

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To continue to provide, on a temporary basis, aid to newcomers in settling in the District, obtaining healthcare and identification documents, and accessing emergency shelter services; and to make conforming amendments to the Homeless Services Reform Act of 2005.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Migrant Services and Supports Extension Temporary Amendment Act of 2023”.

TITLE I. MIGRANT SERVICES AND SUPPORTS

Sec. 101. Migrant services and supports.

The Mayor may establish an office and administer programs to provide time-limited services and supports to recent immigrants to the United States, including the following services and supports:

- (1) Welcome and other reception services;
- (2) Food, clothing, baby supplies including formula, if baby formula is reasonably available for purchase in the District and other necessities;
- (3) Temporary shelter which:
 - (A) May be provided in a congregate setting; provided, that families with minor children shall be prioritized to be housed in non-congregate shelter units; and
 - (B) Is maintained in a safe, clean, and sanitary condition that meets all applicable District health, sanitation, fire, building, and zoning codes for residential dwellings.
- (4) Medical services, including health insurance;
- (5) Relocation services; including:
 - (A) Services associated with traveling to a secondary destination outside of the District; and
 - (B) Services associated with settling recent immigrants in the District when a person intends to make the District their permanent home.
- (6) Cash assistance for food and other necessities, transportation, relocation, and other identified needs; and

(7) Social and legal services and referrals to external social and legal service programs and providers.

Sec. 102. Eligibility.

(a) The Mayor shall establish and publish eligibility and termination criteria for services and supports funded pursuant to this title within 30 days after April 24, 2023 ; provided, that the eligibility and termination criteria:

(1) May include statutory, regulatory, or programmatic categories of immigration, means of entering the District, and length of time in the United States or the District;

(2) Shall ensure that individuals are provided with adequate written and oral notice in the individual's requested language when services are denied or terminated pursuant to the established eligibility criteria; and

(3) Shall be published online in English and Spanish.

(b) No provision of this title shall be construed to create an entitlement, either direct or implied, on the part of any individual or family to any services and supports provided under this title.

Sec. 103. Relationship to other services.

Services and supports provided under this title shall not be considered Continuum of Care services under the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*).

Sec. 104. Grants.

Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Mayor may make grants to nonprofit organizations and other entities to provide services and supports to recent immigrants to the United States arriving in the District.

Sec. 105. Rulemaking.

If the Mayor authorizes an expenditure pursuant to section 101 of this title, the Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*) shall issue rules to implement the provisions of this title, which shall include the eligibility and termination criteria required by section 102(a) of this title.

TITLE II. CONFORMING AMENDMENTS

Sec. 201. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751 *et seq.*), is amended as follows:

(a) Section 2(32) (D.C. Official Code § 4-751.01(32)) is amended as follows:

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(1) Sub-subparagraph (A)(iii) is amended by striking the phrase “public assistance from the District” and inserting the phrase “public assistance from the District, other than assistance through the DC Healthcare Alliance,” in its place.

(2) A new sub-paragraph (C) is added to read as follows:

“(C) An individual or family shall be deemed to be in the District temporarily and shall not be considered a resident of the District if the individual or family:

“(i) Is en route to a family member, sponsor, or an intended destination outside the District; or

“(ii) Was paroled into the United States after April 1, 2022, under section 212(d)(5) of the Immigration and Nationality Act, approved June 27, 1952 (66 Stat. 182; 8 U.S.C. § 1182(d)(5)), until the completion of their immigration proceedings, including any appeals, except for:

“(I) Individuals who entered the United States pursuant to a special parole program established by the federal government that is indicated on the parole or entry document; or

“(II) Individuals granted parole while residing outside of the United States; or”

“(iii) Cannot produce proof of residency documents required under sub-subparagraph (A)(iii) of this paragraph and has been issued, after April 1, 2022, a notice to appear in a proceeding to be held under section 240 of the Immigration and Nationality Act, approved June 27, 1952 (66 Stat. 182; 8 U.S.C. § 1229a), until the completion of their immigration proceedings, including any appeals.”.

(b) Section 7(c)(3)(B) (D.C. Official Code § 4-753.01(c)(3)(B)) is amended to read as follows:

“(B) The Mayor shall determine that a person seeking shelter by reason of domestic violence, sexual assault, human trafficking, refugee status, or asylum, is a resident of the District without receiving a demonstration of District residency in accordance with section 2(32) of this act; except, that if the Mayor can demonstrate that a person seeking asylum is eligible for and will receive shelter under Title I of the Migrant Services and Supports Temporary Amendment Act of 2022, effective December 21, 2022 (D.C. Law 24-234; DC Official Code § 4-773.01 *et seq.*) (“Title I”), or any subsequently enacted act substantially similar to Title I, the Mayor may direct that person to the Office of Migrant Services to obtain shelter.”.

Sec. 202. Repealer.

The Migrant Services Eligibility Clarification Emergency Amendment Act of 2023, effective April 24, 2023 (D.C. Act 25-69; 70 DCR 6115) is repealed.

TITLE III. GENERAL PROVISIONS

Sec. 301. Applicability.

This act shall apply as of July 31, 2023.

Sec. 302. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by the section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 303. Effective date.

(a) 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.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia