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DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS

GUIDE TO THE INITIATIVE AND REFERENDUM PROCESS

The process for placing an Initiative or Referendum Measure on the ballot in the District of Columbia has several steps, which are defined in the law. The Board of Elections and Ethics has written this circular to provide you with general information about this process. For a complete account, check D.C. Code Section 1-1320 or Chapter 10 of our Regulations (DCMR Title 3: Elections and Ethics).

If you have further questions, the Board's staff stands ready to assist you. For legal inquiries, please call the Office of the General Counsel at 727-2194; for general information, call the Voter Services Office at 727-2525.

1. **Supporters File the Measure with the Board of Elections**

The process begins when a registered voter files the proposed Measure in the Board's Voter Services Office. The filing must include five copies of the following:

- The legislative text of the proposed law,
- A short title of 15 words or less to describe the Measure, and
- A "Summary Statement" of 100 words or less, to outline the proposed law for voters.

The proposer must also file a notarized statement swearing that he or she is a registered voter. This statement must include the person's residence address and telephone number. The supporters of the Measure must also file documents with the Office of Campaign Finance, listing their campaign committee and other financial information.

2. **The Board of Elections Considers the Subject Matter**

Once an Initiative or Referendum is filed, the Board publishes it in the D.C. Register and provides notice of a public meeting to consider whether the subject matter meets the requirements set in the law. Members of the public are invited to submit written testimony on the subject matter and to testify before the Board at the public meeting.

Under the law, an Initiative or Referendum may not appropriate funds, violate the Home Rule Charter, negate a Budget Act, or violate the Human Rights Act. When the Board makes its subject matter determination, it may consider only whether the Measure meets these requirements.

3. **The Board Approves a Short Title and Summary Statement**

After approving the subject matter, the Board prepares the official Short Title and Summary Statement. The Summary Statement is a statement of 100 words or less that describes the Measure for voters. It appears on both the petition form and the election ballot.

The Short Title and Summary Statement "formulated" by the Board are presented at a public meeting, where both proponents and opponents are invited to comment. The Board's responsibility is to approve language that is clear and impartial, and fairly reflects the contents of the Measure.

4. **The Challenge Period Begins**

Once approved, the official language is published in the D.C. Register, along with the legislative text. The D.C. Register publication begins a ten day challenge period, during which any registered voter may object to the short title, summary statement, or legislative form in the Superior Court.

5. **The Petition Form is Approved**

At the end of the challenge period (or once any court challenges are successfully resolved), the Board considers the petition form to ensure that it meets certain legal requirements before being circulated to voters. The petition form is approved at a public meeting.

6. **Supporters Circulate the Petition**

Once the petition is approved, the supporters of an Initiative have 180 days to gather signatures. (Referendum supporters collect their signatures before the end of the Congressional Review Period.) To place a Measure on the ballot, supporters of an Initiative or Referendum must collect the signatures of at least five percent of the voters registered citywide. These signatures must be distributed to reflect at least five percent of the registered voters in at least five of the eight wards.

7. **The Board's Staff Verifies Petition Signatures**

Once the petition is filed, the Board of Elections has thirty days to determine whether it contains the required number of voter signatures. In the presence of watchers--and according to detailed procedures--the Board's staff checks each name on the petition to determine whether the signer is registered. Once the staff determines that the petition contains the required number of voter entries, a random sample of 100 signatures from each ward is checked against the voter's original registration form to ensure signature validity.

8. **The Measure is Certified for the Ballot**

At the end of the signature verification phase, the Board calls a public meeting to announce whether the petition meets the citywide and ward-level requirements. If the petition meets the requirements, the Measure is then "certified" for the election ballot. In the case of a Referendum Measure, a special election is called. This election must occur within 114 days of the certification (except if another citywide election is already scheduled to occur within 54 to 114 days of the Board's announcement.) An Initiative Measure does not require a special election, and is voted on during the next citywide election at least 90 days after the certification. All registered voters--regardless of party affiliation--are eligible to vote on Initiative or Referendum Measures.