DC BOARD OF ELECTIONS

NOTICE OF PUBLIC MEETING
TO REVIEW PROPOSED REFERENDUM MEASURE

CORRECTED

This notice corrects a clerical error in a notice published in the D.C. Register on November 20, 2026. The prior notice is hereby amended as follows:

The Board shall consider at a whether the proposed referendum measure the "Referendum on the Fairness and Accountability in Initiative Reform Amendment Act of 2026" is a proper subject for referendum at the Board meeting scheduled for **Wednesday, December 2, 2026 at 10:30 a.m.**, at 1015 Half Street SE, Suite 750, Washington DC 20003. The Board will meet remotely. Members of the public can only access the meeting by using the following information:

The Board will meet remotely. Members of the public can access the meeting by using the following information:

Join from PC, Mac, iPad, or Android:

https://us06web.zoom.us/j/86226633607

Phone one-tap:
+16469313860,,86226633607# US
+13017158592,,86226633607# US (Washington DC)

Join via audio:
+1 646 931 3860 US
+1 301 715 8592 US (Washington DC)
+1 305 224 1968 US
+1 309 205 3325 US
+1 312 626 6799 US (Chicago)
+1 646 876 9923 US (New York)
+1 408 638 0968 US (San Jose)
+1 507 473 4847 US
+1 564 217 2000 US
+1 669 444 9171 US
+1 669 900 6833 US (San Jose)
+1 689 278 1000 US
+1 719 359 4580 US
+1 253 205 0468 US
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 360 209 5623 US

+1 386 347 5053 US

Webinar ID: 862 2663 3607

International numbers available: https://us06web.zoom.us/u/kcC5c42QPy

In making a proper subject matter determination, the Board does not consider the merits of a proposed measure. Instead, it may consider only whether the proposed measure meets the subject matter requirements set forth in District of Columbia law. Specifically, the Board must reject the proposed measure if it determines that:

- The measure conflicts with or seeks to amend the Title IV of the DC Home Rule Act ("the District Charter");
- The measure conflicts with the U.S. Constitution;
- The measure has not been properly filed;
- The verified statement of contributions (the measure committee's statement of organization and report of receipts and expenditures) was not timely filed;
- The measure would authorize discrimination in violation of the DC Human Rights Act;
- The measure would negate or limit a budgetary act of the DC Council; or
- The measure would appropriate funds

Those who wish to comment at the meeting on the propriety of the proposed measure in light of the above-referenced criteria should contact the Board's Office of the General Counsel at 202-727-2194 or ogc@dcboe.org and provide their name, address, telephone number, and name of the organization represented (if any) by no later than **Friday, November 27, 2025 at 4:00 p.m**. Any written testimony or memoranda should be submitted for the record to the Board's Office of the General Counsel, 1015 Half Street SE, Suite 750, Washington, DC 20003 or at ogc@dcboe.org by that date and time as well. Individuals shall be permitted a maximum of three minutes for oral presentations. Representatives of organizations shall be permitted a maximum of five minutes for oral presentations.

The Short Title, Summary Statement, and Legislative Text of the proposed measure, as submitted to the Board by the proposer of the measure, read as follows:

SHORT TITLE

Referendum on the Fairness and Accountability in Initiative Reform Amendment Act of 2026

SUMMARY STATEMENT

The Council of the District of Columbia enacted the "Fairness and Accountability in Initiative Reform Amendment Act of 2026" (FAIR Act), which significantly changes how ballot initiatives are conducted in the District by imposing a single subject rule prohibiting ballot initiatives from addressing more than one legislative topic. The FAIR Act also increases the length of time required to initiate a ballot measure by more than 60 days, allows for additional legal challenges,

and requires each petition sheet and voter ballot include a fiscal impact summary. Vote YES to permit the Council's changes. Vote NO to reject the Council's changes.

TEXT OF MEASURE

Shall the registered voters of the District of Columbia approve or reject Act 26-0469?

D.C. Act 26-0469 -- "Fairness and Accountability in Initiative Reform Amendment Act of 2026"

Sec. 2. Section 16 of the District of Columbia Election Code of 1955, effective June 7, 1979 (D.C. Law 3-1; D.C. Official Code § 1-1001.16), is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) Subparagraph (C) is amended by striking the phrase "; or" and inserting a semicolon in its place.

(B) Subparagraph (D) is amended by striking the period and inserting the phrase "; or" in its place.

(C) A new subparagraph (E) is added to read as follows:

"(E) If a proposed initiative measure, the measure addresses more than one subject. For the purposes of this subparagraph, a measure addresses more than one subject if the measure contains provisions that are sufficiently separable such that the provisions, when separated, can be reasonably considered on their own merits by a voter without reference to the measure's other provisions.".

(2) Paragraph (1A) is amended as follows:

(A) Subparagraph (A) is amended by striking the period and inserting the phrase ". The Board shall post an advisory opinion it receives pursuant to this paragraph on its website for at least 3 years following receipt of the advisory opinion." in its place.

(B) Subparagraph (B)(i) is amended by striking the number "15" and inserting the number "30" in its place.

(C) A new subparagraph (C) is added to read as follows:

"(C) If the measure is a proposed initiative measure, within one business day after the proposed measure is received by the Board, the Board shall request a fiscal impact statement from the Office of the Chief Financial Officer, which shall issue a fiscal impact statement that conforms to the requirements of section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a), within 15 business days after receipt of the request from the Board. The Board shall post the fiscal impact statement on its website for a period of at least 3 years.".

(3) A new paragraph (1B) is added to read as follows:

"(1B) Within 5 business days after the proposed measure is received by the Board, the Board shall:

"(A) Post on its website the full text of the proposed measure;

"(B) Accept public comments on the measure, including comments submitted electronically, and publish comments within one day after receipt on its website, which the Board shall maintain on the website for a period of at least 3 years; and

"(C) Post on its website the verified statement of contributions that the proposer filed with the Director of Campaign Finance.".

(4) Paragraph (2) is amended by striking the phrase "accept a measure" and inserting the phrase "accept a referendum measure" in its place.

(5) Paragraph (3) is amended to read as follows:

"(3)(A) If the Board refuses to accept a proposed referendum measure submitted to it, the person or persons submitting such measure may apply, within 10 days after the Board's refusal to accept such measure, to the Superior Court of the District of Columbia for a writ in the nature of mandamus to compel the Board to accept such measure.

"(B) If the Superior Court of the District of Columbia determines that the issue presented by the measure is a proper subject of a referendum under the terms of title IV of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 785; D.C. Official Code § 1-204.01 et seq.), and that the measure is legal in form, does not authorize discrimination as prescribed in paragraph (1)(C) of this subsection, and would not negate or limit an act of the Council of the District of Columbia as prescribed in paragraph (1)(D) of this subsection, it shall issue an order requiring the Board to accept the measure. Should the Superior Court of the District of Columbia hold in favor of the proposer, it may award court costs and reasonable attorneys' fees to the proposer.

"(C) The Superior Court shall expedite consideration of the matter.".

(6) A new paragraph (3A) is added to read as follows:

"(3A)(A) If the measure is an initiative measure, the Board shall convene a public meeting to vote on a written determination accepting or refusing the measure. The meeting shall be held at least 30 days but no more than 60 days after the proposed measure is received. Notice of the meeting and full text of the proposed measure shall be published in the District of Columbia Register at least 15 days in advance of the meeting.

"(B) The Board's determination shall indicate the grounds for its acceptance or refusal, and shall take into consideration the advisory opinions of the Attorney General and the General Counsel to the Council. If no grounds for refusal exist, the Board shall accept the initiative measure.

"(C) Within one day after the public meeting at which the Board voted on its determination, the Board shall transmit its determination to the proposer and post the determination on the Board's website. The determination shall be published in the District of Columbia Register within 30 days after the public meeting at which the Board voted on the determination.

"(D)(i) If the Board accepts a proposed initiative measure, a registered qualified elector of the District of Columbia who objects to the Board's acceptance of the measure may apply, any time following posting of the written determination on the Board's website but not more than 30 calendar days after the date the Board publishes its determination in the District of Columbia Register, to the Superior Court of the District of Columbia for a writ in the nature of mandamus to compel the Board to refuse to accept such measure.

"(ii) If the Board refuses to accept a proposed initiative measure, the person or persons submitting such measure may apply, at any time following posting of the written determination on the Board's website but not more than 30 calendar days after the date the Board publishes its determination in the District of Columbia Register, to the Superior Court of the District of Columbia for a writ in the nature of mandamus to compel the Board to accept such measure.

"(iii) The Superior Court of the District of Columbia shall determine whether the issue presented by the proposed initiative is a proper subject of initiative under the terms of title IV of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 785; D.C. Official Code § 1-204.01 et seq.), the measure is legal in form, authorizes discrimination as prescribed in paragraph (1)(C) of this subsection, would negate or limit an act of the Council of the District of Columbia, as prescribed in paragraph (1)(D) of this subsection, and addresses more than one subject as prescribed in paragraph (1)(E) of this subsection, and issue an appropriate order affirming or reversing the Board's determination and directing the Board to accept or refuse the measure. Should the Superior Court of the District of Columbia issue an order directing the Board to accept the measure, it may award court costs and reasonable attorneys' fees to the proposer.".

(b) Subsection (c) is amended as follows:

(1) The lead-in language is amended to read as follows:

"(c) Within 20 calendar days after the date on which the Board accepts a referendum measure, or within 30 calendar days after the date on which the Board accepts an initiative measure, the Board shall:"

(2) Paragraph (4) is amended to read as follows:

"(4) If the measure is an initiative measure, prepare a fiscal impact summary based on the fiscal impact statement of the Chief Financial Officer. If funds are not sufficient, the fiscal impact summary shall read in substantially the following form:

"The District will need to appropriate funds in its annual budget to implement this measure. The estimated amount of additional funding needed to implement this measure is $[AMOUNT] in the first fiscal year and $[AMOUNT] over the four-year financial plan.".

(c) Subsection (d) is amended to read as follows:

"(d)(1) After preparing an initiative or referendum measure, the Board shall call a public meeting to adopt the summary statement, short title, legislative form, and, if the measure is a proposed initiative measure, the fiscal impact summary of the measure prepared pursuant to subsection (c) of this section. Notice of the meeting shall be published in the District of Columbia Register in advance of the meeting, and for initiative measures, the meeting shall be convened not more than 30 days after accepting the initiative.

"(2) Within 3 business days after adoption, the Board shall:

"(A) Provide the proposer of the measure by electronic mail with the adopted summary statement, short title, legislative form, and, if the measure is an initiative measure, the fiscal impact summary;

"(B) Submit the summary statement, short title, legislative form, and, if the measure is an initiative measure, the fiscal impact statement and fiscal impact summary, to:

"(i) The District of Columbia Register for publication; and

"(ii) At least one newspaper of general circulation in the District; and

"(C) Publish the summary statement, short title, legislative form, and, if the measure is an initiative measure, the fiscal impact statement and fiscal impact summary, on the Board's website.".

(d) Subsection (e) is amended to read as follows:

"(e)(1)(A) If any registered qualified elector of the District of Columbia objects to the summary statement, short title, legislative form, or fiscal impact summary of the initiative measure formulated by the Board pursuant to subsections (c) and (d) of this section, that person

may seek review in the Superior Court of the District of Columbia within 30 calendar days from the date the Board publishes the summary statement, short title, legislative form, and fiscal impact summary in the District of Columbia Register stating objections and requesting appropriate changes. The Superior Court of the District of Columbia shall expedite consideration of the matter.

"(B) If any registered qualified elector of the District of Columbia objects to the summary statement, short title, or legislative form of the referendum measure formulated by the Board pursuant to subsection (c) of this section, that person may seek review in the Superior Court of the District of Columbia within 10 calendar days from the date the Board publishes the summary statement, short title, and legislative form on the Board's website pursuant to subsection (d)(2)(C) of this section stating objections and requesting appropriate changes. The Superior Court of the District of Columbia shall expedite consideration of this matter.

"(2) Should no review in the Superior Court of the District of Columbia be sought as provided in paragraph (1) of this subsection, the proposed summary statement, short title, legislative form, and fiscal impact summary shall be deemed to be accepted.

"(3) Should the Superior Court of the District of Columbia hold in favor of the proposer, it may award court costs and reasonable attorney's fees to the proposer.".

(e) Subsection (f) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "and legislative form" and inserting the phrase "legislative form, and fiscal impact summary" in its place.

(2) Paragraph (3) is amended by striking the phrase "and full legislative text" and inserting the phrase "full legislative text, and fiscal impact summary" in its place.

(f) Subsection (g) is amended as follows:

(1) The lead-in language is amended by striking the phrase "and legislative form" and inserting the phrase "legislative form, and fiscal impact summary" in its place.

(2) Paragraph (2) is amended to read as follows:

"(2) A statement that indicates the signatory has read the summary of the measure, requests that the Board hold an election on the initiative or referendum measure, and states the measure's serial number and short title;"

(3) Paragraph (3) is amended to read as follows:

"(3) The text of the official summary and short title, and, if the measure is a proposed initiative, the fiscal impact summary of the measure printed in at least 11-point font on the front of the petition sheet;".

(4) New paragraphs (4) and (5) are added to read as follows:

"(4) A notice that the official summary may not capture the full effect of a measure and an indication of where the full legislative text can be accessed; and

"(5) The name of the proposer and an indication of where the proposer's verified statement of contributions can be accessed.".

(g) Subsection (k)(1)(D) is amended by striking the phrase "of this section; or" and inserting the phrase "of this section, or the statements are incomplete; or" in its place.

(h) Subsection (l) is amended by striking the phrase "proper statements" and inserting the phrase "proper and complete statements" in its place.

(i) Subsection (o)(1) is amended as follows:

(1) Strike the word "calendar" and insert the word "business" in its place.

(2) Strike the phrase “10 days, including Saturdays, Sundays, and holidays, beginning on the 3rd day” and insert the phrase “10 business days, beginning by the 5th day” in its place.

(j) Subsection (q)(1) is amended to read as follows:

“(q)(1) Upon qualification of an initiative measure, the Board shall place on the ballot the serial number of the initiative and its short title, official summary statement, and fiscal impact summary in substantially the following form:

“INITIATIVE MEASURE No.
“(SHORT TITLE)
“(SUMMARY STATEMENT)
“(FISCAL IMPACT SUMMARY)
“FOR Initiative Measure No.
“AGAINST Initiative Measure No.”.

(k) A new subsection (t) is added to read as follows:

“(t) Except as otherwise provided in this section, the Board shall post all notices required to be published in the District of Columbia Register pursuant to this section on its website contemporaneously with their publication in the District of Columbia Register.”.

Sec. 3. Section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a), is amended as follows:

(a) A new subsection (a-1) is added to read as follows:

“(a-1) Initiatives. — Consistent with section 16 of the District of Columbia Election Code of 1955, effective June 7, 1979 (D.C. Law 3-1; D.C. Official Code § 1-1001.16), a proposed initiative measure shall be accompanied by a fiscal impact statement, which shall reflect the contents described in subsection (a)(2) of this section for each of the first four fiscal years in which the initiative is in effect.”.

(b) Subsection (b) is amended by striking the phrase “Permanent and emergency acts” and inserting the phrase “Permanent acts, including initiatives, and emergency acts” in its place.