

ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

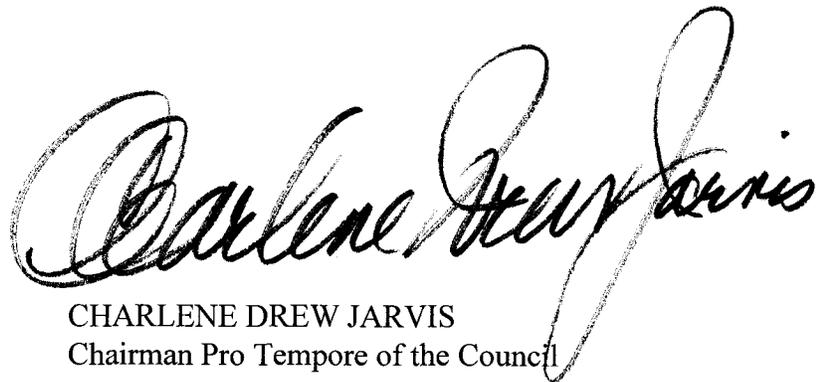
NOTICE

D.C. LAW 11-213

"Drug Paraphernalia Amendment Act of 1996".

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. 11-466, on first and second readings, July 3, 1996 and July 17, 1996, respectively. Following the signature of the Mayor on August 9, 1996, pursuant to Section 404(e) of "the Act", and was assigned Act No. 11-391, and published in the September 13, 1996, edition of the D.C. Register (Vol. 43 page 4990) and transmitted to Congress on January 15, 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 11-213, effective April 9, 1997.



CHARLENE DREW JARVIS
Chairman Pro Tempore of the Council

Dates Counted During the 30-day Congressional Review Period:

Feb. 3,4,5,6,7,10,11,12,13,24,25,26,27,28
Mar. 3,4,5,6,10,11,12,13,14,17,18,19,20,21
Apr. 7,8

AN ACT

D.C. ACT 11-391

Codification
District of
Columbia
Code
1997 Supp.

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

AUGUST 9, 1996

To amend the Drug Paraphernalia Act of 1982 by including glassy bags and zip-lock bags of certain sizes within the definition of "drug paraphernalia", creating an inference that glassy bags and zip-lock bags of certain sizes sold by a commercial establishment are drug paraphernalia, and requiring the license and certificate of occupancy for the commercial establishment be suspended upon conviction.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Drug Paraphernalia Amendment Act of 1996".

Sec. 2. The Drug Paraphernalia Act of 1982, effective September 17, 1982 (D.C. Law 4-149; D.C. Code § 33-601 *et seq.*), is amended as follows:

(a) Section 2(3)(I) (D.C. Code § 33-601(3)(I)) is amended to read as follows:

Section
33-601

"(1) Capsules, balloons, envelopes, glassy plastic bags, or zip-lock bags that measure 1 inch by 1 inch or less, and other containers used, intended for use, or designed for use in packaging small quantities of a controlled substance;"

(b) Section 3 (D.C. Code § 33-602)) is amended by designating the lead-in language as subsection (a) and adding a new subsection (b) to read as follows:

Section
33-602

"(b) Where the alleged violation of the act included the sale of glassy plastic bags or zip-lock bags that measure 1 inch by 1 inch or less and occurred at a commercial retail or wholesale establishment, the court or other authority may infer that the item sold is drug paraphernalia, based on the size of the bags, the packaging of the bags, and a consideration of the factors in subsection (a) of this section."

(c) Section 4 (D.C. Code § 33-603) is amended by adding a new subsection (d) to read as follows:

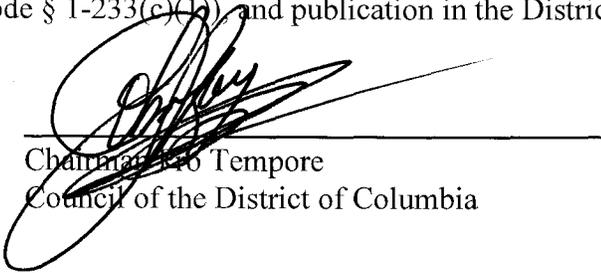
Section
33-603

"(d) Where the violation of the section involves the selling of drug paraphernalia by a commercial retail or wholesale establishment, the court shall revoke the license of any licensee convicted of a violation of this section and the certificate of occupancy for the premises."

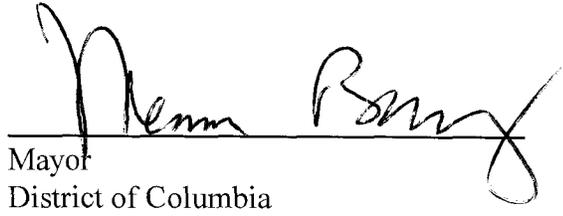
ENROLLED ORIGINAL

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 Self-Government and Governmental Reorganization 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)), and a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.



Chairman Pro Tempore
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: August 9, 1996



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

B11-466

Docket No. _____

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 7-3-96

VOICE VOTE
RECORDED VOTE ON REQUEST

APPROVED

ABSENT _____

THOMAS AND RAY

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

July 26, 1996
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 7-17-96

VOICE VOTE
RECORDED VOTE ON REQUEST

APPROVED

ABSENT _____

CHAVOUS, SMITH AND THOMAS

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
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Cropp					Patterson									
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X-indicates no

AB-Absent

NV-Present not voting

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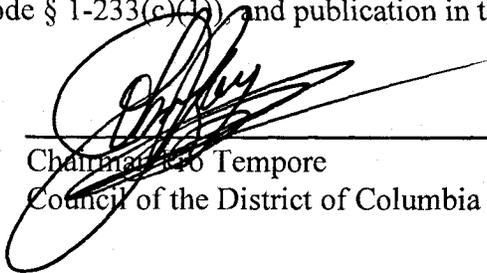
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Chairman Pro Tempore
Council of the District of Columbia

Mayor
District of Columbia



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