

[Floor Situation](#) | [Summary](#) | [Background](#) | [Cost](#) | [Staff Contact](#)

## [H.J. Res. 43, disapproving the action of the District of Columbia Council in approving the Reproductive Health Non-Discrimination Amendment Act of 2014](#)

### FLOOR SITUATION

On Thursday, April 30, 2015, the House will consider [H.J. Res. 43](#), *disapproving the action of the District of Columbia Council in approving the Reproductive Health Non-Discrimination Amendment Act of 2014*, under a [closed rule](#). H.J. Res. 43 was introduced on April 13, 2015, by Rep. Diane Black (R-TN) and was referred to the Committee on Oversight and Government Reform, which ordered the bill reported by a vote of 20 to 16 on April 21, 2015.

### SUMMARY

H.J. Res. 43 resolves that Congress disapproves of the action of the District of Columbia Council described as follows: The Reproductive Health Non-Discrimination Amendment Act of 2014 (D.C. Act 20-593), signed by the Mayor of the District of Columbia on January 25, 2015, and transmitted to Congress pursuant to section 602(c)(1) of the District of Columbia Home Rule Act on March 6, 2015.

### BACKGROUND

The District of Columbia Council passed legislation, *the Reproductive Health Non-Discrimination Amendment Act of 2014 (RHNDA)*<sup>1</sup> in December 2014 ostensibly to prevent employers from taking punitive action against any employees for using abortion services or birth control.<sup>2</sup> However, RHNDA would restrict the ability of organizations within the District of Columbia to make employment decisions in line with their deeply held beliefs regarding reproductive health. These restrictions would apply to both religious and political organizations.

Under Section 602(c) of the [District of Columbia Home Rule Act](#), with few exceptions, the Chairman of the D.C. City Council must transmit a copy of each Act passed by the Council and signed by the Mayor . . . to the Speaker of the House of Representatives and the President of the Senate. The law in question will take effect upon the expiration of a specified "layover" period following the date the

<sup>1</sup> [D.C. Act 20-593](#)

<sup>2</sup> CNN: "[New abortion controversy hits Congress](#)," April 22, 2015.

law was transmitted to Congress unless it is first overturned by a joint resolution.<sup>3</sup> According to the D.C. Council, RHNDA was transmitted to Congress on March 6, 2015 and will take effect, unless Congress acts by passing a joint resolution, on May 2, 2015.<sup>4</sup>

The length of the congressional layover period for D.C. laws differs based on the type of law the District has enacted. Any law codified in Title 22 (Criminal Offenses and Penalties), 23 (Criminal Procedure), or 24 (Prisoners and Their Treatment) of the District of Columbia Code must lie over for 60 days before going into force. All other District laws become effective upon the expiration of a layover period of 30 calendar days or upon the date prescribed by the Act itself, whichever is later. In calculating this 30-calendar-day layover period, Saturdays, Sundays, Federal holidays, and days on which neither the House nor the Senate is in session because of an adjournment sine die or pursuant to an adjournment resolution are excluded.<sup>5</sup>

Under the Home Rule Act, any Member of the House or Senate may introduce a qualifying joint resolution disapproving a law enacted by the District of Columbia at any time after the law has been submitted to Congress and before the expiration of the layover periods described above. All joint resolutions, when introduced, are referred to the Committee on Oversight and Government Reform in the House and the Committee on Homeland Security and Governmental Affairs in the Senate.<sup>6</sup>

### **COST**

The Congressional Budget Office (CBO) [estimates](#) that the new District of Columbia law has no impact on the Federal budget. Therefore, CBO estimates that enactment of H.J. Res. 43 would result in no cost to the Federal government.

### **STAFF CONTACT**

For questions or further information please contact [Jerry White](#) with the House Republican Policy Committee by email or at 5-0190.

---

<sup>3</sup> See CRS: "[Congressional Disapproval of District of Columbia Acts Under the Home Rule Act](#)," March 24, 2015.

<sup>4</sup> See DC Council website: [Legislative Summary for RHNDA](#)

<sup>5</sup> See CRS: "[Congressional Disapproval of District of Columbia Acts Under the Home Rule Act](#)," March 24, 2015.

<sup>6</sup> Id.