Muriel Bowser
Mayor

FEB 27 2015

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Ave., NW, Suite 506
Washington, D.C. 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia is a proposed bill entitled the “Marijuana Decriminalization Clarification Amendment Act of 2015.”

The enclosed bill and accompanying emergency declaration, emergency legislation and temporary legislation are technical in nature and would clarify that private clubs will continue to be prohibited from offering marijuana to their members and that marijuana cannot be consumed in public space. This legislation is necessary to ensure that we enforce the will of the people who voted overwhelmingly in support of Initiative 71 by implementing the law in a safe, fair, and transparent manner.

I urge prompt consideration and approval of this measure.

If you have any questions on this matter, please contact Maia Estes, Director of the Office of Policy and Legislative Affairs, at (202) 727-2816.

Sincerely,

Muriel Bowser

Enclosures
A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Marijuana Possession Decriminalization Amendment Act of 2014 to clarify that, for the purposes of the act, a private club is a place to which the public is invited and that the prohibition on consumption of marijuana in public is not limited by Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Initiative of 2014 and to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require the Mayor to revoke the business license, certificate of occupancy, and permits of an entity violating section 301(a) of the Marijuana Possession Decriminalization Amendment Act of 2014.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Marijuana Decriminalization Clarification Amendment Act of 2015”.

Sec. 2. Section 301 of the Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code § 48-911.01(a)(3)), is amended to read as follows:

(a) Subsection (a) paragraph (3) is amended to read as follows

“(3) Any place to which the public is invited. For the purposes of this provision, and notwithstanding any other provision of law, a private club, which includes any building, facility, or premise used or operated by an organization or association for a common avocational purpose, such as a fraternal, social, educational, or recreational purpose, is considered a place to which the public is invited.”.
(b) A new subsection (f) is added to read as follows:

"(4) No provision of the Legalization of Possession of Minimal Amounts of
Marijuana for Personal Use Initiative of 2014, transmitted to Congress on January 13, 2015
(D.C. Act 20-565; 62 DCR 880) shall limit or be construed to limit the application of any
provision of this section."

Sec. 3. Section 47-2844(a-1)(1) of the District of Columbia Official Code is amended as
follows:

(a) Paragraph (B) is amended by striking the phrase "Title 48; or" and inserting the
phrase "Title 48;" in its place.

(b) Paragraph (C) is amended by striking the period at the end and inserting the phrase ";
or" in its place.

(c) A new Paragraph (D) is added to read as follows:

"(D) Conduct that violates section 301(a) of the Marijuana Possession
Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C.
Official Code § 48-911.01(a)). In addition, the Mayor shall revoke any certificate of occupancy
or permit associated with the specific address or unit, whichever is more specific, of the holder of
a certificate of occupancy or permit who knowingly permits a violation of section 301(a) of the
Marijuana Possession Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C.
Law 20-126; D.C. Official Code § 48-911.01(a))."

Sec. 4. Fiscal impact statement.

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. Official Code §1-206.02(c)(3)).
Sec. 5. 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), a 30-day period of Congressional review as provided in section 602(c)(l) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(l)), and publication in the District of Columbia Register.
MEMORANDUM

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

FROM: Jeffrey S. DeWitt
Chief Financial Officer

DATE: February 26, 2015


REFERENCE: Draft Bill provided to the Office of Revenue Analysis on February 24, 2015

Conclusion

Funds are sufficient in the FY 2015 through FY 2018 budget and financial plan to implement the bill.

Background

Consumption of marijuana in any public place is prohibited in the District.\(^1\) The bill prohibits consumption of marijuana in private clubs, including any space used by fraternal, social, educational, or recreational organizations.

Financial Plan Impact

Funds are sufficient in the FY 2015 through FY 2018 budget and financial plan to implement the bill. The bill clarifies current law and does not have a fiscal impact.

\(^1\) D.C. Official Code § 48-911.01(a)(3).
GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General

Legal Counsel Division

MEMORANDUM

TO: Lolita S. Alston
   Director
   Office of Legislative Support

FROM: Janet M. Robins
   Deputy Attorney General
   Legal Counsel Division

DATE: February 24, 2015


This is to Certify that this Office has reviewed the above-referenced legislation and found it to be legally unobjectionable. If you have any questions in this regard, please do not hesitate to call me at 724-5524.

Janet M. Robins