they are posted. The Attorney General may also obtain injunctive relief and the court may also grant additional relief it deems appropriate. Civil penalties obtained will be deposited in the OAG's Litigation Support Fund.

In deciding whether to bring a civil action for discriminatory practices, the bill provides the Office of the Attorney General (OAG) with authority to seek subpoenas, compel testimony under oath, and compel the production of documents and records. Before filing a civil action for discriminatory practices, the OAG must provide the Office of Human Rights (OHR) 48 hours of notice. OHR and OAG may enter into a memorandum of understanding to address sharing of information.

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<sup>1</sup> Effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 et seq.).

The Honorable Phil Mendelson

FIS: Bill 24-446, "Attorney General Civil Rights Enforcement Clarification Amendment Act of 2021," Draft Committee Print as provided to the Office of Revenue Analysis on November 15, 2022

The bill makes additional clarifying amendments to the Act. It expands the definition of real estate broker to include a "property manager" in order to clarify that property managers are required to act in a non-discriminatory manner. It also increases the length of time that persons and entities subject to the Act must maintain their business records from six months to one year.

### **Financial Plan Impact**

Funds are sufficient in the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill. Clarifying the authorities available to the Attorney General to prosecute discriminatory acts does not have a cost.