

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Winter
Supp.

West Group
Publisher

To provide District government indemnification for the owners of Crispus Attucks Park, located at 77 U Street Rear, N.W., in Lot 0046, Square 3117 in Ward 5.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Crispus Attucks Park Indemnification Act of 2006”.

Sec. 2. Crispus Attucks Park indemnification.

(a) Except as otherwise provided in this section, the District of Columbia shall indemnify the Crispus Attucks Development Corporation (“CADC”) from and against any and all claims, demands, expenses, and liability arising from an occurrence in the real property known as Crispus Attucks Park, located at 77 U Street Rear, N.W., Washington, D.C., Lot 0046 in Square 3117, for which the CADC, as the owner of the park at the time of the occurrence, otherwise would be liable and for as long as the park is used for the public purposes and activities of the CADC and is not used for commercial purposes.

(b) The District shall not indemnify CADC for:

(1) Any claim, demand, expense, or liability as to which CADC has been adjudged to be liable for fraudulent, willful, or wanton conduct or misconduct, or gross negligence, or with respect to any criminal action or proceeding; or

(2) Damages in excess of actual economic loss.

(c) This act shall be subject to the availability of appropriations.

(d) The failure to appropriate funds for, or otherwise authorize, the indemnification obligation shall not be construed as creating a District government default or a basis for a claim for breach of contract against the government.

Sec. 3. 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)).

ENROLLED ORIGINAL

Sec. 4. 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)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia