Public Law 89-493

AN ACT

July 5, 1966
[S. 1611]

To transfer certain functions from the United States District Court for the District of Columbia to the District of Columbia Court of General Sessions and to certain other agencies of the municipal government of the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 561 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (31 Stat. 1279), as amended (sec. 1–504, D.C. Code, 1961 ed.), is amended by striking "United States District Court for the District of Columbia or a judge thereof", and inserting in lieu thereof "Commissioners of the District of Columbia or their designated agent".

D.C. courts. Transfer of functions.

58 Stat. 811.

SEC. 2. Section 563 of the Act approved March 3, 1901 (31 Stat. 1279), as amended (sec. 1–506, D.C. Code, 1961 ed.), is amended to read as follows: "Each notary public shall file his signature and deposit an impression of his official seal with the Commissioners of the District of Columbia or their designated agent, and the Commissioners or their designated agent may certify to the authenticity of the signature and official seal of the notary public."

SEC. 3. Section 572 of the Act approved March 3, 1901 (31 Stat. 1280), as amended (sec. 1–515, D.C. Code, 1961 ed.), is amended by striking "United States District Court for the District of Columbia", and inserting in lieu thereof "District of Columbia Court of General Sessions".

SEC. 4. Section 573 of the Act approved March 3, 1901, as amended (sec. 1–516, D.C. Code, 1961 ed.), is amended by striking "clerk of the United States District Court for the District of Columbia", and inserting in lieu thereof "Commissioners of the District of Columbia or their designated agent".

SEC. 5. The first sentence of the second paragraph of section 13 of the Act entitled "An Act to regulate the practice of optometry in the District of Columbia", approved May 28, 1924, as amended (sec. 2–513, D.C. Code, 1961 ed.), is amended by striking the semicolon and inserting a period in lieu thereof, and striking the remainder of the sentence.

43 Stat. 180.

SEC. 6. Sections 877, 878b, and 878f of the Act approved March 3, 1901 (31 Stat. 1333), as amended (secs. 48–101, 48–302 and 48–306, D.C. Code, 1961 ed.), are amended by striking "clerk of the United States District Court for", and inserting in lieu thereof "Recorder of Deeds of".

34 Stat. 1006.

SEC. 7. (a) The first section of the Act entitled "An Act to regulate in the District of Columbia the traffic in, sale, and use of milk bottles, cans, crates, and other containers of milk and cream to prevent fraud and deception, and for other purposes", approved July 3, 1926 (44 Stat. 809), as amended (sec. 48–201, D.C. Code, 1961 ed.), is amended by striking "clerk of the United States District Court for" wherever that term appears and inserting in lieu thereof "Recorder of Deeds of".

(b) The first section of the Act entitled "An Act to authorize associations of employees in the District of Columbia to adopt a device to designate the products of the labor of their members, to punish illegal use or imitation of such device, and for other purposes", approved February 18, 1932 (47 Stat. 50), as amended (sec. 48–401, D.C. Code, 1961 ed.), is amended by striking from the second sentence "clerk of the United States District Court for the District of Columbia and the clerk", and inserting in lieu thereof "Recorder of Deeds of the District of Columbia and the Recorder"; and by striking the third sentence and inserting in lieu thereof "A certified copy of the drawing may be obtained upon the payment of $1 for each certification.".

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77 Stat. 522.

SEC. 8. Subsection (a) of section 15–101, District of Columbia Code, is amended by striking from clause (1) the word "or"; by striking from clause (2) "District Court—", and inserting in lieu thereof "District Court; or"; and by inserting immediately following clause (2) the following:

"(3) civil division of the District of Columbia Court of General Sessions, if the judgment or decree was rendered on or after the effective date of this clause—".

SEC. 9. (a) Subsection (a) of section 15–102, District of Columbia Code, is amended by striking from clause (2) the word "and"; by striking from clause (3) "forfeited—" and inserting in lieu thereof "forfeited;"; and by inserting immediately following clause (3) the following:

"(4) recognizance taken by the criminal division of the District of Columbia Court of General Sessions, or judge thereof, from the time when it is declared forfeited (if the forfeiture occurred on or after the effective date of this clause); and

"(5) judgment or decree rendered in the civil division of the District of Columbia Court of General Sessions after the effective date of this clause—".

(b) Subsection (b) of section 15–102, District of Columbia Code, is amended by striking "after being forfeited," and inserting in lieu thereof "forfeited prior to the effective date of subsection (a)(4),".

SEC. 10. Subsection (a) of section 15–132, District of Columbia Code, is amended by striking "(a) A" and inserting in lieu thereof "(a)(1) Except as provided by section 15–101, a"; and by inserting at the end the following:

"(2) A judgment entered on or after the effective date of this paragraph in the District of Columbia Court of General Sessions may not be docketed in the Office of the Clerk of the United States District Court for the District of Columbia. The provisions of this title relating to enforcement of judgments, executions thereon and writs and proceedings in aid of execution thereof, are applicable to judgments entered on or after the effective date of this paragraph in the District of Columbia Court of General Sessions."

SEC. 11. Section 15–310, District of Columbia Code, is amended by striking from the first sentence "An" and inserting in lieu thereof "(a) An"; by striking from the second sentence "It" and inserting in lieu thereof "Except as otherwise provided in subsection (b) of this section, it"; and by inserting at the end the following:

"(b) An execution issued on a judgment entered on or after the effective date of this subsection in the District of Columbia Court of General Sessions may be levied on real estate."

SEC. 12. Section 15–311, District of Columbia Code, is amended by striking from the first sentence "The writ" and inserting in lieu thereof "(a) The writ"; and by inserting at the end the following:

"(b) A writ of fieri facias issued from the District of Columbia Court of General Sessions upon a judgment entered in that court on or after the effective date of this subsection may be levied on legal leasehold or freehold estates of the debtor in land."

33 Stat. 297.

SEC. 13. (a) Sections 1288, 1290, 1291, and 1293 of the Act approved March 3, 1901 (31 Stat. 1392), as amended (secs. 30–106, 30–108, 30–110, and 30–112, D.C. Code, 1961 ed.), are amended by striking "United States District Court for the District of Columbia" and inserting in lieu thereof "District of Columbia Court of General Sessions".

(b) Section 1288 of the Act approved March 3, 1901 (31 Stat. 1392), as amended (sec. 30–106, D.C. Code, 1961 ed.), is further amended by inserting at the end the following: "The clerk of the District of Columbia Court of General Sessions and such deputy clerks of the court as may, in writing, be designated by the clerk of the court and

approved by the chief judge, are authorized to celebrate marriages in the District of Columbia."

(c) (1) The fifth paragraph under the heading "Hygiene and Sanitation in the Public Schools" under the caption "HEALTH DEPARTMENT" in the first section of the Act entitled "An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1930, and for other purposes", approved February 25, 1929 (45 Stat. 1285), as amended (sec. 30–115, D.C. Code, 1961 ed.), is repealed. Repeals.

(2) The clerk of the United States District Court for the District of Columbia shall transfer all marriage records in his custody (including marriage records transferred from the health department) to the clerk of the District of Columbia Court of General Sessions.

(d) (1) Paragraphs (11), (12), (13), and (14) of section 15–706(e) of the District of Columbia Code are repealed. 77 Stat. 533.

(2) Chapter 7, title 15, District of Columbia Code, is amended by inserting at the end the following:

"§ 15–717. Marriage license and related fees

"For each marriage license, the fee shall be $2; for each certified copy of a marriage license return, the fee shall be $1; for each certified copy of application for marriage license the fee shall be $1; and for registering authorizations to perform marriages and issuing certificate, the fee shall be $1.

"The District of Columbia Court of General Sessions may, by rule of court, increase or decrease fees provided by this section."

(3) The analysis of chapter 7 of title 15 preceding section 15–701 of the District of Columbia Code is amended by inserting at the end:

"15–717. Marriage license and related fees."

SEC. 14. Subsection (e) of section 4 of the Act entitled "An Act to provide for unemployment compensation in the District of Columbia, authorize appropriations, and for other purposes", approved August 28, 1935 (49 Stat. 946), as added by the Act approved June 4, 1943 (57 Stat. 100, 109, 110), as amended (sec. 46–304, D.C. Code, 1961 ed.), is amended by striking from the second and from the penultimate sentences "clerk of the United States District Court for" and inserting in lieu thereof "Recorder of Deeds of".

SEC. 15. (a) Sections 1238, 1239, and 1241 of the Act approved March 3, 1901 (31 Stat. 1384, 1385), as amended (secs. 38–102, 38–103, and 38–105, D.C. Code, 1961 ed.), are amended by striking "clerk of the United States District Court for" and inserting in lieu thereof "Recorder of Deeds of".

(b) Sections 1238 and 1246 of the Act approved March 3, 1901 (31 Stat. 1384, 1386), as amended (secs. 38–102 and 38–110, D.C. Code, 1961 ed.), are amended by striking "clerk" and inserting in lieu thereof "Recorder of Deeds".

(c) In addition to fees otherwise provided for, the Recorder of Deeds shall charge and collect the following fees:

(1) for filing and recording each notice of mechanic's lien, $1;

(2) for entering release of mechanic's lien, 50 cents for each order of lienor; and

(3) for each undertaking of lienee, 75 cents.

SEC. 16. The Act entitled "An Act to establish a lien for moneys due hospitals for services rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens", approved June 30, 1939 (53 Stat. 990, 991), as amended (secs. 38–302 and 38–305, D.C. Code, 1961 ed.), is amended by striking from sections 2 and 5 "clerk of the United States District Court for" and inserting in lieu thereof "Recorder of Deeds of"; and by striking

the second sentence of section 5 and inserting in lieu thereof the following: "The Recorder of Deeds shall index the same in the name of the injured person and shall charge and collect a fee of $1 for recording, indexing, and releasing the lien so filed."

68A Stat. 779. 26 USC 6323.

SEC. 17. (a) Section 6323(a)(3) of the Internal Revenue Code of 1954 is amended to read as follows:

"(3) WITH RECORDER OF DEEDS OF THE DISTRICT OF COLUMBIA.—In the office of the Recorder of Deeds of the District of Columbia, if the property subject to the lien is situated in the District of Columbia."

D.C. Code 45-711.

(b) Section 548a of the Act approved March 3, 1901, as added by the Act of April 27, 1945 (59 Stat. 100), is amended by striking "SEC. 548a." and by inserting in lieu thereof "SEC. 548a. (a)" and by inserting at the end the following new subsection:

"(b) The Recorder of Deeds shall accept for filing any notice of Federal tax lien or any other document affecting such a lien if such notice or document is in the form prescribed by the Secretary of the Treasury or his delegate and could be filed with the clerk of the United States District Court for the District of Columbia. The fee for each such filing with the Recorder of Deeds shall be the same as the fee charged by the Recorder of Deeds for filing a similar document for a private person. The Recorder of Deeds shall bill the District Director of Internal Revenue on a monthly basis for fees for documents filed by such District Director. Any document releasing or affecting any notice of Federal tax lien which has been filed with the clerk of the United States District Court for the District of Columbia prior to the effective date of this Act shall be filed with such clerk."

SEC. 18. Section 6 of title I of the Act entitled "An Act to provide revenue for the District of Columbia, and for other purposes", approved August 17, 1937 (50 Stat. 673, 674), as amended (sec. 47–1406, D.C. Code, 1961 ed.), is amended by striking "clerk of the United States District Court for", and inserting in lieu thereof "Recorder of Deeds of"; and by striking "said court" and inserting in lieu thereof "the United States District Court for the District of Columbia."

Repeal.

77 Stat. 532.

SEC. 19. Paragraphs 16 and 18 of section 15–706(e), District of Columbia Code, are repealed.

Appropriation.

SEC. 20. Appropriations to carry out the purposes of this Act are authorized.

Effective date.

SEC. 21. This Act shall take effect on the first day of the first month which is at least ninety days after the date of approval of this Act.

Approved July 5, 1966.

Public Law 89-494

July 5, 1966 [H. R. 11439]

AN ACT

To provide for an increase in the annuities payable from the District of Columbia teachers' retirement and annuity fund, to revise the method of determining the cost-of-living increases in such annuities, and for other purposes.

D.C. Teachers, annuities increase.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 21 and 22 of the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946 (D.C. Code, secs. 31–739a—31–739b), are amended to read as follows:

76 Stat. 1236.

"SEC. 21. (a) Effective December 1, 1965, each annuity payable from the fund which has a commencing date not later than December 30, 1965, shall be increased by (1) the per centum rise in the price index,