

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 45.
COMPILATION AND CONSTRUCTION OF
CODE.

CHAPTER 2.
GENERAL RULE OF SEVERABILITY.

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CHAPTER 2. GENERAL RULE OF SEVERABILITY.

§ 45-201. ESTABLISHED; EXCEPTIONS.

(a) Except as provided in subsection (b) of this section, if any provision of any act of the Council of the District of Columbia or the application thereof to any person or circumstance is held to be unconstitutional or beyond the statutory authority of the Council of the District of Columbia, or otherwise invalid, the declaration of invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of each act of the Council of the District of Columbia are deemed severable.

(b) The Council of the District of Columbia may provide, within the provisions of a specific act, that the provisions of a specific act are non severable or that certain specified provisions are deemed inoperative if certain other provisions of the act are declared invalid. If the Council of the District of Columbia provides for a special nonseverability clause as provided in this subsection, the long title of the act shall reflect the inclusion of a special nonseverability clause.

(Mar. 14, 1984, D.C. Law 5-56, § 2, 30 DCR 6286.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 49-601.

Legislative History of Laws

Law 5-56, the "General Rule of Severability Adoption Act of 1983," was introduced in Council and assigned Bill No. 5-253, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on October 18, 1983 and November 1, 1983, respectively. Signed by the Mayor on November 21, 1983, it was assigned Act No. 5-82 and transmitted to both Houses of Congress for its review.