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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 12-97

"Suspension of Liquor Licenses Amendment Act of 1998"

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. 12-83, on first and second readings, December 4, 1997 and January 6, 1998, respectively. Following the signature of the Mayor on January 26, 1998, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-271, and published in the March 20, 1998, edition of the D.C. Register (Vol. 45 page1571) and transmitted to Congress on March 2, 1998 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 12-97, effective April 30, 1998.



LINDA W. CROPP
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Mar.	2,3,4,5,6,9,10,11,12,13,16,17,18,19,20,23,24,25,26 27,30,31
Apr.	1,21,22,23,24,27,28,29

AN ACT

D.C. ACT 12-271

*Codification
District of
Columbia
Code
1998 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 26, 1998

To amend the District of Columbia Alcoholic Beverage Control Act to authorize the suspension of a liquor license at an establishment where there have been repeated acts of violence, complaints from residents, or the need for improvement by the Metropolitan Police Department.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Suspension of Liquor Licenses Amendment Act of 1998".

Sec. 2. Section 17 of the District of Columbia Alcoholic Beverage Control Act, approved January 24, 1934 (48 Stat. 330; D.C. Code § 25-118), is amended as follows:

**Section
25-118**

(a) Subsection (f) is amended by designating the existing text as paragraph (1) and adding a new paragraph (2) and (3) to read as follows:

"(2) The Chief of Police may request the suspension or revocation of a license to sell alcohol where the Chief of Police determines that there is a correlation between increased incidents of crime within 1,000 feet of the establishment and the operation of the establishment. Such a determination shall be based on objective criteria, including but not limited to, incident reports, arrests and reported crime, occurring within the last 18 months and within 1,000 feet of the establishment.

"(3) The Chief of Police is authorized to close any establishment for the remainder of the business day where the Chief believes continued operation presents an immediate danger to the health, safety and welfare of the public."

(b) Subsection (g)(1) is amended by inserting the phrase "or that the business for which the license was issued has been the scene of violence, committed either on the premises or within 1,000 feet of the business, by patrons leaving the business" after the phrase "health and safety of the public."

(c) A new subsection (h) is added to read as follows:

"(h) The Board may suspend the license of any licensee whose business for which the license was issued has been the scene of an assault on a police officer, government inspector or investigator, or other government official, who was acting in the line of duty, when such assault

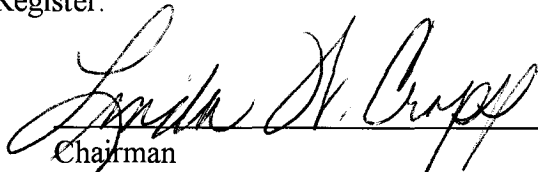
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occurred by patrons who were within 1,000 feet of the business. The licensee shall be given an opportunity to be heard in his defense as provided herein."

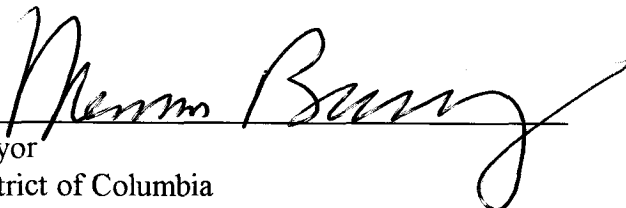
Sec. 3. Fiscal impact statement.

According to the fiscal impact statement reviewed by the Council's Budget Director on November 18, 1997, this legislation will have no fiscal impact. This bill clarifies the reasons for which the ABC Board may summarily suspend licenses at ABC establishments. Therefore, there is no fiscal impact because the ABC Board already has the power to summarily suspend liquor licenses.

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)), 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: January 26, 1998



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

B12-83

Docket No. _____

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 12-4-97

VOICE VOTE

APPROVED

RECORDED VOTE ON REQUEST

ALL PRESENT

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

Quigley Ford
Secretary to the Council

January 12, 1998
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 1-6-98

VOICE VOTE

APPROVED, PATTERSON VOTED NO

RECORDED VOTE ON REQUEST

ALL PRESENT

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

Quigley Ford
Secretary to the Council

January 10, 1998
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					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date