

# **Bond Case Briefs**

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## **TAXPAYER STANDING - DISTRICT OF COLUMBIA**

### **Vining v. Executive Board of District of Columbia Health Benefit Exchange Authority**

**District of Columbia Court of Appeals - December 7, 2017 - A.3d - 2017 WL 6044271**

Taxpayer brought action against Health Benefit Exchange Authority, seeking declaratory and injunctive relief to preclude congressional employees from participating in District's small business health option program under the Affordable Care Act.

The Superior Court granted Authority's motion to dismiss for lack of standing. Taxpayer appealed.

The Court of Appeals held that:

- Municipal taxpayers do not have standing to sue to enjoin municipal expenditures when no tax moneys are spent, and
- Taxpayer lacked standing as municipal taxpayer to bring action.

A plaintiff raising only a generally available grievance about government, claiming only harm to his and every citizen's interest in proper application of the Constitution and laws, and seeking relief that no more directly and tangibly benefits him than it does the public at large, does not state an Article III case or controversy.

Taxpayer lacked standing as municipal taxpayer to bring action seeking declaratory and injunctive relief to preclude Health Benefit Exchange Authority from allowing congressional employees to participate in small business health option program; Authority's funding derived from sources other than local taxes, and possibility of future fund shortage that might have required allocation of monies from general fund was speculative.