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District of Columbia REGISTER

HIGHLIGHTS

- D.C. Council enacts Act 23-327, Medical Marijuana Program Patient Employment Protection Emergency Amendment Act of 2020
- D.C. Council enacts Act 23-328, Coronavirus Support Congressional Review Emergency Amendment Act of 2020
- D.C. Council passes Resolution 23-429, Connected Transportation Network Emergency Declaration Resolution of 2020 to require the District Department of Transportation to provide a framework for handling the anticipated increase in the number of residents cycling and walking to work
- D.C. Council passes Resolution 23-430, Comprehensive Policing and Justice Reform Emergency Declaration Resolution of 2020
- Department of Health Care Finance establishes standards for adult hospice care services for District Medicaid beneficiaries
- Department of Health Care Finance schedules a public meeting to discuss the proposal to amend the by-laws concerning the terms of service of the Medical Care Advisory Committee's Chairperson
- Department of Health solicits organizations to partner with the Effi Barry Training Institute to provide capacity building, training, technical assistance, and logistical support

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

The District of Columbia Office of Documents and Administrative Issuances publishes the *District of Columbia Register* (ISSN 0419-439X) every Friday under the authority of the *District of Columbia Documents Act,* D.C. Law 2-153, effective March 6, 1979, D.C. Official Code § 611 et *seq*. (2012 Repl.). The policies which govern the publication of the *Register* are set forth in the Rules of the Office of Documents and Administrative· Issuances (1 DCMR §§300, *et seq.*). The Rules of the Office of Documents and Administrative Issuances are available online at dcregs.dc.gov. Rulemaking documents are also subject to the requirements of the *D.C. Administrative Procedure Act,* D.C. Official Code §§2-50l et *seq.* (2012 Repl.).

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ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-327

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 8, 2020

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to prohibit the District of Columbia government from taking adverse employment actions against individuals for participating in a medical marijuana program; and to amend the Department of Corrections Employee Mandatory Drug and Alcohol Testing Act of 1996 to do the same.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Marijuana Program Patient Employment Protection Emergency Amendment Act of 2020".

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 2051 (D.C. Official Code § 1-620.11) is amended as follows:

(1) Designate the existing text as subsection (a).

(2) A new subsection (b) is added to read as follows:

"(b) To the extent permitted by federal law and regulations, programs and rules adopted pursuant to subsection (a) of this section shall accommodate qualifying patients, as that term is defined in section 2(19) of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01(19)), in compliance with title XX-E.".

(b) Section 2025 (D.C. Official Code § 1-620.25) is amended by adding a new subsection (d) to read as follows:

"(d) Notwithstanding subsection (a) of this section, the testing program established pursuant to this title shall comply with the requirements of title XX-E.".

(c) Section 2032 (D.C. Official Code § 1-620.32) is amended by adding a new subsection (g) to read as follows:

"(g) The testing program established pursuant to this title shall comply with the requirements of title XX-E.".

(d) A new title XX-E is added to read as follows:

"TITLE XX-E
"MEDICAL MARIJUANA PROGRAM PATIENT EMPLOYMENT PROTECTIONS.
"Sec. 2051. Definitions.
"For the purposes of this title, the term:
"(1) "Marijuana" shall have the same meaning as provided in section 102(3)(A) of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-901.02(3)(A)).
"(2) "Qualifying patient" shall have the same meaning as provided in section 2(19) of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01(19)).
"(3) "Public employer" means the District government.
"(4) "Safety sensitive position" means a position with duties that, if performed while under the influence of drugs or alcohol, could lead to a lapse of attention that could cause actual, immediate, and permanent physical injury or loss of life to self or others.
"Sec. 2052. Patient protections.
"(a)(1) Notwithstanding any other provision of law, except as provided in subsection (b) of this section, a public employer may not refuse to hire, terminate from employment, penalize, fail to promote, or otherwise take adverse employment action against an individual based upon the individual's status as a qualifying patient unless the individual used, possessed, or was impaired by marijuana at the individual's place of employment or during the hours of employment.
"(2) A qualifying patient's failure to pass a public employer-administered drug test for marijuana components or metabolites may not be used as a basis for employment-related decisions unless reasonable suspicion exists that the qualifying patient was impaired by marijuana at the qualifying patient's place of employment or during the hours of employment.
"(b) Subsection (a) of this section shall not apply to safety sensitive positions or if compliance would cause the public employer to commit a violation of a federal law, regulation, contract, or funding agreement.".

Sec. 3. Section 3 of the Department of Corrections Employee Mandatory Drug and Alcohol Testing Act of 1996, effective September 20, 1996 (D.C. Law 11-158; D.C. Official Code § 24-211.22), is amended by adding a new subsection (d) to read as follows:
"(d) The testing program established pursuant to this act shall comply with the requirements of title XX-E of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, passed on emergency basis on May 19, 2020 (Enrolled version of Bill 23-755).".

ENROLLED ORIGINAL

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by 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. 5. Effective date.

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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
June 8, 2020

ENROLLED ORIGINAL

AN ACT

D.C. ACT 23-328

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 8, 2020

To provide, on an emergency basis, due to congressional review, for the health, safety, and welfare of District residents and support to businesses during the current public health emergency; and for other purposes

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ENROLLED ORIGINAL

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Coronavirus Support Congressional Review Emergency Amendment Act of 2020".

TITLE I. LABOR AND WORKFORCE DEVELOPMENT

Sec. 101. Wage replacement.

(a) Notwithstanding any provision of District law, but subject to applicable federal laws and regulations, during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an affected employee shall be eligible for unemployment insurance in accordance with subsection (b) of this section.

(b)(1) Upon application, an affected employee shall receive unemployment insurance compensation ("UI"), which the Director of the Department of Employment Services shall administer under the Unemployment Compensation Program established pursuant to the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*).

(2) An affected employee shall be eligible for UI regardless of whether the:

(A) Employer has provided a date certain for the employee's return to work; or

(B) Employee has a reasonable expectation of continued employment with the current employer.

(3) For an affected employee, the term "most recent work" shall mean the employer for whom the individual last performed at least one day of employment as that term is defined by section 1(2)(B) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101(2)).

(c) Benefits paid pursuant to this section shall not be charged to the experience rating accounts of employers.

(d) For the purposes of this section, the term "affected employee" means an employee who, except as provided in subsection (g) of this section, is otherwise eligible for UI pursuant to section 9 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Official Code § 51-109), and who is determined by the Mayor to have become unemployed or partially unemployed as a result of the circumstances giving rise to the public health emergency. The term "affected employee" includes an employee who has been quarantined or isolated by the Department of Health or any other applicable District or federal agency, an employee who has self-quarantined or self-isolated in a manner consistent with the recommendations or guidance of the Department of Health, any other applicable District or federal agency, or a medical professional, or an employee of an employer that ceased or reduced operations due to an order or guidance from the Mayor or the Department of Health or a reduction in business revenue resulting from the circumstances giving rise to the public health

emergency, as determined by the Mayor, all as demonstrated by reasonable documentation required by the Mayor or the Mayor's designee.

(e) For the purposes of a public health emergency, "good cause" as set forth in section 10 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Official Code § 51-110), shall include:

(1) An employer's failure to timely comply with a written directive from the Mayor or the Department of Health in relation to public safety measures necessary to protect its employees or the public during the public health emergency; or

(2) An employer's requirements that an employee be physically present in the workplace despite the employee having:

(A) Been quarantined or isolated by the Department of Health or any other applicable District or federal agency; or

(B) Self-quarantined or self-isolated in a manner consistent with the recommendations or guidance of the Department of Health, any other applicable District or federal agency, or a medical professional.

(f) If the Mayor determines that the payment of UI under this section may not be made from the District Unemployment Fund or from the unemployment fund of another jurisdiction due to federal law or regulation, payment may be made by the Mayor from any other source of funds that is available.

(g) Notwithstanding any provision of District law, but subject to applicable federal laws and regulations, during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the requirements of section 9(a)(4)(B) and (5) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Official Code § 51-109(a)(4)(B) and (5)), shall not apply.

Sec. 102. Unemployment insurance clarification.

The District of Columbia Unemployment Compensation Act, effective August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

(a) Section 1(2) (D.C. Official Code § 51-101(2)) is amended by adding a new subparagraph (A-i) to read as follows:

"(A-i) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and in conformity with federal law, the Director may determine that the term "employment" as defined in paragraph (2)(A) of this section may include individuals who are self-employed, seeking part-time employment, do not have sufficient work history, or otherwise would not qualify for regular unemployment or extended benefits under District or federal law or pandemic emergency unemployment compensation.".

(b) Section 3(c)(2) (D.C. Official Code § 51-103(c)(2)) is amended by adding a new subparagraph (G) to read as follows:

"(G) "Federal Pandemic Unemployment Compensation ("FPUC") benefits paid to an individual filing during a period of national emergency shall not be charged to the experience rating of the eligible claimant's base period employer's accounts. Employers electing to become liable for payments in lieu of contributions shall be charged 50% of reimbursements due as a result of FPUC benefits paid to an individual filing during a period of national emergency.".

(c) Section 8 (D.C. Official Code § 51-108) is amended as follows:

(1) The existing text is designated as subsection (a).

(2) A new subsection (b) is added to read as follows:

"(b) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), and subject to the availability of additional moneys provided by local or federal law, the Director shall have the authority to pay such benefits as are authorized by law.".

(d) Section 9 (D.C. Official Code § 51-109) is amended as follows:

(1) The existing text is designated as subsection (a).

(2) A new subsection (b) is added to read as follows:

"(b) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), the Director shall have broad discretion to waive any eligibility requirements set forth in this act, other than the physical ability and availability requirement, when the Director considers such waiver to be in the public interest.".

Sec. 103. Shared work compensation program clarification.

The Keep D.C. Working Act of 2010, effective October 15, 2010 (D.C. Law 18-238; D.C. Official Code § 51-171 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 51-171) is amended as follows:

(1) Paragraph (4) is repealed.

(2) New paragraphs (4A) and (4B) are added to read as follows:

"(4A) "Health and retirement benefits" means employer-provided health benefits, and retirement benefits under a defined benefit plan, as defined in section 414(j) of the Internal Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(j)), or contributions under a defined contribution plan, as defined in section 414(i) of the Internal Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(i)), which are incidents of employment in addition to the cash remuneration earned.

"(4B) "Participating employee" means an employee who voluntarily agrees to participate in an employer's shared work plan.".

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

"(5) "Usual weekly hours of work" means the usual hours of work per week for full-time or part-time employees in the affected unit when that unit is operating on its regular basis, not to exceed 40 hours and not including hours of overtime work.".

(4) Paragraph (7) is amended to read as follows:

"(7) "Shared work benefits" means the unemployment benefits payable to a participating employee in an affected unit under a shared work plan, as distinguished from the unemployment benefits otherwise payable under the employment security law.".

(5) Paragraph (8) is amended to read as follows:

"(8) "Shared work plan" means a written plan to participate in the shared work unemployment compensation program approved by the Director, under which the employer requests the payment of shared work benefits to participating employees in an affected unit of the employer to avert temporary or permanent layoffs, or both.".

(b) Section 4 (D.C. Official Code § 51-173) is amended to read as follows:

"Sec. 4. Employer participation in the shared work unemployment compensation program.

"(a) Employer participation in the shared work unemployment compensation program shall be voluntary.

"(b) An employer that wishes to participate in the shared work unemployment compensation program shall submit a signed application and proposed shared work plan to the Director for approval.

"(c) The Director shall develop an application form consistent with the requirements of this section. The application and shared work plan shall require the employer to:

"(1) Identify the affected unit (or units) to be covered by the shared work plan, including:

"(A) The number of full-time or part-time employees in such unit;

"(B) The percentage of employees in the affected unit covered by the plan;

"(C) Identification of each individual employee in the affected unit by name and social security number;

"(D) The employer's unemployment tax account number, and

"(E) Any other information required by the Director to identify participating employees;

"(2) Provide a description of how employees in the affected unit will be notified of the employer's participation in the shared work unemployment compensation program if such application is approved, including how the employer will notify those employees in a collective bargaining unit as well as any employees in the affected unit who are not in a collective bargaining unit. If the employer will not provide advance notice of the shared work plan to employees in the affected unit, the employer shall explain in a statement in the application why it is not feasible to provide such notice.

"(3) Identify the usual weekly hours of work for employees in the affected unit and the specific percentage by which hours will be reduced during all weeks covered by the plan. A shared work plan may not reduce participating employees' usual weekly hours of work by less

than 10% or more than 60%. If the plan includes any week for which the employer regularly provides no work (due to a holiday or other plant closing), then such week shall be identified in the application;

"(4) If the employer provides health and retirement benefits to any participating employee whose usual weekly hours of work are reduced under the plan, certify that such benefits will continue to be provided to participating employees under the same terms and conditions as though the usual weekly hours of work of such participating employee had not been reduced or to the same extent as employees not participating in the shared work plan. For defined benefit retirement plans, the hours that are reduced under the shared work plan shall be credited for purposes of participation, vesting, and accrual of benefits as though the participating employee's usual weekly hours of work had not been reduced. The dollar amount of employer contributions to a defined contribution plan that are based on a percentage of compensation may be reduced due to the reduction in the participating employee's compensation. A reduction in health and retirement benefits scheduled to occur during the duration of a shared work plan that is equally applicable to employees who are not participating in the plan and to participating employees does not violate a certification made pursuant to this paragraph;

"(5) Certify that the aggregate reduction in work hours under the shared work plan is in lieu of temporary or permanent layoffs, or both, and provide a good faith estimate of the number of employees who would be laid off in the absence of the proposed shared work plan;

"(6) Agree to:

"(A) Furnish reports to the Director relating to the proper conduct of the shared work plan;

"(B) Allow the Director or the Director's authorized representatives access to all records necessary to approve or disapprove the application for a shared work plan;

"(C) Allow the Director to monitor and evaluate the shared work plan; and

"(D) Follow any other directives the Director considers necessary for the agency to implement the shared work plan consistent with the requirements for shared work plan applications;

"(7) Certify that participation in the shared work unemployment compensation program and implementation of the shared work plan will be consistent with the employer's obligations under applicable federal and state laws;

"(8) State the duration of the proposed shared work plan, which shall not exceed 365 days from the effective date established pursuant to section 6;

"(9) Provide any additional information or certifications that the Director determines to be appropriate for purposes of the shared work unemployment compensation program, consistent with requirements issued by the United States Secretary of Labor; and

"(10) Provide written approval of the proposed shared work plan by the collective bargaining representative for any employees covered by a collective bargaining agreement who will participate in the plan.".

(c) Section 5 (D.C. Official Code § 51-174) is amended to read as follows:

"Sec. 5. Approval and disapproval of a shared work plan.

"(a)(1) The Director shall approve or disapprove an application for a shared work plan in writing within 15 calendar days of its receipt and promptly issue a notice of approval or disapproval to the employer.

"(2) A decision disapproving the shared work plan shall clearly identify the reasons for the disapproval.

"(3) A decision to disapprove a shared work plan shall be final, but the employer may submit another application for a shared work plan not earlier than 10 calendar days from the date of the disapproval.

"(b) Except as provided in subsections (c) and (d) of this section, the Director shall approve a shared work plan if the employer:

"(1) Complies with the requirements of section 4; and

"(2) Has filed all reports required to be filed under the employment security law for all past and current periods and:

"(A) Has paid all contributions and benefit cost payments; or

"(B) If the employer is a reimbursing employer, has made all payments in lieu of contributions due for all past and current periods.

"(c) Except as provided in subsection (d) of this section, the Director may not approve a shared work plan:

"(1) To provide payments to an employee if the employee is employed by the participating employer on a seasonal, temporary, or intermittent basis;

"(2) If the employer's unemployment insurance account has a negative unemployment experience rating;

"(3) If the employer's unemployment insurance account is taxed at the maximum tax rate in effect for the calendar year;

"(4) For employers who have not qualified to have a tax rate assigned based on actual experience; or

"(5) For employees who are receiving or who will receive supplemental unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue Code of 1986, approved August 16, 2954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during any period a shared work plan is in effect.

"(d) During the effective period of a shared work plan entered into during a public health emergency, subsection (c) of this section shall not apply. During a public health emergency, the Director may not approve a shared work plan:

"(1) To provide payments to an employee if the employee is employed by the participating employer on a seasonal, temporary, or intermittent basis;

"(2) For employees who are receiving or who will receive supplemental unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during any period a shared work plan is in effect; or

"(3) For employers that have reported quarterly earnings to the Director for fewer than 3 quarters at the time of the application for the shared work unemployment compensation program.

"(e) For the purposes of this section, the term "public health emergency" means the public health emergency declared in the Mayor's order dated March 11, 2020, and any extensions thereof.".

(d) Section 6 (D.C. Official Code § 51-175) is amended to read as follows:

"Sec. 6. Effective date and expiration, termination, or revocation of a shared work plan.

"(a) A shared work plan shall be effective on the date that is mutually agreed upon by the employer and the Director, which shall be specified in the notice of approval to the employer.

"(b) The duration of the plan shall be 365 days from the effective date, unless a shorter duration is requested by employer or the plan is terminated or revoked in accordance with this section.

"(c) An employer may terminate a shared work plan at any time upon written notice to the Director, participating employees, and a collective bargaining representative for the participating employees. After receipt of such notice from the employer, the Director shall issue to the employer, the appropriate collective bargaining representative, and participating employees an Acknowledgment of Voluntary Termination, which shall state the date the shared work plan terminated.

"(d) The Director may revoke a shared work plan at any time for good cause, including:

"(1) Failure to comply with the certifications and terms of the shared work plan;

"(2) Failure to comply with federal or state law;

"(3) Failure to report or request proposed modifications to the shared work plan in accordance with section 7;

"(4) Unreasonable revision of productivity standards for the affected unit;

"(5) Conduct or occurrences tending to defeat the purpose and effective operation of the shared work plan;

"(6) Change in conditions on which approval of the plan was based;

"(7) Violation of any criteria on which approval of the plan was based; or

"(8) Upon the request of an employee in the affected unit.

"(e) Upon a decision to revoke a shared work plan, the Director shall issue a written revocation order to the employer that specifies the reasons for the revocation and the date the revocation is effective. The Director shall provide a copy of the revocation order to all participating employees and their collective bargaining representative.

"(f) The Director may periodically review the operation of an employer's shared work plan to ensure compliance with its terms and applicable federal and state laws.

"(g) An employer may submit a new application for a shared work plan at any time after the expiration or termination of a shared work plan.".

(e) Section 7 (D.C. Official Code § 51-176) is amended to read as follows:

"Sec. 7. Modification of a shared work plan.

"(a) An employer may not implement a substantial modification to a shared work plan without first obtaining the written approval of the Director.

"(b)(1) An employer must report, in writing, every proposed modification of the shared work plan to the Director a least 5 calendar days before implementing the proposed modification. The Director shall review the proposed modification to determine whether the modification is substantial. If the Director determines that the proposed modification is substantial, the Director shall notify the employer of the need to request a substantial modification.

"(2) An employer may request a substantial modification to a shared work plan by filing a written request with the Director. The request shall identify the specific provisions of the shared work plan to be modified and provide an explanation of why the proposed modification is consistent with and supports the purposes of the shared work plan. A modification may not extend the expiration date of the shared work plan.

"(c)(1) At the Director's discretion, an employer's request for a substantial modification of a shared work plan may be approved if:

"(A) Conditions have changed since the plan was approved; and

"(B) The Director determines that the proposed modification is consistent with and supports the purposes of the approved plan.

"(2) The Director shall approve or disapprove a request for substantial modification, in writing, within 15 calendar days of receiving the request and promptly shall communicate the decision to the employer. If the request is approved, the notice of approval shall contain the effective date of the modification.".

(f) Section 8 (D.C. Official Code § 51-177) is amended to read as follows:

"Sec. 8. Employee eligibility for shared work benefits.

"(a) A participating employee is eligible to receive shared work benefits with respect to any week only if the individual is monetarily eligible for unemployment compensation, not otherwise disqualified for unemployment compensation, and:

"(1) With respect to the week for which shared work benefits are claimed, the participating employee was covered by a shared work plan that was approved prior to that week;

"(2) Notwithstanding any other provision of the employment security law relating to availability for work and actively seeking work, the participating employee was available for the individual's usual hours of work with the shared work employer, which may include availability to participate in training to enhance job skills approved by the Director, such as employer-sponsored training or training funded under the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 *et seq.*); and

"(3) Notwithstanding any other provision of law, a participating employee is deemed unemployed for the purposes of determining eligibility to receive unemployment compensation benefits in any week during the duration of such plan if the individual's remuneration as an employee in an affected unit is reduced under the terms of the plan.

"(b) A participating employee may be eligible for shared work benefits or unemployment compensation, as appropriate, except that no participating employee may be eligible for combined benefits in any benefit year in an amount more than the maximum entitlement

established for regular unemployment compensation, nor shall a participating employee be paid shared work benefits for more than 52 weeks under a shared work plan or in an amount more than the equivalent of the maximum of 26 weeks of regular unemployment compensation.

"(c) The shared work benefit paid to a participating employee shall be deducted from the maximum entitlement amount of regular unemployment compensation established for that individual's benefit year.

"(d) Provisions applicable to unemployment compensation claimants under the employment security law shall apply to participating employees to the extent that they are not inconsistent with this act. A participating employee who files an initial claim for shared work benefits shall receive a monetary determination whether the individual is eligible to receive benefits.

"(e) A participating employee who has received all of the shared work benefits or combined unemployment compensation and shared work benefits available in a benefit year shall be considered an exhaustee, as defined in section 7(g)(1)(H) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code § 51–107(g)(1)(H)) ("Act"), for purposes of eligibility to receive extended benefits pursuant to section § 51–107(g) of the Act (D.C. Official Code § 51–107(g)), and, if otherwise eligible under that section, shall be eligible to receive extended benefits.

"(f) Shared work benefits shall be charged to employers' experience rating accounts in the same manner as unemployment compensation is charged under the employment security law, unless waived by federal or District law. Employers liable for payments in lieu of contributions shall have shared work benefits attributed to service in their employ in the same manner as unemployment compensation is attributed, unless waived by federal or District law.".

(g) Section 9 (D.C. Official Code § 51-178) is amended as follows:

(1) Subsection (a) is amended to read as follows:

"(a)(1) Except as provided in paragraph (2) of this subsection, the weekly benefit for a participating employee shall be the product of the regular weekly unemployment compensation amount for a week of total unemployment multiplied by the percentage of reduction in the participating employee's usual weekly hours of work.

"(2) The shared work benefit for a participating employee who performs work for another employer during weeks covered by a shared work plan shall be calculated as follows:

"(A) If the combined hours of work in a week for both employers results in a reduction of less than 10% of the usual weekly hours of work the participating employee works for the shared work employer, the participating employee is not eligible for shared work benefits;

"(B) If the combined hours of work for both employers results in a reduction equal to or greater than 10% of the usual weekly hours worked for the shared work employer, the shared work benefit payable to the participating employee is determined by multiplying the weekly unemployment benefit amount for a week of total unemployment by the percentage by which the combined hours of work have been reduced. A week for which benefits are paid under this subparagraph shall be reported as a week of shared work benefits.

"(C) If an individual worked the reduced percentage of the usual weekly hours of work for the shared work employer and is available for all the participating employee's usual hours of work with the shared work employer, and the participating employee did not work any hours for the other employer, either because of the lack of work with that employer or because the participating employee is excused from work with the other employer, the participating employee shall be eligible for the full value of the shared work benefit for that week.".

(2) Subsection (b) is repealed

(3) New subsections (c) and (d) are added to read as follows:

"(c) A participating employee who is not provided any work during a week by the shared work employer or any other employer and who is otherwise eligible for unemployment compensation shall be eligible for the amount of regular unemployment compensation to which the individual would otherwise be eligible.

"(d) A participating employee who is not provided any work by the shared work employer during a week, but who works for another employer and is otherwise eligible for unemployment compensation may be paid unemployment compensation for that week subject to the disqualifying income provision and other provisions applicable to claims for regular unemployment compensation.".

Sec. 104. Family and medical leave.

The District of Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*), is amended as follows:

(a) Section 2(1) (D.C. Official Code § 32-501(1)) is amended to read as follows:

"(1) "Employee" means:

"(A) For leave provided under sections 3 or 4, any individual who has been employed by the same employer for one year without a break in service except for regular holiday, sick, or personal leave granted by the employer and has worked at least 1000 hours during the 12-month period immediately preceding the request for family or medical leave; or

"(B) For leave provided under section 3a, an individual employed by an employer for at least 30 days prior to the request for leave.".

(b) A new section 3a (to be codified at D.C. Official Code § 32-502.01) is added to read as follows:

"Sec. 3a. COVID-19 leave.

"(a) During the COVID-19 public health emergency, an employee shall be entitled to family and medical leave if the employee is unable to work due to:

"(1) A recommendation from a health care provider that the employee isolate or quarantine, including because the employee or an individual with whom the employee shares a household is at high risk for serious illness from COVID-19;

"(2) A need to care for a family member or an individual with whom the employee shares a household who is under a government or health care provider's order to quarantine or isolate; or

"(3) A need to care for a child whose school or place of care is closed or whose childcare provider is unavailable to the employee.

"(b)(1) An employee may use no more than 16 weeks of family and medical leave pursuant to this section during the COVID-19 public health emergency.

(2) The right to leave pursuant to this section expires on the date the COVID-19 public health emergency expires.

"(c) An employer may require reasonable certification of the need for COVID-19 family and medical leave as follows:

"(1) If the leave is necessitated by the recommendation of a health care provider to the employee, a written, dated statement from a health care provider stating that the employee has such need and the probable duration of the need for leave;

"(2) If the leave is necessitated by the recommendation of a health care provider to an employee's family member or individual with whom the employee shares a household, a written, dated statement from a health care provider stating that the individual has such need and the probable duration of the condition.

"(3) If the leave is needed because a school, place of care, or childcare provider is unavailable, a statement by the head of the agency, company, or childcare provider stating such closure or unavailability, which may include a printed statement obtained from the institution's website.

"(d) Notwithstanding section 17, this section shall apply to any employer regardless of the number of persons in the District that the employer employs.

"(e)(1) Except as provided in paragraphs (2) and (3) of this subsection, family and medical leave under this section may consist of unpaid leave.

"(2) Any paid leave provided by an employer that the employee elects to use for family and medical leave under this section shall count against the 16 workweeks of allowable leave provided in this section.

"(3) If an employer has a program that allows an employee to use the paid leave of another employee under certain conditions and the conditions have been met, the employee may use the paid leave as family and medical leave and the leave shall count against the 16 workweeks of leave provided in this section.

"(4) An employee shall not be required, but may elect, to use leave provided under this section before other leave to which the employee is entitled under federal or District law or an employer's policies.

"(f) The provisions of section 6 shall apply to an employee who takes leave pursuant to this section.

"(g) An employer who willfully violates subsections (a) through (e) of this section shall be assessed a civil penalty of $1,000 for each offense.

"(h) The rights provided to an employee under this section may not be diminished by any collective bargaining agreement or any employment benefit program or plan; except, that this section shall not supersede any clause on family or medical leave in a collective bargaining

agreement in force on the applicability date of this section for the time that the collective bargaining agreement is in effect.

"(i) For the purposes of this section, the term "COVID-19 public health emergency" means the emergencies declared in the Declaration of Public Emergency (Mayor's Order 2020-045) together with the Declaration of Public Health Emergency (Mayor's Order 2020-046), declared on March 11, 2020, including any extension of those declared emergencies.

Sec. 105. Paid public health emergency leave.

(a) The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01 *et seq.*), is amended as follows:

(1) Section 3(c)(1) (D.C. Official Code § 32-531.02(c)(1)) is amended by striking the phrase "Paid leave under" and inserting the phrase "Except as provided in section 3a, paid leave under" in its place.

(2) A new section 3a (to be codified at D.C. Official Code § 32-531.02a) is added to read as follows:

"Sec. 3a. Paid public health emergency leave requirement.

"(a)(1) Beginning April 10, 2020, and for the duration of the COVID-19 emergency, an employer with between 50 and 499 employees, that is not a health care provider, shall provide paid leave to an employee pursuant to this section for an absence from work due to covered reasons.

"(2) An employer shall provide paid leave to an employee in an amount sufficient to ensure that an employee who must be absent from work for covered reasons be able to remain away from work for 2 full weeks of work up to 80 hours, or, for a part-time employee, for the usual number of hours the employee works in a 2-week period.

"(3)(A) Subject to subparagraph (B) of this paragraph, an employer shall compensate an employee for leave provided pursuant to this section at the employee's regular rate of pay. In the case of an employee who does not have a regular rate of pay, the employee's rate of pay shall be determined by dividing the employee's total gross earnings, including all tips, commission, piecework, or other earnings earned on an irregular basis for the most recent 2-week period that the employee worked for the employer, by the number of hours the employee worked during that 2-week period.

"(B) In no case shall an employee's rate of pay fall below the minimum wage established by section 4(a) of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Code Official Code § 32-1003(a)).

"(4) An employer shall provide paid leave under this section to any employee who commenced work for the employer at least 15 days before the request for leave.

"(b)(1) An employee may only use paid leave provided under this section concurrently with or after exhausting any other paid leave to which the employee may be entitled for covered reasons under federal or District law or an employer's policies. "(2) If an employee elects to use paid leave provided under this section concurrently with other paid leave, the employer may reduce the monetary benefit of the paid leave provided under this section by the

amount of the monetary benefit the employee will receive for paid leave taken under federal or District law or the employer's policies.

"(3) If an employee elects to use paid leave provided under this section after exhausting other paid leave, the employer may reduce the number of hours of paid leave an employee may use under this section by the number of hours of paid leave taken under federal or District law or the employer's policies.

"(c) Nothing in this section shall be construed to require an employer to provide an employee with paid leave pursuant to this section for more than 2 full weeks of work up to 80 hours. If an employee uses all of the leave available under this section and subsequently informs the employer of the employee's continued need to be absent from work, the employer shall inform the employee of any paid or unpaid leave to which the employee may be entitled pursuant to federal or District law or the employer's policies.

"(d) Before taking any other administrative action on a complaint filed pursuant to section 13, the Mayor shall promptly provide the employer with written notice of the alleged violation, in a form or manner to be determined by the Mayor, and give the employer 5 business days to cure the alleged violation. The time to cure the violation shall run from the date the employer receives the notice.

"(e) For the purposes of this section, the term:

"(1) "Covered reasons" means any of the reasons for which federal paid leave is available pursuant to section 5102 of the Families First Coronavirus Response Act, approved March 18, 2020 (Pub. L. No. 116-127; 134 Stat. 195).

"(2) "COVID-19 emergency" means the emergencies declared in the Declaration of Public Emergency (Mayor's Order 2020-045) together with the Declaration of Public Health Emergency (Mayor's Order 2020-046), declared on March 11, 2020, including any extension of those declared emergencies.

"(3) "Health care provider" means any doctor's office, hospital, health care center, clinic, post-secondary educational institution offering health care instruction, medical school, local health department or agency, nursing facility, retirement facility, nursing home, home health care provider, any facility that performs laboratory or medical testing, pharmacy, or any similar institution, employer, or entity. The term "health care provider" includes any permanent or temporary institution, facility, location, or site where medical services are provided that are similar to such institutions.".

(3) Section 4 (D.C. Official Code § 32-531.03) is amended as follows:

(A) The existing text is designated as subsection (a).

(B) A new subsection (b) is added to read as follows:

"(b) An employer may not require an employee who seeks to use paid leave pursuant to section 3a to:

"(1) For any reason, provide more than 48 hours' notice of the need to use such leave;

"(2) In the event of an emergency, provide more than reasonable notice of the employee's need to use such leave; and

"(3) Search for or identify another employee to perform the work hours or work of the employee using paid leave.".

(4) Section 5 (D.C. Official Code § 32-531.04) is amended by adding a new subsection (a-1) to read as follows:

"(a-1)(1) An employer may not require an employee who uses paid leave pursuant to section 3a to provide certification of the need to use such paid leave unless the employee uses 3 or more consecutive working days of paid leave.

"(2) When certification is required by an employer for the use of paid leave pursuant to section 3a, the employer may not require the employee to provide it until one week after the employee's return to work.

"(3) An employer that does not contribute payments toward a health insurance plan on behalf of the employee shall not require certification from the employee who uses paid leave pursuant to section 3a.".

(5) Section 6(b) (D.C. Official Code § 32-531.05(b)) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(B) Paragraph (2) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(3) Access and use paid leave as provided in section 3a.".

(b) Section 1152 of the Universal Paid Leave Implementation Fund Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01), is amended by adding a new subsection (b-1) to read as follows:

"(b-1)(1) Notwithstanding subsections (b) and (f) of this section, during the COVID-19 emergency, no more than $500,000 of the money in the Fund may be used for activities related to enforcement of the paid public health emergency leave requirement contained in section 3a of the Accrued Sick and Safe Leave Act of 2008, passed on emergency basis on May 19, 2020 (Enrolled version of Bill 23-759).

"(2) For the purposes of this subsection, "COVID-19 emergency" means the emergencies declared in the Declaration of Public Emergency (Mayor's Order 2020-045) together with the Declaration of Public Health Emergency (Mayor's Order 2020-046), declared on March 11, 2020, including any extension of those declared emergencies.".

TITLE II. BUSINESS AND ECONOMIC DEVELOPMENT

Sec. 201. Small business microgrants.

The Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"Sec. 2316. Public health emergency grant program.".

(b) A new section 2316 is added to read as follows:

"Sec. 2316. Public health emergency grant program.

"(a)(1) Upon the Mayor's declaration of a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may, 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.*), and in the Mayor's sole discretion, issue a grant or loan to an eligible small business; provided, that the eligible small business:

"(A) Submit a grant application in the form and with the information required by the Mayor; and

"(B) Demonstrate, to the satisfaction of the Mayor, financial distress caused by a reduction in business revenue due to the circumstances giving rise to or resulting from the public health emergency.

"(2) A grant issued pursuant to this section may be expended by the eligible small business for any of the following:

"(A)(i) Employee wages and benefits.

"(ii) For the purposes of this subparagraph, the term "benefits" means fringe benefits associated with employment, including health insurance;

"(B) Operating costs of the eligible small business including taxes and debt service; and

"(C) Repayment of loans obtained through the United States Small Business Administration.

"(b) The Mayor may issue one or more grants to a third-party grant-managing entity for the purpose of administering the grant program and making subgrants on behalf of the Mayor in accordance with the requirements of this section.

"(c) The Mayor, pursuant to section 105 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505), may issue emergency rules to implement the provisions of this section.

"(d) The Mayor, and any third-party entity chosen pursuant to subsection (b) of this section, shall maintain a list of all grants awarded pursuant to this section, identifying for each award the grant recipient, the date of award, intended use of the award, and the award amount. The Mayor shall publish the list online no later than June 1, 2020, or 5 days following the end of the COVID-19 emergency, whichever is earlier.

"(e) For the purposes of this section, the term:

"(1) "COVID-19 emergency" means the emergencies declared in the Declaration of Public Emergency (Mayor's Order 2020-045) together with the Declaration of Public Health Emergency (Mayor's Order 2020-046), declared on March 11, 2020, including any extension of those declared emergencies.

"(2) "Eligible small business" means a business enterprise eligible for certification under section 2332, a nonprofit entity, or an independent contractor or self-

employed individual determined ineligible for Unemployment Insurance by the Director of the Department of Employment Services.".

Sec. 202. Contractor advance payment.

Section 2349 of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.49), is amended as follows:

(1) Subsection (a)(2) is amended by striking the phrase "A policy" and inserting the phrase "Except as provided in subsection (a-1) of this section, a policy" in its place.

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

"(a-1) During a period of time for which the Mayor has declared a public health emergency ("PHE") pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an agency may make advance payments to a certified contractor for purchases related to the PHE when the payments are necessary to achieve the purposes of this subtitle and may provide an advance of more than 10% of the total value of the contract.".

Sec. 203. Certified Business Enterprise assistance.

(a) Notwithstanding the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et. seq.*) ("CBE Act"), or any other provision of District law or regulation, during the period of the COVID-19 emergency, any contract for a government-assisted project in excess of $250,000 that is unrelated to the District's response to the COVID-19 emergency but entered into during the COVID-19 emergency, absent a waiver pursuant to section 2351 of the CBE Act, shall provide that:

(1) At least 50% of the dollar volume of the contract be subcontracted to small business enterprises; or

(2) If there are insufficient qualified small business enterprises to meet the requirement of paragraph (1) of this subsection, the subcontracting requirement may be satisfied by subcontracting 50% of the dollar volume ("CBE minimum expenditure") to any qualified certified business enterprises; provided, that best efforts shall be made to ensure that qualified small business enterprises are significant participants in the overall subcontracting work.

(b)(1) For every dollar expended by a beneficiary with a resident-owned business, the beneficiary shall receive a credit for $1.10 against the CBE minimum expenditure.

(2) For every dollar expended by a beneficiary with a disadvantaged business enterprise, the beneficiary shall receive a credit for $1.25 against the CBE minimum expenditure.

(3) For every dollar expended by a beneficiary that uses a company designated as both a disadvantaged business enterprise under section 2333 of the CBE Act and as a resident-owned business under section 2302(15) of the CBE Act, the beneficiary shall receive a credit for $1.30 against the CBE minimum expenditure.

(c) For the purposes of this section, the term:

(1) "Beneficiary" has the same meaning as set forth in section 2302(1B) of the CBE Act (D.C. Official Code § 2-218.02(1B)).

(2) "Best efforts" means that a beneficiary is obligated to make its best attempt to accomplish the agreed-to goal, even when there is uncertainty or difficulty.

(3) "COVID-19 emergency" means the emergencies declared in the Declaration of Public Emergency (Mayor's Order 2020-045) together with the Declaration of Public Health Emergency (Mayor's Order 2020-046), declared on March 11, 2020, including any extension of those declared emergencies.

(4) "Disadvantaged business enterprise" has the same meaning as set forth in section 2333 of the CBE Act (D.C. Official Code § 2-218.33).

(5) "Government-assisted project" has the same meaning as set forth in section 2302(9A) of the CBE Act (D.C. Official Code § 2-218.02(9A)).

(6) "Longtime resident business" has the same meaning as set forth in section 2302(13) of the CBE Act (D.C. Official Code § 2-218.02(13)).

(7) "Resident-owned business" has the same meaning as set forth in section 2302(15) of the CBE Act (D.C. Official Code § 2-218.02(15)).

(8) "Small Business Enterprises" has the same meaning as set forth in section 2332 of the CBE Act (D.C. Official Code § 2-218.32).

(d) Contracts entered into on an emergency basis or that are made in furtherance of, or that are related to, the District's response to the COVID-19 emergency shall not be subject to the requirements of the CBE Act or the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*).

Sec. 204. Alcoholic beverage regulation.

Title 25 of the District of Columbia Official Code is amended as follows:

(a) Chapter 1 is amended as follows:

(1) Section 25-112 is amended by adding a new subsection (h) to read as follows:

"(h)(1) A retailer with commercial street frontage at the Walter E. Washington Convention Center that sells food and is approved by the Washington Convention and Sports Authority to sell alcoholic beverages for on-premises consumption ("Convention Center food and alcohol business") that registers as a Convention Center food and alcohol business with the Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed containers to individuals for carry out to their home, or deliver beer, wine, or spirits in closed containers to the homes of District residents, pursuant to § 25-113(a)(3)(C); provided, that such carry-out or delivery orders are accompanied by one or more prepared food items.

"(2) Board approval shall not be required for registration under this subsection.".

(2) Section 25-113(a)(3) is amended by adding new subparagraphs (C) and (D) to read as follows:

"(C)(i) An on-premises retailer's licensee, class C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that registers with the Board may sell beer, wine, or spirits in closed containers to individuals for carry out to their

home, or deliver beer, wine, or spirits in closed containers to the homes of District residents; provided, that each such carry out or delivery order is accompanied by one or more prepared food items.

"(ii) Board approval shall not be required for registration under this subparagraph; except, that the licensee shall receive written authorization from ABRA prior to beginning carry out or delivery of beer, wine, or spirits pursuant to this subparagraph.

"(D)(i) An on-premises retailer's licensee, class C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that is registered with the Board under subparagraph (C) of this paragraph may register with the Board to sell beer, wine, or spirits in closed containers accompanied by one or more prepared food items for off-premises consumption from one additional location other than the licensed premises. Board approval shall not be required for the additional registration under this subsection; provided, that:

"(I) The licensee separately registers with the Board and receives written authorization from ABRA prior to offering alcoholic beverages for carryout or delivery at the additional location;

"(II) The licensee, the additional location's owner, or a prior tenant at the additional location possesses a valid certificate of occupancy for the building used as the additional location, unless the additional location is located on outdoor private space;

"(III) The licensee has been legally authorized by the owner of the building or the property utilized as the additional location to utilize the space for carryout and delivery;

"(IV) The licensee agrees to follow all applicable Department of Consumer and Regulatory Affairs and Department of Health laws and regulations; and

"(V) The additional location from which the licensee intends to offer alcoholic beverages for carryout or delivery is located in a commercial or mixed-use zone as defined in the zoning regulations for the District.

"(ii) The on-premises retailer's licensee shall not offer beer, wine, or spirits for carryout and delivery on public space; except, that an additional location under this subparagraph may include a sidewalk café that has been issued a public-space permit by the District Department of Transportation.

"(iii) The on-premises retailer's licensee who has been registered to offer beer, wine, or spirits for carryout or delivery in accordance with this subparagraph shall do so only at the additional location.

"(iv) An on-premises retailer's licensee who has been registered to offer beer, wine, or spirits for carryout or delivery from an additional location in accordance with this subparagraph may do so for no longer than 30 calendar days. The Board may approve a written request from an on-premises licensee to extend carryout or delivery alcohol sales from an additional location pursuant to this subparagraph for one additional 30 calendar-day period. A licensee shall not offer beer, wine, or spirits for carryout or delivery for off-premises consumption from the additional location for more than 60 calendar days unless a completed

application to do so has been filed with the Board with notice provided to the public in accordance with § 25-421.

"(v) The on-premises retailer's licensee may sell and deliver alcoholic beverages for carryout and delivery from an additional location in accordance with this subparagraph only between the hours of 7:00 a.m. and midnight, 7 days a week.

"(vi) The Board may fine an on-premises retailer's licensee, or suspend, cancel, or revoke an on-premises retailer's license, and shall revoke an on-premises retailer's licensee's registration to offer beer, wine, or spirits for carryout or delivery at the additional location if the licensee fails to comply with sub-subparagraphs (i)-(v) of this subparagraph.".

(b) Chapter 4 is amended as follows:

(1) Section 25-401(c) is amended by striking the phrase "shall sign a notarized statement certifying" and inserting the phrase "shall sign a statement with an original signature, which may be a signature by wet ink, an electronic signature, or a signed copy thereof, certifying" in its place.

(2) Section 25-403(a) is amended by striking the phrase "verify, by affidavit," and inserting the word "self-certify" in its place.

(3) Section 25-421(e) is amended by striking the phrase "by first-class mail, postmarked not more than 7 days after the date of submission" and inserting the phrase "by electronic mail on or before the first day of the 66-day public comment period" in its place.

(4) Section 25-423 is amended as follows:

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

(i) Strike the phrase "45-day protest period" and insert the phrase "66-day protest period" in its place.

(ii) Strike the phrase "45 days" and insert the phrase "66 days" in its place.

(B) Subsection (h) is amended by striking the phrase "45-day public comment period" and inserting the phrase "66-day public comment period "in its place.

(5) Section 25-431 is amended as follows:

(A) Subsection (f) is amended by striking the phrase "45-day protest period" and inserting the phrase "66-day protest period" in its place.

(B) Subsection (g) is amended by striking the phrase "45 days" and inserting the phrase "66 days" in its place.

(c) Section 25-791(a)(1) is amended by striking the phrase "21 or more calendar days," and inserting the phrase "21 or more calendar days, excluding each day during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)," in its place.

Sec. 205. Third-party food delivery commissions.

(a) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) ("public health emergency"), a person, corporation, partnership, or association operating a third-party food platform within the District shall register with the Department of Consumer and Regulatory Affairs.

(b) Notwithstanding any provision of District law, during a public health emergency, it shall be unlawful for a person to cause a third-party food delivery platform to charge a restaurant a commission fee for the use of the platform's services for delivery or pick-up that totals more than 15% of the purchase price per online order.

(c) It shall be unlawful for a person to cause a third-party food delivery platform to reduce the compensation rate paid to a delivery service driver or garnish gratuities in order to comply with subsection (b) of this section.

(d) During a public health emergency, at the time a final price is disclosed to a customer for the intended purchase and delivery of food from a restaurant through a third-party food delivery platform and before that transaction is completed by the customer, the third-party food delivery platform shall disclose to the customer, in plain language and in a conspicuous manner, any commission, fee, or any other monetary payment charged to the customer by the third-party food delivery platform as a term of a contract or agreement between the platform and the restaurant in connection with the restaurant's use of the platform.

(e)(1) A person who violates this section shall be subject to a fine of not less than $250 and not more than $1,000 for each such violation.

(2) A violation of this section shall be a civil infraction for purposes of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

(f) For purposes of this section, the term:

(1) "Online order" means an order placed by a customer through a platform provided by the third-party food delivery service for delivery or pickup within the District.

(2) "Purchase price" means the menu price of an online order, excluding taxes, gratuities, or any other fees that may make up the total cost to the customer of an online order.

(3) "Restaurant" shall have the same meaning as provided in D.C. Official Code § 25-101(43).

(4) "Third-party food delivery platform" means any website, mobile application, or other internet service that offers or arranges for the sale of food and beverages prepared by, and the same-day delivery or same-day pickup of food and beverages from, restaurants.

(g) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this section.

(h) Nothing in this section limits or otherwise impacts the requirement of a third-party food delivery platform to collect and remit sales tax imposed under Chapter 20 of Title 47 of the District of Columbia Official Code.

Sec. 206. Corporate filing extension.

Section 29-102.12 of the District of Columbia Official Code is amended by adding a new subsection (e) to read as follows:

"(e) There shall be no late fee for delivering the biennial report for 2020 required by § 29-102.11(c); provided, that the biennial report for 2020 be delivered to the Mayor for filing by June 1, 2020.".

Sec. 207. Taxes and trade name renewals.

Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-811(b) is amended by striking the phrase "tax year beginning July 1, 1989, and ending June 30, 1990, the amount of the first and second installments shall reflect and be consistent with the tax rates applicable to that tax year, as provided in § 47-812(b) and (c)" and inserting the phrase "tax year 2020 first installment owing for a real property that is commercially improved and occupied and is a hotel or motel; provided, that the Chief Financial Officer, through the Office of Tax and Revenue, shall issue administrative guidance on the definition of a hotel or motel, the Chief Financial Officer may waive any penalties and abate interest if the owner pays such installment by June 30, 2020" in its place.

(b) Section 47-1803.02(a)(2) is amended by adding new subparagraphs (GG), (HH), and (II) to read as follows:

"(GG) Small business loans awarded and subsequently forgiven under section 1106 of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27, 2020 (Pub. L. No. 116-136; 134 Stat. 281).

"(HH) Public health emergency small business grants awarded pursuant to section 2316 of the Small and Certified Business Enterprise Development and Assistance Act of 2005, passed on emergency basis on May 19, 2020 (Enrolled version of Bill 23-759).

"(II) Public health emergency grants authorized pursuant to section 16(m)(1) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.13(m)(1)).".

(c) Section 47-1803.03(a)(14) is amended by adding a new subparagraph (H) to read as follows:

"(H) For tax years beginning after December 31, 2017, corporations, unincorporated businesses, or financial institutions shall be allowed an 80% deduction for apportioned District of Columbia net operating loss carryover to be deducted from the net income after apportionment."

(d) Section 47-4221 is amended by adding a new subsection (d) to read as follows:

"(d)(1) Except as provided in paragraph (2) of this subsection and notwithstanding any other provision of this title, the Chief Financial Officer may waive any penalty and abate interest

that may be imposed for failure to timely pay any taxes due pursuant to Chapters 20 and 22 of this title for periods ending on February 29, 2020, or March 31, 2020; provided, that all taxes for such periods are paid in full on or before July 20, 2020.

"(2) This subsection shall not apply to hotels or motels permitted to defer real property tax under § 47-811(b).".

(e) Section 47-2855.04 is amended by adding a new subsection (c) to read as follows:

"(c) There shall be no late fee for trade name renewal applications required by rules promulgated under subsection (a) of this section to be filed by April 1, 2020; provided, that the trade name renewal application be filed by June 1, 2020.".

Sec. 208. 8th and O disposition extension.

Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended as follows:

(a) Subsection (b-3) is amended by adding a new paragraph (8) to read as follows:

"(8)(A) Notwithstanding paragraph (2) of this subsection, for the disposition of the District-owned real property located at 1336 8th Street, N.W., 50% of the affordable units shall be for housing for which a low-income household will pay no more than 30% of its income toward housing costs, and 50% of the units shall be housing for which a moderate-income household will pay no more than 30% of its income toward housing costs, whether or not the units to be constructed are rental units or ownership units.

"(B) The Land Disposition and Development Agreement in the form approved by Council pursuant to the 8th & O Streets, N.W., Disposition Approval Resolution of 2016, effective February 2, 2016 (Res. 21-374; 63 DCR 1498), remains in full force and effect, including, without limitation, the Affordable Housing Covenant attached as an exhibit thereto, which shall be recorded against the property at closing.

(b) Subsection (d-7) is amended by striking the date "February 2, 2020" and inserting the date "September 15, 2020" in its place.

TITLE III. CONSUMER PROTECTION AND REGULATION

Sec. 301. Opportunity accounts expanded use.

The Opportunity Accounts Act of 2000, effective April 3, 2001 (D.C. Law 13-266; D.C. Official Code § 1-307.61 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 1-307.61) is amended by adding a new paragraph (2A) to read as follows:

"(2A) "Commissioner" means the Commissioner of the Department of Insurance, Securities, and Banking.".

(b) Section 8 (D.C. Official Code § 1-307.67) is amended as follows:

(1) Subsection (a) is amended by striking the figure "$2" and inserting the figure "$1" in its place.

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

(A) The lead-in language is amended by striking the figure "$2" and inserting the figure "$3" in its place.

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

(i) Strike the phrase "in at least the same amount" and insert the phrase "consistent with subsection (a) of this section" in its place.

(ii) Strike the phrase "; and" and insert a semicolon in its place.

(C) Paragraph (2) is amended as follows:

(i) Strike the phrase "than $3,000" and insert the phrase "than $6,000" in its place;

(ii) Strike the period and insert the phrase "; and" in its place.

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

"(3) The Commissioner may waive the requirement of subsection (a) of this section and provide to an administering organization matching funds of up to $4 for every dollar the account holder deposits into the opportunity account when adequate federal or private matching funds are not available.".

(c) Section 9(a) (D.C. Official Code § 1-307.68(a)) is amended as follows:

(1) Paragraph (6) is repealed.

(2) Paragraph (8) is amended by striking the period at the end and inserting the phrase "; and" in its place.

(3) A new paragraph (9) is added to read as follows:

"(9) To pay for any cost, expense, or item authorized by the Commissioner by rule issued pursuant to section 14, or by order during a declared public health emergency.".

(d) Section 10 (D.C. Official Code § 1-307.69) is amended as follows:

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

(A) Paragraph (2) is amended by striking the phrase "; or" and inserting a semicolon in its place.

(B) Paragraph (3) is amended by striking the period at the end and inserting the phrase "; and" in its place.

(C) A new paragraph (4) is added to read as follows:

"(4) Making payments necessary to enable the account holder to meet necessary living expenses in the event of a sudden, unexpected loss of income.".

(2) Subsection (c) is amended by striking the phrase "An account holder" and inserting the phrase "Except during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an account holder" in its place.

(3) New subsections (c-1), (c-2), and (c-3) are added to read as follows:

"(c-1) If an account holder makes an emergency withdrawal for the purposes set forth at subsection (b)(2) or (3) of this section, the account holder shall withdraw only funds deposited by the account holder and shall not withdraw matching funds.

"(c-2) If an account holder makes an emergency withdrawal for the purposes set forth at subsection (b)(1) of this section, the account holder shall withdraw only funds deposited by the account holder and shall not withdraw matching funds, unless the withdrawal is for a medical emergency.

"(c-3) If an account holder makes an emergency withdrawal for the purposes set forth at subsection (b)(4) of this section, the account holder may withdraw funds deposited by the account holder and matching funds.".

(4) The lead-in language of subsection (e) is amended to read as follows:

"An account holder shall not be required to repay funds withdrawn from the opportunity account for an emergency withdrawal but shall be required to resume making deposits into the opportunity account no later than 90 days after the emergency withdrawal. If the account holder fails to make a deposit no later than 90 days after the emergency withdrawal:".

Sec. 302. Funeral services consumer protection.

(a) The District of Columbia Funeral Services Regulatory Act of 1984, effective May 22, 1984 (D.C. Law 5-84; D.C. Official Code § 3-401 *et seq.*), is amended by adding a new section 4a to read as follows:

"Sec. 4a. For a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), there shall be established a Funeral Bill of Rights designed to inform consumers of required pricing disclosures and other available consumer rights. The Department of Consumer and Regulatory Affairs, in consultation with the Board of Funeral Directors and the Attorney General for the District of Columbia ("Attorney General"), shall write the Funeral Bill of Rights, which shall be published in the District of Columbia Register no later than May 8, 2020. If the foregoing does not occur on or before May 1, 2020, the Attorney General may write the Funeral Bill of Rights and shall have it published in the District of Columbia Register no later than May 15, 2020.".

(b) Section 28-3904 of the District of Columbia Official Code is amended as follows:

(1) Subsection (jj) is amended by striking the phrase "; or" and inserting a semicolon in its place.

(2) Subsection (kk) is amended by striking the period at the end and inserting the phrase "; or" in its place.

(3) New subsections (ll) and (mm) are added to read as follows:

"(ll) violate any provision of 17 DCMR § 3013; or"

"(mm) violate any provision of 17 DCMR § 3117.".

(c) Title 17 of the District of Columbia Municipal Regulations (17 DCMR § 100 *et seq.*) is amended as follows:

(1) Section 3013.2(l) (17 DCMR § 3013.2(l)) is amended as follows:

(A) The lead-in language of subparagraph (8) is amended by striking the phrase "customer, or failing to passing" and inserting the phrase "customer, failing to provide to

the customer any receipts for amounts advanced, paid, or owed to third parties on behalf of the customer, or failing to pass" in its place.

(B) Subparagraph (24) is amended by striking the phrase "; or" and inserting a semicolon in its place.

(C) Subparagraph (25) is amended by striking the period at the end and inserting a semicolon in its place.

(D) New subparagraphs (26), (27), (28), and (29) are added to read as follows:

"(26) Failing to clearly and conspicuously post a General Price List, a Casket Price List, or an Outer Burial Container Price List that meets the requirements of the Funeral Industry Practices Rules of the Federal Trade Commission (16 C.F.R. § 453 *et seq.*) on any website maintained by the applicant or licensee;

"(27) Failing to provide to any customer a General Price List, a Casket Price List, or an Outer Burial Container Price List that meets the requirements of the Funeral Industry Practices Rules of the Federal Trade Commission (16 C.F.R. § 453 *et seq*);

"(28) Failing to clearly and conspicuously post the Funeral Bill of Rights, as specified in section 4a of the District of Columbia Funeral Services Regulatory Act of 1984, passed on emergency basis on May 19, 2020 (Enrolled version of Bill 23-759), on any website maintained by the applicant or licensee; or

"(29) Failing to provide to any customer the Funeral Bill of Rights, as specified in section 4a of the District of Columbia Funeral Services Regulatory Act of 1984, passed on emergency basis on May 19, 2020 (Enrolled version of Bill 23-759), during an initial meeting to discuss or make arrangements for the purchase of funeral goods or services.".

(2) Section 3110 (17 DCMR § 3110) is amended by adding a new subsection 3110.9 to read as follows:

"3110.9 A funeral services establishment shall keep and retain records documenting any required disclosures to consumers, including disclosure of its General Price List, Casket Price List, and Outer Burial Container Price List, and the Funeral Bill of Rights signed by the consumer, as specified in section 4a of the District of Columbia Funeral Services Regulatory Act of 1984, passed on emergency basis on May 19, 2020 (Enrolled version of Bill 23-759), after the completion or termination of a funeral contract.".

Sec. 303. Debt collection.

Section 28-3814 of the D.C. Official Code is amended as follows:

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

(1) New paragraphs (1A) and (1B) are added to read as follows:

"(1A) "collection lawsuit" means any legal proceeding, including civil actions, statements of small claims, and supplementary process actions, commenced in any court for the purpose of collecting any debt or other past due balance owed or alleged to be owed.

"(1B) "debt" means money or its equivalent which is, or is alleged to be, more than 30 days past due and owing, unless a different period is agreed to by the debtor, under a single account as a result of a purchase, lease, or loan of goods, services, or real or personal property for personal, family, or household purposes or as a result of a loan of money that was obtained for personal, family, or household purposes whether or not the obligation has been reduced to judgment.".

(2) A new paragraph (4) is added to read as follows:

"(4) "public health emergency" means a period of time for which the Mayor has declared a public health emergency pursuant to § 7-2304.01, or a state of emergency pursuant to § 28-4102.".

(b) New subsections (l), (m), and (n) are added to read as follows:

"(l)(1) Notwithstanding subsection (a) of this section, subsections (l) and (m) of this section shall apply to any debt, including loans directly secured on motor vehicles or direct motor vehicle installment loans covered by Chapter 36 of Title 28.

"(2) During a public health emergency and for 60 days after its conclusion, no creditor or debt collector shall, with respect to any debt:

"(A) Initiate, file, or threaten to file any new collection lawsuit;

"(B) Initiate, threaten to initiate, or act upon any statutory remedy for the garnishment, seizure, attachment, or withholding of wages, earnings, property, or funds for the payment of a debt to a creditor;

"(C) Initiate, threaten to initiate, or act upon any statutory remedy for the repossession of any vehicle; except, that creditors or debt collectors may accept collateral that is voluntarily surrendered;

"(D) Visit or threaten to visit the household of a debtor at any time for the purpose of collecting a debt;

"(E) Visit or threaten to visit the place of employment of a debtor at any time; or

"(F) Confront or communicate in person with a debtor regarding the collection of a debt in any public place at any time, unless initiated by the debtor.

"(3) This subsection shall not apply to collecting or attempting to collect a debt that is, or is alleged to be, owed on a loan secured by a mortgage on real property or owed for common expenses pursuant to § 42-1903.12.

"(4) Any statute of limitations on any collection lawsuit is tolled during the duration of the public health emergency and for 60 days thereafter.

"(m)(1) During a public health emergency and for 60 days after its conclusion, no debt collector shall initiate any communication with a debtor via any written or electronic communication, including email, text message, or telephone. A debt collector shall not be deemed to have initiated a communication with a debtor if the communication by the debt collector is in response to a request made by the debtor for the communication or is the mailing of monthly statements related to an existing payment plan or payment receipts related to an existing payment plan.

"(2) This subsection shall not apply to:

"(A) Communications initiated solely for the purpose of informing a debtor of a rescheduled court appearance date or discussing a mutually convenient date for a rescheduled court appearance;

"(B) Original creditors collecting or attempting to collect their own debt;

"(C) Collecting or attempting to collect a debt which is, or is alleged to be, owed on a loan secured by a mortgage on real property or owed for common expenses pursuant to § 42-1903.12; or

"(D) Receiving and depositing payments the debtor chooses to make during a public health emergency.

"(n) Subsections (l) and (m) of this section shall not be construed to:

"(1) Exempt any person from complying with existing laws or rules of professional conduct with respect to debt collection practices;

"(2) Supersede or in any way limit the rights and protections available to consumers under applicable local, state, or federal foreclosure laws; or

"(3) Supersede any obligation under the District of Columbia Rules of Professional Conduct, to the extent of any inconsistency.".

Sec. 304. Emergency credit alerts.

Title 28 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for Chapter 38 is amended by adding a new subchapter designation to read as follows:

"Subchapter IV. COVID-19 Emergency Credit Alert.

"28-3871. COVID-19 Emergency credit alert.

(b) A new section 28-3871 is added to read as follows:

"§ 28-3871. COVID-19 Emergency credit alert.

"(a) If a consumer reports in good faith that he or she has experienced financial hardship resulting directly or indirectly from the public health emergency declared pursuant to § 7-2304.01, a credit reporting agency maintaining a file on the consumer shall accept and include in that file a personal statement, if furnished by the consumer, indicating that the consumer has been financially impacted by the COVID-19 emergency and shall provide that personal statement along with or accompanying any credit report provided by the agency, beginning on the date of such request, unless the consumer requests that the personal statement be removed.

"(b) This section shall not apply to a federal credit union, as defined 12 U.S.C. § 1752(1) a national bank, as defined by 12 U.S.C. § 25b(a)(1), or a federal savings association, as defined by 12 U.S.C. § 1462(3); except, that an exception granted by this subsection shall not apply to any entity to which the savings clause at 12 U.S.C. § 25b(b)(2) applies.

"(c) When a District resident requests a copy of a credit report pursuant to 15 U.S.C. § 1681j, the entity providing the credit report must notify the resident of his or her right to request a personal statement to accompany the credit report.

"(d) If a credit reporting agency violates this section, the affected consumer may bring a civil action consistent with 15 U.S.C. § 1681n.

"(e)(1) The Attorney General may petition the Superior Court of the District of Columbia for temporary or permanent injunctive relief for, and for an award of damages for property loss or harm suffered by a consumer as a consequence of, a violation of this section, or fraudulent or deceptive conduct in violation of this section that harms a District resident.

"(2) In an action under this section, the Attorney General may recover:

"(A) A civil penalty not to exceed $1,000 for each violation; and

"(B) Reasonable attorney's fees and costs of the action.

"(f) The following terms shall have the same meaning as defined in § 28-3861:

"(1) "Consumer;"

"(2) "Credit report;" and

"(3) "Credit reporting agency.

"(g) This section shall not be construed in a manner inconsistent with the Fair Credit Reporting Act, (15 U.S.C. § 1681 *et seq.*), or any other federal law or regulation.".

Sec. 305. Enhanced penalties for unlawful trade practices.

Section 28-3903(a)(17) of the District of Columbia Official Code is amended by striking the phrase "by the Department." and inserting the phrase "by the Department; except, that notwithstanding any other provision of District law or regulation, during a period of time for which the Mayor has declared a public health emergency pursuant to § 7-2304.01, a violation of this chapter or of any rule issued under the authority of this chapter shall be a Class 1 infraction within the meaning of 16 DCMR § 3200.1(a).".

Sec. 306. Price gouging and stockpiling.

Title 28 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"28-4102.01. Stockpiling.".

(b) Section 28-4102(a)) is amended to read as follows:

"(a) It shall be unlawful for any person to charge more than the normal average retail price for any merchandise or service sold during a public health emergency declared pursuant to § 7-2304.01, or during an emergency resulting from a natural disaster declared pursuant to subsection (b) of this section.".

(c) A new section 28-4102.01 is added to read as follows:

"§ 28-4102.01. Stockpiling.

"It shall be unlawful for any person to purchase, in quantities greater than those specified by the Mayor, the Department of Health ("DOH"), the Homeland Security and Emergency Management Agency ("HSEMA"), or the federal government goods that the Mayor, DOH, HSEMA, or the federal government have declared:

"(1) Necessary for first responders or others following a natural disaster or a declaration of a public health emergency pursuant to § 7-2304.01 ("public health emergency");

"(2) Necessary to maintain supply chains of commerce during a natural disaster or a public health emergency; or

"(3) Subject to rationing.".

(d) Section 28-4103 is amended as follows:

(1) Strike the phrase "§ 28-4102(a)" wherever it appears and insert the phrase "§ 28-4102(a) or § 28-4102.01" in its place.

(2) A new subsection (c) is added to read as follows:

"(c) When the Office of the Attorney General brings a civil action for any violation of § 28-4102(a) or § 28-4102.01 under the authority granted in § 28-3909, the maximum penalty authorized by § 28-3909 shall be assessed for each such violation.".

Sec. 307. Utility shutoff.

(a) Section 113a(c) of the District Department of the Environment Establishment Act of 2005, effective September 11, 2019 (D.C. Law 23-16, D.C. Official Code § 8-151.13a(c)), is amended as follows:

(1) The existing text is designated paragraph (1).

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

"(2) Notwithstanding paragraph (1) of this subsection, during a period of time for which the Mayor has declared a public health emergency ("PHE") pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 105 calendar days thereafter, money in the Fund may be used to assist low-income residential customers located in the District of Columbia with the payment of an outstanding water bill balance; except, that not less than $1.26 million of funding allocated in the fiscal year in which the PHE occurs shall be reserved to assist nonprofit organizations located in the District with the payment of impervious area charges, pursuant to section 216b(a) of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective October 30, 2018 (D.C. Law 22-168; D.C. Official Code § 34-2202.16b(a)), and not less than $360,000 of funding allocated in the fiscal year in which the PHE occurs shall be reserved to assist residential customers with the payment of impervious area charges, pursuant to section 216b(b).".

(b)(1) A cable operator, as that term is defined by section 103(6) of the Cable Television Communications Act of 1981, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1251.03(6)), shall not disconnect, suspend, or degrade basic cable service or other basic cable operator services for non-payment of a bill, any fees for service or equipment, or any other charges, or for noncompliance with a deferred payment agreement during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), or for 15 calendar days thereafter.

"(2) For purposes of this subsection, the term "other basic cable operator services" includes only basic broadband internet service and Voice over Internet Protocol service (known as VOIP service) .".

(c) The Retail Electric Competition and Consumer Protection Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq.*), is amended by adding a new section 106b to read as follows:

"Sec. 106b. Disconnection of service during a public health emergency prohibited.

"(a) For the purposes of this section, the term "public health emergency" means a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

"(b) An electric company shall not disconnect electric service for non-payment of a bill or fees during a public health emergency or for 15 calendar days thereafter.".

(d) The Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004, effective March 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.01 *et seq.*), is amended by adding a new section 7b to read as follows:

"Sec. 7b. Disconnection of service during a public health emergency prohibited.

"(a) For the purposes of this section, the term "public health emergency" means a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

"(b) A gas company shall not disconnect gas service for non-payment of a bill or fees during a public health emergency or for 15 calendar days thereafter.".

(e) Section 103 of the District of Columbia Public Works Act of 1954, approved May 18, 1954 (68 Stat. 102; D.C. Code § 34-2407.01), is amended by adding a new subsection (c) to read as follows:

"(c)(1) For the purposes of this subsection, the term "public health emergency" means a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

"(2) During a public health emergency, or for 15 calendar days thereafter, notwithstanding any other provision of this act, the water supply to any property shall not be shut off for non-payment of a bill or fees.".

(f) The Telecommunications Competition Act of 1996, effective September 9, 1996 (D.C. Law 11-154; D.C. Official Code § 34-2002.01 *et. seq.*), is amended by adding a new section 3a to read as follows:

"Section 3a. Disconnection of telecommunications service during a public health emergency prohibited.

"(a) For the purposes of this section, the term "public health emergency" means a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the

District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

"(b) A telecommunications service provider shall not disconnect, suspend, or degrade basic telecommunications service for non-payment of a bill, any fees for service or equipment, or other charges, or for noncompliance with a deferred payment agreement during a public health emergency or for 15 calendar days thereafter.".

(g) Notwithstanding any District law, the Attorney General for the District of Columbia may use the enforcement authority set forth at D.C. Official Code § 28-3909 against any merchant, including a utility provider, that violates any provision of this act.

Sec. 308. Utility payment plans.

(a) During a program period, a utility provider shall offer a utility-payment-plan program ("program") for eligible customers. Under its program, a utility provider shall:

(1) Make a payment plan ("payment plan") available to an eligible customer for the payment of amounts that come due during the program period, with a minimum term length of one year, unless a shorter time period is requested by the customer.

(2) Waive any fee, interest, or penalty that arises out of the eligible customer entering into a payment plan;

(3) Not report to a credit reporting agency as delinquent the amounts subject to the payment plan; and

(4) Notify all customers of the availability, terms, and application process for its program.

(b)(1) Customers entering into a payment plan shall be required to make payments in equal monthly installments for the duration of the payment plan unless a shorter payment schedule is requested by the customer.

(2) A utility provider shall permit a customer that has entered into a payment plan to pay an amount greater than the monthly amount provided for in the payment plan.

(3) A utility provider shall not require or request a customer provide a lump-sum payment under a payment plan.

(4) A utility provider shall provide confirmation in writing to the customer of the payment plan entered into, including the terms of a payment plan.

(c) A utility provider shall utilize existing procedures or, if necessary, establish new procedures to provide a process by which a customer may apply for a payment plan, which may include requiring the customer to submit supporting documentation. A utility provider shall permit application for a payment plan to occur online and by telephone.

(d)(1) A utility provider shall approve each application for a payment plan submitted during the covered time period made by an eligible customer.

(2) If the customer is not eligible and the customer's application for a payment plan is denied, the utility provider shall inform the customer, in writing, of the denial and of the option to file a written complaint pursuant to subsection (g) of this section.

(e)(1) A utility provider shall not disconnect service for non-payment of a bill or fees when a customer has entered into a payment plan under this section and has made payments in accordance with the terms of the payment plan;

(2) When a customer fails to pay in full the amounts due under a payment plan and the customer and utility provider have not mutually agreed to a modification of the terms of the payment plan, nothing under this section shall prevent a utility provider from either offering the customer a new payment plan or disconnecting service.

(3) Notwithstanding any provision in this section, a utility provider is not required to offer a customer a new payment plan when a customer has defaulted on a previous payment plan offered pursuant to this section.

(f)(1) A utility provider that receives an application for a payment plan pursuant to this section shall retain the application, whether approved or denied, for at least 3 years.

(2) Upon request by the customer, a utility provider shall make an application for a payment plan available to:

(A) For utility providers regulated by the Public Service Commission and DC Water, the Office of the People's Counsel;

(B) For a cable operator, the Office of Cable Television, Film, Music and Entertainment; and

(C) For all other utility providers, the Department of Consumer and Regulatory Affairs and the Office of the Attorney General.

(g) A customer whose application for a payment plan is denied may file a written complaint with:

(1) For utility providers regulated by the Public Service Commission, the Public Service Commission, and the Office of the People's Counsel;

(2) For a cable operator, the Office of Cable Television, Film, Music and Entertainment; and

(3) For all other utility providers, the Department of Consumer and Regulatory Affairs.

(h) During a period of time for which the Mayor has declared a public health emergency, a utility provider regulated by the Public Service Commission shall reconnect service to occupied residential property upon an eligible customer's request and not charge a fee for this reconnection.

(i) For the purposes of this section, the term:

(1) "Cable operator" shall have the same meaning as provided in section 103(6) of the Cable Television Communications Act of 1981, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1251.03(6)).

(2) "DC Water" means the District of Columbia Water and Sewer Authority established pursuant to section 202(a) of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.02(a)).

(3) "Electric company" shall have the same meaning as provided in section 8 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 976; D.C. Official Code § 34-207).

(4) "Eligible Customer" means a customer that:

(A) Has notified the utility provider of an inability to pay all or a portion of the amount due as a result, directly or indirectly, of the public health emergency;

(B) Agrees in writing to make payments in accordance with the payment plan.

(5) "Gas company" shall have the same meaning as provided in section 3(11) of the Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004, effective March 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.02(b)).

(6) "Program period" means a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) and:

(A) For a cable operator, or a telecommunications provider not regulated by the Public Service Commission, 60 days thereafter; or

(B) For any other utility provider, 6 months thereafter.

(7) "Telecommunications provider" means an entity that provides telecommunications services, whether through a telecommunications system or universal service, as those terms are defined, respectively, in section 2(21) and (22) of the Telecommunications Competition Act of 1996, effective September 9, 1996 (D.C. Law 11-154; D.C. Official Code § 34-2001(21) and (22)), or other telecommunication service, whether such service is regulated by the Public Service Commission of the District of Columbia or the Federal Communications Commission, or is currently not regulated by either local or federal law.

(8) "Utility provider" means a cable operator, DC Water, an electric company, a gas company, or a telecommunications provider.

Sec. 309. Composting virtual training.

Section 112a(f) of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.12a(f)), is amended by adding a new paragraph (1A) to read as follows:

"(1A) Notwithstanding paragraph (1) of this subsection, during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor, or a contractor selected by the Mayor, may provide the training required by paragraph (1) of this subsection remotely through videoconference.".

Sec. 310. Emergency Department of Insurance, Securities, and Banking authority.

The Department of Insurance and Securities Regulation Establishment Act of 1996, effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-101 *et seq.*), is amended by adding a new section 5a to read as follows:

"Sec. 5a. Emergency authority of the Commissioner during a declared public health emergency.

"(a) For the duration of a public health emergency declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and to address the circumstances giving rise to that emergency, the Commissioner may issue emergency rulemaking, orders, or bulletins that:

"(1) Apply to any person or entity regulated by the Commissioner; and

"(2) Address:

"(A) Submission of claims or proof of loss;

"(B) Grace periods for payment of premiums and performance of other duties by insureds;

"(C) Temporary postponement of:

"(i) Cancellations;

"(ii) Nonrenewals; or

"(iii) Premium increases;

"(D) Modifications to insurance policies;

"(E) Insurer operations;

"(F) Filing requirements;

"(G) Procedures for obtaining nonelective health care services;

"(H) Time restrictions for filling or refilling prescription drugs;

"(I) Time frames applicable to an action by the Commissioner under this section;

"(J) Temporarily waiving application of laws, rulemaking, or requirements to ensure that depository services, non-depository services, and securities transactions can continue to be provided, including allowing for the opening of a temporary service location, which may be a mobile branch, temporary office space, or other facility; and

"(K) Any other activity related to insurance, securities, and banking and under the purview of the Commissioner reasonably calculated to protect the health, safety, and welfare of District residents during the public health emergency.

"(b) The Commissioner may require licensees to answer questions related to, and submit documentation of, the licensee's continuity of operations plan.

"(c)(1) To accomplish the purposes of this section, the Commissioner may issue emergency rulemaking, orders, or bulletins pursuant to this section specifying:

"(A) That the rulemaking, order, or bulletin is effective immediately;

"(B) The line or lines of business or the class or classes of licenses to which the regulation, order, or bulletin applies;

"(C) The geographic areas to which the regulation, order, or bulletin applies; and

"(D) The period of time for which the regulation, order, or bulletin applies.

"(2) A regulation issued under paragraph (1) of this subsection may not apply for longer than the duration of the effects of a declared public health emergency.".

Sec. 311. Vacant property designations.

Section 6(b) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3131.06(b)), is amended as follows:

(a) Paragraph (8) is amended by striking the phrase "; or" and inserting a semicolon in its place.

(b) Paragraph (9) is amended by striking the period and inserting the phrase "; or" in its place.

(c) A new paragraph (10) is added to read as follows:

"(10) A commercial property that houses a business that has closed during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code§ 7-2304.01), as a result of the circumstances giving rise to or resulting from the public health emergency, and for 60 days thereafter.".

Sec. 312. Extension of licenses and registrations; waiver of deadlines.

Notwithstanding any provision of law during, or within 45 days after the end of, a period time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor, may:

(1) Prospectively or retroactively extend the validity of a license, registration, permit, or authorization, including driver licenses, vehicle registrations, professional licenses, registrations, and certifications;

(2) Waive the deadlines for filings, and waive fees, fines, and penalties associated with the failure to timely renew a license, registration, permit, or other authorization or to timely submit a filing; or

(3) Extend or waive the deadline by which action is required to be taken by the executive branch of the District government or by which an approval or disapproval is deemed to have occurred based on inaction by the executive branch of the District government.

TITLE IV. HOUSING AND TENANT PROTECTIONS

Sec. 401. Mortgage relief.

(a) In accordance with section 5(b)(15) of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(15)),

and notwithstanding any provision of the Mortgage Lender and Broker Act of 1996, effective September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1101 *et seq.*), or any other provision of District law, during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) ("Public Emergency Act"), and for 60 days thereafter, a mortgage lender that makes or holds a residential mortgage loan or commercial mortgage loan in the District shall develop a deferment program for borrowers that, at a minimum:

(1) Grants at least a 90-day deferment of the monthly payment of principal and interest on a mortgage for borrowers;

(2) Waives any late fee, processing fee, or any other fee accrued during the period of time for which the Mayor has declared a public health emergency pursuant to the Public Emergency Act; and

(3) Does not report to a credit reporting agency as delinquent the amounts subject to the deferral.

(b) The mortgage lender shall establish application criteria and procedures for borrowers to apply for the deferment program. An application or summary of procedures shall be made available online or by telephone.

(c) The mortgage lender shall approve each application in which a borrower:

(1) Demonstrates to the mortgage lender evidence of a financial hardship resulting directly or indirectly from the public health emergency, including an existing delinquency or future inability to make payments; and

(2) Agrees in writing to pay the deferred payments within:

(A) A reasonable time agreed to in writing by the applicant and the mortgage lender; or

(B) If no reasonable time can be agreed to pursuant to subparagraph (A) of this paragraph, 3 years from the end of the deferment period, or the end of the original term of the mortgage loan, whichever is earlier.

(d)(1) A mortgage lender who receives an application for deferment pursuant to this section shall retain the application, whether approved or denied, for at least 3 years after final payment is made on the mortgage or the mortgage is sold, whichever occurs first.

(2) Upon request, a mortgage lender shall make an application for deferment available to the Commissioner.

(3)(A)(i) A mortgage lender who approves an application for deferment pursuant to this section shall, on or before June 4, 2020, provide to the Commissioner notice of all approved applications on a form prescribed by the Commissioner.

(ii) After the initial submission prescribed in this paragraph, a mortgage lender who approves an application for deferment pursuant to this section shall provide the Commissioner with a list of all new approvals in 15-day intervals for the duration of the public health emergency and for 60 days thereafter.

(iii) The Commissioner may request information on the number and nature of approvals between 15-day intervals.

(B) The Commissioner shall maintain a publicly available list of approved commercial loan deferral applications. The requirement of this subparagraph may be satisfied by posting to the Department of Insurance, Securities, and Banking website.

(e) A mortgage lender shall be prohibited from requesting or requiring a lump sum payment from any borrower making payments under a deferred payment program pursuant to this section, subject to investor guidelines.

(f) A person or business whose application for deferment is denied may file a written complaint with the Commissioner. The Commissioner is authorized to investigate the complaint in accordance with section 13 of the Mortgage Lender and Broker Act of 1996, effective September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1112).

(g) The provisions of this section shall apply to any lender who makes or holds a commercial mortgage loan in the District, with the exception of national banks and federally chartered credit unions.

(h) To the extent necessary to conform with the provisions of this section, the provisions in section 313(c)(1) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.13(c)(1)), are waived for the duration of the public health emergency.

(i) This section shall not apply to a property for which, as of March 11, 2020, a mortgage lender initiated a foreclosure action or exercised its right to accelerate the balance and maturity date of the loan on or before March 11, 2020.

(j) This section shall not apply to a mortgage loan that is a Federally backed mortgage loan, as that term is defined in section 4022(a)(2) of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. § 9056(a)(2)) ("CARES Act"), or a Federally backed multifamily mortgage loan, as that term is defined in section 4023(f)(2) of the CARES Act (15 U.S.C. § 9057(f)(2)).

(k) A mortgage lender that violates the provisions of this section shall be subject to the penalties prescribed in section 19 of the Mortgage Lender and Broker Act of 1996, effective September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1118).

(l) For the purposes of this section, the term:

(1) "Commercial mortgage loan" means a loan for the acquisition, construction, or development of real property, or a loan secured by collateral in such real property, that is owned or used by a person, business, or entity for the purpose of generating profit, and includes real property used for single-family housing, multifamily housing, retail, office space, and commercial space that is made, owned, or serviced by a mortgage lender.

(2) "Commissioner" means the Commissioner of the Department of Insurance, Securities, and Banking.

(3) "Mortgage lender" means any person that makes a mortgage loan to any person or that engages in the business of servicing mortgage loans for others or collecting or otherwise receiving mortgage loan payments directly from borrowers for distribution to any

other person. The term "mortgage lender" does not include the Federal Home Loan Mortgage Corporation, the Federal National Mortgage Association, or the Government National Mortgage Association.

Sec. 402. Tenant payment plans.

(a) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for one year thereafter ("program period"), a provider shall offer a rent-payment-plan program ("program") for eligible tenants. Under its program, a provider shall:

(1) Make a payment plan available to an eligible tenant for the payment of gross rent that comes due during the program period and prior to the cessation of tenancy ("covered time period"), with a minimum term length of one year unless a shorter payment plan term length is requested by the eligible tenant.

(2) Waive any fee, interest, or penalty that arises out of an eligible tenant entering into a payment plan;

(3) Not report to a credit reporting agency as delinquent the rent subject to the payment plan;

(4) Provide that an eligible tenant does not lose any rights under the lease due to a default on the monetary amounts due during the lease period; provided, that the tenant does not default on the terms of the payment plan; and

(5) Notify all tenants of the availability, terms, and application process for its program.

(b)(1) Tenants entering into a payment plan shall be required to make payments in equal monthly installments for the duration of the payment plan unless a different payment schedule is requested by the tenant.

(2) A provider shall permit a tenant that has entered into a payment plan to pay an amount greater than the monthly amount provided for in the payment plan.

(3) A provider shall not require or request a tenant to provide a lump-sum payment under a payment plan.

(4) A provider shall agree in writing to the terms of a payment plan.

(c) A provider shall utilize existing procedures or, if necessary, establish new procedures to provide a process by which an eligible tenant may apply for a payment plan, which may include requiring the tenant to submit supporting documentation. A provider shall permit an application for a payment plan to occur online and by telephone.

(d) A provider shall approve each application for a payment plan submitted during a covered time period in which an eligible tenant:

(1) Demonstrates to the provider evidence of a financial hardship resulting directly or indirectly from the public health emergency:

(A) That is in addition to any delinquency or future inability to make rental payments in existence prior to the start of the public health emergency; and

(B) That would cause the tenant to be unable to qualify to rent the unit or space based on utilization of the same qualification criteria that were applied to the tenant at the time he or she was approved to rent the unit or space; and

(2) Agrees in writing to make payments in accordance with the payment plan.

(e)(1) A provider who receives an application for a payment plan shall retain the application, whether approved or denied, for at least 3 years.

(2) Upon request of the tenant, a provider shall make an application for a payment plan available to:

(A) For residential tenants, the Rent Administrator, Office of the Tenant Advocate; and

(B) For commercial tenants, the Department of Consumer and Regulatory Affairs.

(f)(1) A residential tenant whose application for a payment plan is denied may file a written complaint with the Rent Administrator. The Rent Administrator shall forward the complaint to the Office of Administrative Hearings for adjudication.

(2) A commercial tenant whose application for a payment plan is denied may file a written complaint with the Department of Consumer and Regulatory Affairs.

(g) During the program period, unless the provider has offered a rent payment plan pursuant to this section and approved a rent payment plan pursuant to subsection (d) of this section, that provider shall be prohibited from filing any collection lawsuit or eviction for non-payment of rent; provided, that the tenant does not default on the terms of the payment plan.

(h) For the purposes of this section, the term:

(1) "Eligible tenant" means a tenant of a residential or commercial retail property rented from a provider that:

(A) Has notified a provider of an inability to pay all or a portion of the rent due as a result of the public health emergency; and

(B) Is not a franchisee unless the franchise is owned by a District resident.

(2) "Housing provider" means a person or entity who is a residential landlord, residential owner, residential lessor, residential sublessor, residential assignee, or the agent of any of the foregoing or any other person receiving or entitled to receive the rents or benefits for the use or occupancy of any residential rental unit within a housing accommodation within the District.

(3) "Non-housing provider" means a person or entity who is a non-residential landlord, non-residential owner, non-residential lessor, non-residential sublessor, non-residential assignee, a non-residential agent of a landlord, owner, lessor, sublessor, or assignee, or any other person receiving or entitled to receive rents or benefits for the use or occupancy of a commercial unit.

(4) "Provider" means a housing provider or a non-housing provider.

Sec. 403. Residential cleaning.

(a) During a period of time for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the owner or representative of the owner of a housing accommodation shall clean common areas of the housing accommodation on a regular basis, including surfaces that are regularly touched, such as doors, railings, seating, and the exterior of mailboxes.

(b) For the purposes of this section "housing accommodation" means any structure or building in the District containing one or more residential units that are not occupied by the owner of the housing accommodation, including any apartment, efficiency apartment, room, accessory dwelling unit, cooperative, homeowner association, condominium, multifamily apartment building, nursing home, assisted living facility, or group home.

(c) The Mayor may, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), promulgate rules to implement this section.

Sec. 404. Eviction prohibition.

(a) Title 16 of the District of Columbia Official Code is amended as follows:

(1) Section 16-1501 is amended as follows:

(A) The existing text is designated as subsection (a).

(B) A new subsection (b) is added to read as follows:

"(b) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code 7-2304.01), and for 60 days thereafter, the person aggrieved shall not file a complaint seeking relief pursuant to this section.".

(2) Section 16-1502 is amended by striking the phrase "exclusive of Sundays and legal holidays" and inserting the phrase "exclusive of Sundays, legal holidays, and a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)" in its place.

(b) Section 501(k) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01(k)), is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "; or" and inserting a semicolon in its place.

(2) Paragraph (2) is amended by striking the period and inserting the phrase "; or" in its place.

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

"(3) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).".

Sec. 405. Residential tenant protections.

(a) The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq.*), is amended by adding a new section 510b to read as follows:

"Sec. 510b. Tolling of tenant deadlines during a public health emergency.

"The running of all time periods for tenants and tenant organizations to exercise rights under this act shall be tolled from the beginning of the period of a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), until the end of the public health emergency, and for 30 days thereafter.".

(b) The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

(1) Section 202(b)(2) (D.C. Official Code § 42-3502.02(b)(2)) is amended to read as follows:

"(2)(A) A majority of the Rental Housing Commissioners shall constitute a quorum to do business, and a single vacancy shall not impair the right of the remaining Rental Housing Commissioners to exercise all powers of the Rental Housing Commission.

"(B) In the event that a majority of the Rental Housing Commissioners (or any one Commissioner if there is a vacancy) will be unable to perform their official duties for an extended period of time due to circumstances related to a declared state of emergency in the District of Columbia, including quarantine or movement restrictions, illness, or the care of a close family member, one Commissioner shall constitute a quorum to do business.

"(i) If the Chairperson will be unable to perform his or her duties, he or she shall designate an acting Chairperson or, if only one Commissioner is available, that Commissioner shall be automatically designated as acting Chairperson.

"(ii) The Chairperson of the Rental Housing Commission shall notify the Mayor and the Chairperson of the Council in writing of any temporary vacancy and whether the Commission is operating as a quorum of one.

"(iii) For such time as the Rental Housing Commission is operating as a quorum of one, the Commission shall only issue, amend, or rescind rules on an emergency basis in accordance with section 105(c) of the District of Columbia Administrative Procedure Act, approved October 21, 2968 (82 Stat. 1206; D.C. Official Code § 2-505(c)).

"(iv) The authority to operate as a quorum of one shall terminate when at least one Rental Housing Commissioner notifies the Chairperson in writing that he or she is able to resume his or her duties. The authority may extend beyond the termination of the original declared state of emergency if Commissioners are personally affected by continuing circumstances.

(2) Section 208(a)(1) (D.C. Official Code § 42-3502.08(a)(1)) is amended as follows:

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

(B) Subparagraph (G) is amended by striking the period at the end and inserting the phrase "; and" in its place.

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

"(H) None of the circumstances set forth in section 904(c) applies.".

(3) Section 211 (D.C. Official Code § 42-3502.11) is amended as follows:

(A) The existing text is designated as subsection (a).

(B) A new subsection (b) is added to read as follows:

"(b) If, during a public health emergency that has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) ("Public Emergency Act"), and consistent with applicable law or an order issued by the Mayor pursuant to the Public Emergency Act , a housing provider temporarily stops providing:

"(1) An amenity that a tenant pays for in addition to the rent charged, then the housing provider shall refund to the tenant pro rata any fee charged to the tenant for the amenity during the public health emergency; or

"(2) A service or facility that is lawfully included in the rent charged, then the housing provider shall not be required to reduce the rent charged pursuant to subsection (a) of this section.".

(4) Section 531(c) (D.C. Official Code § 42-3505.31(c)) is amended as follows:

(A) Paragraph (4) is amended by striking the phrase "or;" and inserting a semicolon in its place.

(B) Paragraph (5) is amended by striking the period and inserting the phrase "; or" in its place.

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

"(6) Impose a late fee on a tenant during any month for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).".

(5) Section 553 (D.C. Official Code § 42-3505.53) is amended as follows:

(A) The existing text is designated subsection (a).

(B) A new subsection (b) is added to read as follows:

"(b) Any notice of intent to vacate that a tenant provided prior to the period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), shall be tolled at the election of the tenant for the period of any such public health emergency such that the tenant shall have the same number of days to vacate remaining at the end of the public health emergency as the tenant had remaining upon the effective date of the public health emergency.".

(6) Section 554 (D.C. Official Code § 42-3505.54) is amended by adding a new subsection (c) to read as follows:

"(c) Any notice of intent to vacate that a tenant provided prior to the period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), shall be tolled at the election of the tenant for the period of any such public health emergency such that the tenant shall have the same number of days to vacate remaining at the end of the public health emergency as the tenant had remaining upon the effective date of the public health emergency.".

(7) Section 904 D.C. Official Code § 42-3509.04) is amended by adding new subsections (c) and (d) to read as follows:

"(c) No housing provider may issue a rent increase notice to any residential tenant during a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) ("Public Emergency Act").

"(d)(1) Any rent increase, whether under this act, the Rental Accommodations Act of 1975, the Rental Housing Act of 1977, the Rental Housing Act of 1980, or any administrative decisions issued under these acts, shall be null and void and shall be issued anew in accordance with subsection (b) of this section if:

"(A) The effective date of the rent increase as stated on the notice of rent increase occurs during a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 30 days thereafter;

"(B) The notice of rent increase was provided to the tenant during a period for which a public health emergency has been declared; or

"(C) The notice was provided to the tenant prior to, but the rent increase takes effect following, a public health emergency.

"(2) The Rent Administrator shall review all notices to a tenant of an adjustment in the rent charged filed by a housing provider with the Rental Accommodations Division of the Department of Housing and Community Development for consistency with this subsection and shall inform the housing provider that:

"(A) A rent increase is prohibited during the public health emergency plus 30 days pursuant to this section;

"(B) The housing provider shall withdraw the rent increase notice;

"(C) The housing provider shall inform tenants in writing that any rent increase notice is null and void pursuant to the Coronavirus Support Congressional Emergency Amendment Act of 2020, passed on emergency basis on May 19, 2020 (Enrolled version of Bill 23-759);

"(D) The housing provider shall within 7 calendar days, file a certification with the Rental Accommodations Division that the notice letter required by subparagraph (C) of this paragraph was sent to tenants, along with a sample copy of the notice and a list of each tenant name and corresponding unit numbers; and

"(E) If it is determined that the housing provider knowingly demanded or received any rent increase prohibited by this act or substantially reduced or eliminated related services previously provided for a rental unit, the housing provider may be subject to treble damages and a rollback of the rent, pursuant to section 901(a).".

(8) A new section 911 is added to read as follows:

"Sec. 911. Tolling of tenant deadlines during a public health emergency.

"The running of all time periods for tenants and tenant organizations to exercise rights under this act or under chapters 38 through 43 of Title 14 of the District of Columbia Municipal Regulations (14 DCMR §§ 3800 through 4399) shall be tolled during a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 30 days thereafter.".

Sec. 406. Rent increase prohibition.

(a) Notwithstanding any other provision of law, a rent increase for a residential property not prohibited by the provisions of section 904(c) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3509.04(c)), shall be prohibited during a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 30 days thereafter.

(b) Notwithstanding any other provision of law, a rent increase for a commercial retail property or a commercial property that is less than 6,500 square feet in size shall be prohibited during a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 30 days thereafter.

Sec. 407. Nonprofit corporations and cooperative association remote meetings.

Title 29 of the District of Columbia Official Code is amended as follows:

(a) Section 29-405.01(e) is amended by striking the phrase "The articles of incorporation or bylaws may provide that an annual" and inserting the phrase "Notwithstanding the articles of incorporation or bylaws, during a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), an annual" in its place.

(b) Section 29-910 is amended by striking the phrase "If authorized by the articles or bylaws" and inserting the phrase "During a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), regardless of whether remote regular and special meetings of members are authorized by the articles or bylaws" in its place.

Sec. 408. Foreclosure moratorium.

(a)(1) Notwithstanding any provision of District law, during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 60 days thereafter, no residential foreclosure:

(A) May be initiated or conducted under section 539 or section 95 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1274; D.C. Official Code §§ 42-815 and 42-816); or

(B) Sale may be conducted under section 313(c) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.13(c)).

(2) This subsection shall not apply to a residential property at which neither a record owner nor a person with an interest in the property as heir or beneficiary of a record owner, if deceased, has resided for at least 275 total days during the previous 12 months, as of the first day of the public health emergency.

(b) Section 313(e) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.13(e)), is amended by striking the phrase "3 years" and inserting the phrase "3 years, not including any period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 60 days thereafter," in its place.

TITLE V. HEALTH AND HUMAN SERVICES

Sec. 501. Prescription drugs.

Section 208 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.08), is amended by adding a new subsection (g-2) to read as follows:

"(g-2)(1) An individual licensed to practice pharmacy pursuant to this act may authorize and dispense a refill of patient prescription medications prior to the expiration of the waiting period between refills to allow District residents to maintain an adequate supply of necessary medication during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

"(2) This subsection shall not apply to any patient prescription for which a refill otherwise would be prohibited under District law.".

Sec. 502. Homeless services.

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.*), is amended as follows:

(a) Section 8(c-1) (D.C. Official Code § 4-753.02(c-1)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "not to exceed 3 days" and inserting the phrase "not to exceed 3 days; except, that during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may place the family in an interim eligibility placement for a period not to exceed 60 days" in its place.

(2) Paragraph (2) is amended by striking the phrase "and section 9(a)(20)" and inserting the phrase "and section 9(a)(20); except, that the Mayor may extend an interim eligibility placement to coincide with the period of a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)" in its place.

(3) Paragraph (3) is amended by striking the phrase "within 12 days of the start of the interim eligibility placement" and inserting the phrase "within 12 days of the start of the interim eligibility placement; except, that during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor shall have 10 business days following the end of the public health emergency to issue the eligibility determination required by this paragraph" in its place.

(4) Paragraph (4) is amended by striking the phrase "start of an interim eligibility placement," and inserting the phrase "start of an interim eligibility placement, or as otherwise required by paragraph (3) of this subsection" in its place.

(b) Section 9(a)(14) (D.C. Official Code § 4-754.11(a)(14)) is amended by striking the phrase "and other professionals" and inserting the phrase "and other professionals; except, that the Mayor may waive the requirements of this provision for in-person meetings and communications during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)" in its place.

(c) Section 10(1) (D.C. Official Code § 4-754.12(1)) is amended by striking the phrase "established pursuant to section 18" and inserting the phrase "established pursuant to section 18; except, that the Mayor may waive this provision during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)" in its place.

(d) Section 19(c-2) (D.C. Official Code § 4-754.33(c-2)) is amended by striking the phrase "served on the client." and inserting the phrase "served on the client; except, that during a public health emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may serve written notice via electronic transmission." in its place.

(e) Section 24(f) (D.C. Official Code § 4-754.38(f)) is amended as follows:

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

(A) Subparagraph (A) is amended by striking the phrase "to the unit; or" and inserting the phrase "to the unit;" in its place.

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

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

"(C) During a period of time for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), to prevent or mitigate the spread of contagious disease, as determined by the Department or provider." in its place.

(2) Paragraph (2) is amended by striking the phrase "to paragraph (1)(B)" and inserting the phrase "to paragraph (1)(B) or (C)" in its place.

Sec. 503. Extension of care and custody for aged-out youth.

(a) Section 303(a-1) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1303.03(a-1)), is amended as follows:

(1) Paragraph (12) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(2) Paragraph (13) is amended by striking the period and inserting the phrase "; and" in its place.

(3) A new paragraph (14) is added to read as follows:

"(14) To retain custody of a youth committed to the Agency who becomes 21 years of age during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), for a period not exceeding 90 days after the end of the public health emergency; provided, that the youth consents to the Agency's continued custody .".

(b) Chapter 23 of Title 16 of the District of Columbia Official Code is amended as follows:

(1) Section 16-2303 is amended as follows:

(A) The existing text is designated as subsection (a).

(B) A new subsection (b) is added to read as follows:

"(b) The Division shall retain jurisdiction of a minor in the legal custody of a public agency pursuant to § 16-2320(a)(1)(3)(A) who becomes 21 years of age during a period of time for which the Mayor has declared a public health emergency pursuant to § 7-2304.01, for a period not exceeding 90 days after the end of the public health emergency; provided, that the minor consents to the Division's retention of jurisdiction.".

(2) Section 16-2322(f)(1) is amended by striking the phrase "twenty-one years of age" and inserting the phrase "21 years of age, not including orders extended pursuant to § 16-2303(b)" in its place.

Sec. 504. Standby guardianship.

Section 16-4802 of the District of Columbia Official Code is amended as follows:

(a) A new paragraph (5A) is added to read as follows:

"(5A) "COVID-19" means the disease caused by the novel coronavirus SARS-CoV-2.".

(b) Paragraph (6) is amended to read as follows:

"(6) "Debilitation" means those periods when a person cannot care for that person's minor child as a result of:

"(A) A chronic condition caused by physical illness, disease, or injury from which, to a reasonable degree of probability, the designator may not recover; or

"(B) A serious medical condition caused by COVID-19.".

(c) Paragraph (10) is amended to read as follows:

"(10) "Incapacity" means:

"(A) A chronic and substantial inability, as a result of a mental or organic impairment, to understand the nature and consequences of decisions concerning the care of a minor child, and a consequent inability to care for the minor child; or

"(B) A substantial inability, as a result of COVID-19, to understand the nature and consequences of decisions concerning the care of a minor child, and a consequent inability to care for the minor child.".

(d) Paragraph (13) is amended to read as follows:

"(13) "Triggering event" means any of the following events:

"(A) The designator is subject to an adverse immigration action;

"(B) The designator has been diagnosed, in writing, by a licensed clinician to suffer from a chronic condition caused by injury, disease, or illness from which, to a reasonable degree of probability, the designator may not recover and the designator:

"(i) Becomes debilitated, with the designator's written acknowledgement of debilitation and consent to commencement of the standby guardianship;

"(ii) Becomes incapacitated as determined by an attending clinician; or

"(iii) Dies; or

"(C) The designator has been diagnosed, in writing, by a licensed clinician to suffer from COVID-19 and the designator:

"(i) Becomes debilitated, with the designator's written acknowledgement of debilitation and consent to commencement of the standby guardianship;

"(ii) Becomes incapacitated as determined by an attending clinician; or

"(iii) Dies.".

Sec. 505. Health status and residence of wards.

Subchapter V of Chapter 20 of Title 21 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"21-2047.03. Duty of guardian to inform certain relatives about the health status and residence of a ward."

(b) A new section 21-2047.03 is added to read as follows:

§ 21-2047.03. Duty of guardian to inform certain relatives about the health status and residence of a ward.

"(a) During a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), the guardian of a ward shall inform at least one relative of the ward, if one exists pursuant to subsection (d) of this section, as soon as practicable but no later than within 48 hours, of the following events:

"(1) The ward dies;

"(2) The ward is admitted to a medical facility;

"(3) The ward is transferred to acute care;

"(4) The ward is placed on a ventilator;

"(5) The residence of the ward or the location where the ward lives has changed; and

"(6) The ward is staying at a location other than the residence of the ward for a period that exceeds 7 consecutive days.

"(b) In the case of the death of the ward, the guardian shall inform at least one relative of the ward, if one exists, pursuant to subsection (d) of this section, of any funeral arrangements and the location of the final resting place of the ward at least 72 hours before the funeral.

"(c) Nothing in this section shall be construed to exempt a guardian from complying with federal or District privacy laws to which they are otherwise subject.

"(d) This section shall apply only to the relative of a ward:

"(1) Against whom a protective order is not in effect to protect the ward;

"(2) Who has not been found by a court or other state agency to have abused, neglected, or exploited the ward; and

"(3) Who has elected in writing to receive a notice about the ward.

"(e) For the purposes of this section the term:

"(1) "Relative" means a spouse, parent, sibling, child, or domestic partner of the ward.

"(2) "Domestic partner" shall have the same meaning as in section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32–701(3)).".

Sec. 506. Contact tracing hiring requirements.

An Act to authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases, approved August

11, 1939 (53 Stat. 1408; D.C. Official Code § 7-131 *et seq.*), is amended by adding a new section 9a to read as follows:

"Sec. 9a. Contact tracing hiring requirements.

"Of the number of persons hired by the Department of Health for positions, whether they be temporary or permanent, under the Contact Trace Force initiative to contain the spread of the 2019 coronavirus (SARS-CoV-2) in the District, the Director of the Department of Health shall establish a goal and make the best effort to hire at least 50% District residents, and for the position of investigator, whether it be a temporary or permanent position, also establish a goal and make the best effort to hire at least 25% graduates from a workforce development or adult education program funded or administered by the District of Columbia.".

Sec. 507. Public health emergency authority.

The District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2301 *et seq.*), is amended as follows:

(a) Section 5(b) (D.C. Official Code § 7-2304(b)) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase "District of Columbia government;" and inserting the phrase "District of Columbia government; provided further, that a summary of each emergency procurement entered into during a period for which a public health emergency is declared shall be provided to the Council no later than 7 days after the contract is awarded. The summary shall include:

(A) A description of the goods or services procured;

(B) The source selection method;

(C) The award amount; and

(D) The name of the awardee.".

(2) Paragraph (13) is amended by striking the phrase "; or" and inserting a semicolon in its place.

(3) Paragraph (14) is amended by striking the period at the end and inserting a semicolon in its place.

(4) New paragraphs (15) and (16) are added to read as follows:

"(15) Waive application of any law administered by the Department of Insurance, Securities, and Banking if doing so is reasonably calculated to protect the health, safety, or welfare of District residents; and

"(16) Notwithstanding any provision of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*) ("CMPA"), or the rules issued pursuant to the CMPA, the Jobs for D.C. Residents Amendment Act of 2007, effective February 6, 2008 (D.C. Law 17-108; D.C. Official Code § 1-515.01 *et seq.*), or any other personnel law or rules, the Mayor may take the following personnel actions regarding executive branch subordinate agencies that the Mayor determines necessary and appropriate to address the emergency:

"(A) Redeploying employees within or between agencies;

"(B) Modifying employees' tours of duty;

"(C) Modifying employees' places of duty;

"(D) Mandating telework;

"(E) Extending shifts and assigning additional shifts;

"(F) Providing appropriate meals to employees required to work overtime or work without meal breaks;

"(G) Assigning additional duties to employees;

"(H) Extending existing terms of employees;

"(I) Hiring new employees into the Career, Education, and Management Supervisory Services without competition;

"(J) Eliminating any annuity offsets established by any law; or

"(K) Denying leave or rescinding approval of previously approved leave.".

(b) Section 5a(d) (D.C. Official Code § 7-2304.01(d)) is amended as follows:

(1) Paragraph (3) is amended by striking the phrase "solely for the duration of the public health emergency; and" and inserting the phrase "solely for actions taken during the public health emergency;" in its place.

(2) Paragraph (4) is amended by striking the period at the end and inserting a semicolon in its place.

(3) New paragraphs (5), (6), and (7) are added to read as follows:

"(5) Waive application in the District of any law administered by the Department of Insurance, Securities, and Banking if doing so is reasonably calculated to protect the health, safety, and welfare of District residents;

"(6) Authorize the use of crisis standards of care or modified means of delivery of health care services in scarce-resource situations; and

"(7) Authorize the Department of Health to coordinate health-care delivery for first aid within the limits of individual licensure in shelters or facilities as provided in plans and protocols published by the Department of Health.".

(c) Section 7 (D.C. Official Code § 7-2306) is amended by adding a new subsection (c-1) to read as follows:

"(c-1) Notwithstanding subsections (b) and (c) of this section, the Council authorizes the Mayor to extend the 15-day March 11, 2020, emergency executive order and public health emergency executive order ("emergency orders") issued in response to the coronavirus (SARS CoV-2) for an additional 135-day period. After the additional 135-day extension authorized by this subsection, the Mayor may extend the emergency orders for additional 15-day periods pursuant to subsection (b) or (c) of this section.".

(d) Section 8 (D.C. Official Code § 7-2307) is amended as follows:

(1) The existing text is designated as subsection (a).

(2) New subsections (b) and (c) are added to read as follows:

"(b) The Mayor may revoke, suspend, or limit the license, permit, or certificate of occupancy of a person or entity that violates an emergency executive order.

"(c) For the purposes of this section a violation of a rule, order, or other issuance issued under the authority of an emergency executive order shall constitute a violation of the emergency executive order.".

Sec. 508. Public benefits clarification and continued access.

(a) The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

(1) Section 101 (D.C. Official Code § 4-201.01) is amended by adding a new paragraph (2A-i) to read as follows:

"(2A-i) "COVID-19 relief" means any benefit in cash or in kind, including pandemic Supplemental Nutrition Assistance Program benefits, emergency Supplemental Nutrition Assistance Program benefits, and advance refund of tax credits, that are of a gain or benefit to a household and were received pursuant to federal or District relief provided in response to the COVID-19 Public Health Emergency of 2020. This term does not include COVID-19 related unemployment insurance benefits.".

(2) Section 505(4) (D.C. Official Code § 4-205.05(4)) is amended by striking the phrase "medical assistance" and inserting the phrase "medical assistance; COVID-19 relief;" in its place.

(3) Section 533(b) (D.C. Official Code § 4-205.33(b)) is amended by adding a new paragraph (4) to read as follows:

"(4) COVID-19 relief shall not be considered in determining eligibility for TANF and shall not be treated as a lump-sum payment or settlement under this act.".

(b) Notwithstanding any provision of District law, the Mayor may extend the eligibility period for individuals receiving benefits, extend the timeframe for determinations for new applicants, and take such other actions as the Mayor determines appropriate to support continuity of, and access to, any public benefit program, including the DC Healthcare Alliance and Immigrant Children's program, Temporary Assistance for Needy Families, and Supplemental Nutritional Assistance Program, until 60 days after the end of a public health emergency declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), as allowable under federal law.

Sec. 509. Notice of modified staffing levels.

Section 504(h-1)(1)(B) of the Health-Care and Community Residence Facility Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-504(h-1)(1)(B)), is amended as follows:

(a) Sub-subparagraph (i) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Sub-subparagraph (ii) is amended by striking the semicolon and inserting the phrase "; and" in its place.

(c) A new sub-subparagraph (iii) is added to read as follows:

"(iii) Provide a written report of the staffing level to the Department of Health for each day that the facility is below the prescribed staffing level as a result of circumstances giving rise to a public health emergency during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).".

Sec. 510. Not-for-Profit Hospital Corporation.

Section 5115(l) of the Not-For-Profit Hospital Corporation Establishment Amendment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04(l)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "Subsections (a), (b)," and inserting the phrase "Except as provided in paragraph (1A), subsections (a), (b)," in its place.

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

"(1A) During the period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), subsections (a), (b), (c), (d), (e), and (f) of this section shall expire if:

"(A) By September 15, 2019, the Board does not adopt a revised budget for Fiscal Year 2020 that has been certified by the Chief Financial Officer of the District of Columbia as being balanced with a District operating subsidy of $22.14 million or less; or

"(B) At any time after September 30, 2020, a District operating subsidy of more than $15 million per year is required.".

Sec. 511. Discharge of Long-Term Care residents

Section 301 of the Nursing Home and Community Residence Facilities Protection Act of 1985, effective April 18, 1986 (D.C. Law 6-108; D.C. Official Code § 44-1003.01), is amended by adding a new subsection (c) to read as follows:

"(c) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), plus an additional 45 days following the end of that period, a facility providing long-term care shall not involuntarily discharge a resident except because the discharge:

"(1) Results from the completion of the resident's skilled nursing or medical care; or

"(2) Is essential to safeguard that resident or one or more other residents from physical injury.".

Sec. 512. Long-Term Care Facility reporting of positive cases.

Each long-term care facility located in the District shall report daily to the Department of Health both the number of novel 2019 coronavirus (SARS-CoV-2) positive cases and the number of novel 2019 coronavirus (SARS-CoV-2)-related deaths for both employees and residents of the

long-term care facility during the period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 60 days thereafter.

Sec. 513. Food access study.

The Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; D.C. Official Code § 48-311 *et seq.*), is amended by adding a new section 5a to read as follows:

"Sec. 5a. Food access study.

"(a) By July 15, 2020, the Food Policy Director, in consultation with the Department of Employment Services, the Department of Human Services, the Homeland Security and Emergency Management Agency, and, as needed, other District agencies, shall make publicly available a study that evaluates and makes recommendations regarding food access needs during and following the COVID-19 public health emergency, including:

"(1) An analysis of current and projected food insecurity rates, based on data compiled across District agencies; and

"(2) A plan for how to address food needs during and following the public health emergency.

"(b) For the purposes of this section, the term "COVID-19" means the disease caused by the novel coronavirus SARS-CoV-2.".

Sec. 514. Hospital support funding.

(a) The Mayor may, 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.*), and in the Mayor's sole discretion, issue a grant to an eligible hospital; provided, that the eligible hospital submits a grant application in the form and with the information required by the Mayor.

(b) The amount of a grant issued to an eligible hospital shall be based on:

(1) An allocation formula based on the number of beds at the eligible hospital; or

(2) Such other method or formula, as established by the Mayor, that addresses the impacts of COVID-19 on eligible hospitals.

(c) A grant issued pursuant to this section may be expended by the eligible hospital for:

(1) Supplies and equipment related to the COVID-19 emergency, including personal protective equipment, sanitization and cleaning products, medical supplies and equipment, and testing supplies and equipment;

(2) Personnel costs incurred to respond to the COVID-19 emergency, including the costs of contract staff; and

(3) Costs of constructing and operating temporary structures to test individuals for COVID-19 or to treat patients with COVID-19.

(d) The Mayor may issue one or more grants to a third-party grant-managing entity for the purpose of administering the grant program authorized by this section and making subgrants on behalf of the Mayor in accordance with the requirements of this section.

(e) The Mayor shall maintain a list of all grants awarded pursuant to this section, identifying for each award the grant recipient, the date of award, intended use of the award, and the award amount. The Mayor shall publish the list online no later than July 1, 2020, or 30 days after the end of the COVID-19 emergency, whichever is earlier.

(f) The Mayor, pursuant to section 105 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505), may issue rules to implement the provisions of this section.

(g) For the purposes of this section, the term:

(1) "COVID-19" means the disease caused by the novel coronavirus SARS-CoV-2.

(2) "COVID-19 emergency" means the emergencies declared in the Declaration of Public Emergency (Mayor's Order 2020-045) and the Declaration of Public Health Emergency (Mayor's Order 2020-046), declared on March 11, 2020, including any extension of those emergencies.

(3) "Eligible hospital" means a non-profit or for-profit hospital located in the District.

Sec. 515. Contractor reporting of positive cases.

(a) A District government contractor or subcontractor shall immediately provide written notice to the District if it or its subcontractor learns, or has reason to believe, that a covered employee has come into contact with, had a high likelihood of coming into contact with, or has worked in close physical proximity to a covered individual.

(b) Notices under subsection (a) of this section shall be made to the District government's contracting officer and contract administrator, or, if a covered individual is in care or custody of the District, to the District agency authorized to receive personally identifiable information. The notices shall contain the following information:

(1) The name, job title, and contact information of the covered employee;

(2) The date on, and location at, which the covered employee was exposed, or suspected to have been exposed, to SARS-CoV-2, if known;

(3) All of the covered employee's tour-of-duty locations or jobsite addresses and the employee's dates at such locations and addresses;

(4) The names of all covered individuals whom the covered employee is known to have come into contact with, had a high likelihood of coming into contact with, or was in close physical proximity to, while the covered employee performed any duty under the contract with the District; and

(5) Any other information related to the covered employee that will enable the District to protect the health or safety of District residents, employees, or the general public.

(c) A District government contractor or subcontractor shall immediately cease the on-site performance of a covered employee until such time as the covered employee no longer poses a health risk as determined in writing by a licensed health care provider. The District government contractor shall provide a written copy of the determination to the contract administrator and the contracting officer before the covered employee returns to his or her tour-of-duty location or jobsite address.

(d) The District shall privately and securely maintain all personally identifiable information of covered employees and covered individuals and shall not disclose such information to a third party except as authorized or required by law. District contractors and subcontractors may submit notices pursuant to subsection (a) of this section and otherwise transmit personally identifiable information electronically; provided, that all personally identifiable information be transmitted via a secure or otherwise encrypted data method.

(e) For purposes of this section, the term:

(1) "Covered employee" means an employee, volunteer, subcontractor, or agent of a District government contractor or subcontractor that has provided any service under a District contract or subcontract and has:

(A) Tested positive for the novel coronavirus (SARS-CoV-2);

(B) Is in quarantine or isolation due to exposure or suspected exposure to the novel coronavirus (SARS-CoV-2); or

(C) Is exhibiting symptoms of COVID-19.

(2) "Covered individual" means:

(A) A District government employee, volunteer, or agent;

(B) An individual in the care of the District, the contractor, or the subcontractor; or

(C) A member of the public who interacted with, or was in close proximity to, a covered employee while the covered employee carried out performance under a District government contract or subcontract and while the covered employee was at a District government facility or a facility maintained or served by the contractor or subcontractor under a District government contract or subcontract.

(3) "COVID-19" means the disease caused by the novel 2019 coronavirus (SARS-CoV-2).

(4) "District government facility" means a building or any part of a building that is owned, leased, or otherwise controlled by the District government.

(5) "SARS-CoV-2" means the novel 2019 coronavirus.

(f) This section shall apply to all District government contracts and subcontracts that were in effect on, or awarded after March 11, 2020, and shall remain in effect during the period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), and for 30 days thereafter.

ENROLLED ORIGINAL

TITLE VI. EDUCATION

Sec. 601. Graduation requirements.

Chapter 22 of Title 5-A of the District of Columbia Municipal Regulations (5-A DCMR § 2201 *et seq.*) is amended as follows:

(a) Section 2203.3(f) (5-A DCMR § 2203.3(f)) is amended by striking the phrase "shall be satisfactorily completed" and inserting the phrase "shall be satisfactorily completed; except, that this requirement shall be waived for a senior who otherwise would be eligible to graduate from high school in the District of Columbia in the 2019-20 school year" in its place.

(b) Section 2299.1 (5-A DCMR § 2299.1) is amended by striking the phrase "one hundred and twenty (120) hours of classroom instruction over the course of an academic year" and inserting the phrase "one hundred and twenty (120) hours of classroom instruction over the course of an academic year; except, that following the Superintendent's approval to grant an exception to the one hundred eighty (180) day instructional day requirement pursuant to 5A DCMR § 2100.3 for school year 2019-20, a Carnegie Unit may consist of fewer than one hundred and twenty (120) hours of classroom instruction over the course of the 2019-2020 academic year for any course in which a student in grades 9-12 is enrolled" in its place.

Sec. 602. Out of school time report waiver.

Section 8 of the Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016, effective April 7, 2017 (D.C. Law 21-261; D.C. Official Code § 2-1555.07), is amended by adding a new subsection (c) to read as follows:

"(c) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Office may waive the requirement to conduct an annual, community-wide needs assessment pursuant to subsection (a)(1) of this section.".

Sec. 603. Summer school attendance.

Section 206 of the Student Promotion Act of 2013, effective February 22, 2014 (D.C. Law 20-84; D.C. Official Code § 38-781.05), is amended by adding a new subsection (c) to read as follows:

"(c) The Chancellor shall have the authority to waive the requirements of subsection (a) of this section for any student who fails to meet the promotion criteria specified in the DCMR during a school year that includes a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).".

Sec. 604. Education research practice partnership review panel.

Section 104(d)(2) of the District of Columbia Education Research Practice Partnership Establishment and Audit Act of 2018, effective March 28, 2019 (D.C. Law 22-268; D.C. Official Code § 38-785.03(d)(2)), is amended by striking the phrase "timely manner" and inserting the

phrase "timely manner; except, that upon the declaration of a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the meeting of the review panel shall be postponed until 7 business days following the end of the period of time for which the public health emergency was declared" in its place.

Sec. 605. UDC Board of Trustees terms.

Section 201 of the District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1424; D.C. Official Code § 38-1202.01), is amended as follows:

(a) Subsections (d), (e), and (f) are amended to read as follows:

"(d) All terms on the Board of Trustees shall begin on May 15 and shall end one or 5 years thereafter on May 14. The student member elected pursuant to subsection (c)(2) of this section shall serve for a term of one year. All other members shall serve for a term of 5 years. Depending on the date of the individual's election or appointment, a member of the Board of Trustees may not actually serve a full term.

"(e) A member of the Board of Trustees who is elected as graduate member degree holder pursuant to subsection (c)(3) of this section may be re-elected to serve one additional term, after which he or she may not again be elected pursuant to subsection (c)(3) of this section until at least 5 years have passed following his or her last day of service on the Board.".

"(f) A member of the Board of Trustees who is appointed pursuant to subsection (c)(1) of this section may serve 3 full or partial terms consecutively. No member shall serve for more than 15 consecutive years, regardless of whether elected or appointed, and shall not serve thereafter until 5 years have passed following his or her last day of service on the Board.".

Sec. 606. UDC fundraising match.

Section 4082(a) of the University of the District of Columbia Fundraising Match Act of 2019, effective September 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is amended by striking the phrase "for every $2 that UDC raises from private donations by April 1" and inserting the phrase "to match dollar-for-dollar the amount UDC raises from private donations by May 1" in its place.

TITLE VII. PUBLIC SAFETY AND JUSTICE

Sec. 701. Jail reporting.

Section 3022(c) of the Office of the Deputy Mayor for Public Safety and Justice Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 1-301.191(c)), is amended as follows:

(a) Paragraph (5)(B) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (6)(G)(viii) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (7) is added to read as follows:

"(7) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), provide to the Council Committee with jurisdiction over the Office a weekly written update containing the following information:

"(A) Unless otherwise distributed to the Chairperson of the Council Committee with jurisdiction over the Office by the Criminal Justice Coordinating Council, a daily census for that week of individuals detained in the Central Detention Facility and Correctional Treatment Facility, categorized by legal status;

"(B) Any District of Columbia Government response to either the United States District Court for the District of Columbia or the Court-appointed inspectors regarding the implementation of the Court's orders and resolution of the inspectors' findings in the matter of *Banks v. Booth* (Civil Action No. 20-849), redacted for personally identifiable information; and

"(C) A description of:

"(i) All actions taken by the District Government to improve conditions of confinement in the Central Detention Facility and Correctional Treatment Facility, including by the Director of the Department of Youth and Rehabilitation Services or Director's designee; and

"(ii) Without reference to personally identifiable information, COVID-19 testing of individuals detained in the Central Detention Facility and Correctional Treatment Facility, including whether and under what conditions the District is testing asymptomatic individuals.".

Sec. 702. Civil rights enforcement.

The Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), is amended by adding a new section 316a to read as follows:

"Sec. 316a. Civil actions by the Attorney General.

"During a period of time for which the Mayor has declared a public health emergency ("PHE") pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), in a civil action initiated by the Attorney General for the District of Columbia ("Attorney General") for violations of this act, or a civil action arising in connection with the PHE, other than an action brought pursuant to section 307:

"(1) The Attorney General may obtain:

"(A) Injunctive relief, as described in section 307;

"(B) Civil penalties, up to the amounts described in section 313(a)(1)(E-1), for each action or practice in violation of this act, and, in the context of a discriminatory advertisement, for each day the advertisement was posted; and

"(C) Any other form of relief described in section 313(a)(1); and

"(2) The Attorney General may seek subpoenas for the production of documents and materials or for the attendance and testimony of witnesses under oath, or both, which shall

contain the information described in section 110a(b) of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.88d(b)) ("Act"), and shall follow the procedures described in section 110a(c), (d), and (e) of the Act (D.C. Official Code § 1-301.88d(c), (d), and (e)); provided, that the subpoenas are not directed to a District government official or entity.".

Sec. 703. FEMS reassignments.

Section 212 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1402.12), is amended by adding a new subsection (c) to read as follows:

"(c) It shall not be an unlawful discriminatory practice for the Mayor to reassign personnel of the Fire and Emergency Medical Services Department from firefighting and emergency medical services operations during a period of time for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), based upon the inability of the personnel to wear personal protective equipment in a manner consistent with medical and health guidelines.".

Sec. 704. Police Complaints Board investigation extension.

Section 5(d-3) of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104(d-3)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "January 1, 2017, through December 31, 2019" and inserting the phrase "August 1, 2019, through January 31, 2020" in its place.

(b) Paragraph (2) is amended by striking the date "April 30, 2021" and inserting the date "September 30, 2021" in its place.

Sec. 705. Extension of time for non-custodial arrestees to report.

Section 23-501(4) of the District of Columbia Official Code is amended by striking the period and inserting the phrase ", or within 90 days, if the non-custodial arrest was conducted during a period of time for which the Mayor has declared a public health emergency pursuant to § 7-2304.01." in its place.

Sec. 706. Good time credits and compassionate release.

(a) Section 3c(c) of the District of Columbia Good Time Credits Act of 1986, effective May 17, 2011 (D.C. Law 18-732; D.C. Official Code § 24-221.01c(c)), is amended by striking the phrase "this section combined" and inserting the phrase "this section combined; except, that during a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Department of Corrections shall have discretion to award additional credits beyond the limits described in this subsection to effectuate the

immediate release of persons sentenced for misdemeanors, including pursuant to section 3 and this section, consistent with public safety.".

(b) An Act To establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes, approved July 15, 1932 (47 Stat. 696; D.C. Official Code § 24-403 *et seq.*), is amended as follows:

(1) A new section 3a-1 is added to read as follows:

"Sec. 3a-1. Good time credit for felony offenses committed before August 5, 2000.

"(a)(1) Notwithstanding any other provision of law, a defendant who is serving a term of imprisonment for an offense committed between June 22, 1994, and August 4, 2000, shall be retroactively awarded good time credit toward the service of the defendant's sentence of up to 54 days for each year of the defendant's sentence imposed by the court, subject to determination by the Bureau of Prisons that during those years the defendant has met the conditions provided in 18 U.S.C. § 3624(b).

"(2) An award of good time credit pursuant to paragraph (1) of this subsection shall apply to the minimum and maximum term of incarceration, including the mandatory minimum; provided, that in the event of a maximum term of life, only the minimum term shall receive good time.

"(b)(1) Notwithstanding any other provision of law, a defendant who is serving a term of imprisonment for an offense committed before June 22, 1994, shall be retroactively awarded good time credit toward the service of the defendant's sentence of up to 54 days for each year of the defendant's sentence imposed by the court, subject to determination by the Bureau of Prisons that during those years the defendant has met the conditions provided in 18 U.S.C. § 3624(b).

"(2) An award of good time credit pursuant to paragraph (1) of this subsection:

"(A) Shall apply to any mandatory minimum term of incarceration; and

"(B) Is not intended to modify how the defendant is awarded good time credit toward any portion of the sentence other than the mandatory minimum.".

(2) A new section 3d is added to read as follows:

"Sec. 3d. Motions for compassionate release for individuals convicted of felony offenses.

"(a) Notwithstanding any other provision of law, the court may modify a term of imprisonment imposed upon a defendant if it determines the defendant is not a danger to the safety of any other person or the community, pursuant to the factors to be considered in 18 U.S.C. §§ 3142(g) and 3553(a) and evidence of the defendant's rehabilitation while incarcerated, and:

"(1) The defendant has a terminal illness, which means a disease or condition with an end-of-life trajectory;

"(2) The defendant is 60 years of age or older and has served at least 25 years in prison; or

"(3) Other extraordinary and compelling reasons warrant such a modification, including:

"(A) A debilitating medical condition involving an incurable, progressive illness, or a debilitating injury from which the defendant will not recover;

"(B) Elderly age, defined as a defendant who:

"(i) Is 60 years of age or older;

"(ii) Has served at least 20 years in prison or has served the greater of 10 years or 75% of his or her sentence; and

"(iii) Suffers from a chronic or serious medical condition related to the aging process or that causes an acute vulnerability to severe medical complications or death as a result of COVID-19;

"(C) Death or incapacitation of the family member caregiver of the defendant's children; or

"(D) Incapacitation of a spouse or a domestic partner when the defendant would be the only available caregiver for the spouse or domestic partner.

"(b) Motions brought pursuant to this section may be brought by the United States Attorney's Office for the District of Columbia, the Bureau of Prisons, the United States Parole Commission, or the defendant.

"(c) Although a hearing is not required, to provide for timely review of a motion made pursuant to this section and at the request of counsel for the defendant, the court may waive the appearance of a defendant currently held in the custody of the Bureau of Prisons.

"(d) For the purposes of this section, the term "COVID-19" means the disease caused by the novel coronavirus SARS-CoV-2. Sec. 707. Healthcare provider liability.

(a) Notwithstanding any provision of District law:

(1) A healthcare provider, first responder, or volunteer who renders care or treatment to a potential, suspected, or diagnosed individual with COVID-19 shall be exempt from liability in a civil action for damages resulting from such care or treatment of COVID-19, or from any act or failure to act in providing or arranging medical treatment for COVID-19;

(2) A donor of time, professional services, equipment, or supplies for the benefit of persons or entities providing care or treatment for COVID-19 to a suspected or diagnosed individual with COVID-19, or care for the family members of such individuals for damages resulting from such donation shall be exempt from liability in a civil action; and

(3) A contractor or subcontractor on a District government contract that has been contracted to provide either health care services or human care services, consistent with section 104(37) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.04(37)), related to the District government's COVID-19 response shall be exempt from liability in a civil action.

(b) The limitations on liability provided for by subsection (a) of this section shall apply to any healthcare provider, first responder, volunteer, donor, or District government contractor or subcontractor of a District government contractor ("provider"), including a party involved in the healthcare process at the request of a health-care facility or the District government and acting within the scope of the provider's employment or organization's purpose, contractual or voluntary service, or donation, even if outside the provider's professional scope of practice, state of licensure, or with an expired license, who:

(1) Prescribes or dispenses medicines for off-label use to attempt to combat the COVID-19 virus, in accordance with the Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act of 2017, approved May 30, 2018 (Pub. L. No. 115-176; 132 Stat. 1372).

(2) Provides direct or ancillary health-care services or health care products, including direct patient care, testing, equipment or supplies, consultations, triage services, resource teams, nutrition services, or physical, mental, and behavioral therapies; or

(3) Utilizes equipment or supplies outside of the product's normal use for medical practice and the provision of health-care services to combat the COVID-19 virus;

(c) The limitations on civil liability provided for by subsection (a) of this section shall not extend to:

(1) Acts or omissions that constitute actual fraud, actual malice, recklessness, breach of contract, gross negligence, or willful misconduct; or

(2) Acts or omissions unrelated to direct patient care; provided, that a contractor or subcontractor shall not be liable for damages for any act or omission alleged to have caused an individual to contract COVID-19.

(d) The limitations on liability provided for by subsection (a) of this section extend to acts, omissions, and donations performed or made during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and to damages that ensue at any time from acts, omissions, and donations made during the public health emergency.

(e) A healthcare provider, first responder, or volunteer who renders care or treatment to a potential, suspected, or diagnosed individual with COVID-19 shall be exempt from criminal prosecution for any act or failure to act in providing or arranging medical treatment for COVID-19 during a public health emergency, if such action is made in good faith.

(f) The limitations on liability provided for by this section do not limit the applicability of other limitations on liability, including qualified and absolute immunity, that may otherwise apply to a person covered by this section.

(g) For the purposes of this section, the term "COVID-19" means the disease caused by the novel coronavirus SARS-CoV-2.

TITLE VIII. GOVERNMENT OPERATIONS

Sec. 801. Board of Elections stipends.

Section 1108(c-1)(10) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-1)(10)), is amended by striking the phrase "Chairperson per year" and inserting the phrase "Chairperson per year; except, that for the remainder of 2020 following April 10, 2020, District of Columbia Board of Elections members shall be entitled to compensation at the hourly rate of $40 while actually in the service of the board, not to exceed $25,000 for each member per year and $53,000 for the Chairperson per year" in its place.

Sec. 802. Retirement Board Financial disclosure extension of time.

Section 161(a)(1) of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 884; D.C. Official Code § 1-731(a)(1)), is amended by striking the phrase "April 30th" and inserting the phrase "July 30th" in its place.

Sec. 803. Ethics and campaign finance.

(a) The Government Ethics Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.01 *et seq.*), is amended as follows:

(1) Section 224 (D.C. Official Code § 1-1162.24) is amended by adding a new subsection (c-2) to read as follows:

"(c-2) Notwithstanding any other provision of this section, in calendar year 2020, the Board may change the dates by which:

"(1) Reports required by this section are to be filed; and

"(2) The names of public officials are to be published pursuant to subsection (c-1) of this section.".

(2) Section 225 (D.C. Official Code § 1-1162.25) is amended by adding a new subsection (b-1) to read as follows:

"(b-1) Notwithstanding any other provision of this section, in calendar year 2020, the Board may change the dates by which:

"(1) Reports required by subsection (a) of this section are to be filed; and

"(2) Reports filed pursuant to subsection (a) of this section shall be reviewed pursuant to subsection (b) of this section.".

(3) Section 230 (D.C. Official Code § 1-1162.30) is amended by adding a new subsection (a-1) to read as follows:

"(a-1) Notwithstanding any other provision of this section, in calendar year 2020, the Board may change the dates by which reports required by subsection (a) of this section shall be filed.".

(b) The Campaign Finance Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1163.01 *et seq.*), is amended as follows:

(1) Section 304(7A)(A) (D.C. Official Code § 1-1163.04(7A)(A)) is amended by striking the phrase "in person, although online materials may be used to supplement the training" and inserting the phrase "in person or online" in its place.

(2) Section 332d (D.C. Official Code § 1-1163.32d) is amended by striking the phrase "5 days after" wherever it appears and inserting the phrase "5 business days after" in its place.

(3) Section 332e(e) (D.C. Official Code § 1-1163.32e(e)) is amended by striking the phrase "Within 5 days after" and inserting the phrase "Within 5 business days after" in its place.

Sec. 804. Election preparations.

The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 1-1001.02) is amended by adding a new paragraph (31) to read as follows:

"(31) For the June 2, 2020, Primary Election and the June 16, 2020, Ward 2 Special Election, the term "polling place" shall include Vote Centers operated by the Board throughout the District.".

(b) Section 5(a) (D.C. Official Code § 1-1001.05(a)) is amended as follows:

(1) A new paragraph (9A) is added to read as follows:

"(9A) For the June 2, 2020, Primary Election, mail every registered qualified elector an absentee ballot application and a postage-paid return envelope;".

(2) Paragraph (10A) is amended by striking the phrase "7th day after the election" and inserting the phrase "7th day after the election; provided, that for elections held in calendar year 2020, the Board shall accept absentee ballots postmarked or otherwise proven to have been sent on or before the day of the election, and received by the Board no later than the 10th day after the election" in its place.

(c) Section 7 (D.C. Official Code § 1-1001.07) is amended as follows:

(1) Subsection (d)(2) is amended as follows:

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

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

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

"(E) For the June 2, 2020, Primary Election and the June 16, 2020, Ward 2 Special Election, regularly promote the Board's revised plans for those elections on the voter registration agencies' social media platforms, including by providing information about how to register to vote and vote by mail.".

(2) Subsection (h) is amended by adding a new paragraph (4) to read as follows:

"(4) The provisions of this subsection shall not apply to the June 2, 2020, Primary Election and the June 16, 2020, Ward 2 Special Election.".

(d) Section 8 (D.C. Official Code § 1-1001.08) is amended as follows:

(1) Subsection (b) is amended by adding a new paragraph (3A) to read as follows:

"(3A) For the November 3, 2020, general election:

"(A) Petition sheets circulated in support of a candidate for elected office pursuant to this act may be electronically:

"(i) Made available by the candidate to qualified petition circulators; and

"(ii) Returned by qualified petition circulators to the candidate; and

"(B) Signatures on such petition sheets shall not be invalidated because the signer was also the circulator of the same petition sheet on which the signature appears.".

(2) Subsection (j) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "A duly" and inserting the phrase "Except as provided in paragraph (4) of this subsection, a duly" in its place.

(B) A new paragraph (4) is added to read as follows:

"(4) A duly qualified candidate for the following offices for the November 3, 2020, general election may be nominated directly for election to such office by a petition that is filed with the Board not fewer than 90 days before the date of such General Election and signed by the number of voters duly registered under section 7 as follows:

"(A) For Delegate or at-large member of the Council, 250 voters; and

"(B) For member of the Council elected by ward, 150 voters who are registered in the ward from which the candidate seeks election.".

(3) Subsection (n) is amended as follows:

(A) The existing text is designated as paragraph (1).

(B) The newly designated paragraph (1) is amended by striking the phrase "Each candidate" and inserting the phrase "Except as provided in paragraph (2) of this subsection, each candidate" in its place.

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

"(2) A duly qualified candidate for the following offices for the November 3, 2020, general election may be nominated directly for election to such office by a petition that is filed with the Board not fewer than 90 days before the date of such general election and signed by the number of voters duly registered under section 7 as follows:

"(A) For member of the State Board of Education elected at-large, 150 voters; and

"(B) For member of the State Board of Education elected by ward, 50 voters who are registered in the ward from which the candidate seeks election.".

(e) Section 16 (D.C. Official Code § 1-1001.16) is amended as follows:

(1) Subsection (g) is amended by striking the phrase "white paper of good writing quality of the same size as the original or shall utilize the mobile application made available under section 5(a)(19). Each initiative or referendum petition sheet shall consist of one double-sided sheet providing numbered lines for 20 printed" and inserting the phrase "paper of good writing quality or shall utilize the mobile application made available under section 5(a)(19). Each initiative or referendum petition sheet shall consist of one sheet providing numbered lines for printed" in its place.

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

"(g-1) In calendar year 2020:

"(1) Petition sheets of proposers may be electronically:

"(A) Made available by the proposers to qualified petition circulators; and

"(B) Returned by qualified petition circulators to the proposers; and

"(2) Signatures on petition sheets of proposers shall not be invalidated because the signer was also the circulator of the same petition sheet on which the signature appears.".

Sec. 805. Absentee ballot request signature waiver.

Section 720.7(h) of Title 3 of the District of Columbia Municipal Regulations (3 DCMR § 720.7(h)) is amended by striking the phrase "Voter's signature" and inserting the phrase "Except for a request for an absentee ballot for the June 2, 2020, Primary Election or the June 16, 2020, Ward 2 Special Election, voter's signature" in its place.

Sec. 806. Overseas ballot extension.

Section 110 of the Uniform Military and Overseas Voters Act of 2012, effective June 5, 2012 (D.C. Law 19-137; D.C. Official Code § 1-1061.10), is amended by striking the phrase "after the election;" and inserting the phrase "after the election; provided, that for elections held in calendar year 2020, the Board shall accept a military-overseas ballot postmarked or otherwise proven to have been sent on or before the day of the election, and received by the Board no later than the 10th day after the election;" in its place.

Sec. 807. Remote notarizations.

The Revised Uniform Law on Notarial Acts Act of 2018, effective December 4, 2018 (D.C. Law 22-189; D.C. Official Code § 1-1231.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 1-1231.01) is amended by adding a new paragraph (1A) to read as follows:

"(1A) "Audio-video communication" means an electronic device or process that:

"(A) Enables a notary public to view, in real time, an individual and to compare for consistency the information and photos on that individual's government-issued identification; and

"(B) Is specifically designed to facilitate remote notarizations.".

(b) Section 6 (D.C. Official Code § 1-1231.05) is amended as follows:

(1) The existing text is designated as subsection (a).

(2) A new subsection (b) is added to read as follows:

"(b) Notwithstanding any provision of District law, during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may authorize, without the personal appearance of the individual making the statement or executing the signature, notarial acts required or permitted under District law if:

"(1) The notary public and the individual communicate with each other simultaneously by sight and sound using audio-video communication; and

"(2) The notary public:

"(A) Has notified the Mayor of the intention to perform notarial acts using audio-video communication and the identity of the audio-video communication the notary public intends to use;

"(B) Has satisfactory evidence of the identity of the individual by means of:

"(i) Personal knowledge or by the individual's presentation of a current government-issued identification that contains the signature or photograph of the individual to the notary public during the video conference; or

"(ii) A verification on oath or affirmation of a credible witness personally appearing before the officer and known to the officer or whom the officer can identify based on a current passport, driver's license, or government-issued nondriver identification card;

"(C) Confirms that the individual made a statement or executed a signature on a document;

"(D) Receives by electronic means a legible copy of the signed document directly from the individual immediately after it was signed;

"(E) Upon receiving the signed document, immediately completes the notarization;

"(F) Upon completing the notarization, immediately transmits by electronic means the notarized document to the individual;

"(G) Creates, or directs another person to create, and retains an audio-visual recording of the performance of the notarial act; and

"(H) Indicates on a certificate of the notarial act and in a journal that the individual was not in the physical presence of the notary public and that the notarial act was performed using audio-visual communication.".

(c) Section 10 (D.C. Official Code § 1-1231.09) is amended by adding a new subsection (d) to read as follows:

"(d) Notwithstanding any provision of District law, during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), a notarial act shall be deemed to be performed in the District.".

Sec. 808. Freedom of Information Act.

The Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), is amended as follows:

(a) Section 202 (D.C. Official Code § 2-532) is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase "Sundays, and" and inserting the phrase "Sundays, days of a COVID-19 closure, and" in its place.

(B) Paragraph (2)(A) is amended by striking the phrase "Sundays, and" and inserting the phrase "Sundays, days of a COVID-19 closure, and" in its place.

(2) Subsection (d)(1) is amended by striking the phrase "Sundays, and" both times it appears and inserting the phrase "Sundays, days of a COVID-19 closure, and" in its place.

(b) Section 207(a) (D.C. Official Code § 2-537(a)) is amended by striking the phrase "Sundays, and" and inserting the phrase "Sundays, days of a COVID-19 closure, and" in its place.

(c) Section 209 (D.C. Official Code § 2-539) is amended by adding a new subsection (c) to read as follows:

"(c) For the purposes of this title, the term "COVID-19 closure" means:

"(1) A period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01); or

"(2) A period of time during which a public body is closed due to the COVID-19 coronavirus disease, as determined by the personnel authority of the public body.".

Sec. 809. Open meetings.

The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*), is amended as follows:

(a) Section 405(a) (D.C. Official Code § 2-575(a)) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase "; or" and inserting a semicolon in its place.

(2) Paragraph (3) is amended by striking the period and inserting the phrase "; or" in its place.

(3) A new paragraph (4) is added to read as follows:

"(4) During a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the public body takes steps reasonably calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably practicable.".

(b) Section 406 (D.C. Official Code § 2-576) is amended by adding a new paragraph (6) to read as follows:

"(6) The public posting requirements of paragraph (2)(A) of this section shall not apply during a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).".

(c) Section 407(a)(1) (D.C. Official Code § 2-577(a)(1)) is amended by striking the phrase "attend the meeting;" and inserting the phrase "attend the meeting, or in the case of a meeting held during a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), steps are taken that are reasonably calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably practicable.".

(d) Section 408(b) (D.C. Official Code § 2-578(b)) is amended by adding a new paragraph (3) to read as follows:

"(3) The schedule provided in paragraphs (1) and (2) of this subsection shall be tolled during a period for which a public health emergency has been declared pursuant to section

5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).".

Sec. 810. Electronic witnessing.

(a) Title 16 of the District of Columbia Code is amended as follows:

(1) Section 16-4802 is amended as follows:

(A) New paragraphs (9A) and (9B) are added to read as follows:

"(9A) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

"(9B) "Electronic presence" means when one or more witnesses are in a different physical location than the designator but can observe and communicate with the designator and one another to the same extent as if the witnesses and designator were physically present with one another.".

(B) New paragraphs (11A) and (11B) are added to read as follows:

"(11A) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic medium and is retrievable in perceivable form.

"(11B) "Sign" means with present intent to authenticate or adopt a record to:

"(A) Execute or adopt a tangible symbol; or

"(B) Affix to or associate with the record an electronic signature.".

(2) Section 16-4803 is amended as follows:

(A) Subsection (c) is amended by striking the phrase "the adult signs the designation in the presence of the designator" and inserting the phrase "the adult signs the designation in the presence or, during a period of time for which the Mayor has declared a public health emergency pursuant to § 7-2304.01, the electronic presence of the designator" in its place.

(B) Subsection (d) is amended by striking the phrase "in the presence of 2 witnesses" and inserting the phrase "in the presence or, during a period of time for which the Mayor has declared a public health emergency pursuant to § 7-2304.01, the electronic presence of 2 witnesses" in its place.

(b) Title 21 of the District of Columbia Code is amended as follows:

(1) Section 21-2011 is amended as follows:

(A) New paragraphs (5B-i) and (5B-ii) are added to read as follows:

"(5B-i) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

"(5B-ii) "Electronic presence" means when one or more witnesses are in a different physical location than the signatory but can observe and communicate with the signatory and one another to the same extent as if the witnesses and signatory were physically present with one another.".

(B) New paragraphs (23A) and (23B) are added to read as follows:

"(23A) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic medium and is retrievable in perceivable form.

"(23B) "Sign" means with present intent to authenticate or adopt a record to:

"(A) Execute or adopt a tangible symbol; or

"(B) Affix to or associate with the record an electronic signature.".

(2) Section 21-2043 is amended by adding a new subsection (c-1) to read as follows:

"(c-1) With respect to witnesses referred to in subsection (c) of this section, witnesses must be in the presence or, during a period of time for which the Mayor has declared a public health emergency pursuant to § 7-2304.01, the electronic presence of the signatory.".

(3) Section 21-2202 is amended as follows:

(A) New paragraphs (3A) and (3B) are added to read as follows:

"(3A) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

"(3B) "Electronic presence" means when one or more witnesses are in a different physical location than the principal but can observe and communicate with the principal and one another to the same extent as if the witnesses and principal were physically present with one another.".

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

"(6B) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic medium and is retrievable in perceivable form.".

(C) A new paragraph (8) is added to read as follows:

"(8) "Sign" means with present intent to authenticate or adopt a record to:

"(A) Execute or adopt a tangible symbol; or

"(B) Affix to or associate with the record an electronic signature.".

(4) Section 21-2205(c) is amended by striking the phrase "2 adult witnesses who affirm that the principal was of sound mind" and inserting the phrase "2 adult witnesses who, in the presence or, during a period of time for which the Mayor has declared a public health emergency pursuant to § 7-2304.01, the electronic presence of the principal, affirm that the principal was of sound mind" in its place.

(5) Section 21-2210(c)) is amended is amended by striking the phrase "There shall be at least 1 witness present" and inserting the phrase "There shall be at least one witness present or, during a period of time for which the Mayor has declared a public health emergency pursuant to § 7-2304.01, electronically present" in its place.

(c) Title III of the Disability Services Reform Amendment Act of 2018, effective May 5, 2018 (D.C. Law 22-93; D.C. Official Code § 7-2131 *et seq.*), is amended as follows:

(1) Section 301 (D.C. Official Code § 7-2131) is amended as follows:

(A) New paragraphs (6A) and (6B) are added to read as follows:

"(6A) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

"(6B) "Electronic presence" means when one or more witnesses are in a different physical location than the signatory but can observe and communicate with the signatory and one another to the same extent as if the witnesses and signatory were physically present with one another.".

(B) New paragraphs (9A) and (9B) are added to read as follows:

"(9A) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic medium and is retrievable in perceivable form.

"(9B) "Sign" means with present intent to authenticate or adopt a record to:

"(A) Execute or adopt a tangible symbol; or

"(B) Affix to or associate with the record an electronic signature.".

(2) Section 302 (D.C. Official Code § 7-2132) is amended by adding a new subsection (c-1) to read as follows:

"(c-1) With respect to witnesses referred to in subsection (c) of this section, witnesses must be in the presence or, during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the electronic presence of the signatory.".

Sec. 811. Electronic wills.

Chapter 1 of Title 18 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"18-813. Electronic wills.".

(b) Section 18-103(2) is amended by striking the phrase "in the presence of the testator" and inserting the phrase "in the presence or, during a period of time for which the Mayor has declared a public health emergency pursuant to § 7-2304.01, the electronic presence, as defined in § 18-813(a)(2), of the testator" in its place.

(c) A new section 18-813 is added to read as follows:

"§ 18-813. Electronic wills.

"(a) For the purposes of this section, the term:

"(1) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

"(2) "Electronic presence" means when one or more witnesses are in a different physical location than the testator but can observe and communicate with the testator and one another to the same extent as if the witnesses and testator were physically present with one another.

"(3) "Electronic will" means a will or codicil executed by electronic means.

"(4) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic medium and is retrievable in perceivable form.

"(5) "Sign" means, with present intent to authenticate or adopt a record, to:

"(A) Execute or adopt a tangible symbol; or

"(B) Affix to or associate with the record an electronic signature.

"(b)(1) A validly executed electronic will shall be a record that is:

"(A) Readable as text at the time of signing pursuant to subparagraph (B) of this paragraph; and

"(B) Signed:

"(i) By the testator, or by another person in the testator's physical presence and by the testator's express direction; and

"(ii) In the physical or electronic presence of the testator by at least 2 credible witnesses, each of whom is physically located in the United States at the time of signing.

"(2) In order for the electronic will to be admitted to the Probate Court, the testator, a witness to the will, or an attorney admitted to practice in the District of Columbia who supervised the execution of the electronic will shall certify a paper copy of the electronic will by affirming under penalty of perjury that:

"(A) The paper copy of the electronic will is a complete, true, and accurate copy of the electronic will; and

"(B) The conditions in paragraph (1) of this subsection were satisfied at the time the electronic will was signed.

"(3) Except as provided in subsection (c) of this section, a certified paper copy of an electronic will shall be deemed to be the electronic will of the testator for all purposes under this title.

"(c)(1) An electronic will may revoke all or part of a previous will or electronic will.

"(2) An electronic will, or a part thereof, is revoked by:

"(A) A subsequent will or electronic will that revokes the electronic will, or a part thereof, expressly or by inconsistency; or

"(B) A direct physical act cancelling the electronic will, or a part thereof, with the intention of revoking it, by the testator or a person in the testator's physical presence and by the testator's express direction and consent.

"(3) After it is revoked, an electronic will, or a part thereof, may not be revived other than by its re-execution, or by a codicil executed as provided in the case of wills or electronic wills, and then only to the extent to which an intention to revive is shown in the codicil.

"(d) An electronic will not in compliance with subsection (b)(1) of this section is valid if executed in compliance with the law of the jurisdiction where the testator is:

"(1) Physically located when the electronic will is signed; or

"(2) Domiciled or resides when the electronic will is signed or when the testator dies.

"(e) Except as otherwise provided in this section:

"(1) An electronic will is a will for all purposes under the laws of the District of Columbia; and

"(2) The laws of the District of Columbia applicable to wills and principles of equity apply to an electronic will.

"(f) This section shall apply to electronic wills made during a period of time for which the Mayor has declared a public health emergency pursuant to § 7-2304.01.".

Sec. 812. Administrative hearings deadlines.

Notwithstanding any provision of District law, but subject to applicable federal laws and regulations, during a period time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), the 90-day time period to request a hearing shall be tolled:

(1) To review an adverse action by the Mayor concerning any new application for public assistance or any application or request for a change in the amount, kind or conditions of public assistance, or a decision by the Mayor to terminate, reduce, or change the amount, kind, or conditions of public assistance benefits or to take other action adverse to the recipient pursuant to section 1009 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4–210.09); or

(2) To appeal an adverse decision listed in section 26(b) of the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4–754.41(b)).

Sec. 813. Other boards and commissions.

Notwithstanding any provision of law, during a period time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01):

(1) Any requirement for a board, commission, or other public body to meet is waived, unless the Mayor determines that it is necessary or appropriate for the board, commission, or other public body to meet during the period of the public health emergency, in which case the Mayor may order the board, commission, or other public body to meet;

(2) Any vacancy that occurs on a board or commission shall not be considered a vacancy for the purposes of nominating a replacement; and

(3) The review period for nominations transmitted to the Council for approval or disapproval in accordance with section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)), shall be tolled.

TITLE IX. LEGISLATIVE BRANCH

Sec. 901. Council Rules.

The Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 23, Resolution of 2019, effective January 2, 2019 (Res. 23-1; 66 DCR 272), is amended as follows:

(a) Section 101(31) is amended by striking the phrase "in 2020." and inserting the phrase "in 2020. For 2020, the summer recess shall be August 1st through September 7th." in its place

(b) Section 367 is amended by striking the phrase "remote voting or proxy shall" and inserting the phrase "proxy shall" in its place.

(c) Rule VI(c) of the Council of the District of Columbia, Code of Official Conduct, Council Period 23, is amended by adding a new paragraph (5) to read as follows:

"(5) Notwithstanding any other rule, during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), a Councilmember may disseminate information about, and connect constituents with, services and offers, including from for-profit entities, that the Councilmember determines is in the public interest in light of the public health emergency.".

(d) Rule X(f)(1)(C) of the Council of the District of Columbia, Code of Official Conduct, Council Period 23, is amended by striking the phrase "The proposed" and inserting the phrase "Unless the electronic newsletter exclusively contains information relating to a declared public health emergency, the proposed" in its place.

Sec. 902. Grant budget modifications.

(a) The Council approves the acceptance, obligation, and expenditure by the Mayor of the federal, private, and other grants related to the Declaration of Public Emergency (Mayor's Order 2020-045) and the Declaration of Public Health Emergency (Mayor's Order 2020-046), both declared on March 11, 2020, submitted to the Council for approval and accompanied by a report by the Office of the Chief Financial Officer on or before March 17, 2020 pursuant to section 446B(b)(1) of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)).

(b) For purposes of section 446B(b)(1)(B) of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(B)), the Council shall be deemed to have reviewed and approved the acceptance, obligation, and expenditure of a grant related to the Declaration of Public Emergency (Mayor's Order 2020-045) and the Declaration of Public Health Emergency (Mayor's Order 2020-046), both declared on March 11, 2020, all or a portion of which is accepted, obligated, and expended for the purpose of addressing a public emergency, if:

(1) No written notice of disapproval is filed with the Secretary to the Council within 2 business days of the receipt of the report from the Chief Financial Officer under section 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)); or

(2) Such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the acceptance, obligation, or expenditure of the grant within 5 calendar days of the initial receipt of the report from the Chief Financial Officer under section 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)).

Sec. 903. Budget submission requirements.

The Fiscal Year 2021 Budget Submission Requirements Resolution of 2019, effective November 22, 2019 (Res. 23-268; 66 DCR 15372), is amended as follows:

(a) Section 2 is amended by striking the phrase "not later than March 19, 2020," and inserting the phrase "not later than May 18, 2020, unless another date is set by subsequent resolution of the Council" in its place.

(b) Section 3(2) is amended as follows:

(1) Subparagraph (A) is amended by striking the phase "the proposed Fiscal Year 2021 Local Budget Act of 2020," and inserting the phrase "the proposed Fiscal Year 2021 Local Budget Act of 2020, the proposed Fiscal Year 2021 Local Budget Emergency Act of 2020, the proposed Fiscal Year 2021 Local Budget Temporary Act of 2020," in its place.

(2) Subparagraph (C) is amended by striking the phrase "produced from PeopleSoft on March 19, 2020" and inserting the phrase "produced from PeopleSoft on May 18, 2020" in its place.

Sec. 904. Tolling of matters transmitted to the Council.

(a) Section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), is amended as follows:

(1) Subsection (c) is amended by striking the phrase "180 days," and inserting the phrase "180 days, excluding days occurring during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)," in its place

(2) Subsection (e) is amended by striking the phrase "excluding days of Council recess" and inserting the phrase "excluding days of Council recess and days occurring during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)," in its place.

(3) Subsection (f) is amended by striking the phrase "Council shall have an additional 45 days, excluding days of Council recess," and inserting the phrase "Council shall have an additional 45 days, excluding days of Council recess and days occurring during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)," in its place.

(b) Notwithstanding any provision of law, during a period time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the review period for any matter transmitted to the Council for approval or disapproval, other than nominations transmitted in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), contract approvals, or reprogrammings transmitted in accordance with section 4 of the Reprogramming Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Official Code § 47-363), shall be tolled if not inconsistent with the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

ENROLLED ORIGINAL

Sec. 905. Advisory Neighborhood Commissions.

The Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.01 *et seq.*), is amended as follows:

(a) Section 6(b) (D.C. Official Code § 1-309.05(b)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "Candidates for" and inserting the phrase "Except as provided in paragraph (3) of this subsection, candidates for" in its place.

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

"(3) For the November 3, 2020, general election:

"(A) Candidates for member of an Advisory Neighborhood Commission shall be nominated by a petition signed by not fewer than 10 registered qualified electors who are residents of the single-member district from which the candidate seeks election;

"(B) The petitions of a candidate in subparagraph (A) of this paragraph may be electronically:

"(i) Made available by the candidate to a qualified petition circulator; and

"(ii) Returned by a qualified petition circulator to the candidate; and

"(C) Signatures on a candidate's petitions shall not be invalidated because the signer was also the circulator of the same petition on which the signature appears.".

(b) Section 8(d) (D.C. Official Code § 1-309.06(d)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "prior to a general election" both times it appears and inserting the phrase "prior to a general election or during a period of time for which a public health emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)," in its place.

(2) Paragraph (6) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase "and legal holidays" and inserting the phrase "legal holidays, and days during a period of time for which a public health emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)" in its place.

(B) Subparagraph (C) is amended by striking the phrase "petitions available," and inserting the phrase "petitions available, not including days during a period of time for which a public health emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)," in its place.

(C) Subparagraph (E) is amended by striking the phrase "or special meeting" and inserting the phrase "or special meeting, not to include a remote meeting held during a period of time for which a public health emergency has been declared by the Mayor

pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)," in its place.

(c) Section 13 (D.C. Official Code § 1-309.10) is amended by adding a new subsection (q) to read as follows:

"(q) During a period of time for which a public health emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01):

"(1) The 30-day written notice requirement set forth in subsection (b) of this section shall be a 51-day written notice requirement; and

"(2) The 45-calendar-day notice requirement set forth in subsection (c)(2)(A) of this section shall be a 66-calendar-day notice requirement.".

(d) Section 14(b) (D.C. Official Code § 1-309.11(b)), is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "by the Commission." and inserting the phrase "by the Commission; provided, that no meetings shall be required to be held during a period for which a public health emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and the number of meetings required to be held in a given year shall be reduced by one for every 30 days that a public health emergency is in effect during the year.".

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

"(1B) Notwithstanding any other provision of law, during a period for which a public health emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an Advisory Neighborhood Commissioner may call a meeting and remotely participate in that meeting and vote on matters before the Commission without being physically present through a teleconference or through digital means identified by the Commission for this purpose. Members physically or remotely present shall be counted for determination of a quorum.".

(e) Section 16 (D.C. Official Code § 1-309.13) is amended as follows:

(1) Subsection (j)(3) is amended by adding a new subparagraph (C) to read as follows:

"(C) Subparagraph (A)(i) of this paragraph shall not apply to the failure to file quarterly reports due during a period of time for which a public health emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).".

(2) Subsection (m)(1) is amended by striking the phrase "District government" and inserting the phrase "District government; except, that notwithstanding any provision of District law, during a period for which a public health emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), a Commission may approve grants to organizations for the purpose of providing humanitarian relief, including

food or supplies, during the public health emergency, or otherwise assisting in the response to the public health emergency anywhere in the District, even if those services are duplicative of services also performed by the District government" in its place.

TITLE X. BORROWING AUTHORITY

SUBTITLE A. GENERAL OBLIGATION NOTES

Sec. 1001. Short title.

This subtitle may be cited as the "Fiscal Year 2020 General Obligation Notes Emergency Act of 2020".

Sec. 1002. Definitions.

For the purposes of this subtitle, the term:

(1) "Additional Notes" means District general obligation notes described in section 1009 that may be issued pursuant to section 471 of the Home Rule Act (D.C. Official Code § 1-204.71), and that will mature on or before September 30, 2021, on a parity with the notes.

(2) "Authorized delegate" means the City Administrator, the Chief Financial Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor's functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

(3) "Available funds" means District funds required to be deposited with the Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

(4) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

(5) "Chief Financial Officer" means the Chief Financial Officer established pursuant to section 424(a)(1) of the Home Rule Act (D.C. Official Code § 1-204.24a(a)).

(6) "City Administrator" means the City Administrator established pursuant to section 422(7) of the Home Rule Act (D.C. Official Code § 1-204.22(7)).

(7) "Council" means the Council of the District of Columbia.

(8) "District" means the District of Columbia.

(9) "Escrow Agent" means any bank, trust company, or national banking association with requisite trust powers designated to serve in this capacity by the Chief Financial Officer.

(10) "Escrow Agreement" means the escrow agreement between the District and the Escrow Agent authorized in section 1007.

(11) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(12) "Mayor" means the Mayor of the District of Columbia.

(13) "Notes" means one or more series of District general obligation notes authorized to be issued pursuant to this subtitle.

(14) "Receipts" means all funds received by the District from any source, including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys

advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds that are pledged to debt or other obligations according to section 1009 or that are restricted by law to uses other than payment of principal of, and interest on, the notes.

(15) "Secretary" means the Secretary of the District of Columbia.

(16) "Treasurer" means the District of Columbia Treasurer established pursuant to section 424(a)(3)(E) of the Home Rule Act (D.C. Official Code § 1-204.24a(c)(5)).

Sec. 1003. Findings.

The Council finds that:

(1) Under section 471 of the Home Rule Act (D.C. Official Code § 1-204.71), the Council may authorize, by act, the issuance of general obligation notes for a fiscal year to meet appropriations for that fiscal year.

(2) Under section 482 of the Home Rule Act (D.C. Official Code § 1-204.82), the full faith and credit of the District is pledged for the payment of the principal of, and interest on, any general obligation note.

(3) Under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83), the Council is required to provide in the annual budget sufficient funds to pay the principal of, and interest on, all general obligation notes becoming due and payable during that fiscal year, and the Mayor is required to ensure that the principal of, and interest on, all general obligation notes is paid when due, including by paying the principal and interest from funds not otherwise legally committed.

(4) The issuance of general obligation notes in a sum not to exceed $300,000,000 is in the public interest.

Sec. 1004. Note authorization.

(a) The District is authorized to incur indebtedness, for operating or capital expenses, by issuing the notes pursuant to sections 471 and 482 of the Home Rule Act (D.C. Official Code §§ 1-204.71 and 1-204.82), in one or more series, in a sum not to exceed $300,000,000, to meet appropriations for the fiscal year ending September 30, 2020.

(b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the costs and expenses of issuing and delivering the notes, including, but not limited to, underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement, marketing and selling the notes, interest or credit fees, and printing costs and expenses.

Sec. 1005. Note details.

(a) The notes shall be known as "District of Columbia Fiscal Year 2020 General Obligation Notes" and shall be due and payable, as to both principal and interest, on or before September 30, 2021.

(b) The Chief Financial Officer is authorized to take any action necessary or appropriate in accordance with this subtitle in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the notes, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the notes, including any redemptions applicable thereto and a determination that the notes may be issued in book-entry form;

(2) Provisions for the transfer and exchange of the notes;

(3) The principal amount of the notes to be issued;

(4) The rate or rates of interest or the method of determining the rate or rates of interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days elapsed); provided, further, that if the notes are not paid at maturity, the notes may provide for an interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the basis of a 365-day year (actual days elapsed);

(5) The date or dates of issuance, sale, and delivery of the notes;

(6) The place or places of payment of principal of, and interest on, the notes;

(7) The designation of a registrar, if appropriate, for any series of the notes, and the execution and delivery of any necessary agreements relating to the designation;

(8) The designation of paying agent(s) or escrow agent(s) for any series of the notes, and the execution and delivery of any necessary agreements relating to such designations; and

(9) Provisions concerning the replacement of mutilated, lost, stolen, or destroyed notes.

(c) The notes shall be executed in the name of the District and on its behalf by the signature, manual or facsimile, of the Mayor or an authorized delegate. The official seal of the District or a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a registrar is designated, the registrar shall authenticate each note by manual signature and maintain the books of registration for the payment of the principal of and interest on the notes and perform other ministerial responsibilities as specifically provided in its designation as registrar.

(d) The notes may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 1006. Sale of the notes.

(a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract or at competitive sale pursuant to a bid form. The purchase contract or bid form shall contain the terms that the Chief Financial Officer considers necessary or appropriate to carry out the purposes of this subtitle. The Chief Financial Officer's execution and delivery of the purchase contract or bid form shall constitute conclusive evidence of the Chief Financial Officer's approval, on behalf of the District, of the final form and content of the notes. The Chief Financial Officer shall deliver the notes, on behalf of the District, to the purchasers upon receiving the purchase price provided in the purchase contract or bid form.

(b) The Chief Financial Officer may execute, in connection with each sale of the notes, an offering document on behalf of the District, and may authorize the document's distribution in relation to the notes being sold.

(c) The Chief Financial Officer shall take actions and execute and deliver agreements, documents, and instruments (including any amendment of or supplement to any such agreement, document, or instrument) in connection with any series of notes as required by or incidental to:

(1) The issuance of the notes;

(2) The establishment or preservation of the exclusion from gross income for federal income tax purposes of interest on the notes, if issued tax-exempt, and the exemption from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

(3) The performance of any covenant contained in this subtitle, in any purchase contract for the notes, or in any escrow or other agreement for the security thereof;

(4) The provision for securing the repayment of the notes by a letter or line of credit or other form of credit enhancement, and the repayment of advances under any such credit enhancement, including the evidencing of such a repayment obligation with a negotiable instrument with such terms as the Chief Financial Officer shall determine; or

(5) The execution, delivery, and performance of the Escrow Agreement, a purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement relating to credit enhancement, if any, including any amendments of any of these agreements, documents, or instruments.

(d) The notes shall not be issued until the Chief Financial Officer receives an approving opinion of Bond Counsel as to the validity of the notes and the exemption from the District income taxation of the interest on the notes (except estate, inheritance and gift taxes) and, if issued tax-exempt, the establishment or preservation of the exclusion from gross income for federal income tax purposes of the interest on the notes. .

(e) The Chief Financial Officer shall execute a note issuance certificate evidencing the determinations and other actions taken by the Chief Financial Officer for each issue or series of the notes issued and shall designate in the note issuance certificate the date of the notes, the series designation, the aggregate principal amount to be issued, the authorized denominations of the notes, the sale price, and the interest rate or rates on the notes. The certificate shall be delivered at the time of delivery of the notes and shall be conclusive evidence of the actions taken as stated in the certificate. A copy of the certificates shall be filed with the Secretary to the Council not more than 3 days after the delivery of the notes covered by the certificate.

Sec. 1007. Payment and security.

(a) The full faith and credit of the District is pledged for the payment of the principal of, and interest on, the notes as they become due and payable through required sinking fund payments, redemptions, or otherwise.

(b) The Council shall, in the full exercise of the authority granted in section 483 of the Home Rule Act (D.C. Official Code § 1-204.83) and under any other law, provide in each annual

budget for a fiscal year of the District sufficient funds to pay the principal of, and interest on, the notes becoming due and payable for any reason during that fiscal year.

(c) The Mayor shall, in the full exercise of the authority granted to the Mayor under the Home Rule Act and under any other law, take such actions as may be necessary or appropriate to ensure that the principal of, and interest on, the notes are paid when due for any reason, including the payment of principal and interest from any funds or accounts of the District not otherwise legally committed.

(d) The notes shall evidence continuing obligations of the District until paid in accordance with their terms.

(e) The funds for the payment of the notes as described in this subtitle shall be irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds shall be used for the payment of the principal of, and interest on, the notes when due, and shall not be used for other purposes so long as the notes are outstanding and unpaid.

(f) The Chief Financial Officer may, without regard to any act or resolution of the Council now existing or adopted after the effective date of this subtitle, designate an Escrow Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the Escrow Agreement, on behalf of the District and in the Chief Financial Officer's official capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate to carry out the purposes of this subtitle. A special account entitled "Special Escrow for Payment of District of Columbia Fiscal Year 2020 General Obligation Notes" is created and shall be maintained by the Escrow Agent for the benefit of the owners of the notes as stated in the Escrow Agreement. Funds on deposit, including investment income, under the Escrow Agreement shall not be used for any purposes except for payment of the notes or, to the extent permitted by the Home Rule Act, to service any contract or other arrangement permitted under subsections (k) or (l) of this section, and may be invested only as provided in the Escrow Agreement.

(g) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued interest and premium, if any, received upon the sale of the notes.

(h) The Chief Financial Officer shall set aside and deposit with the Escrow Agent funds in accordance with the Escrow Agreement at the time and in the amount as provided in the Escrow Agreement.

(i) There are provided and approved for expenditure sums as may be necessary for making payments of the principal of, and interest on, the notes, and the provisions of the Fiscal Year 2020 Local Budget Act and Fiscal Year 2021 Local Budget Act, if enacted prior to the effective date of this subtitle, relating to borrowings are amended and supplemented accordingly by this section, as contemplated in section 483 of the Home Rule Act (D.C. Official Code § 1-204.83).

(j) The notes shall be payable, as to both principal and interest, in lawful money of the United States of America in immediately available or same day funds at a bank or trust company acting as paying agent, and at not more than 2 co-paying agents that may be located outside the

District. All of the paying agents shall be qualified to act as paying agents under the laws of the United States of America, of the District, or of the state in which they are located, and shall be designated by the Chief Financial Officer without regard to any other act or resolution of the Council now existing or adopted after the effective date of this subtitle.

(k) In addition to the security available for the holders of the notes, the Chief Financial Officer is hereby authorized to enter into agreements, including any agreement calling for payments in excess of $1,000,000 during Fiscal Year 2020, with a bank or other financial institution to provide a letter of credit, line of credit, or other form of credit enhancement to secure repayment of the notes when due. The obligation of the District to reimburse the bank or financial institution for any advances made under any such credit enhancement shall be a general obligation of the District until repaid and shall accrue interest at the rate of interest established by the Chief Financial Officer not in excess of 20% per year until paid.

(l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), and subchapter III-A of Chapter 3 of Title 47 of the D.C. Official Code, shall not apply to any contract that the Chief Financial Officer may from time to time determine to be necessary or appropriate to place, in whole or in part, including:

(1) An investment or obligation of the District as represented by the notes;

(2) An investment or obligation or program of investment; or

(3) A contract or contracts based on the interest rate, currency, cash flow, or other basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap agreements; currency swap agreements; insurance agreements; forward payment conversion agreements; futures; contracts providing for payments based on levels of, or changes in, interest rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure, including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts or other arrangements also may be entered into by the District in connection with, or incidental to, entering into or maintaining any agreement that secures the notes. The contracts or other arrangements shall contain whatever payment, security, terms, and conditions as the Chief Financial Officer may consider appropriate and shall be entered into with whatever party or parties the Chief Financial Officer may select, after giving due consideration, where applicable, to the creditworthiness of the counterparty or counterparties including any rating by a nationally recognized rating agency or any other criteria as may be appropriate. In connection with, or incidental to, the issuance or holding of the notes, or entering into any contract or other arrangement referred to in this section, the District may enter into credit enhancement or liquidity agreements, with payment, interest rate, termination date, currency, security, default, remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds of the notes and any money set aside for payment of the notes or of any contract or other arrangement entered into pursuant to this section may be used to service any contract or other arrangement entered into pursuant to this section.

Sec. 1008. Defeasance.

(a) The notes shall no longer be considered outstanding and unpaid for the purpose of this subtitle and the Escrow Agreement, and the requirements of this subtitle and the Escrow Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

(1) Deposits with an Escrow Agent, herein referred to as the "defeasance escrow agent," in a separate defeasance escrow account, established and maintained by the Escrow Agent solely at the expense of the District and held in trust for the note owners, sufficient moneys or direct obligations of the United States, the principal of and interest on which, when due and payable, will provide sufficient moneys to pay when due the principal of, and interest payable at maturity on, all the notes; and

(2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

(b) The defeasance escrow agent shall not invest the defeasance escrow account in any investment callable at the option of its issuer if the call could result in less-than-sufficient moneys being available for the purposes required by this section.

(c) The moneys and direct obligations referred to in subsection (a)(1) of this section may include moneys or direct obligations of the United States of America held under the Escrow Agreement and transferred, at the written direction of the Chief Financial Officer, to the defeasance escrow account.

(d) The defeasance escrow account specified in subsection (a) of this section may be established and maintained without regard to any limitations placed on these accounts by any act or resolution of the Council now existing or adopted after this subtitle becomes effective, except for this subtitle.

Sec. 1009. Additional debt and other obligations.

(a) The District reserves the right at any time to: borrow money or enter into other obligations to the full extent permitted by law; secure the borrowings or obligations by the pledge of its full faith and credit; secure the borrowings or obligations by any other security and pledges of funds as may be authorized by law; and issue bonds, notes, including Additional Notes, or other instruments to evidence the borrowings or obligations.

(b)(1) The District may issue Additional Notes pursuant to section 471 of the Home Rule Act (D.C. Official Code § 1-204.71) that shall mature on or before September 30, 2021, and the District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other available funds for payment of the principal of, and the interest on, the Additional Notes issued pursuant to section 471 of the Home Rule Act (D.C. Official Code § 1-204.71) on a parity basis with the notes.

(2) The receipts and available funds referred to in subsection (a) of this section shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

(3) Any covenants relating to any Additional Notes shall have equal standing and be on a parity with the covenants made for payment of the principal of, and the interest on, the notes.

(4) If Additional Notes are issued pursuant to section 471 of the Home Rule Act (D.C. Official Code § 1-204.71), the provisions of section 1007 shall apply to both the notes and the Additional Notes and increase the amounts required to be set aside and deposited with the Escrow Agent.

(5) As a condition precedent to the issuance of any Additional Notes, the Chief Financial Officer shall deliver a signed certificate certifying that the District is in full compliance with all covenants and obligations under this subtitle and the Escrow Agreement.

Sec. 1010. Tax matters.

At the full discretion of the Chief Financial Officer, the notes authorized by this subtitle may be issued as federally taxable or tax-exempt. If issued as tax-exempt, the Chief Financial Officer shall take all actions necessary to be taken so that the interest on the notes will not be includable in gross income for federal income tax purposes.

Sec. 1011. Contract.

This subtitle shall constitute a contract between the District and the owners of the notes authorized by this subtitle. To the extent that any acts or resolutions of the Council may be in conflict with this subtitle, this subtitle shall be controlling.

Sec. 1012. District officials.

(a) The elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the notes or be subject to any personal liability by reason of the issuance of the notes.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding the fact that the official ceases to be that official before delivery of the notes.

Sec. 1013. Authorized delegation of authority.

To the extent permitted by the District and federal laws, the Mayor may delegate to the City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act authorized to be performed by the Mayor under this subtitle.

Sec. 1014. Maintenance of documents.

Copies of the notes and related documents shall be filed in the Office of the Secretary.

ENROLLED ORIGINAL

SUBTITLE B. TRANs NOTES

Sec. 1021. Short title.

This subtitle may be cited as the "Fiscal Year 2020 Tax Revenue Anticipation Notes Emergency Act of 2020".

Sec. 1022. Definitions.

For the purposes of this subtitle, the term:

(1) "Additional Notes" means District general obligation revenue anticipation notes described in section 1029 that may be issued pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-204.72) and that will mature on or before September 30, 2020, on a parity with the notes.

(2) "Authorized delegate" means the City Administrator, the Chief Financial Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor's functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

(3) "Available funds" means District funds required to be deposited with the Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

(4) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

(5) "Chief Financial Officer" means the Chief Financial Officer established pursuant to section 424(a)(1) of the Home Rule Act (D.C. Official Code § 1-204.24a(a).

(6) "City Administrator" means the City Administrator established pursuant to section 422(7) of the Home Rule Act (D.C. Official Code § 1-204.22(7)).

(7) "Council" means the Council of the District of Columbia.

(8) "District" means the District of Columbia.

(9) "Escrow Agent" means any bank, trust company, or national banking association with requisite trust powers designated to serve in this capacity by the Chief Financial Officer.

(10) "Escrow Agreement" means the escrow agreement between the District and the Escrow Agent authorized in section 1027.

(11) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*)

(12) "Mayor" means the Mayor of the District of Columbia.

(13) "Notes" means one or more series of District general obligation revenue anticipation notes authorized to be issued pursuant to this subtitle.

(14) "Receipts" means all funds received by the District from any source, including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds that are pledged to debt or other obligations according to section 1029 or that are restricted by law to uses other than payment of principal of, and interest on, the notes.

(15) "Secretary" means the Secretary of the District of Columbia.

(16) "Treasurer" means the District of Columbia Treasurer established pursuant to section 424(a)(3)(E) of the Home Rule Act (D.C. Official Code § 1-204.24a(c)(5)).

Sec. 1023. Findings.

The Council finds that:

(1) Under section 472 of the Home Rule Act (D.C. Official Code § 1-204.72), the Council may authorize, by act, the issuance of general obligation revenue anticipation notes for a fiscal year in anticipation of the collection or receipt of revenues for that fiscal year. Section 472 of the Home Rule Act (D.C. Official Code § 1-204.72) provides further that the total amount of general obligation revenue anticipation notes issued and outstanding at any time during a fiscal year shall not exceed 20% of the total anticipated revenue of the District for that fiscal year, as certified by the Mayor pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-204.72), as of a date not more than 15 days before each original issuance of the notes.

(2) Under section 482 of the Home Rule Act (D.C. Official Code § 1-204.82), the full faith and credit of the District is pledged for the payment of the principal of, and interest on, any general obligation revenue anticipation note.

(3) Under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83), the Council is required to provide in the annual budget sufficient funds to pay the principal of, and interest on, all general obligation revenue anticipation notes becoming due and payable during that fiscal year, and the Mayor is required to ensure that the principal of, and interest on, all general obligation revenue anticipation notes is paid when due, including by paying the principal and interest from funds not otherwise legally committed.

(4) The Chief Financial Officer has advised the Council that, based upon the Chief Financial Officer's projections of anticipated receipts and disbursements during the fiscal year ending September 30, 2020, it may be necessary for the District to borrow to a sum not to exceed $200,000,000, an amount that does not exceed 20% of the total anticipated revenue of the District for such fiscal year, and to accomplish the borrowing by issuing general obligation revenue anticipation notes in one or more series.

(5) The issuance of general obligation revenue anticipation notes in a sum not to exceed $200,000,000 is in the public interest.

Sec. 1024. Note authorization.

(a) The District is authorized to incur indebtedness by issuing the notes pursuant to sections 472 and 482 of the Home Rule Act (D.C. Official Code §§ 1-204.72 and 1-204.82), in one or more series, in a sum not to exceed $200,000,000, to finance its general governmental expenses, including operating or capital expenses, in anticipation of the collection or receipt of revenues for the fiscal year ending September 30, 2020.

(b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the costs and expenses of issuing and delivering the notes, including, but not limited to, underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement, marketing and selling the notes, interest or credit fees, and printing costs and expenses.

Sec. 1025. Note details.

(a) The notes shall be known as "District of Columbia Fiscal Year 2020 General Obligation Tax Revenue Anticipation Notes" and shall be due and payable, as to both principal and interest, on or before September 30, 2020.

(b) The Chief Financial Officer is authorized to take any action necessary or appropriate in accordance with this subtitle in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the notes, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the notes, including any redemptions applicable thereto and a determination that the notes may be issued in book-entry form;

(2) Provisions for the transfer and exchange of the notes;

(3) The principal amount of the notes to be issued;

(4) The rate or rates of interest or the method of determining the rate or rates of interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days elapsed); provided further, that if the notes are not paid at maturity, the notes may provide for an interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the basis of a 365-day year (actual days elapsed);

(5) The date or dates of issuance, sale, and delivery of the notes;

(6) The place or places of payment of principal of, and interest on, the notes;

(7) The designation of a registrar, if appropriate, for any series of the notes, and the execution and delivery of any necessary agreements relating to the designation;

(8) The designation of paying agent(s) or escrow agent(s) for any series of the notes, and the execution and delivery of any necessary agreements relating to such designations; and

(9) Provisions concerning the replacement of mutilated, lost, stolen, or destroyed notes.

(c) The notes shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor or an authorized delegate. The official seal of the District or a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a registrar is designated, the registrar shall authenticate each note by manual signature and maintain the books of registration for the payment of the principal of and interest on the notes and perform other ministerial responsibilities as specifically provided in its designation as registrar.

(d) The notes may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 1026. Sale of the notes.

(a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract or at competitive sale pursuant to a bid form. The notes shall be sold at a price not less than par plus accrued interest from the date of the notes to the date of delivery thereof. The purchase

contract or bid form shall contain the terms that the Chief Financial Officer considers necessary or appropriate to carry out the purposes of this subtitle. The Chief Financial Officer's execution and delivery of the purchase contract or bid form shall constitute conclusive evidence of the Chief Financial Officer's approval, on behalf of the District, of the final form and content of the notes. The Chief Financial Officer shall deliver the notes, on behalf of the District, to the purchasers upon receiving the purchase price provided in the purchase contract or bid form.

(b) The Chief Financial Officer may execute, in connection with each sale of the notes, an offering document on behalf of the District, and may authorize the document's distribution in relation to the notes being sold.

(c) The Chief Financial Officer shall take actions and execute and deliver agreements, documents, and instruments (including any amendment of or supplement to any such agreement, document, or instrument) in connection with any series of notes as required by or incidental to:

(1) The issuance of the notes;

(2) The establishment or preservation of the exclusion from gross income for federal income tax purposes of interest on the notes, if issued tax-exempt, and the exemption from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

(3) The performance of any covenant contained in this subtitle, in any purchase contract for the notes, or in any escrow or other agreement for the security thereof;

(4) The provision for securing the repayment of the notes by a letter or line of credit or other form of credit enhancement, and the repayment of advances under any such credit enhancement, including the evidencing of such a repayment obligation with a negotiable instrument with such terms as the Chief Financial Officer shall determine; or

(5) The execution, delivery, and performance of the Escrow Agreement, a purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement relating to credit enhancement, if any, including any amendments of any of these agreements, documents, or instruments.

(d) The notes shall not be issued until the Chief Financial Officer receives an approving opinion of Bond Counsel as to the validity of the notes and the exemption from the District income taxation of the interest on the notes (except estate, inheritance and gift taxes) and, if issued tax-exempt, the establishment or preservation of the exclusion from gross income for federal income tax purposes of the interest on the notes.

(e) The Chief Financial Officer shall execute a note issuance certificate evidencing the determinations and other actions taken by the Chief Financial Officer for each issue or series of the notes issued and shall designate in the note issuance certificate the date of the notes, the series designation, the aggregate principal amount to be issued, the authorized denominations of the notes, the sale price, and the interest rate or rates on the notes. The Mayor shall certify in a separate certificate, not more than 15 days before each original issuance of a series, the total anticipated revenue of the District for the fiscal year ending September 30, 2020, and that the total amount of all general obligation revenue anticipation notes issued and outstanding at any time during the fiscal year will not exceed 20% of the total anticipated revenue of the District for the fiscal year. These certificates shall be delivered at the time of delivery of the notes and shall

be conclusive evidence of the actions taken as stated in the certificates. A copy of each of the certificates shall be filed with the Secretary to the Council not more than 3 days after the delivery of the notes covered by the certificates.

Sec. 1027. Payment and security.

(a) The full faith and credit of the District is pledged for the payment of the principal of, and interest on, the notes when due.

(b) The funds for the payment of the notes as described in this subtitle shall be irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds shall be used for the payment of the principal of, and interest on, the notes when due, and shall not be used for other purposes so long as the notes are outstanding and unpaid.

(c) The notes shall be payable from available funds of the District, including, but not limited to, any moneys advanced, loaned, or otherwise provided to the District by the United States Treasury, and shall evidence continuing obligations of the District until paid in accordance with their terms.

(d) The Chief Financial Officer may, without regard to any act or resolution of the Council now existing or adopted after the effective date of this subtitle, designate an Escrow Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the Escrow Agreement, on behalf of the District and in the Chief Financial Officer's official capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate to carry out the purposes of this subtitle. A special account entitled "Special Escrow for Payment of District of Columbia Fiscal Year 2020 General Obligation Tax Revenue Anticipation Notes" is created and shall be maintained by the Escrow Agent for the benefit of the owners of the notes as stated in the Escrow Agreement. Funds on deposit, including investment income, under the Escrow Agreement shall not be used for any purposes except for payment of the notes or, to the extent permitted by the Home Rule Act, to service any contract or other arrangement permitted under subsections (k) or (l) of this section, and may be invested only as provided in the Escrow Agreement.

(e) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued interest and premium, if any, received upon the sale of the notes.

(f)(1) The Chief Financial Officer shall set aside and deposit with the Escrow Agent funds in accordance with the Escrow Agreement at the time and in the amount as provided in the Escrow Agreement.

(2) If Additional Notes are issued pursuant to section 1029(b), and if on the date set forth in the Escrow Agreement, the aggregate amount of principal and interest payable at maturity on the outstanding notes, including any Additional Notes, less all amounts on deposit, including investment income, under the Escrow Agreement exceeds 90% of the actual receipts of District taxes (other than special taxes or charges levied pursuant to section 481(a) of the Home Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90)), for the period

August 15, 2020, until September 30, 2020, beginning on the date set forth in the Escrow Agreement, the Chief Financial Officer shall promptly, upon receipt by the District, set aside and deposit with the Escrow Agent the receipts received by the District after the date set forth in the Escrow Agreement, until the aggregate amount of principal and interest payable at maturity on the outstanding notes, including any Additional Notes as described above, is less than 90% of actual receipts of District taxes (other than special taxes or charges levied pursuant to section 481(a) of the Home Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90)).

(3) The District covenants that it shall levy, maintain, or enact taxes due and payable during August 1, 2020, through September 30, 2020, to provide for payment in full of the principal of, and interest on, the notes when due. The taxes referred to in this paragraph shall be separate from special taxes or charges levied pursuant to section 481(a) of the Home Rule Act (D.C. Official Code § 1-204.81(a)), or taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

(g) Before the 16th day of each month, beginning in August 2020, the Chief Financial Officer shall review the current monthly cash flow projections of the District, and if the Chief Financial Officer determines that the aggregate amount of principal and interest payable at maturity on the notes then outstanding, less any amounts and investment income on deposit under the Escrow Agreement, equals or exceeds 85% of the receipts estimated by the Chief Financial Officer to be received after such date by the District but before the maturity of the notes, then the Chief Financial Officer shall promptly, upon receipt by the District, set aside and deposit with the Escrow Agent the receipts received by the District on and after that date until the aggregate amount, including investment income, on deposit with the Escrow Agent equals or exceeds 100% of the aggregate amount of principal of and interest on the notes payable at their maturity.

(h) The Chief Financial Officer shall, in the full exercise of the authority granted the Chief Financial Officer under the Home Rule Act and under any other law, take actions as may be necessary or appropriate to ensure that the principal of and interest on the notes are paid when due, including, but not limited to, seeking an advance or loan of moneys from the United States Treasury if available under then current law. This action shall include, without limitation, the deposit of available funds with the Escrow Agent as may be required under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83), this subtitle, and the Escrow Agreement. Without limiting any obligations under this subtitle or the Escrow Agreement, the Chief Financial Officer reserves the right to deposit available funds with the Escrow Agent at his or her discretion.

(i) There are provided and approved for expenditure sums as may be necessary for making payments of the principal of, and interest on, the notes, and the provisions of the Fiscal Year 2020 Local Budget Act relating to borrowings are amended and supplemented accordingly by this section, as contemplated in section 483 of the Home Rule Act (D.C. Official Code § 1-204.83)).

(j) The notes shall be payable, as to both principal and interest, in lawful money of the United States of America in immediately available or same day funds at a bank or trust company acting as paying agent, and at not more than 2 co-paying agents that may be located outside the District. All of the paying agents shall be qualified to act as paying agents under the laws of the United States of America, of the District, or of the state in which they are located, and shall be designated by the Chief Financial Officer without regard to any other act or resolution of the Council now existing or adopted after the effective date of this subtitle.

(k) In addition to the security available for the holders of the notes, the Chief Financial Officer is hereby authorized to enter into agreements, including any agreement calling for payments in excess of $1,000,000 during Fiscal Year 2020, with a bank or other financial institution to provide a letter of credit, line of credit, or other form of credit enhancement to secure repayment of the notes when due. The obligation of the District to reimburse the bank or financial institution for any advances made under any such credit enhancement shall be a general obligation of the District until repaid and shall accrue interest at the rate of interest established by the Chief Financial Officer not in excess of 15% per year until paid.

(l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), and subchapter III-A of Chapter 3 of Title 47 of the D.C. Official Code, shall not apply to any contract that the Chief Financial Officer may from time to time determine to be necessary or appropriate to place, in whole or in part, including:

(1) An investment or obligation of the District as represented by the notes;

(2) An investment or obligation or program of investment; or

(3) A contract or contracts based on the interest rate, currency, cash flow, or other basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap agreements; currency swap agreements; insurance agreements; forward payment conversion agreements; futures; contracts providing for payments based on levels of, or changes in, interest rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure, including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts or other arrangements also may be entered into by the District in connection with, or incidental to, entering into or maintaining any agreement that secures the notes. The contracts or other arrangements shall contain whatever payment, security, terms, and conditions as the Chief Financial Officer may consider appropriate and shall be entered into with whatever party or parties the Chief Financial Officer may select, after giving due consideration, where applicable, to the creditworthiness of the counterparty or counterparties including any rating by a nationally recognized rating agency or any other criteria as may be appropriate. In connection with, or incidental to, the issuance or holding of the notes, or entering into any contract or other arrangement referred to in this section, the District may enter into credit enhancement or liquidity agreements, with payment, interest rate, termination date, currency, security, default, remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds of the notes and any money set aside for payment of the notes or of any contract or other

arrangement entered into pursuant to this section may be used to service any contract or other arrangement entered into pursuant to this section.

Sec. 1028. Defeasance.

(a) The notes shall no longer be considered outstanding and unpaid for the purpose of this subtitle and the Escrow Agreement, and the requirements of this subtitle and the Escrow Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

(1) Deposits with an Escrow Agent, herein referred to as the "defeasance escrow agent," in a separate defeasance escrow account, established and maintained by the Escrow Agent solely at the expense of the District and held in trust for the note owners, sufficient moneys or direct obligations of the United States, the principal of and interest on which, when due and payable, will provide sufficient moneys to pay when due the principal of, and interest payable at maturity on, all the notes; and

(2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

(b) The defeasance escrow agent shall not invest the defeasance escrow account in any investment callable at the option of its issuer if the call could result in less than sufficient moneys being available for the purposes required by this section.

(c) The moneys and direct obligations referred to in subsection (a)(1) of this section may include moneys or direct obligations of the United States of America held under the Escrow Agreement and transferred, at the written direction of the Chief Financial Officer, to the defeasance escrow account.

(d) The defeasance escrow account specified in subsection (a) of this section may be established and maintained without regard to any limitations placed on these accounts by any act or resolution of the Council now existing or adopted after this subtitle becomes effective, except for this subtitle.

Sec. 1029. Additional debt and other obligations.

(a) The District reserves the right at any time to: borrow money or enter into other obligations to the full extent permitted by law; secure the borrowings or obligations by the pledge of its full faith and credit; secure the borrowings or obligations by any other security and pledges of funds as may be authorized by law; and issue bonds, notes, including Additional Notes, or other instruments to evidence the borrowings or obligations.

(b)(1) The District may issue Additional Notes pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-204.72) that shall mature on or before September 30, 2020, and the District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other available funds for payment of the principal of, and the interest on, the Additional Notes issued pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-204.72) on a parity basis with the notes.

(2) The receipts and available funds referred to in subsection (a) of this section shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home

Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

(3) Any covenants relating to any Additional Notes shall have equal standing and be on a parity with the covenants made for payment of the principal of, and the interest on, the notes.

(4) If Additional Notes are issued pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-204.72), the provisions of section 1027 shall apply to both the notes and the Additional Notes and increase the amounts required to be set aside and deposited with the Escrow Agent.

(5) As a condition precedent to the issuance of any Additional Notes, the Chief Financial Officer shall deliver a signed certificate certifying that the District is in full compliance with all covenants and obligations under this subtitle and the Escrow Agreement, that no set-aside and deposit of receipts pursuant to section 1027(g) applied as of the date of issuance is required, and that no set-aside and deposit will be required under section 1027(g) applied immediately after the issuance.

Sec. 1030. Tax matters.

At the full discretion of the Chief Financial Officer, the notes authorized by this subtitle may be issued as federally taxable or tax-exempt. If issued as tax-exempt, the Chief Financial Officer shall take all actions necessary to be taken so that the interest on the notes will not be includable in gross income for federal income tax purposes.

Sec. 1031. Contract.

This subtitle shall constitute a contract between the District and the owners of the notes authorized by this subtitle. To the extent that any acts or resolutions of the Council may be in conflict with this subtitle, this subtitle shall be controlling.

Sec. 1032. District officials.

(a) The elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the notes or be subject to any personal liability by reason of the issuance of the notes.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding the fact that the official ceases to be that official before delivery of the notes.

Sec. 1033. Authorized delegation of authority.

To the extent permitted by the District and federal laws, the Mayor may delegate to the City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act authorized to be performed by the Mayor under this subtitle.

ENROLLED ORIGINAL

Sec. 1034. Maintenance of documents.

Copies of the notes and related documents shall be filed in the Office of the Secretary.

TITLE XI. REVENUE BONDS

SUBTITLE A. STUDIO THEATER, INC.

Sec. 1101. Short title.

This subtitle may be cited as the "The Studio Theatre, Inc. Revenue Bonds Emergency Act of 2020".

Sec. 1102. Definitions.

For the purposes of this subtitle the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 422(6)).

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this subtitle.

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be The Studio Theatre, Inc., a non-profit corporation organized under the laws of the District of Columbia, which is exempt from federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as an organization described in section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)), and which is liable for the repayment of the Bonds.

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements, other than Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing, refinancing or reimbursement of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), and compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(A) Renovating and expanding by approximately 2,780 gross square feet the Borrower's mixed-use theater complex located at 1501 14th Street, N.W., in Washington, D.C. (Square 241, Lot 0128), currently comprising approximately 53,532 gross square feet of above grade improvements ("Theater Facility");

(B) Renovating certain residential facilities in Washington, D.C., owned by the Borrower and used as artist housing, located at 1630 Corcoran Street, N.W. (Square 0179, Lot 0094), 1736 Corcoran Street, N.W. (Square 0155, Lot 0208), 1437 Clifton Street, N.W. (Square 2664, Lot 0058); and Condominium Units 317, 409, 419 and 820 at 1718 P Street, N.W. (Square 0157, Lots 2061, 2073, 2083 and 2164) (collectively, "Ancillary Facilities" and together with the Theater Facility, "Facilities");

(C) Purchasing certain equipment and furnishings, together with other property, real and personal, functionally related and subordinate to the Facilities;

(D) Funding certain expenditures associated with the financing of the Facilities, to the extent permissible, including, credit enhancement costs, liquidity costs, debt service reserve fund or working capital; and

(E) Paying costs of issuance and other related costs, to the extent permissible.

Sec. 1103. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides that the Council may by act authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)

and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not to exceed $12,500,000, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Facilities are located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of capital projects in the form of facilities used for the Borrower's operations and, in part, as a venue to produce contemporary theater and serve the community through artistic innovation, engagement, education and professional development (and property used in connection with or supplementing the foregoing), within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

Sec. 1104. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed $12,500,000; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 1105. Bond details.

(a) The Mayor and each Authorized Delegate is authorized to take any action reasonably necessary or appropriate in accordance with this subtitle in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on, the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this subtitle;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-204.90(a)(4)).

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 1106. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 1107. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 1108. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 1109. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this subtitle.

Sec. 1110. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 1107.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this subtitle, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this subtitle.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or

agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees or agents to either perform any covenant, undertaking, or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 1111. District officials.

(a) Except as otherwise provided in section 1110(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 1112. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 1113. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 1114. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is

excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by enacting this subtitle or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 1115. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the effective date of this act, the authorization provided in this subtitle with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 1116. Severability.

If any particular provision of this subtitle or the application thereof to any person or circumstance is held invalid, the remainder of this subtitle and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this subtitle is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

SUBTITLE B. DC SCHOLARS PUBLIC CHARTER SCHOOL, INC.

Sec. 1121. Short title.

This subtitle may be cited as the "DC Scholars Public Charter School, Inc. Revenue Bonds Emergency Act of 2020".

Sec. 1122. Definitions.

For the purpose of this subtitle, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this subtitle.

(4) "Borrower" means the owner, operator, manager and user of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be DC Scholars Public Charter School, Inc., a corporation organized under the laws of the District of Columbia,

and exempt from federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C § 501(a)), as an organization described in section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements other than Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan contemplated thereby, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents other than Closing Documents that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan contemplated thereby, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(A) Financing the acquisition of a leasehold interest in an existing school facility located at 5601 East Capitol Street, S.E., Washington, D.C. 20019 (the "Facility"), which Facility will be operated by the Borrower;

(B) Refinancing the outstanding amount of existing taxable loans and related expenses, the proceeds of which were used to finance improvements to the Facility;

(C) Funding a debt service reserve fund with respect to the Bonds, if deemed necessary in connection with the sale of the Bonds;

(D) Paying capitalized interest with respect to the Bonds, if deemed necessary in connection with the sale of the Bonds; and

(E) Paying allowable Issuance Costs.

Sec. 1123. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides that the Council may by act authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse, and to assist in the financing, refinancing, or reimbursing of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90), and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series, in the aggregate principal amount not to exceed $16,000,000, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of elementary, secondary, and college and university facilities within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

Sec. 1124. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in the aggregate principal amount not to exceed $16,000,000; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 1125. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this subtitle in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this subtitle;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-204.90(a)(4)).

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 1126. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters, and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 1127. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 1128. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 1129. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this subtitle.

Sec. 1130. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 1127.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this subtitle, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those

covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this subtitle.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents, nor as a result of the incorrectness of any representation in, or omission from, the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 1131. District officials.

(a) Except as otherwise provided in section 1130(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 1132. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 1133. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 1134. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in, or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by enacting this subtitle or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 1135. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the effective date of this act, the authorization provided in this subtitle with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 1136. Severability.

If any particular provision of this subtitle, or the application thereof to any person or circumstance is held invalid, the remainder of this subtitle and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this subtitle is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing the Bonds, and the validity of the Bonds shall not be adversely affected.

SUBTITLE C. WASHINGTON HOUSING CONSERVANCY.

Sec. 1141. Short title.

This subtitle may be cited as the "Washington Housing Conservancy/WHC Park Pleasant LLC Revenue Bonds Emergency Act of 2020".

Sec. 1142. Definitions.

For the purposes of this subtitle, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be, individually or collectively, Washington Housing Conservancy, a non-profit corporation organized under the laws of the District of Columbia, and/or WHC Park Pleasant LLC, a District of Columbia limited liability company, the sole member of which is the Washington Housing Conservancy, both of which are exempt from federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as organizations described in section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)), and which are, individually or collectively, as the case may be, liable for the repayment of the Bonds.

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements, other than Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing, refinancing or reimbursement of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), and compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs of:

(A) Acquiring and renovating real property, including a parcel of land comprising approximately 2.042 acres improved with approximately 69,910 square feet of residential rental property comprising 126 rental housing units and associated parking facilities

located in Washington, D.C., commonly known as Park Pleasant Apartments with street addresses at 3339 Mt. Pleasant Street, N.W., 3360 Mt. Pleasant Street, N.W., 3354 Mt. Pleasant Street, N.W., 3348 Mt. Pleasant Street, N.W., 3342 Mt. Pleasant Street, N.W., 3336 Mt. Pleasant Street, N.W., 3351 Mt. Pleasant Street, N.W., 3331 Mt. Pleasant Street, N.W., 3327 Mt. Pleasant Street, N.W., 3323 Mt. Pleasant Street, N.W., and 1712 Newton Street, N.W. (collectively, "Facility");

(B) Purchasing certain equipment and furnishings, together with other property, real and personal, functionally related and subordinate to the Facility;

(C) Funding certain expenditures associated with the financing of the Facility, to the extent permissible, including, credit enhancement costs, liquidity costs, debt service reserve fund or working capital; and

(D) Paying costs of issuance and other related costs, to the extent permissible.

Sec. 1143. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides that the Council may by act authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90) and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not to exceed $28,000,000, and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

(3) The Facility is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of housing, within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

Sec. 1144. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed $28,000,000; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 1145. Bond details.

(a) The Mayor and each Authorized Delegate is authorized to take any action reasonably necessary or appropriate in accordance with this subtitle in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on, the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this subtitle;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-204.90(a)(4)).

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 1146. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 1147. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan,

income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 1148. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 1149. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this subtitle.

Sec. 1150. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a

debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 1147.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this subtitle, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this subtitle.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees or agents to either perform any covenant, undertaking, or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 1151. District officials.

(a) Except as otherwise provided in section 1150(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 1152. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 1153. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 1154. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by enacting this subtitle or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 1155. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the effective date of this act, the authorization provided in this subtitle with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 1156. Severability.

If any particular provision of this subtitle or the application thereof to any person or circumstance is held invalid, the remainder of this subtitle and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this subtitle is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

SUBTITLE D. NATIONAL PUBLIC RADIO, INC.

Sec. 1161. Short title.

This subtitle may be cited as the "National Public Radio, Inc., Refunding Revenue Bonds Emergency Act of 2020".

Sec. 1162. Definitions.

For the purpose of this subtitle, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be National Public Radio, Inc., a non-profit corporation organized and existing under the laws of the District of Columbia, and exempt from federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as an organization described in section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements other than Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan contemplated thereby, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan contemplated thereby, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, letter of credit fees (if any), compensation to financial advisors and other

persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(12) "Project" means the financing, refinancing, or reimbursing of all or a portion of the Borrower's costs (including payments of principal of, and interest on, the bonds being refunded) to:

(A) Refund all or a portion of the outstanding District of Columbia Refunding Revenue Bonds (National Public Radio, Inc., Issue) Series 2013, the proceeds of which were used to advance refund a portion of the District of Columbia Revenue Bonds (National Public Radio, Inc. Issue) Series 2010 (the "Series 2010 Bonds") and to pay Issuance Costs, which Series 2010 Bonds were used to finance, refinance or reimburse all or a portion of the costs incurred by the Borrower to acquire, develop, renovate, furnish and equip a new office, production and distribution center located at 1111 North Capitol Street, N.E., Washington, D.C. 20002-7502 (Square 673, Lot 36), and to pay Issuance Costs; and

(B) Refund all or a portion of the outstanding District of Columbia Refunding Revenue Bonds (National Public Radio, Inc., Issue) Series 2016, the proceeds of which were also used to advance refund a portion of the Series 2010 Bonds and to pay Issuance Costs.

Sec. 1163. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides that the Council may by act authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90) and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series, in the aggregate principal amount not to exceed $210,000,000 and to make the Loan for the purpose of financing, refinancing or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of education and contributes to the health, education, safety, or welfare of residents of the District within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

Sec. 1164. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in the aggregate principal amount not to exceed $210,000,000; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 1165. Bond details.

(a) The Mayor and each Authorized Delegate is authorized to take any action reasonably necessary or appropriate in accordance with this subtitle in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this subtitle;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-204.90(a)(4)).

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 1166. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is

expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 1167. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 1168. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of said executed Financing Documents and said executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 1169. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this subtitle.

Sec. 1170. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 1167.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this subtitle, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this subtitle.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents, nor as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 1171. District officials.

(a) Except as otherwise provided in section 1170(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 1172. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 1173. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 1174. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by enacting this subtitle or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 1175. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the effective date of this act, the authorization provided in this subtitle with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 1176. Severability.

If any particular provision of this subtitle or the application thereof to any person or circumstance is held invalid, the remainder of this subtitle and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this subtitle is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

SUBTITLE E. PUBLIC WELFARE FOUNDATION, INC.

Sec. 1181. Short title.

This subtitle may be cited as the "Public Welfare Foundation, Inc., Revenue Bonds Emergency Act of 2020".

Sec. 1182. Definitions.

For the purpose of this subtitle, the term:

(1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the owner of the assets financed or refinanced with proceeds from the Bonds, which shall be Public Welfare Foundation, Inc., a non-profit corporation organized and existing under the laws of the State of Delaware, duly authorized to transact business as a foreign corporation in the District of Columbia, and exempt from federal income taxes as an organization described in section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26. U.S.C. § 501(c)(3)).

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements, other than Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "District" means the District of Columbia.

(8) "Financing Documents" means, the documents, other than Closing Documents, that relate to the financing, refinancing or reimbursement of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending to the Borrower of the proceeds from the sale, in one or more series, of the Bonds.

(12) "Project" means the financing, refinancing or reimbursing of the Borrower, on a tax exempt or taxable basis, for all or a portion of the Borrower's costs incurred in connection with the renovation of certain facilities of the Borrower located at 1200 U Street, N.W., Washington, D.C. (the "Building") in one or more phases and comprised of the following:

(A) Replacement of nearly all exterior windows of the Building and the repair of certain sheet metal and masonry;

(B) Soft costs, including architectural, engineering, and permitting fees, in connection therewith;

(C) Purchase of certain equipment and furnishings, together with other property, real and personal, functionally related and subordinate thereto;

(D) Refinancing, in whole or in part, of existing indebtedness; and

(E) Certain expenditures associated therewith to the extent financeable, including, without limitation, Issuance Costs, credit costs, and working capital.

Sec. 1183. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides that the Council may by act authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the

costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90) and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The Borrower has requested the District to issue, sell, and deliver revenue and refunding bonds, in one or more series, in an aggregate principal amount not to exceed $13,000,000 and to make the Loan for the purpose of financing, refinancing or reimbursing costs of the Project.

(3) The Project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The Project is an undertaking in the area of a capital project as facilities used to house and equip operations related to the study, development, application, or production of social services within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

Sec. 1184. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed $13,000,000; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 1185. Bond details.

(a) The Mayor and each Authorized Delegate is authorized to take any action reasonably necessary or appropriate in accordance with this subtitle in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on the Bonds, and the maturity date or dates of the Bonds;

(5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;

(8) The time and place of payment of the Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this subtitle;

(10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and

(11) The terms and types of credit enhancement under which the Bonds may be secured.

(b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the Bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

(e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-204.90(a)(4)).

(f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 1186. Sale of the Bonds.

(a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interest of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the Bonds.

(c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to the original purchasers of the Bonds upon payment of the purchase price.

(d) The Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the Bonds for purposes of federal income taxation.

Sec. 1187. Payment and security.

(a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely from proceeds received from the sale of the Bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the Loan, income realized from the temporary investment of those receipts and revenues prior to payment to the Bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the Bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the Bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the Bonds pursuant to the Financing Documents.

Sec. 1188. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of said executed Financing Documents and said executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the Bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 1189. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this subtitle.

Sec. 1190. Limited liability.

(a) The Bonds shall be special obligations of the District. The Bonds shall be without recourse to the District. The Bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

(b) The Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 1187.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this subtitle, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this subtitle.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or

agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 1191. District officials.

(a) Except as otherwise provided in section 1190(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

Sec. 1192. Maintenance of documents.

Copies of the specimen Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 1193. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 1194. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is

excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by enacting this subtitle or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 1195. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the effective date of this act, the authorization provided in this subtitle with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 1196. Severability.

If any particular provision of this subtitle or the application thereof to any person or circumstance is held invalid, the remainder of this subtitle and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this subtitle is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

TITLE XII. REPEALS; APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE DATE

Sec. 1201. Repeals.

(a) The COVID-19 Response Emergency Amendment Act of 2020, effective March 17, 2020 (D.C. Act 23-247; 67 DCR 3093), is repealed.

(b) The COVID-19 Response Supplemental Emergency Amendment Act of 2020, effective April 10, 2020 (D.C. Act 23-286; 67 DCR 4178), is repealed.

(c) The COVID-19 Supplemental Corrections Emergency Amendment Act of 2020, effective May 4, 2020 (D.C. Act 23-299; 67 DCR 5050), is repealed.

(d) The Coronavirus Omnibus Emergency Amendment Act of 2020, effective May 13, 2020 (D.C. Act 23-317; 67 DCR __), is repealed.

(e) The Foreclosure Moratorium Emergency Amendment Act of 2020, passed on emergency basis on May 5, 2020 (Enrolled version of Bill 23-743), is repealed.

(f) The COVID-19 Response Supplemental Temporary Amendment Act of 2020, passed on 2nd reading on April 21, 2020 (Enrolled version of Bill 23-734), is repealed.

Sec. 1202. Applicability.

Titles I through XI of this act shall apply as of June 9, 2020.

ENROLLED ORIGINAL

Sec. 1203. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by 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. 1204. Effective date.

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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
June 8, 2020

ENROLLED ORIGINAL

A RESOLUTION

23-426

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 9, 2020

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Condominium Warranty Act of 1976 to clarify the standards and procedures governing the resolution of a claim for a condominium developer's warranty against structural defects, that a claimant may appeal the findings of the Mayor to the Office of Administrative Hearings, and the circumstances when the Mayor may release the warranty security funds to a claimant.

BE IT ENACTED BY THE COUNCIL DISTRICT OF COLUMBIA, That this act may be cited as the "Condominium Warranty Claims Clarification Congressional Review Emergency Declaration Resolution of 2020".

Sec. 2. (a) The Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D. C. Official Code § 12-1903 .16) ("act"), established initial procedures for a declarant to warrant against structural defects.

(b) The District of Columbia Department of Housing and Community Development has been designated by the Mayor to administer the Condominium Act of 1976.

(c) The increased number of condominiums in the District has led to a sharp increase in the number of structural defect warranty claims without standards and procedures governing an adjudication process to resolve those claims.

(d) Therefore, there exists an immediate need to amend the act to establish a process to resolve warranty claims that arise under the act.

(e) On February 4, 2020, the Council passed the Condominium Warranty Claims Clarification Emergency Amendment Act of 2020, effective February 27, 2020 (D.C. Act 23-231; 67 DCR 2510) ("emergency legislation), which expired on May 27, 2020.

(f) On March 3, 2020, the Council passed the Condominium Warranty Claims Clarification Temporary Amendment Act of 2020, enacted on March 26, 2020 (D.C. Act 23-273; 67 DCR 3938) ("temporary legislation"), which is projected to become law on June 8, 2020.

(g) To prevent a gap in the law between the expiration of the emergency legislation and the effective date of the temporary legislation, it is necessary to approve congressional review emergency legislation.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Condominium Warranty Claims Clarification Congressional Review Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-427

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 9, 2020

To declare the existence of an emergency with respect to the need to approve Contract No. DCAM-19-AE-0064 between the Department of General Services and DLR Group of DC, P.C., and to authorize payment to DLR Group of DC, P.C. for goods and services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCAM-19-AE-0064 with DLR Group of DC, P.C. Approval and Payment Authorization Emergency Declaration Resolution of 2020".

Sec. 2. (a) There exists an immediate need to approve Contract No. DCAM-19-AE-0064 ("Contract"), for architectural engineering services for the Therapeutic Recreation Center, between the Department of General Services and DLR Group of DC, P.C. ("Contractor") in the not-to-exceed amount of $2,196,239 and to authorize payment to the Contractor for goods and services received and to be received under the Contract.

(b) The Contract value increased by $1,586,239, from $610,000 to $2,196,239.

(c) The Contract is in excess of $1 million during a 12-month period; therefore, Council approval of the Contract is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Council approval of the Contract is necessary to authorize the continuation of architectural engineering services for the Therapeutic Recreation Center and to compensate the Contractor for services provided and to be provided under the Contract in excess of $1 million.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCAM-19-AE-0064 with DLR Group of DC, P.C. Approval and Payment Authorization Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-428

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 9, 2020

To declare the existence of an emergency with respect to the need to clarify tenant payment plans, commercial rent increases during a public health emergency small business microgrant eligibility, grants for promoting coronavirus awareness, rules for serving alcohol on expanded outdoor restaurant seating, and COVID-19 leave; and to add provisions related to emergency credit alerts, living wills, approval of a contract under Council review, and designation of Black Lives Matter plaza.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Coronavirus Support Clarification Emergency Declaration Resolution of 2020."

Sec. 2. (a) On May 19, 2020, the Council adopted the Coronavirus Support Congressional Review Emergency Amendment Act of 2020. Following the passage of that act, stakeholders and staff identified certain provisions of law that need to be clarified or amended to effectuate the Council's intent.

(b) The proposed modifications include clarifying provisions, technical amendments, or other minor amendments that must go into effect immediately to clarify the law and provide the necessary coronavirus-related supports.

(c) There are also proposed new provisions including rules to allow for alcoholic beverage consumption on expanded outdoor restaurant patios, a new microgrant program to assist with the District's coronavirus response, and living will declarations.

(d) There is also a need to approve a contract related to COVID-19 relief funding from EventsDC to hotels, restaurants, and excluded workers.

(e) During the public health emergency, peaceful protesters in the District were confronted by Federal law enforcement officials who drove back protesters a number of blocks from the White House. In response, the Mayor declared several blocks of 16th street as "Black Lives Matter Plaza" and this emergency vehicle will allow for the Council to complete the symbolic naming process.

Sec. 3. The Council of the District of Columbia determines that the circumstances in section 2 constitute emergency circumstances, making it necessary that the Coronavirus Support Clarification Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-429

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 9, 2020

To declare the existence of an emergency with respect to the need to direct the District Department of Transportation to publish a report identifying modifications to roadways in each ward that will create space for uses other than for motorized vehicles and to set a timeline for implementation.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Connected Transportation Network Emergency Declaration Resolution of 2020".

Sec. 2. (a) On May 27, 2020, Mayor Bowser issued Mayor's Order 2020-067, allowing for certain businesses to reopen in certain circumstances.

(b) Mayor's Order 2020-067, however, notes that "[w]hen leaving their residents, all individuals must continue to maintain a distance of at least six (6) feet from persons not in their household . . . ." and that while "[w]earing a mask or face covering is one tool to protect an individual's health and the health of others . . . it does not replace social distancing."

(c) On many sidewalks in the District it is impossible to maintain a distance of 6 feet when simply walking or bicycling.

(d) It is anticipated that as District residents return to work, the number of those residents cycling and walking to work will increase significantly as they attempt to commute using methods that comply with social distancing requirements.

(e) The District Department of Transportation ("DDOT") has created a Slow Streets program that will identify some streets that would be closed to through traffic and mandates reduced speeds for cars. That is a good start, but DDOT should create a map of where it intends to locate slow streets and other protected lanes so as to create a framework by which a connected network for residents to commute to and from work safely can be established.

(f) The Connected Transportation Network Emergency Act of 2020 requires DDOT to identify streets that can be part of a network of bicycle lanes, work that DDOT has done in several existing reports.

(g) Emergency legislation is necessary to ensure that when residents leave their homes during times when social distancing is required, safe space is available for pedestrians and

bicyclists, and, as the number of residents who choose to walk or cycle to work increase, those individuals may do so in a safe manner.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Connected Transportation Network Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

23-430

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 9, 2020

To declare the existence of an emergency with respect to the need to provide for comprehensive policing and justice reform for District residents and visitors; and for other purposes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Comprehensive Policing and Justice Reform Emergency Declaration Resolution of 2020".

Sec. 2. (a) On March 13, 2020, Breonna Taylor, a 26-year-old Black woman, was killed by members of the Louisville Metro Police Department while she was sleeping in her home.

(b) On May 25, 2020, George Floyd, a 46-year-old Black man, was killed when a member of the Minneapolis Police Department pressed his knee into Mr. Floyd's neck for almost 9 minutes while Mr. Floyd was handcuffed.

(c) On May 27, 2020, Tony McDade, a 38-year-old Black transgender man was shot and killed by a member of the Tallahassee Police Department.

(d) In the past 2 weeks, thousands of people in cities across the country, including the District, and around the world, have taken to the streets to protest injustice, racism, and police brutality against Black Americans. These First Amendment assemblies have given voice to deep anger and trauma engendered by acts of violence by the police against Black Americans and have energized a national movement around racism in policing, the use of force, lack of police accountability and transparency, and systemic racial injustice and inequity.

(e) The demonstrations have been met by threats by the President and acts of police violence against protestors. On June 1, 2020, on Lafayette Square outside of the White House, federal law enforcement used riot control agents, including pepper spray, smoke cannisters, and rubber bullets, on protestors who were peacefully exercising their First Amendment rights.

(f) The deaths of George Floyd and Breonna Taylor – and of so many other Black Americans at the hands of the police – are interwoven with the legacy and evolution of slavery and generations of racial terror in this nation. Enduring systems of institutional racism continue in the over-policing, over-charging, and over-incarceration of Black Americans.

(g) Here at home, many District residents of color experience a conflicted and troubling relationship with law enforcement. The Metropolitan Police Department has had its own

instances of police killings of Black residents, including Jeffrey Price, D'Quan Young, Marqueese Alston, and Terrence Sterling.

(h) Simultaneously, the District struggles with a global pandemic that has overwhelmingly impacted residents of color. Yet, despite serious risks to their health from COVID-19 and threats of violence against them by their own government, District residents are standing up for racial justice and demanding change.

(i) The Council must listen to the voices of District residents and act accordingly to bend the arc of justice. In this moment, silence and inaction in the area of policing and criminal justice reform would be equivalent to consent to the systems that allowed their deaths.

(j) This comprehensive emergency legislation enhances police accountability and transparency through the implementation of numerous reforms and best practices.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Comprehensive Policing and Justice Reform Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE OF INTENT TO ACT ON NEW LEGISLATION

The Council of the District of Columbia hereby gives notice of its intention to consider the following legislative matters for final Council action in not less than 15 days. Referrals of legislation to various committees of the Council are listed below and are subject to change at the legislative meeting immediately following or coinciding with the date of introduction. It is also noted that legislation may be co-sponsored by other Councilmembers after its introduction.

Interested persons wishing to comment may do so in writing addressed to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, NW, Room 5, Washington, D.C. 20004. Copies of bills and proposed resolutions are available in the Legislative Services Division, 1350 Pennsylvania Avenue, NW, Room 10, Washington, D.C. 20004, Telephone: 724-8050 or online at http://www.dccouncil.us.

COUNCIL OF THE DISTRICT OF COLUMBIA PROPOSED LEGISLATION

B23-0781 Performing Arts Promotion Act of 2020

Intro. 06-10-2020 by Chairman Mendelson and referred to the Committee on Business and Economic Development

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B23-0784 Closing of Public Streets and Alleys and Dedication of Land for Public and Alley Purposes Adjacent to Squares 3039, 3040, and 3043, S.O. 17-21093 and S.O. 17-21094 Act of 2020

Intro. 06-12-2020 by Councilmember Nadeau and referred to the Committee of the Whole

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B23-0787 Black Lives Matter Plaza Designation Act of 2020

Intro. 06-15-2020 by Chairman Mendelson, Councilmembers Grosso, R. White, Cheh, Allen, McDuffie, Bonds, Silverman, Nadeau, Todd, and Gray and referred to the Committee of the Whole

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B23-0788 Dedication of Lot 252 in Square 620 for the First Street, NW, Right-of-Way, S.O. 19-48848 Act of 2020

Intro. 06-15-2020 by Chairman Mendelson, and Councilmember Allen and referred to the Committee of the Whole

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PR23-0829 Sense of the Council for Supporting Congressional Approval of a Federal Sustainable Water Affordability Program Resolution of 2020

Intro. 06-10-2020 by Councilmember Bonds and referred to the Retained by the Council

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COUNCIL OF THE DISTRICT OF COLUMBIA

COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT

MARY M. CHEH, CHAIR

NOTICE OF PUBLIC HEARING ON

B23-548, the 1666 Articles of Peace and Amity Recognition Amendment Act of 2019;
B23-624, the Impervious Area Charge Water Utility Consumer Protection Fund Act of 2020; and
B23-640, the District of Columbia Water and Sewer Authority Transparency Amendment Act of 2020

Thursday, July 30th, 2020, from 9:00 AM to 3:00 PM

On Thursday, July 30th, 2020, Councilmember Mary M. Cheh, Chairperson of the Committee on Transportation and the Environment, will hold a public hearing on B23-548, the 1666 Articles of Peace and Amity Recognition Amendment Act of 2019, B23-624, the Impervious Area Charge Water Utility Consumer Protection Fund Act of 2020, and B23-640, the District of Columbia Water and Sewer Authority Transparency Amendment Act of 2020. The hearing will begin at 9:00 AM, and will be broadcast live on DC Council Channel 13 and streamed live at www.dccouncil.us and entertainment.dc.gov.

B23-548 would provide, without cost, free fishing licenses to members of the Piscataway Indian Nation and the Piscataway Conoy Tribe. B23-624 would allow funds from the Clean Rivers Impervious Area Charge Relief Assistance Fund to be used for accounts belonging to low-income residents that are in arrears. B23-640 would require DC Water to hold a public comment period following notice of any proposed establishment or adjustment of water and sewer rates and post public comments received within 5 days of the close of the comment period, submit to the Mayor and Council and post on their website a Cost of Service study, provide residents with 30 days to dispute a bill and to notify customers of this requirement when contacted regarding a dispute, list contact information for the DC Water complaint line and the Office of the People's Counsel on water bills, and prescribe annual reporting requirements on the Clean Rivers Impervious Area Charge Relief Assistance Fund; and would also amend the Lead Service Line Priority Replacement Assistance Act of 2004 to prescribe annual reporting requirements regarding the status of the replacement assistance program.

On March 11, 2020, Mayor Muriel Bowser issued the Declaration of Public Emergency: Coronavirus (COVID-19) and the Declaration of Public Health Emergency: Coronavirus (COVID-19) due to the imminent threat to the health, safety, and welfare of District residents posed by the spread of the coronavirus. These orders require that the Council adapt the methods by which committees may hold public hearings and roundtables to comply with social distancing, large public gathering, and other public health and safety requirements. Therefore, this public hearing will be held remotely through the WebEx teleconferencing platform.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official record. Anyone wishing to testify should contact Ms. Aukima Benjamin, Staff Assistant to the Committee on Transportation and the Environment, at (202) 724-8062 or via e-mail at abenjamin@dccouncil.us; witnesses will receive with information on how to join the hearing at that time. Witnesses who anticipate needing language interpretation, or requiring sign language interpretation, are requested to inform the Committee of the need as soon as possible but no later than five business days before the hearing, which is July 25th, 2020. We will make every effort to fulfill timely requests, however requests received in less than five business days may not be fulfilled and alternatives may be offered.

If you are unable to testify at the public roundtable, written statements are encouraged and will be made a part of the official record; testimony may be submitted to abenjamin@dccouncil.us. The public may also leave voicemail testimony for the Committee by calling (202) 350-1344, which will be transcribed and made part of the hearing record. Members of the public leaving voicemail testimony should speak slowly and clearly, state their full name and the organization they represent, if any, and note the bill, hearing, or agency that they are submitting testimony on. Members of the public are asked to not provide an e-mail, phone number, or other person contact information in voicemail testimony.

The record will close at the end of the business day on August 13th, 2020.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
NOTICE OF PUBLIC HEARING

1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC HEARING

on

Bill 23-670, Bloomingdale Historic District Targeted Historic Preservation Assistance Amendment Act of 2020

on

Wednesday, July 8, 2020 at 10:00 a.m.

Live via Zoom Video Conference Broadcast
Council Channel 13 (Cable Television Providers)
DC Council Website (www.dccouncil.us)

Council Chairman Phil Mendelson announces a public hearing before the Committee of the Whole on Bill 23-670, the "Bloomingdale Historic District Targeted Historic Preservation Assistance Amendment Act of 2020." The hearing will be held at **10:00 a.m.** on **Wednesday, March 25, 2020** via a Zoom virtual hearing. This hearing was previously scheduled for March 25, 2020.

The stated purpose of **Bill 23-670** is to amend the Historic Landmark and Historic District Protection Act of 1978 to provide that grants available to assist homeowners with the rehabilitation of historic property under the Targeted Homeowner Grant Program may be used to rehabilitate a structure that contributes to the character of the Bloomingdale Historic District, bounded by North Capitol Street, N.W., Florida Avenue, N.W., 1st Street, N.W., 2nd Street, N.W., Bryant Street, N.W., and Channing Street, N.W., in Ward 5. Currently, Bloomingdale is excluded from a list of 15 historic districts where grants are available to assist low- and moderate-income households rehabilitate historic properties.

Those who wish to testify are asked to email the Committee of the Whole at cow@dccouncil.us, or call Julia Koster, Senior Planning Advisor, at (202) 724-7130, and to provide your name, address, telephone number, organizational affiliation and title (if any) by close of business Monday, July 6, 2020. Witnesses who anticipate needing spoken language interpretation, or require sign language interpretation, are requested to inform the Committee office of the need as soon as possible but no later than five business days before the proceeding. We will make every effort to fulfill timely requests, although alternatives may be offered. Requests received in less than five business days may not be fulfilled.

Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on July 6, 2020 the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to four minutes; less time will be allowed if there are a large number of witnesses. The hearing will be limited to one hour. Copies of the legislation can be obtained through the Legislative Services Division of the Secretary of the Council's office or on http://lims.dccouncil.us. Hearing materials, including a draft witness list, can be accessed at http://www.chairmanmendelson.com/circulation, 24 hours in advance of the hearing.

If you are unable to testify at the hearing, written statements are encouraged and will be made part of the official record. Written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Ste. 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, DC 20004. The record will close at 5:00 p.m. on July 15, 2020.

Council of the District of Columbia
COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT
COMMITTEE ON HEALTH
NOTICE OF JOINT PUBLIC HEARING
1350 Pennsylvania Avenue, NW, Washington, DC 20004 REVISED

COUNCILMEMBER KENYAN R. MCDUFFIE, CHAIRPERSON
COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT

AND

COUNCILMEMBER VINCENT C. GRAY, CHAIRPERSON
THE COMMITTEE ON HEALTH

ANNOUNCE A JOINT PUBLIC HEARING ON

B23-0777, THE "NEW HOSPITAL AT ST. ELIZABETHS ACT OF 2020"

AND

B23-0778, THE "NEW HOWARD UNIVERSITY HOSPITAL AND REDEVELOPMENT TAX ABATEMENT ACT OF 2020"

Tuesday, June 30, 2020, 9:00 a.m.
Remote Hearing via WebEx
Broadcast live on DC Council Channel 13
Streamed live at www.dccouncil.us and entertainment.dc.gov.

Councilmember Vincent C. Gray, Chairperson of the Committee on Health, and Councilmember Kenyan R. McDuffie, Chairperson of the Committee on Business and Economic Development, announce a Joint Public Hearing on Bill 23-0777, the "New Hospital at St. Elizabeths Act of 2020" and Bill 23-0778, the "New Howard University Hospital and Redevelopment Tax Abatement Act of 2020". The hearing will be held on Tuesday, June 30, 2020, at 9:00 a.m., via Webex. **This notice has been revised to reflect a change in date, from July 1, 2020 to June 30, 2020.**

Bill 23-0777 approves a contract in excess of $1 million for the construction of a new hospital at St. Elizabeths; authorizes the Mayor to dispose of the hospital and the real property on which the hospital will be located; approves a multiyear contract and contract in excess of $1 million for the operation of the hospital; establishes a special fund as a startup reserve for the hospital; and establishes an uncompensated care requirement for the hospital. This legislation establishes the framework for approving the construction of the facilities that will create a comprehensive health care system.

Bill 23-0778 amends Chapter 46 of Title 47 of the District of Columbia Official Code to provide an abatement of real property taxes for property known for tax and assessment purposes as Lots 829, 830, and 831 in Square 3065, Lot 11 in Square 3074, Lot 807 in Square 3075, Lot 52 in Square 3072, and Lot 73 in Square 3080. The tax abatement is conditioned, in part, on Howard University constructing a new, state-of-the-art, full-service, teaching and research hospital on or

adjacent to the Georgia Avenue, N.W., campus of Howard University with a level 1 trauma center and an academic affiliation with the Howard College of Medicine and its graduate medical education program.

Persons wishing to provide oral testimony should contact Malcolm Cameron, Legislative Analyst of the Committee on Health by e-mail at mcameron@dccouncil.us or by phone at (202) 341-4425 by before 5:00 p.m. on Wednesday, June 24, 2020. You may also send an e-mail indicating that you wish to view the hearing in Webex, but that you do not intend to provide oral testimony. When sending an e-mail or leaving a voicemail, please provide Mr. Cameron with the following information:

- Your first and last name,
- The name of the organization you are representing (if any),
- Your title with the organization,
- Your e-mail address,
- Your phone number, and
- The bill or bills you will be speaking about.

Mr. Cameron will e-mail a confirmation of your attendance with an agenda, witness list, and attached instructions for accessing the Webex video conference hearing by 5:00 p.m. on Friday June 26, 2020. If you do not receive a confirmation of your attendance, please contact Mr. Cameron by 12:00 p.m. on Monday, June 29, 2020. Oral testimony will be strictly limited to three minutes to allow everyone an opportunity to testify. Due to technological limitations during the COVID-19 pandemic, only the first nine hours of the hearing will be broadcasted, however, the Webex hearing will continue until all witnesses who have signed up have had an opportunity to testify.

Persons wishing to provide written testimony should e-mail their written testimony to Malcolm Cameron, Legislative Analyst of the Committee on Health at mcameron@dccouncil.us and D. Justin Roberts, Committee Director of the Committee on Business and Economic Development at jroberts@dccouncil.us before 12:00 p.m. on Wednesday, July 1, 2020. Any testimony provided after this time will not be made part of the hearing record. Please indicate that you are submitting testimony for this hearing in the subject line of the e-mail. The Committees also welcome e-mails commenting on the proposed legislation, however, this correspondence is not included in the official Committee report if it is not labeled as testimony.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT
NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE
1350 Pennsylvania Avenue, NW, Washington, DC 20004

CHAIRPERSON ELISSA SILVERMAN
COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT

ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON

Implementation of Law 21-264, The Universal Paid Leave Amendment Act of 2016

Thursday, July 9, 2020, 1:00 p.m.
Virtual hearing via Webex
Broadcast on DC Cable Channel 13 and online at www.dccouncil.us

Councilmember Elissa Silverman, Chairperson of the Committee on Labor and Workforce Development, announces a public oversight roundtable before the Committee on the implementation of the Universal Paid Leave Amendment Act of 2016 (L21-264). The law establishes a paid leave system to provide partial wage replacement for District residents in need of leave from work due to serious family illness, personal medical needs, or to care for a new child. The Committee has held roundtables or hearings to examine the status of implementation of UPLA in each quarter since Fall 2017.

The universal paid leave program is required by the Act to begin providing benefits to eligible workers on July 1, 2020. At this roundtable, the Committee will review the initial implementation of the program, including the information technology (IT) system for application and payment of benefits, public outreach, call center operations, staffing, and more. The Committee will also review the contents of the quarterly paid leave implementation report, due June 30, 2020, pursuant to D.C. Official Code §32–541.04(h) and (i).

Witnesses may use their phone or computer to participate in this virtual hearing. Those who wish to testify must email the Committee at labor@dccouncil.us by 5:00 p.m. on Tuesday, July 7, 2020 to provide their name, email address, telephone number, organizational affiliation and job title (if any), as well as the language of oral interpretation they require (if any). Witnesses who require language interpretation or sign language interpretation are requested to inform the Labor Committee of the need as soon as possible, but no later than 5:00 p.m. on Wednesday, July 1, 2020. The Council's Office of the Secretary will fulfill timely requests for language interpretation services, however requests received later than July 1 may not be able to be fulfilled due to vendor availability.

The committee will email instructions on how to participate and the Webex link to those who have signed up by 5:00 p.m. on Tuesday, July 7, 2020. Only witnesses who have signed up by the deadline will be permitted to participate.

Those wishing to testify are encouraged to submit an electronic copy of written testimony by 12:00 p.m. on Wednesday, July 8, 2020, so that staff may distribute testimonies to committee members and staff in advance. Those representing organizations will have five minutes to present

their testimony, and other individuals will have three minutes to present their testimony; less time will be allowed if there is a large number of witnesses.

If anyone is unable to testify at the roundtable, written statements will be made a part of the official record. Written statements should be submitted by email to labor@dccouncil.us. Additionally, the public may provide testimony by voice mail by calling (202) 455-0153, stating and spelling the witness's name, stating any organizational affiliation, and speaking slowly to provide a statement to be transcribed and included in the record. The record will close at 5:00 p.m. on Thursday, July 23, 2020.

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Grant Budget Modifications

Pursuant to the Consolidated Appropriations Act of 2017, approved May 5, 2017 (P.L. 115-31), the Council of the District of Columbia gives notice that the Mayor has transmitted the following Grant Budget Modification (GBM).

A GBM will become effective on the 15th day after official receipt unless a Member of the Council files a notice of disapproval of the request which extends the Council's review period to 30 days. If such notice is given, a GBM will become effective on the 31st day after its official receipt unless a resolution of approval or disapproval is adopted by the Council prior to that time.

Comments should be addressed to the Secretary to the Council, John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Room 5 Washington, D.C. 20004. Copies of the GBMs are available in the Legislative Services Division, Room 10.
Telephone: 724-8050

GBM 23-88: **FY 2020 Grant Budget Modifications of May 28, 2020**

RECEIVED: 2-day review begins June 11, 2020

GBM 23-89: **FY 2020 Grant Budget Modifications of June 3, 2020**

RECEIVED: 2-day review begins June 11, 2020

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	June 19, 2020
Protest Petition Deadline:	August 24, 2020
Roll Call Hearing Date:	September 8, 2020
Protest Hearing Date:	November 18, 2020
License No.:	ABRA-116175
Licensee:	ScoutDC, LLC
Trade Name:	Jane Jane
License Class:	Retailer's Class "C" Tavern
Address:	1705 14th Street, N.W.
Contact:	Sidon Yohannes: (202) 686-7600

WARD 2 ANC 2F SMD 2F01

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on September 8, 2020 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The **Protest Hearing date** is scheduled on **November 18, 2020 at 4:30 p.m.**

NATURE OF OPERATION

The Establishment will be a tavern offering multiple food vendors. Seating Capacity of 79 inside and a Total Occupancy Load of 110. Sidewalk Café with 21 seats and a Total Occupancy Load of 25. Summer Garden with 80 seats and a Total Occupancy of 100.

HOURS OF OPERATION/ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR INSIDE OF THE PREMISES, SUMMER GARDEN, AND SIDEWALK CAFÉ

Sunday through Thursday 8am – 2am, Friday and Saturday 8am – 3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	June 19, 2020
Protest Petition Deadline:	August 24, 2020
Roll Call Hearing Date:	September 8, 2020
Protest Hearing Date:	November 18, 2020
License No.:	ABRA-116638
Licensee:	Pearl's Kitchen, LLC
Trade Name:	Pearl's Bagels
License Class:	Retailer's Class "D" Restaurant
Address:	1017 7th Street, N.W.
Contact:	Alessandra Cox: (617) 223-1549

WARD 6 ANC 6E SMD 6E04

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on September 8, 2020 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The **Protest Hearing date** is scheduled on **November 18, 2020 at 1:30 p.m.**

NATURE OF OPERATION

The Establishment will be a bagel shop serving breakfast and lunch with pop–up dinners in the evenings. Seating Capacity of 15 and a Total Occupancy Load of 19.

HOURS OF OPERATION

Sunday through Saturday 7am – 10pm

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION

Sunday through Saturday 8am – 10pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	June 19, 2020
Protest Petition Deadline:	August 24, 2020
Roll Call Hearing Date:	September 8, 2020
License No.:	ABRA-116067
Licensee:	The Culinary District, LLC
Trade Name:	TBD
License Class:	Retailer's Class "C" Tavern
Address:	1914 9th Street NW
Contact:	Richard Bianco, Esq.: (202) 461-2400

WARD 1 ANC 1B SMD 1B02

Notice is hereby given that this licensee has requested Substantial Changes to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on September 8, 2020 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF SUBSTANTIAL CHANGES
Applicant requests to change hours of operation and alcoholic beverage sales, service, and consumption. Applicant is requesting to increase the Total Occupancy Load of the entire establishment from 76 to 201. Applicant is also requesting to add a Summer Garden Endorsement with 40 seats and an occupancy load of 76.

CURRENT HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION
Sunday through Thursday 12pm – 2am
Friday and Saturday 12pm – 3am

CURRENT HOURS LIVE ENTERTAINMENT
Thursday through Saturday 8pm – 2am

PROPOSED HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION (INSIDE PREMISES AND SUMMER GARDEN)
Sunday through Thursday 10am – 2am
Friday and Saturday 10am – 3am

BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
WEDNESDAY, JUNE 24, 2020
Virtual Hearing via WebEx

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule but reserves the right to hear items on the agenda out of turn.

TIME: 9:30 A.M.

WARD FIVE

20069
ANC 5E

Application of Deidra Barksdale, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions from the general penthouse requirements of Subtitle C § 1500.4, and under Subtitle C § 1504 from the penthouse setback requirements of Subtitle C § 1502.1(c), to construct a new rooftop access penthouse on an existing, semi-detached flat in the RF-1 Zone at premises 100 S Street, N.W. (Square 3104, Lot 804).

WARD FIVE

20053
ANC 5C

Application of District Properties.com Inc., pursuant to 11 DCMR Subtitle X, Chapter 10, for an area variance from the side yard requirements of Subtitle D § 206.2, to construct a new detached, principal dwelling unit in the R-1-B Zone at premises at 2433 Girard Place, N.E. (Parcel 155/7).

WARD SEVEN

19984
ANC 7B

Application of Rupsha 2011 LLC, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under the new residential development provisions of Subtitle U § 421.1, and under the inclusionary zoning requirements of Subtitle C 1001.2(b)(3) to construct an eight unit apartment house in the RA-1 Zone at premises 2908 N Street, S.E. (Square 5507, Lot 2).

WARD FIVE

20225
ANC 5C

Application of Rula Malky, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle F § 5201 from the lot occupancy requirements of Subtitle F § 304.1 and from the rear yard requirements of Subtitle F § 305.1, to construct a rear deck addition to an existing attached principal dwelling unit in the RA-1 Zone at premises 3235 Fort Lincoln Drive, N.E. (Square 4325, Lot 1025).

WARD FIVE

20227
ANC 5E

Application of Andrew Lewcyzk, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle D § 5201 from the rear yard requirements of Subtitle D § 306.2, and pursuant to 11 DCMR Subtitle X, Chapter 10, for an area variance from the lot occupancy requirements of Subtitle D § 304.1, to construct a second-story rear deck to an existing, attached principal dwelling unit in the R-3 Zone at premises 227 Douglas Street, N.E. (Square 3553, Lot 97).

WARD FIVE

20235
ANC 5E

Application of Bryant Phase 1-E, LLC, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle C § 909.4 from the loading requirements of Subtitle C § 908.1 and 908.3, to construct a seven-story mixed use building in the MU-7 Zone at premises 600 Rhode Island Avenue, N.E. (Square 3629, Lot 819).

WARD FIVE

20236
ANC 5E

Application of Bryant Phase 1-B, LLC, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle C § 909.4 from the loading requirements of Subtitle C § 908.1 and 908.3, to construct a two-story movie theater building in the MU-7 Zone at premises 620-640 Rhode Island Avenue, N.E. (Square 3629, Lot 816).

WARD THREE

20205
ANC 3C

Application of Christopher Cahill, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle D § 5201, from the side yard requirements of Subtitle D § 206.7 and the pervious surface requirements of Subtitle D § 308.1, and under Subtitle U § 253.10 from the accessory apartment requirements of Subtitle U § 253.7(c), to construct a two-story rear addition and to permit an accessory apartment with an entrance on a street facing façade in an existing detached principal dwelling in the R-1-B Zone at premises 3401 Lowell Street, N.W. (Square 2089, Lot 828).

WARD SEVEN

20237
ANC 7D

Application of Timothy Holtz, pursuant to 11 Subtitle X, Chapter 10, for a variance from the lot occupancy requirements of Subtitle E § 304.1, to construct a one-story rear addition and a deck to an existing attached principal dwelling unit in the RF-1 Zone at premises 2002 C Street, N.E. (Square 4558, Lot 31).

WARD FIVE

20184
ANC 5C

Application of Fort Lincoln-Eastern Avenue LLC, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under the theoretical lot subdivision requirements of Subtitle C § 305.1, and under the new residential developments requirements of Subtitle U § 421, to allow a new residential development project of 51 townhouses in the RA-1 and RA-4 Zones at premises bounded between Eastern Avenue, N.E., Bladensburg Road, N.E., and Fort Lincoln Drive, N.E. (Square 4325, Lots 802 and 44, and Parcel 0174/15).

WARD FIVE

20213
ANC 5E

Application of Jake Greenhouse, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the use provisions of Subtitle U § 601.1(c), from the alley lot use requirements of Subtitle U § 600.1(e)(3)(b) , to construct a new detached, principal dwelling unit in the RA-2 Zone at premises rear of 3rd Street, N.W. between O Street, N.W. and P Street, N.W. (Square 553, Lot 59).

PLEASE NOTE:

This public hearing will be held virtually through WebEx. Information for parties and the public to participate, view, or listen to the public hearing will be provided on the Office of Zoning website and in the case record for each application or appeal by the Friday before the hearing date.

The public hearing in these cases will be conducted in accordance with the provisions of Subtitles X and Y of the District of Columbia Municipal Regulations, Title 11, including the text provided in the Notice of Emergency and Proposed Rulemaking adopted by the Zoning Commission on May 11, 2020, in Z.C. Case No. 20-11.

Individuals and organizations interested in any application may testify at the public hearing via WebEx or by phone and are strongly encouraged to sign up to testify 24 hours prior to the start of the hearing on OZ's website at https://dcoz.dc.gov/ or by calling Robert Reid

at 202-727-5471. Pursuant to Subtitle Y, Chapter 2 of the Regulations, the Board may impose time limits on the testimony of all individuals and organizations.

Individuals and organization may also submit written comments to the Board by uploading submissions via IZIS or by email to bzasubmissions@dc.gov. Submissions are strongly encouraged to be sent at least 24 hours prior to the start of the hearing.

Do you need assistance to participate?

Americans with Disabilities Act (ADA)

If you require an auxiliary aide or service in order to participate in the public hearing under Title II of the ADA, please contact Zelalem Hill at (202) 727-0312 or Zelalem.Hill@dc.gov. In order to ensure any requested accommodations can be secured by the scheduled hearing, please contact Ms. Hill as soon as possible in advance of that date.

Language Access

Amharic
ለመሳተፍ ዕርዳታ ያስፈልግዎታል?
የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኤሜል Zelalem.Hill@dc.gov ይገናኙ። እነኝህ አገልግሎቶች የሚሰጡት በነጻ ነው።

Chinese
您需要有人帮助参加活动吗？
如果您需要特殊便利设施或语言协助服务（翻译或口译），请在见面之前提前五天与 Zee Hill 联系，电话号码 (202) 727-0312，电子邮件 Zelalem.Hill@dc.gov。这些是免费提供的服务。

French
Avez-vous besoin d'assistance pour pouvoir participer ? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

Korean
참여하시는데 도움이 필요하세요?
특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312로 전화 하시거나

Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

Spanish
¿Necesita ayuda para participar?
Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o
interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a
Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Vietnamese
Quí vị có cần trợ giúp gì để tham gia không?
Nếu quí vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

FREDERICK L. HILL, CHAIRPERSON
LORNA L. JOHN, MEMBER
VACANT, MEMBER
CARLTON HART, VICE-CHAIRPERSON,
NATIONAL CAPITAL PLANNING COMMISSION
A PARTICIPATING MEMBER OF THE ZONING COMMISSION
CLIFFORD W. MOY, SECRETARY TO THE BZA
SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in An Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 774; D.C. Official Code § 1-307.02 (2016 Repl. & 2019 Supp.)) and the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2018 Repl.)), hereby gives notice of the adoption of an amendment to Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking adds a new Section 939 (Adult Hospice Services) to Chapter 9 (Medicaid Program) of Title 29 DCMR. The new Section 939 establishes standards for the delivery of and reimbursement for hospice care provided to terminally ill District Medicaid beneficiaries twenty-one (21) years of age and older residing in home settings, in accordance with individualized, written plans of care. This rulemaking describes the scope of the items and services covered under the adult hospice benefit and clarifies the reimbursement methodology for beneficiaries receiving hospice care while residing in a nursing facility or Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID). DHCF estimates total expenditures for the adult hospice benefit to increase by $10,726,912 in Fiscal Year 2020, as a result of the proposed changes.

These rules correspond to a related State Plan Amendment (SPA), which was approved by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) on March 19, 2020. Accordingly, these rules became effective February 15, 2020, The corresponding SPA was added to the District's Medicaid State Plan, which can be found on DHCF's website at https://dhcf.dc.gov/page/medicaid-state-plan.

A Notice of Emergency and Proposed Rulemaking was published on February 14, 2020 in the *D.C. Register* at 67 DCR 1617. The following comments were received from Legal Counsel for the Elderly (LCE), the Office of the DC Long-Term Care Ombudsman. Based on a review of the comments, no changes have been made.

Support of Beneficiary Choice and Written Agreements

LCE expressed strong support of patient choice in directing both long term services and supports (LTSS) and end-of-life care. LCE stated that these regulations ensure transparency and support beneficiary choice in directing such care, and LCE supported the regulatory language in ensuring hospice is a meaningful and available choice to all D.C. Medicaid beneficiaries with terminal illnesses. LCE further expressed support for the regulatory language ensuring Medicaid beneficiaries receive all services they are entitled to receive even when enrolled in adult hospice care. LCE specifically expressed support for the language in § 939.30 requiring written agreements between hospice providers and nursing facilities or ICF/IDD. LCE explained that such language establishes important procedural requirements for individuals who reside in a facility with a terminal illness and opt for hospice care. LCE explained that one such requirement, also required

by federal regulation, requires the hospice provider and nursing facility to identify their individual responsibilities for patient care. LCE concluded that this requirement ensures that the role of each entity is clear and that the patient is receiving the highest quality of care without gaps in services. Since LCE expressed support and does not recommend changes under the forgoing comments, DHCF is not making any changes.

Timeframe for DHCF Prior Authorization

LCE commented that one area where they seek clarification is in regard to the timeframe for DHCF prior authorization for the reimbursement of hospice care under § 939.25. LCE explained that for both new admissions and each election period, transparency is required. Specifically, LCE worried about a disruption or delay in services due to pending prior authorization. While this section relates to the payment of the hospice providers, LCE expressed concern that care will not be rendered without authorization for payment. LCE recommended that the timeframe for prior authorization to the hospice provider from DHCF be specified and made retroactive to prevent any disruption in services.

DHCF does not believe this level of detail is necessary in the rulemaking. DHCF works closely with providers to promptly issue prior authorizations to minimize barriers and any delays to hospice care. As long as a beneficiary has an order for hospice services and meets medical necessity, DHCF will authorize services. Additionally, DHCF is able to retroactively authorize services, as long as the request was submitted prior to initiation of services. For these reasons, DHCF is not proposing any changes.

The Director adopted these rules on June 10, 2020 and they shall become effective on the date of publication of this notice in the *D.C. Register*.

Chapter 9, MEDICAID PROGRAM, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

A new Section 939, ADULT HOSPICE SERVICES, is added to read as follows:

939 ADULT HOSPICE SERVICES

939.1 This rule shall govern the administration of adult hospice services under the District of Columbia (District) Medicaid Program.

939.2 Adult Hospice services shall be furnished by providers operating in accordance with 42 CFR § 418.114 and requirements set forth in the District of Columbia Health Occupations Revision Act of 1985, as amended effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201.01, *et seq*.), and its implementing rules.

939.3 A provider of adult hospice services is a public agency or private organization, or subdivision of either, that is primarily engaged in providing care to terminally ill adult beneficiaries, which may include any of the following entities:

(a) A hospital;

(b) A Hospice enrolled in the Medicare program; or

(c) A nursing facility or intermediate care facility for individuals with intellectual disabilities (ICF/IID).

939.4 To be eligible for District Medicaid reimbursement for adult hospice services, a provider shall meet the following requirements:

(a) Meet the Medicare conditions of participation for hospices, 42 CFR Part 418, Subparts C, D, and F, be enrolled in the Medicare program, and be enrolled as a District Medicaid provider with DHCF; and

(b) Employ or contract with an interdisciplinary team, which shall include at least one (1) of each of the following:

(1) Doctor of medicine or osteopathy;

(2) Registered nurse (RN) or advanced practice registered nurse (APRN);

(3) Licensed clinical social worker (LICSW); and

(4) Pastoral or other counselor.

939.5 All members of the hospice interdisciplinary team shall be able to provide expertise and services twenty-four (24) hours per day, seven (7) days per week.

939.6 To be eligible to receive adult hospice services, a beneficiary shall meet the following criteria:

(a) Is enrolled in District Medicaid;

(b) Is aged twenty-one (21) or older;

(c) Resides in a home setting, or in a nursing facility or ICF/IID;

(d) Is certified as terminally ill in accordance with §§ 939.7 – 939.9; and

(e) Has elected to receive hospice care in accordance with § 939.10.

939.7 A written certification of terminal illness shall be completed no more than fifteen (15) calendar days before the effective date of an election period described at § 939.12, and shall include all of the following:

(a) A statement that the beneficiary has a medical prognosis of life expectancy of six (6) months or less if the terminal illness runs its normal course;

(b) Clinical information and other documentation supporting the medical prognosis, which shall be filed in the medical record with the written certification;

(c) A brief narrative explanation of the clinical findings that support a life expectancy of six (6) months or less, which meets the following requirements:

(1) The narrative shall be located immediately above the physician's signature;

(2) For the initial election period certification and second election period certification described in § 939.12, the narrative shall include a statement attesting that the narrative is based on a review of the beneficiary's medical record;

(3) The narrative shall reflect the beneficiary's individual clinical circumstances and cannot contain check boxes or standard language used for all patients; and

(4) For the third election period certification and each subsequent election period certification described in § 939.12, the narrative shall include a statement attesting that the narrative is based on a face-to-face encounter with the beneficiary described in § 939.9; and

(d) Signatures of the hospice medical director or the physician member of the hospice interdisciplinary team, and the beneficiary's attending physician, specialty care physician, or primary care physician.

939.8 The hospice provider shall obtain a written certification of terminal illness no later than two (2) calendar days after the beginning of each election period.

939.9 Not more than thirty (30) calendar days prior to the completion of the certification statement for the third election period, as described in § 939.13, and each subsequent election period thereafter, a hospice physician or hospice nurse practitioner shall have a face-to-face encounter with any beneficiary whose total time in hospice is anticipated to exceed one hundred eighty (180) calendar days.

939.10 For each period of hospice care elected, the beneficiary or authorized representative shall file with the hospice provider an election statement that includes the following:

(a) Identification of the hospice provider that will care for the beneficiary;

(b) An acknowledgement by the beneficiary or his/her authorized representative that the beneficiary has been given a full explanation of the palliative rather than curative nature of hospice care as it relates to the beneficiary's terminal illness;

(c) An acknowledgement by the beneficiary or his/her authorized representative that the beneficiary fully understands that an election to receive hospice care is a waiver of the Medicaid services described in § 939.16;

(d) The effective date of the election to receive hospice care; and

(e) The signature of the beneficiary or his/her authorized representative.

939.11 Where a beneficiary electing hospice care lacks the mental capacity to make an election, his/her authorized representative shall file the election statement pursuant to the requirements set forth in the Health Care Decisions Act of 1988, effective March 16, 1989 (D.C. Law 7-189; D.C. Official Code §§ 21-2201, *et seq*.).

939.12 Adult hospice services may be provided for limited time frames known as election periods. An election period for hospice care shall consist of one or more of the following:

(a) An initial election period of ninety (90) days;

(b) A second election period of ninety (90) days;

(c) A third election period of sixty (60) days; and

(d) An unlimited number of subsequent election periods of sixty (60) days.

939.13 A beneficiary's election to receive hospice care shall continue through the initial election period and any subsequent election periods without a break in care as long as the beneficiary remains in the care of an enrolled hospice provider, does not revoke the election, and is not discharged from hospice care.

939.14 A beneficiary may change to a different hospice provider no more than once in each election period, subject to the following conditions:

(a) In such circumstances, the beneficiary shall not begin a new election period; and

(b) To ensure continuity of care, both hospice providers shall be required to coordinate the provision of services during the beneficiary's transition.

939.15 A beneficiary may revoke the election of hospice care at any time. To revoke the election of hospice care, the beneficiary or his/her authorized representative shall file with the hospice provider a signed and dated revocation statement subject to the following:

(a) A beneficiary's revocation statement shall include the date on which the revocation of the election of hospice care is to be effective. The effective date may not be earlier than the date that the revocation statement is filed with the hospice provider; and

(b) A beneficiary's revocation of the election of hospice care does not preclude him/her from reelecting hospice care at a later date.

939.16 A beneficiary shall waive all rights to Medicaid coverage for the following services for the duration of the election to receive hospice care:

(a) Hospice care provided by a hospice provider other than the hospice provider designated by the beneficiary, unless provided under arrangements made by the designated hospice; and

(b) Any Medicaid services related to treatment of the terminal condition for which hospice care was elected or a related condition, or services that are equivalent to hospice care, except for those:

(1) Provided by the designated hospice;

(2) Provided by another hospice under arrangements made by the designated hospice; or

(3) Provided by the beneficiary's attending physician if that physician is not an employee of the designated hospice or receiving compensation from the hospice for those services.

939.17 A beneficiary who elects to receive adult hospice services remains entitled to receive other medically necessary Medicaid-covered services, drugs, or supplies, not included in the adult hospice benefit, that are for a condition unrelated to the terminal illness for which hospice care was elected.

939.18 When a beneficiary enrolled in a home and community-based services (HCBS) waiver authorized under Section 1915(c) of the Social Security Act, including but not limited to the District's Elderly and Persons with Physical Disabilities (EPD) waiver and Individuals with Intellectual and Developmental Disabilities (IDD) waiver, elects to receive adult hospice services, the following conditions apply:

(a) The beneficiary's waiver case manager or service coordinator and hospice provider staff shall meet in advance to develop a coordinated plan of care for the beneficiary, completed within five (5) days of the beneficiary's first day of hospice care, which clearly defines the roles and responsibilities of the HCBS waiver services provider and the hospice provider and avoids duplication of services;

(b) The hospice provider shall provide all medically necessary services that are directly related to the beneficiary's terminal illness; and

(c) The HCBS waiver program may continue to provide services that are:

(1) Unrelated to the beneficiary's terminal illness; and

(2) Assessed by the beneficiary's waiver case manager or service coordinator as necessary to maintain the beneficiary's safe residence in a home- or community-based setting.

939.19 To be covered by Medicaid, adult hospice services shall meet the following requirements:

(a) The services are reasonable and necessary for the palliation and management of the terminal illness and related conditions;

(b) The services are provided to a beneficiary who meets the requirements at § 939.6; and

(c) The services provided are consistent with the written plan of care, which was developed by the interdisciplinary team described in § 939.4 and established prior to the beneficiary's first day of hospice care.

939.20 The following services are covered adult hospice services, when consistent with the plan of care and provided in accordance with recognized standards of practice and any requirements or limitations set forth by federal or District law and the District's State Plan for Medical Assistance:

(a) Physician services performed by a physician as defined in 42 CFR § 410.20, except that the services of the hospice medical director or the physician member of the interdisciplinary group shall be performed by a doctor of medicine or osteopathy;

(b) Nursing services provided by or under the supervision of a registered nurse;

(c) Medical social services provided by a licensed clinical social worker practicing under the direction of a physician;

(d) Counseling services provided to the terminally ill beneficiary and family members or other persons who care for the beneficiary at home, in accordance with the following requirements:

(1) Counseling, including dietary counseling, may be provided both for the purpose of training the beneficiary's family or other caregivers to provide care, and for the purpose of helping the beneficiary and those caring for him/her to adjust to the beneficiary's approaching death; and

(2) Counseling services are not available to nursing facility or ICF/IID personnel who care for a beneficiary receiving hospice care in the facility;

(e) Short-term inpatient hospice care provided in a participating Medicare or Medicaid hospice inpatient unit, hospital, or nursing facility that meets hospice staffing and space requirements described in 42 CFR Part 418, Subparts C and D, in accordance with the following requirements:

(1) Inpatient hospice care may be required for procedures necessary for pain control or acute or chronic symptom management, and may also be furnished as a means of providing respite for the individual's family or other persons caring for the beneficiary at home; and

(2) Respite care shall be furnished as specified in 42 CFR § 418.108(b);

(f) Durable Medical Equipment (DME) and medical supplies for the palliation or management of the beneficiary's terminal illness or related conditions, which shall be provided by the hospice provider for use in the beneficiary's home;

(g) Prescription drugs used primarily for the relief of pain and symptom control related to the beneficiary's terminal illness;

(h) Physical therapy, occupational therapy, and speech-language pathology services provided for symptom control or to enable the beneficiary to maintain activities of daily living and basic functional skills;

(i) Home health aide and homemaker services, in accordance with the following requirements:

(1) Home health aides shall provide personal care services and may also perform household chores necessary to maintain a safe and sanitary environment in areas of the home used by the beneficiary. Home health aides shall deliver services under the general supervision of a registered nurse;

(2) Homemaker services may include assistance in maintenance of a safe and healthy environment and other services that enable the beneficiary, caregiver(s), and hospice provider to carry out the plan of care;

(3) Personal care aide (PCA) services, in accordance with Chapter 50 of Title 29 DCMR and to the extent that the hospice provider would routinely use the beneficiary's family to support implementation of the plan of care. Additional hours of PCA services may be authorized if medically necessary, in accordance with 29 DCMR § 5003; and

(4) The hospice provider shall ensure coordination between home health aide and homemaker services under adult hospice with PCA services provided under the Medicaid State Plan personal care benefit, and shall be responsible for submitting a request for a PCA Service Authorization to DHCF or its designated agent in accordance with 29 DCMR § 5003, and for integrating the plan of care prepared by the PCA provider into the adult hospice plan of care; and

(j) Other services specified in the beneficiary's plan of care as reasonable and necessary for the palliation or management of the terminal illness and related conditions, which are otherwise covered by District Medicaid.

939.21 Core services covered under the adult hospice benefit include the following:

(a) Physician services;

(b) Nursing care;

(c) Medical social services; and

(d) Counseling services.

939.22 All core services listed at § 939.21 shall be routinely provided directly by hospice employees, except that the hospice provider may contract for the provision of core services under the following circumstances:

(a) To obtain physician services;

(b) The hospice provider has entered into a written arrangement, with another hospice provider meeting the criteria set forth in §§ 939.3 through 939.5, for the provision of core services to supplement hospice employees to meet the needs of beneficiaries; or

(c) The use of contracted staff for core services to supplement hospice employees in order to meet the needs of patients due to:

(1) Unanticipated periods of high patient loads;

(2) Staffing shortages due to illness or other short-term temporary situations that interrupt patient care; or

(3) Temporary travel of a patient outside of the hospice provider's service area.

939.23 Non-core services covered under the adult hospice benefit, which shall be provided directly by the hospice provider or under arrangements made by the hospice provider as specified in 42 CFR § 418.100, include the following:

(a) Short-term inpatient care;

(b) DME and medical supplies;

(c) Prescription drugs;

(d) Physical therapy, occupational therapy, and speech-language pathology services;

(e) Home health aide and homemaker services, as described in § 939.20(i); and

(f) Other services specified in the beneficiary's plan of care as reasonable and necessary for the palliation and management of the terminal illness and related conditions and for which payment may otherwise be made under District Medicaid.

939.24 The hospice provider shall ensure that nursing care, physician services, and prescription drugs are routinely available on a twenty-four (24) hour basis, seven (7) days per week. The hospice provider shall also ensure that, when reasonable and necessary to meet the needs of a beneficiary and his/her family or other caregivers, other services covered under the adult hospice benefit shall be made available on a twenty-four (24) hour basis, seven (7) days per week.

939.25 To receive reimbursement for adult hospice services, the hospice provider shall first obtain prior authorization from DHCF or its designee. A separate prior authorization shall be obtained for each election period during which hospice care is to be provided to the beneficiary.

939.26 DHCF shall reimburse for each day that a beneficiary receives adult hospice services at one (1) of the following four (4) prospective per diem reimbursement rates:

(a) Routine Home Care: The base reimbursement category for hospice care representing any of the covered adult hospice services necessary to provide palliative care to a beneficiary while the beneficiary is at home and is not

receiving continuous care as defined in paragraph (b) of this section. Routine home care shall be subject to the following requirements:

(1) Per diem reimbursement for routine home care days shall be made in accordance with Medicare requirements, resulting in a higher per diem rate for the first sixty (60) days of routine home care provided to a beneficiary, followed by a lower per diem rate for all subsequent routine home care days within an episode of hospice care;

(2) The count of routine home care days shall follow the beneficiary, such that if a beneficiary is discharged from one hospice provider and readmitted to another hospice provider within sixty (60) days, the beneficiary's prior routine home care days shall count toward the beneficiary's routine home care days for the receiving hospice provider upon hospice care election;

(3) Routine home care days that occur during the last seven (7) days of a hospice care election ending with a patient discharged due to death are eligible for a service intensity add-on payment; and

(4) The service intensity add-on payment shall be equal to the continuous home care hourly payment rate, as described in paragraph (b) of this section, multiplied by the amount of direct patient care actually provided by a registered nurse and/or social worker, as defined in 42 CFR § 418.114, up to four (4) hours total per day;

(b) Continuous Home Care: The rate category that applies for any of the covered services necessary to maintain a beneficiary at home during a period of crisis, resulting in a per diem rate which shall be divided by twenty-four (24) to yield an hourly rate. Continuous home care shall be subject to the following requirements:

(1) The need for continuous care shall be documented in the clinical record. Continuous care shall not be billed for more than seventy-two (72) hours without prior authorization from DHCF;

(2) Nursing care, provided by either a registered nurse or a licensed practical nurse, shall account for more than half of the period of continuous home care;

(3) Homemaker and home health aide services shall be available, if needed, to supplement the nursing care;

(4) A period of crisis requires between eight (8) and twenty-four (24) hours of care, not necessarily consecutive, per twenty-four (24) hour period; and

(5) The number of hours of continuous care provided during a continuous home care day shall be multiplied by the hourly rate to yield the continuous home care payment for that day;

(c) General Inpatient Hospice Care: The rate category that applies for a beneficiary requiring treatment in an inpatient hospice facility for pain control or management of acute or chronic symptoms which cannot be managed in other settings. General inpatient hospice care shall be subject to the following requirements:

(1) General inpatient hospice care shall only be provided on a short-term basis;

(2) General inpatient hospice care shall be discontinued once the beneficiary's symptoms are under control;

(3) Facilities providing general inpatient hospice care shall meet the requirements described at § 939.20(e); and

(4) Payments to a hospice provider for inpatient hospice care (general and respite) shall be subject to a limitation that the total number of inpatient hospice care days provided to Medicaid beneficiaries in any twelve (12) month period may not exceed twenty (20) percent of the total number of days during that period on which Medicaid beneficiaries have hospice care elections in effect; or

(d) Inpatient Hospice Respite Care: The rate category that applies for inpatient care provided for respite on behalf of a family member or other caregiver for a beneficiary living at home. Inpatient hospice respite care shall be subject to the following requirements:

(1) Inpatient hospice respite care is available for beneficiaries who do not meet the criteria for general inpatient or continuous home care, and whose family members or other caregivers are in need of temporary relief from caring for the beneficiary;

(2) Inpatient hospice respite care shall not exceed five (5) consecutive days and shall be limited to fifteen (15) days per six (6) month period;

(3) Inpatient hospice respite care shall not be available for a beneficiary residing in a nursing facility or ICF/IID; and

(4) Payments to a hospice provider for inpatient hospice care (general and respite) shall be subject to a limitation that the total number of inpatient hospice care days provided to Medicaid beneficiaries in any twelve (12) month period may not exceed twenty (20) percent of the total number of days during that period on which Medicaid beneficiaries have hospice care elections in effect.

939.27 The prospective per diem reimbursement rates for routine home, continuous home, general inpatient, and inpatient respite care shall be in accordance with the annual hospice rates established for Medicare by the Centers for Medicare and Medicaid Services (CMS) and subject to the hospice wage index for the Washington, D.C. Metropolitan Core Based Statistical Area (CBSA).

939.28 The per diem reimbursement rates include payment for the following services performed by the physician serving as the hospice medical director or the physician member of the interdisciplinary team:

(a) General supervisory services; and

(b) Participation in the establishment of plans of care, supervision of care and service delivery, periodic review and updating of plans of care, and establishment of governing policies.

939.29 DHCF shall make a payment for other physician services, in addition to the per diem reimbursement rate, subject to the following requirements:

(a) The services shall be direct patient care services;

(b) The services may not be furnished on a volunteer basis; and

(c) Payment shall be made in accordance with the District Medicaid fee schedule, updated annually and available at www.dc-medicaid.com.

939.30 When a beneficiary who resides in a nursing facility or ICF/IID elects to receive hospice care under the adult hospice benefit, the following shall apply:

(a) The hospice provider and nursing facility or ICF/IID shall enter into a written agreement identifying the parties' responsibilities for patient care, in accordance with 42 CFR § 483.70(o);

(b) On routine home care or continuous home care days, DHCF shall make an additional payment to the hospice provider equal to at least ninety-five (95) percent of the per diem rate for the nursing facility or ICF/IID, to account for the room and board furnished by the facility; and

(c) The hospice provider shall pass through the room and board payment specified at § 939.30(b) to the nursing facility or ICF/IID, in accordance with the terms of the written agreement described at § 939.30(a).

939.31 DHCF shall not reimburse for days of adult hospice services that a beneficiary accrues before the hospice provider obtains physician certification of terminal illness in accordance with the requirements described in §§ 939.7 through 939.9.

939.32 The hospice provider shall demonstrate compliance with the following quality and improvement requirements:

(a) Federal quality of care standards, in accordance with 42 CFR § 418.58; and

(b) Data submission requirements of the Hospice Quality Reporting Program, in accordance with 42 CFR § 418.312.

939.33 The hospice provider shall take the following actions related to quality improvement:

(a) Document the availability of a quality management program plan that meets federal quality of care standards in accordance with 42 CFR § 418.58; and

(b) Appoint a multidisciplinary Quality Management Committee (QMC) that reflects the hospice provider's scope of services.

939.34 The hospice provider shall appoint a multidisciplinary QMC, which shall be responsible for the following:

(a) Develop and implement a comprehensive and ongoing quality management and peer review program that evaluates the quality and appropriateness of patient care provided, including the appropriateness of the level of service received by patients;

(b) Establish and use written criteria as the basis to evaluate the provision of patient care. The written criteria shall be based on accepted standards of care and shall include, at a minimum, systematic reviews of:

(1) Appropriateness of admissions, continued stay, and discharge;

(2) Appropriateness of professional services and level of care provided;

(3) Effectiveness of pain control and symptom relief;

(4) Patient injuries, such as those related to falls, accidents, and restraint use;

(5) Errors in medication administration, procedures, or practices that compromise patient safety;

(6) Infection control practices and surveillance data;

(7) Patient and family complaints and on-call logs;

(8) Inpatient hospitalizations;

(9) Staff adherence to the patient's plans of care; and

(10) Appropriateness of treatment.

939.35 The hospice provider shall submit its Quality Management and Peer Review Program to DHCF or its designee no later than June 30th, annually.

939.99 **Definitions**

When used in this section, the following terms shall have the meanings ascribed:

Beneficiary – An individual who has been determined eligible to receive services under the District Medicaid program.

Counseling services – Services provided by a person who is licensed or authorized to practice as a licensed professional counselor pursuant to the District of Columbia Health Occupations Revisions Act of 1985 (HORA), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2016 Repl. & 2019 Supp.)).

Episode of hospice care – A hospice election period or series of election periods separated by no more than a sixty (60) day gap.

Homemaker services – Services consisting of general household activities provided by a trained homemaker, when the individual regularly responsible for these activities is unable to manage the home and care for themselves.

Hospice – A public agency or private organization, or a subdivision of either, that is primarily engaged in providing care to terminally ill individuals that meets the licensure requirements set forth in the Health-Care and Community Residence Facility, Hospice and Home-Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code §§ 44-501 *et seq*. (2012 Repl. & 2019 Supp.)), or in the laws and regulations of the particular jurisdiction in which the facility is located.

Hospice care – A comprehensive set of services described in Section 1861(dd)(1) of the Social Security Act, identified and coordinated by an interdisciplinary

group to provide for the physical, psychosocial, spiritual, and emotional needs of a terminally ill individual and/or family members, as delineated in a specific, written plan of care.

Hospice medical director – A person who is hired by the hospice provider as a medical director and who is licensed or authorized to practice as a physician pursuant to the HORA.

Occupational therapy services – Services provided by a person who is licensed or authorized to practice as an occupational therapist pursuant to HORA.

Palliative care – Patient and family-centered care that optimizes quality of life by anticipating, preventing, and treating suffering. Palliative care throughout the continuum of illness involves addressing physical, intellectual, emotional, social, and spiritual needs and to facility patient autonomy, access to information, and choice.

Period of crisis – A timeframe during which an individual requires continuous care to achieve palliation and management of acute medical symptoms.

Physical therapy services – Services provided by a person who is licensed or authorized to practice as a physical therapist pursuant to the HORA.

Physician services – Services provided by a person who is licensed or authorized to practice as a physician pursuant to the HORA.

Plan of care – A written document initially developed by at least two (2) members of the beneficiary's hospice interdisciplinary team, one (1) of whom shall be a nurse or physician, describing the scope of services and levels of care to be provided.

Speech-language pathology services – Services provided by a person who is licensed or authorized to practice speech-language pathology pursuant to the HORA.

Terminally ill – An individual with a medical prognosis of life expectancy of six (6) months or less if the illness runs its normal course.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF EMERGENCY RULEMAKING

The Director of the Department of Consumer and Regulatory Affairs ("Department"), pursuant to the authority under Section 6 of the Coronavirus Omnibus Emergency Amendment Act of 2020, effective May 13, 2020 (D.C. Act 23-317; 67 DCR 5235 (May 13, 2020)), the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code §§ 2-1801.01 *et seq.* (2016 Repl.)), hereby gives notice of an emergency rulemaking to amend Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR) to add a new Chapter 107 (Third-Party Food Delivery Platforms).

This rulemaking amends Title 17 DCMR by creating a new chapter which establishes that third-party food delivery platforms operating within the District must register with the Department during a declared public health emergency. Additionally, these platforms shall not charge a restaurant a commission fee that totals more than fifteen percent (15%) of the purchase price of the online order; and also shall not reduce the compensation paid to delivery service drivers to comply with this requirement.

This emergency rulemaking is necessary to protect the well-being of the District of Columbia as it responds to the COVID-19 global pandemic. During the declared public health emergency, restaurants have been restricted to takeout and delivery offerings, which has placed a sudden and severe financial strain on many restaurants. It is in the public interest to take immediate action to maximize restaurant revenue from the takeout and delivery orders that are currently the sole source of revenue for these small businesses to enable restaurants to remain as sources of employment in the District.

This emergency rulemaking was adopted on June 5, 2020 and became effective immediately. This emergency rulemaking will remain in effect for up to one hundred twenty (120) days from the date of adoption, expiring October 4, 2020.

Chapter 107, THIRD-PARTY FOOD DELIVERY PLATFORMS, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is added to read as follows:

10700 APPLICABILITY
10701 REGISTRATION REQUIREMENTS
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10700 APPLICABLITY

10700.1 This chapter applies to applicants for and holders of a registration as a third-party food delivery platform as defined by this chapter, during a public health emergency.

10701 REGISTRATION REQUIREMENTS

10701.1 Any individual, corporation, partnership, or association operating a third-party food delivery platform within the District shall register with the Department as provided in this section.

10701.2 Any third-party food delivery platform operating in the District on June 5, 2020, shall register with the Department within five (5) business days of the effective date of this chapter, and all other third-party food delivery platforms shall register with the Department prior to commencing operations in the District.

10701.3 Each third-party food delivery platform shall apply for registration by completing an online form made available by the Department, which shall include the following information:

(a) The state in which the platform is licensed to do business and the applicable license number;

(b) An email address, and a physical address within the District, where papers can be served; and

(c) Contact information for one or more designated individuals with whom the Department shall be able to communicate at all times for purposes of enforcement and compliance under this title and other applicable laws, including cellphone number(s) and an email address.

10701.4 Each registered third-party delivery platform shall promptly inform the Department of either of the following occurrences in connection with its registration:

(a) A change in contact information; or

(b) A materially incorrect, incomplete, or misleading statement in any form it has filed with the Department.

10702 NOTICE TO CUSTOMERS

10702.1 During a public health emergency, a third-party food delivery platform shall, in plain language and in a conspicuous manner, disclose to a customer any commission, fee, or any other monetary payment imposed by the platform on the restaurant as a term of a contract or agreement between the platform and the restaurant in connection with the restaurant's use of the platform.

10702.2 The disclosure required under § 10702.1 must be provided to the customer at the time a final price is disclosed to the customer for the intended purchase, and intended delivery or pickup, of food from a restaurant through a third-party food delivery platform, and before that transaction is completed by the customer.

10703 PROHIBITED CONDUCT

10703.1 During a public health emergency, a third-party food delivery platform shall not:

(a) Charge a restaurant a commission fee for the use of the platform's services for delivery or pickup that totals more than fifteen percent (15%) of the purchase price per online order; or

(b) Reduce the compensation rate paid to a delivery service driver, or garnish gratuities, in order to comply with § 10703.1(a).

10704 PENALTIES

10704.1 A violation of this chapter shall be a civil infraction for purposes of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code §§ 2-1801.01 *et seq.*).

10704.2 A third-party food delivery platform that violates § 10701 of this chapter shall be liable for a Class 2 infraction under 16 DCMR § 3201.1(b).

10704.3 A third-party food delivery platform that violates § 10702 or § 10703 of this chapter shall be liable for a Class 3 infraction under 16 DCMR § 3201.1(c).

10799 DEFINITIONS

10799.1 For the purposes of this chapter, the following words and terms shall have the meanings ascribed:

"Department" -- the Department of Consumer and Regulatory Affairs or its successor agency.

"Online order" – an order placed by a customer through a platform provided by the third-party food delivery service for delivery or pickup within the District.

"Public health emergency" – a period of time for which the Mayor has declared a public health emergency pursuant to Section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

"Purchase price" – the menu price of an online order, excluding taxes, gratuities or any other fees that may make up the total cost to the customer of an online order.

"Restaurant" – shall have the same meaning as provided in D.C. Official Code § 25-101(43).

"Third-party food delivery platform" – any website, mobile application, or other internet service that offers or arranges for the sale of food and beverages prepared by, and the same-day delivery or same-day pickup of food and beverages, from restaurants.

DEPARTMENT OF HEALTH

NOTICE OF EMERGENCY RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth under §§ 102(11), 302 (14), and 1006 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1202.01, 3-1203.02 (14)), and 3-1210.06 (2016 Repl.), D.C. Official Code § 47-2885.01, D.C. Official Code § 47-2885.18, Mayor's Order 98-48 dated April 15, 1998, Mayor's Order 98-140, dated August 20, 1998, Mayor's Order 2020-045, dated March 11, 2020, and Mayor's Order 2020-050, dated March 20, 2020, gives notice of the adoption, on an emergency basis, of the following amendment to Chapter 65 (Pharmacists) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR), by adding a new § 6516 (COVID-19 Testing by Pharmacists).

This emergency rulemaking is necessary to protect the health, safety, and welfare of the District's residents by reducing the spread of COVID-19 by establishing minimum standards for the safe and effective operation of pharmacies where pharmacists, and pharmacy interns under the direct supervision of a pharmacist, administer COVID-19 tests, and observe and facilitate collection of a self-administered COVID-19 test.

This emergency rulemaking was adopted on June 5, 2020, and became effective immediately on that date. The emergency rule will expire one hundred twenty (120) days from the date of adoption (October 3, 2020) or forty-five (45) days after the public health emergency declared by Mayor's Order 2020-050 dated March 20, 2020 or any substantially similar subsequent Mayor's Order is declared over, whichever occurs first.

Chapter 65, PHARMACISTS, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:

A new Section 6516 is added to read as follows:

6516 COVID-19 TESTING BY PHARMACISTS

6516.1 A pharmacist licensed in good standing in the District of Columbia shall only perform COVID-19 tests as set forth in this section.

6516.2 For purposes of this section, the terms "COVID-19 test" and "COVID-19 testing" shall refer to COVID-19 diagnostic tests, COVID-19 antibody tests, and any other tests and testing mechanisms for COVID-19 that become approved by the United Stated Food and Drug Administration. Also, for purposes of this section, the term "perform COVID-19 tests" or "perform COVID-19 testing" shall mean to administer or supervise administration of COVID-19 tests or testing, or observe and facilitate collection of self-administered COVID-19 tests or testing.

6516.3 A pharmacist licensed in good standing in the District of Columbia shall only perform COVID-19 testing at a location site that meets the requirements set forth in § 6516.4 of this chapter.

6516.4 A COVID-19 testing location operated by a pharmacy in a non-institutional setting shall:

(a) Be an outdoor location in close proximity to the pharmacy building, such as a parking lot; which may include drive up, curbside, or walk up access;

(b) Not be located within six (6) feet of the entrance of the pharmacy building;

(c) Have and follow a plan for the safe operation of the testing site, and an infection control plan; and

(d) Maintain a record of all patients who have undergone COVID-19 testing at the testing location. This information shall be maintained by the pharmacy for at least one year unless otherwise directed by the Department of Health.

6516.5 All COVID-19 testing conducted in a non-institutional pharmacy location shall be performed by appointment only, which may be scheduled the same-day and onsite.

6516.6 Prior to performing COVID-19 testing, a pharmacist shall review and familiarize himself/herself with the Center for Disease Control's "Guidelines for Collecting, Handling, and Testing Clinical Specimens from Persons for Coronavirus Disease 2019 (COVID-19)" and ensure that the pharmacist has appropriate personal protective equipment (PPE) to safely perform the testing.

6516.7 All pharmacists and pharmacy personnel involved in COVID-19 testing shall wear appropriate PPE, which shall include at a minimum, a mask, gloves (which may be nonsterile), a face shield, and a protective gown.

6516.8 The pharmacist-in-charge of a pharmacy where COVID-19 testing will be performed, shall:

(a) Implement appropriate policies and procedures for the safe performance of COVID-19 testing at that location, which shall include appropriate training, collection procedures, availability and use of PPE, and proper disposal of used PPE; and

(b) Staff the pharmacy in a manner to ensure that the pharmacist(s) who is administering COVID-19 testing is engaged solely in performing COVID-19 testing, and is not dispensing prescriptions or counseling patients in between administering COVID-19 testing. The pharmacist performing COVID-19 testing shall only dispense prescriptions and counsel patients after all COVID-19 testing has been completed for the period during which

he or she has been assigned to perform testing, after properly disposing of his or her PPE, and after thoroughly washing his or her hands.

6516.9 The health care practitioner who orders the COVID-19 test, who may be the same pharmacist who administers the test, shall be responsible for receiving the test results and directing a patient with a positive test result to receive care and monitoring.

6516.10 A pharmacist licensed in good standing in the District of Columbia may permit a licensed pharmacy intern to administer COVID-19 testing under the pharmacist's direct supervision, on an individual who is eighteen (18) years of age or older, in accordance with the requirements set forth in this section.

DISTRICT DEPARTMENT OF TRANSPORTATION

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the District Department of Transportation (Department), pursuant to the authority set forth in Sections 3(b), 5(a)(3)(E), and 9j (authorizing the DDOT Director to issue rules to implement its delegated authority) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02(b), 50-921.04(a)(3)(E), and 50-921.18 (2014 Repl. & 2018 Supp.)) and section 604 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.04 (2014 Repl.)); and Mayor's Order 2018-075, dated October 2, 2018; hereby gives notice of the intent to adopt the following emergency and proposed rulemaking to amend Chapter 33 (Public Right-of-Way Occupancy Permits) of Title 24 (Public Space and Safety) of the District of Columbia Municipal Regulations (DCMR).

The Mayor has determined transportation services are essential, including dockless sharing vehicles. This emergency and proposed rulemaking establishes the threshold metrics that dockless vehicle operating companies with public permits must meet to be offered a fleet increase, as well as the regularity of such increases so that essential trips can be made. Due to the economic impact that COVID-19 has had on businesses and workers in the District of Columbia, particular attention is focused on low-income rider access and use.

This emergency and proposed rulemaking is necessary to protect the health, safety, and well-being of the District of Columbia as it responds to the COVID-19 global pandemic by allowing for a demand and data-based fleet increase for dockless electric scooters during the public health emergency, and any period of social distancing or other actions required upon the expiration of any COVID-19 related declaration.

The emergency rulemaking was adopted on June 11, 2020, became effective immediately, and will remain in effect for one hundred twenty (120) days, until October 9, 2020, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*. The Director also gives notice of his intent to take final rulemaking action to adopt the amendments in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Chapter 33, PUBLIC RIGHT-OF-WAY OCCUPANCY PERMITS, of Title 24 DCMR, PUBLIC SPACE AND SAFETY, is amended as follows:

Section 3314, DOCKLESS SHARING VEHICLE, is amended by adding new Subsections 3314.10 through 3314.18 to read as follows:

3314.10 A permit issued under this section shall designate the maximum number of dockless vehicles the permittee may operate in the public right-of-way (the "maximum fleet size").

(a) The initial maximum fleet size for a permit for dockless bicycles shall be two thousand five hundred (2,500) bicycles and the initial maximum fleet

size for a permit for dockless scooters shall be seven hundred and twenty (720) scooters to ensure that applicants do not collectively oversaturate the District with dockless vehicles.

(b) The maximum fleet size under a permit issued under this section for dockless scooters may be increased above the initial maximum fleet size, to up to two thousand five hundred (2,500) dockless scooters under the permit, to accommodate the demand for shared mobility in accordance with Subsections 3314.11 through 3314.13.

3314.11 The Director may, upon application of a permittee, grant an increase to the permit's initial maximum fleet size if a permittee demonstrates that the dockless vehicle operating company:

(a) Made, on average, at least six hundred (600) dockless sharing vehicles available for use in the public right-of-way during each of the seven (7) days prior to the submission of the application;

(b) Served, on average, at least two hundred (200) trips of at least five (5) minutes in duration during each of the seven (7) days prior to the submission of the application;

(c) Offers a low-income customer plan to customers with an income level at or below two hundred percent (200%) of the federal poverty guidelines that: (1) does not impose a vehicle deposit requirement; (2) offers an affordable cash payment option; (3) offers unlimited trips under thirty (30) minutes; and (4) is eligible for annual renewal;

(d) Has at least five (5) customers who participated in the low-income customer plan described in Subsection 3314.11(d) during the seven (7) days prior to the submission of the application;

(e) Has at least one percent (1%) of trips provided pursuant to Subsection 3314.11(b) taken by customers participating in the low-income customer plan described in Subsection 3314.11(d);

(f) Offers an essential workers customer plan that offers free or discounted trips to workers at essential businesses as that term is defined in Mayor's Order 2020-053, dated March 24, 2020, for so long as that Order (including any extension) remains in effect;

(g) Has at least five (5) customers who have participated in the essential workers customer plan described in Subsection 3314.11(g) during the seven (7) days prior to the submission of the application; and

(h) Has a valid Public Right-of-Way Occupancy Permit issued pursuant to this section that:

(1) Was issued at least seven (7) days prior to the submission of the application;

(2) Has not expired, and will not expire within seven (7) days of the Director's grant of an increase in the maximum fleet size; and

(3) Has not been suspended or revoked by the Director.

3314.12 A dockless vehicle operating company that meets the eligibility criteria in Subsection 3314.11 may submit an application to the Director requesting an increase to the permit's maximum fleet size. The application shall be in writing and shall:

(a) Include information sufficient to establish that the dockless vehicle operating company meets the eligibility criteria in Subsection 3314.11;

(b) Include information that establishes the dockless vehicle operating company's performance with respect to the criteria in Subsection 3314.13;

(c) Specify the number of dockless sharing vehicles that the dockless vehicle operating company is requesting permission to make available in the public right-of-way, and by what date such permission is requested to be granted; and

(d) Be submitted no later than 12:00 noon on the Monday following the seven (7)-day period being evaluated to determine eligibility for the fleet increase.

3314.13 When making a determination whether to grant an increase in a maximum fleet size pursuant to Subsection 3314.11, the Director shall use the following method:

(a) Within two (2) weeks of receiving an application for an increase in maximum fleet size, the Director shall notify the dockless vehicle operating company that submitted the application of the Director's determination via email and shall notify the public via posting information on the Department's website.

(b) A permitted increase in maximum fleet size shall take effect immediately upon the Director's notification of the applicant, unless otherwise specified by the Director.

(c) The Director shall grant an increase in maximum fleet size of no more than two hundred (200) dockless sharing vehicles to a dockless vehicle

operating company meeting the eligibility criteria in Subsection 3314.11 who submits an application that meets the requirements of Subsection 3314.12.

(d) In granting an increase in maximum fleet size pursuant to Subsection 3314.13(d), the Director shall consider:

(1) The number of dockless sharing vehicles requested by the applicant;

(2) The impact of deploying additional dockless sharing vehicles on the District's public right-of-way and any other impacts on public health, safety, and welfare; and

(3) Performance criteria as specified in Subsections 3314.13(e) through 3314.13(h).

(e) A dockless vehicle operating company may be granted an increase of up to fifty (50) vehicles if its petition satisfies Subsection 3314.12, the Director determines that the increase will not adversely affect the District's public space or any other factor identified in Subsection 3314.3(d), and, for the seven (7)-day period prior to the petition, the petition demonstrates any of the following:

(1) The percentage of trips meeting the criteria of Subsection 3314.11(f) was between one to five point ninety-nine percent (1%-5.99%) of all trips;

(2) The percentage of trips meeting the criteria of Subsection 3314.11(g) that took place was between 1%-5.99% of all trips; or

(3) The combined percentage of trips meeting the criteria of Subsection 3314.11(f) or 3314.11(g) that took place was a total of at least four percent (4%) of all trips.

(f) A dockless vehicle operating company may be granted an increase of up to one hundred (100) vehicles if its petition satisfies Subsection 3314.12, the Director determines that the increase will not adversely affect the District's public space or any other factor identified in Subsection 3314.3(d), and for the seven (7)-day period prior to the petition, the petition demonstrates any of the following:

(1) The percentage of trips meeting the criteria of Subsection 3314.11(f) that took place was between six to seven point ninety-nine percent (6%-7.99%) of all trips;

(2) The percentage of trips meeting the criteria of Subsection 3314.11(g) that took place was between 6%-7.99% of all trips; or

(3) The combined percentage of trips meeting the criteria of Subsection 3314.11(f) or 3314.11(g) that took place was a total of at least twelve percent (12%) of all trips.

(g) A dockless vehicle operating company may be granted an increase of up to one hundred and fifty (150) vehicles if its petition satisfies Subsection 3314.12, the Director determines that the increase will not adversely affect public space or any of the other factor identified in Subsection 3314.13(d), and for the seven (7)-day period prior to the petition, the petition demonstrates any of the following:

(1) The percentage of trips meeting the criteria of Subsection 3314.11(f) that took place was between eight to ten point ninety-nine percent (8%-10.99%);

(2) The percentage of trips meeting the criteria of Subsection 3314.11(g) that took place was between 8%-10.99%; or

(3) The combined percentage of trips meeting the criteria of Subsection 3314.11(f) or 3314.11(g) that took place was a total of at least sixteen percent (16%) of all trips.

(h) A dockless vehicle operating company may be granted an increase of up to two hundred (200) vehicles if its petition satisfies Subsection 3314.12, the Director determines that the increase will not adversely affect the pubic space or any other factor identified in Subsection 3314.13(d), and for the seven (7)-day period prior to the petition, thee petition demonstrates any of the following:

(1) The percentage of trips meeting the criteria of Subsection 3314.11(f) that took place was at least eleven percent (11%);

(2) The percentage of trips meeting the criteria of Subsection 3314.11(g) that took place was at least 11%; or

(3) The combined percentage of trips meeting the criteria of Subsection 3314.11(f) or 3314.11(g) that took place was a total of at least twenty-two percent (22%) of all trips.

3314.14 The Director shall not authorize a dockless vehicle operating company to operate more than two thousand, five hundred (2,500) dockless electric scooters before January 2022.

3314.15 The Director may defer the payment deadline for all fees imposed under Section 3314 that would otherwise be due between March 1, 2020 and October 9, 2020, if the Director determines that the deferral is appropriate due to the closure of the office, or reduction in services, of the Department due to COVID-19. Such deferral shall be until no later than October 30, 2020, unless fees are waived pursuant to Subsection 3314.16.

3314.16 The Director may waive per-vehicle fees that would otherwise be due between March 1, 2020 and October 9, 2020.

3314.17 To be eligible for a waiver of fees under Subsection 3314.16, a dockless vehicle operating company shall demonstrate, no later than October 30, 2020, that at least one thousand (1,000) trips of at least five (5) minutes that took place between April 27, 2020 and October 9, 2020 were taken by a person who participated in the company's low-income customer plan, as described in Subsection 3314.11(d), and that either:

(a) At least ten percent (10%) of all trips during this period were taken by a person who participated in the company's low-income customer plan, as described in Subsection 3314.11(d); or

(b) At least five hundred (500) trips during this period were taken under an essential worker customer plan, as defined in Subsection 3314.11(g).

3314.18 All data submitted by dockless vehicle operating companies pursuant to Subsection 3314.5(h) shall be treated as "Level 3, Confidential" information, as that term is defined in Mayor's Order 2017-115, issued April 27, 2017 (District of Columbia Data Policy).

All persons interested in commenting on the subject matter in this proposed rulemaking may file comments, in writing, not later than thirty (30) days after the publication of this notice in the *D.C. Register*, with Dan Emerine, Manager, Policy and Legislative Affairs Division, Office of the Director, District Department of Transportation, 55 M Street, S.E., 7th Floor, Washington D.C. 20003. An interested person may also send comments electronically to publicspace.policy@dc.gov. Copies of this proposed rulemaking are available, at cost, by writing to the above address, and are also available electronically, at no cost, on the District Department of Transportation's website at www.ddot.dc.gov.

ZONING COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF SECOND EMERGENCY AND PROPOSED RULEMAKING

Z.C. Case No. 20-07
(Text Amendment – Subtitles Y and Z of Title 11 DCMR)
(Six-Month Extension of Validity Period of Approvals)

The Zoning Commission for the District of Columbia (Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01 (2018 Rep1.)), and pursuant to § 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c) (2016 Repl.)), hereby gives notice of its amendment on an emergency basis, as well as its intent to amend on a permanent basis, the following provisions of Title 11 of the District of Columbia Municipal Regulations (Zoning Regulations of 2016 [Zoning Regulations], to which all references are made unless otherwise specified):

- Subtitle Y, Board of Zoning Adjustment Rules of Practice and Procedure
  Chapter 7, Approvals and Orders
  §§ 702.1 and 702.2 – six (6)-month extension of orders scheduled to expire between April 27 and December 31, 2020

- Subtitle Z, Zoning Commission Rules of Practice and Procedure
  Chapter 7, Approvals and Orders
  §§ 702.1, 702.2, and 702.3 – six (6)-month extension of orders scheduled to expire between April 27 and December 31, 2020

On January 17, 2020, the Office of Zoning (OZ) filed a petition to the Commission proposing these amendments to extend the validity of any order scheduled to expire between April 27 and December 31, 2020 by six (6) months on account of the ongoing COVID-19 pandemic and resulting modifications of District government operations. OZ requested that the Commission:

- Set the petition down for a public hearing;
- Authorize a thirty (30)-day notice period prior to the public hearing by granting a waiver under Subtitle Z § 101.9 from the forty (40)-day requirement of Subtitle Z § 502.1 for good cause due to the COVID-19 pandemic;
- Consider taking emergency action to adopt the text amendment; and
- Authorize an immediate publication of proposed rulemaking for the text amendment.

On April 15, 2020, the Office of Planning (OP) filed its pre-hearing report concluding that the proposed text amendment would not be inconsistent with the Comprehensive Plan and recommending approval.

The Commission concludes that taking emergency action to adopt the proposed text amendment is necessary for the "immediate preservation of the public … welfare," as authorized by § 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968. (82 Stat. 1206; D.C. Official Code § 2-505(c) (2016 Repl.)), in order to avoid potential expiration of orders

and approvals of the Commission and Board caused by the administrative disruptions due to the ongoing COVID-19 pandemic, with the attendant risk to the District's economic condition.

At its April 27, 2020, public meeting, the Commission voted to grant OZ's request to:

- Take emergency action to adopt the text amendment;
- Set the petition down for a public hearing;
- Authorize a thirty (30)-day notice period prior to the public hearing by granting a waiver under Subtitle Z § 101.9 from the forty (40)-day requirement of Subtitle Z § 502.1 for good cause due to the COVID-19 pandemic; and
- Authorize an immediate publication of proposed rulemaking for the text amendment.

Emergency & Proposed Action – Initial Petition
VOTE (April 27, 2020): **5-0-0** Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Peter G. May, and Michael G. Turnbull to **APPROVE**)

OZ published a Notice of Emergency and Proposed Rulemaking in the May 15, 2020 *D.C. Register* at 67 DCR 5166.

On May 29, 2020, OZ submitted a memo proposing revisions to the text amendment to clarify that the automatic six (6)-month extension does not restart the date for any subsequent time extension, which would commence from the original expiration date not including the automatic six (6)-month extension. OZ requested that the Commission:

- Adopt the revised text amendment as a new emergency text amendment replacing the initial emergency rulemaking; and
- Authorize the publication of new proposed rulemaking replacing the initial proposed rulemaking.

On June 5, 2020, Goulston & Storrs submitted a letter proposing revisions the text amendment to confirm that the automatic six (6)-month extension applied to campus plans expiring within the April 27 to December 31, 2020 time period.

At its June 8, 2020 public meeting, the Commission voted to grant's OZ's request to:

- Take emergency action to adopt the text amendment, as revised to include both OZ's and Goulston's proposed changes; and
- Authorized an immediate publication of proposed rulemaking for the text amendment, as revised to include both OZ's and Goulston's proposed changes.

Emergency & Proposed Action – Revised Petition
VOTE (June 8, 2020): **5-0-0** Anthony J. Hood, Robert E. Miller, Peter A. Shapiro, Peter G. May, and Michael G. Turnbull to **APPROVE**)

Emergency Action
The emergency rule is effective as of the Commission's June 8, 2020, vote and will expire on October 6, 2020, which is the one hundred-twentieth (120th) day after the adoption of this rule, or

upon publication of a Notice of Final Rulemaking in the *D.C. Register* that supersedes this emergency rule, whichever occurs first.

Proposed Action

The Commission hereby also gives notice of its intent to adopt on a permanent basis the following text amendment to the Zoning Regulations in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*. **This proposed rulemaking completely supersedes the prior proposed rulemaking published in the *D.C. Register* on May 15, 2020.**

The following amendments to the Zoning Regulations are adopted on an emergency basis, and are proposed for the Commission's final consideration (additions are shown in **bold** and **underlined** text and deletions are shown in **bold** and ~~**strikethrough**~~ text):

I. Amendments to Subtitle Y, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE

Subsections 702.1 and 702.2 of § 702, VALIDITY OF APPROVALS AND IMPLEMENTATION, of Chapter 7, APPROVALS AND ORDERS, of Subtitle Y, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, are proposed to be amended to read as follows:

702.1 An order granting a special exception or variance where the establishment of the use is dependent upon the erection or alteration of a structure shall be valid for a period of two (2) years, or one (1) year for an Electronic Equipment Facility, within which time an application shall be filed for a building permit for the erection or alteration approved. If the erection or alteration of more than one (1) structure is approved, a building permit application ~~**must**~~ **shall** be ~~**file**~~ **filed** for all such structures within this two (2) year period**; provided that any order scheduled to expire between April 27, 2020, and December 31, 2020, shall remain valid for a period of six (6) months from the date of expiration of the order although this six (6) month extension shall run concurrently with any subsequent time extension and shall not be cumulative to that subsequent time extension**.

702.2 An order granting a special exception or variance where the establishment of the use is not dependent upon the erection or alteration of a structure shall be valid for a period of six (6) months, within which time an application shall be filed for an certificate of occupancy for the use approved**; provided that any order scheduled to expire between April 27, 2020, and December 31, 2020 (including any private school or other use approved by special exception), shall remain valid for a period of six (6) months from the date of expiration of the order although this six (6) month extension shall run concurrently with any subsequent time extension and shall not be cumulative to that subsequent time extension**.

II. Amendments to Subtitle Z, ZONING COMMISSION RULES OF PRACTICE AND PROCEDURE

Subsections 702.1 through 702.3 of § 702, VALIDITY OF APPROVALS AND IMPLEMENTATION, of Chapter 7, APPROVALS AND ORDERS, of Subtitle Z, ZONING COMMISSION RULES OF PRACTICE AND PROCEDURE, are proposed to be amended to read as follows:

702.1 A first-stage approval of a planned unit development (PUD) by the Commission shall be valid for a period of one (1) year, unless a longer period is established by the Commission at that time of approval**; provided that any approval scheduled to expire between April 27, 2020, and December 31, 2020, shall remain valid for a period of six (6) months from the date of expiration of the approval although this six (6) month extension shall run concurrently with any subsequent time extension and shall not be cumulative to that subsequent time extension**.

702.2 A contested case approval by the Commission shall be valid for a period of two (2) years from the effective date of the order granting the application, unless a longer period is established by the Commission at the time of approval, within which time **an** application shall be filed for a building permit**; provided that any approval scheduled to expire between April 27, 2020, and December 31, 2020 (including any campus plan approval, whether approved under the BZA or Zoning Commission rules of procedure), shall remain valid for six (6) months from the date of expiration of the approval although this six (6) month extension shall run concurrently with any subsequent time extension and shall not be cumulative to that subsequent time extension**.

702.3 Construction shall start within three (3) years after the effective date of **the** order granting the application, unless a longer period is established by the Commission at the time of approval**; provided that this three (3) year period shall be extended by six (6) months for any construction deadline scheduled to expire between April 27, 2020, and December 31, 2020, although this six (6) month extension shall run concurrently with any subsequent time extension and shall not be cumulative to that subsequent time extension**.

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, through the Interactive Zoning Information System (IZIS) at https://app.dcoz.dc.gov/Login.aspx; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Ms. Schellin may be contacted by telephone at (202) 727-6311 or by email at Sharon.Schellin@dc.gov. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.

The complete record in the case, including the OZ and Goulston submissions and the transcript of the Commission's public meetings, can be viewed online at the OZ website, through the Interactive Zoning Information System (IZIS), at https://app.dcoz.dc.gov/Content/Search/Search.aspx.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2020-072
June 15, 2020

SUBJECT: Appointment — Citizen Review Panel for Child Abuse and Neglect

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and in accordance with sections 351 and 352 of the Prevention of Child Abuse and Neglect Act of 1977, effective April 12, 2005, D.C. Law 15-341, D.C. Official Code §§ 4-1303.51 and 4-1303.52 (2019 Repl.), it is hereby **ORDERED** that:

1. **TRACY HAMILTON,** is appointed as a member of the Citizen Review Panel for Child Abuse and Neglect (the "Panel"), filling a vacant seat, for a term to end September 24, 2021.

2. **TRACY HAMILTON,** is appointed as Chairperson of the Panel, and shall serve in this capacity at the pleasure of the Mayor.

3. **EFFECTIVE DATE:** This Order shall become effective immediately.

MURIEL BOWSER
MAYOR

ATTEST:
KIMBERLY A. BASSETT
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2020-073
June 17, 2020

SUBJECT: Amendment and Appointment — Construction Codes Coordinating Board

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and pursuant to Mayor's Order 2009-22, dated February 25, 2009, as amended by Mayor's Order 2012-32, dated February 29, 2012, it is hereby **ORDERED** that:

1. Section VI.1 of Mayor's Order 2009-22 is amended to read as follows:

   "1. The Chairperson of the Board shall be an employee of the Department of Consumer and Regulatory Affairs, appointed by the Mayor, who shall serve as a non-voting member of the Board.".

2. **DANIELLE GURKIN**, who serves as an attorney and legislative analyst in the Department of Consumer and Regulatory Affairs, is appointed as the Chairperson of the Construction Codes Coordinating Board, replacing Jill Stern, to serve at the pleasure of the Mayor.

3. **EFFECTIVE DATE:** This Order shall become effective immediately.

MURIEL BOWSER
MAYOR

ATTEST: Kimberly A. Bassett
KIMBERLY A. BASSETT
SECRETARY OF THE STATE OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2020-074
June 17, 2020

SUBJECT: Appointments — Advisory Committee to the Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), in accordance with section 3 of the Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2006, effective April 4, 2006, D.C. Law 16-89, D.C. Official Code § 2-1382 (2016 Repl.), and in accordance with Mayor's Order 2006-52, dated May 3, 2006, as amended by Mayor's Order 2015-262, dated December 22, 2015, it is hereby **ORDERED** that:

1. The following persons are appointed as public members of the Advisory Committee to the Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs (the "Advisory Committee"), for a term to end June 30, 2021:

   a. **KENT BOESE**, replacing Randy Downs;
   b. **CHARMAINE ECCLES**, replacing Consuella Lopez;
   c. **BARRY KARAS**, replacing Dwayne Bensing;
   d. **CHRISTOPHER SCHRAEDER**, replacing Jim Slattery; and
   e. **AARON WADE**, filling a vacant seat.

2. The following person is appointed as a public member of the Advisory Committee for a term to end June 30, 2022:

   a. **JORDYN WHITE**, filling a vacant seat.

3. **EFFECTIVE DATE:** This Order shall become effective immediately.

MURIEL BOWSER
MAYOR

ATTEST: Kimberly A. Bassett

KIMBERLY A. BASSETT
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

ACHIEVEMENT PREP PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

SPED Related Services

Achievement Prep is soliciting proposals from qualified vendors for Special Education Related Services, Psychological and Mental Health Services.

Please find RFP specifications at www.achievementprep.org under News. Proposals must be received by 5:00PM on Monday, July 6th, 2020. Please send proposals to bids@achievmentprep.org and include "RFP – SPED Services" in heading.

DC MAYOR'S OFFICE ON AFRICAN AMERICAN AFFAIRS

COMMISSION ON AFRICAN AMERICAN AFFAIRS

NOTICE OF PUBLIC MEETING

Meeting Date and Time: Wednesday, June 17, 2020 from 6:30 pm to 8:30 pm

Meeting Location: Mayor's Office on African American Affairs Webex Account.

The Commission on African American Affairs will be holding a meeting on Wednesday, June 17, 2020 from 6:30 pm to 8:30 pm. The meeting will be held on the Mayor's Office on African American Affairs Webex Account. You can sign-up and register for the event by going to CAAAPublicMeetings.Eventbrite.com.

All Commission meetings are open to the public. Below is a draft agenda for this meeting and a final agenda will be posted on the Mayor's Office on African American Affairs website at MOAAA.dc.gov.

If you need additional information or have questions about the commission or its meetings, please contact the Mayor's Office on African American Affairs by email at MOAAA@dc.gov or by phone at 202-442-8150.

AGENDA

6:30 pm Moment of Silence
6:30 pm Call to Order (2 minute)
6:32 pm Commissioner Roll Call (3 minutes)
6:35 pm Approval/Correction of Minutes (15 minutes)
6:50 pm MOAAA Update (15 minutes)
7:05 pm Special Presentation: Black Coalition Against COVID-19 (15 minutes)
7:20 pm Public Comment (20 minutes)
7:40 pm Commission Business (45 minutes)
- Old
- New

8:15 pm Final Remarks (15 minutes)
8:30 pm Meeting Adjourns

CAPITAL VILLAGE PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

SPECIAL EDUCATION & RELATED SERVICES

CAPITAL VILLAGE PUBLIC CHARTER SCHOOL is soliciting proposals from qualified vendors for Special Education and related services for students with and without disabilities and/or Individualized Education Plans (IEPs.). The RFP can be found on the Capital Village website at www.capitalvillageschools.org/rfps. Proposals should be uploaded to the website no later than 3:00 PM EST, on June 29, 2020. Questions can be addressed to Keina Hodge at: RFP@CapitalVillageSchools.org or (202) 505-1375.

E.L. HAYNES PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Special Education Related Services and Evaluations

E.L. Haynes Public Charter School ("ELH") is seeking proposals from qualified vendors to provide school-based special education related services and evaluations by making available qualified providers for the areas of:

- Adaptive Physical Education,
- Applied Behavior Analysis,
- Assistive Technology,
- Behavioral Support and Counseling,
- Educational Audiology,
- Educational Services (home and hospital services, specialized tutoring),
- Neuropsychology,
- Occupational Therapy,
- Physical Therapy,
- Psychiatry,
- Psychology,
- Speech Language Pathology
- Counseling,
- Transportation,
- Vision,
- Mobility and orientation training,
- Interpretation,
- Lindamood-Bell trained educators, and
- Reading intervention.

Vendors will provide agreed upon regularly scheduled weekly services and any 'as needed' therapy services, evaluation, supervision, and support, at the request of the School. In addition, ELH is looking for providers who are able to provide evaluations and services in the areas listed above in Spanish or Amharic, as well as providers who can provide regular translation for meetings held with families requiring Spanish translation.

Proposals are due via email to Kristin Yochum no later than 5:00 PM on Thursday, July 2, 2020. We will notify the final vendor of selection and schedule work to be completed. The RFP with bidding requirements can be obtained by contacting:

Kristin Yochum
E.L. Haynes Public Charter School
Phone: 202.667-4446 ext 3504
Email: kyochum@elhaynes.org

D.C. BOARD OF ELECTIONS

MONTHLY REPORT OF VOTER REGISTRATION STATISTICS

CITYWIDE REGISTRATION SUMMARY

As Of May 31, 2020

WARD	DEM	REP	STG	LIB	OTH	N-P	TOTALS
1	47,511	2,814	551	267	170	11,161	**62,474**
2	31,802	5,222	221	251	126	10,451	**48,073**
3	39,579	5,663	328	245	119	10,750	**56,684**
4	50,155	2,160	495	160	154	8,975	**62,099**
5	54,542	2,477	568	238	236	9,841	**67,902**
6	58,669	7,695	480	400	201	14,273	**81,718**
7	49,559	1,415	458	122	197	7,420	**59,171**
8	47,988	1,578	477	150	190	8,197	**58,580**
Totals	379,805	29,204	3,578	1,833	1,393	81,068	**496,701**
Percentage By Party	**76.47%**	**5.84%**	**.72%**	**.37%**	**.28%**	**16.32%**	**100.00%**

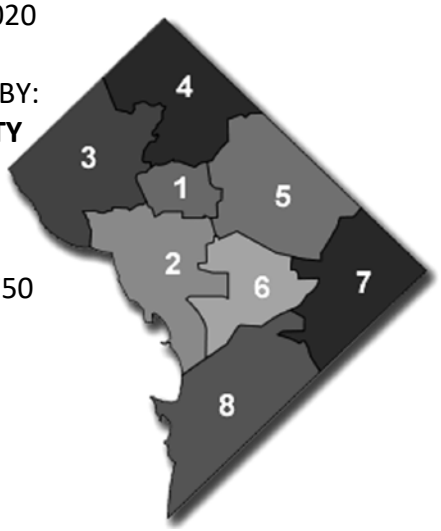
DISTRICT OF COLUMBIA BOARD OF ELECTIONS MONTHLY REPORT OF

VOTER REGISTRATION STATISTICS AND REGISTRATION TRANSACTIONS

AS OF THE END OF MAY 31 ,2020

COVERING CITY WIDE TOTALS BY:

WARD, PRECINCT AND PARTY



ONE JUDICIARY SQUARE
1015 HALF STREET, SE SUITE 750
WASHINGTON, DC 20003
(202) 727-2525
http://www.dcboe.org

D.C. BOARD OF ELECTIONS

MONTHLY REPORT OF VOTER REGISTRATION STATISTICS

WARD 1 REGISTRATION SUMMARY

As Of May 31, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
20	1,713	37	13	9	9	295	**2,076**
22	3,971	397	22	22	10	1,019	**5,441**
23	3,079	209	38	22	10	742	**4,100**
24	2,751	254	26	34	6	753	**3,824**
25	4,050	392	40	21	11	1,013	**5,527**
35	3,784	180	50	17	14	816	**4,861**
36	4,545	230	46	21	14	1,012	**5,868**
37	3,829	182	31	18	25	869	**4,954**
38	3,100	144	36	16	12	740	**4,048**
39	4,164	170	60	17	10	944	**5,365**
40	3,742	177	69	19	9	878	**4,894**
41	3,874	184	71	23	21	1,025	**5,198**
42	1,875	91	23	9	6	466	**2,470**
43	1,896	72	20	8	6	361	**2,363**
137	1,138	95	6	11	7	228	**1,485**
TOTALS	**47,511**	**2,814**	**551**	**267**	**170**	**11,161**	**62,474**

D.C. BOARD OF ELECTIONS

MONTHLY REPORT OF VOTER REGISTRATION STATISTICS

WARD 2 REGISTRATION SUMMARY

As Of May 31, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
2	932	161	7	7	7	507	**1,621**
3	1,816	358	12	18	12	696	**2,912**
4	2,131	499	9	16	8	789	**3,452**
5	2,152	559	16	28	9	793	**3,557**
6	2,519	707	16	23	17	1,239	**4,521**
13	1,321	207	7	8	5	416	**1,964**
14	2,682	371	17	24	4	758	**3,856**
15	3,140	324	29	23	9	843	**4,368**
16	3,414	415	29	22	12	893	**4,785**
17	4,884	562	30	42	19	1,388	**6,925**
129	2,594	388	15	12	10	942	**3,961**
141	2,557	306	19	16	7	596	**3,501**
143	1,660	365	15	12	7	591	**2,650**
TOTALS	**31,802**	**5,222**	**221**	**251**	**126**	**10,451**	**48,073**

D.C. BOARD OF ELECTIONS

MONTHLY REPORT OF VOTER REGISTRATION STATISTICS

WARD 3 REGISTRATION SUMMARY

As Of May 31, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
7	1,346	372	8	12	3	528	**2,269**
8	2,529	586	21	13	9	799	**3,957**
9	1,295	472	9	11	7	484	**2,278**
10	1,934	361	19	12	7	662	**2,995**
11	3,548	674	38	40	18	1,194	**5,512**
12	535	168	1	3	2	212	**921**
26	3,056	328	23	21	7	844	**4,279**
27	2,428	223	24	7	3	526	**3,211**
28	2,525	397	25	18	10	771	**3,746**
29	1,353	156	13	7	4	378	**1,911**
30	1,316	183	11	4	4	291	**1,809**
31	2,504	295	17	12	10	549	**3,387**
32	2,866	273	30	13	10	589	**3,781**
33	2,959	249	23	10	3	642	**3,886**
34	4,055	346	29	19	8	1,044	**5,501**
50	2,274	280	16	17	7	517	**3,111**
136	875	67	8	4	1	253	**1,208**
138	2,181	233	13	22	6	467	**2,922**
TOTALS	**39,579**	**5,663**	**328**	**245**	**119**	**10,750**	**56,684**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 4 REGISTRATION SUMMARY
As Of April 30, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
45	2,344	58	27	14	6	370	**2,819**
46	2,905	87	33	10	12	496	**3,543**
47	3,522	136	37	10	15	722	**4,442**
48	2,858	122	29	6	3	549	**3,567**
49	963	41	10	2	8	205	**1,229**
51	3,444	489	20	11	9	616	**4,589**
52	1,305	140	9	4	2	230	**1,690**
53	1,265	66	22	4	5	239	**1,601**
54	2,260	67	30	4	5	411	**2,777**
55	2,502	83	16	6	14	424	**3,045**
56	3,282	103	37	21	12	646	**4,101**
57	2,475	70	21	12	10	499	**3,087**
58	2,263	66	18	6	4	367	**2,724**
59	2,582	82	25	9	7	410	**3,115**
60	2,225	71	28	8	9	626	**2,967**
61	1,629	62	15	7	5	292	**2,010**
62	3,251	120	20	6	3	420	**3,820**
63	3,868	141	49	7	15	675	**4,755**
64	2,380	69	18	5	9	377	**2,858**
65	2,832	87	31	8	1	401	**3,360**
Totals	**50,155**	**2,160**	**495**	**160**	**154**	**8,975**	**62,099**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 5 REGISTRATION SUMMARY
As Of May 31, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
19	4,762	226	62	31	22	1,023	**6,126**
44	2,792	190	29	15	13	627	**3,666**
66	4,698	122	39	16	15	686	**5,576**
67	2,840	105	22	6	10	425	**3,408**
68	1,970	171	21	11	14	392	**2,579**
69	2,131	75	18	6	8	279	**2,517**
70	1,527	59	25	3	4	252	**1,870**
71	2,500	72	32	12	11	403	**3,030**
72	4,459	155	36	17	23	738	**5,428**
73	1,949	102	20	11	8	361	**2,451**
74	4,998	295	63	20	22	1,016	**6,414**
75	4,161	224	38	26	18	815	**5,282**
76	1,745	125	18	12	12	385	**2,297**
77	3,006	119	27	10	13	527	**3,702**
78	3,017	106	40	11	12	514	**3,700**
79	2,145	87	21	7	12	430	**2,702**
135	3,104	163	36	17	13	600	**3,933**
139	2,738	81	21	7	6	368	**3,221**
TOTALS	**54,542**	**2,477**	**568**	**238**	**236**	**9,841**	**67,902**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 6 REGISTRATION SUMMARY
As Of May 31, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
1	4,747	571	35	28	18	1,340	**6,739**
18	4,873	365	44	24	12	1,081	**6,399**
21	1,184	61	12	8	1	257	**1,523**
81	4,734	373	42	22	17	942	**6,130**
82	2,589	267	23	15	3	600	**3,497**
83	3,518	415	29	34	16	834	**4,846**
84	2,004	380	19	12	9	524	**2,948**
85	2,712	511	18	17	4	702	**3,964**
86	2,212	241	15	8	7	407	**2,890**
87	2,639	279	15	17	13	583	**3,546**
88	2,066	288	20	10	7	436	**2,827**
89	2,747	591	22	18	8	758	**4,144**
90	1,648	231	16	9	14	481	**2,399**
91	4,294	418	28	22	16	912	**5,690**
127	4,240	321	46	21	16	887	**5,531**
128	2,573	224	24	15	6	615	**3,457**
130	757	283	6	5	3	247	**1,301**
131	3,998	1,177	36	47	16	1,267	**6,541**
142	2,189	305	15	30	5	597	**3,141**
144	2,945	394	15	38	10	803	**4,205**
TOTALS	**58,669**	**7,695**	**480**	**400**	**201**	**14,273**	**81,718**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 7 REGISTRATION SUMMARY
As Of May 31, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
80	1,447	92	19	7	9	278	**1,852**
92	1,552	37	15	2	5	231	**1,842**
93	1,665	50	24	2	8	256	**2,005**
94	2,051	55	21	6	6	311	**2,451**
95	1,652	74	14	5	6	274	**2,006**
96	2,443	72	18	3	11	365	**2,912**
97	1,437	55	16	3	5	243	**1,759**
98	2,029	55	23	7	17	308	**2,439**
99	1,641	51	13	10	14	317	**2,046**
100	2,629	42	21	7	6	354	**3,059**
101	1,561	50	15	6	6	197	**1,835**
102	2,589	71	23	2	15	352	**3,052**
103	3,581	90	37	8	13	533	**4,262**
104	3,326	91	38	5	18	518	**3,996**
105	2,537	75	18	7	10	431	**3,078**
106	2,848	68	24	4	10	419	**3,373**
107	1,768	62	14	4	6	254	**2,108**
108	1,062	31	2	0	2	132	**1,229**
109	966	32	3	3	1	121	**1,126**
110	3,843	100	23	7	11	461	**4,445**
111	2,552	64	37	14	5	426	**3,098**
113	2,266	54	22	5	7	295	**2,649**
132	2,114	62	18	5	6	344	**2,549**
TOTALS	**49,559**	**1,415**	**458**	**122**	**197**	**7,420**	**59,171**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 8 REGISTRATION SUMMARY
As Of May 31, 2020

PRECINCT	DEM	REP	STG	LIB	OTH	N-P	TOTALS
112	2,248	65	19	1	10	326	**2,669**
114	4,115	170	51	22	26	870	**5,254**
115	2,801	87	28	9	11	617	**3,553**
116	4,172	110	41	13	14	674	**5,024**
117	2,301	58	21	10	7	401	**2,798**
118	2,910	90	40	8	16	468	**3,532**
119	2,640	103	30	9	15	471	**3,268**
120	2,231	49	13	7	5	336	**2,641**
121	3,523	97	30	12	5	533	**4,200**
122	1,835	60	21	2	8	303	**2,229**
123	2,489	205	28	17	14	472	**3,225**
124	2,634	75	21	7	13	361	**3,111**
125	4,590	106	42	11	18	783	**5,550**
126	4,037	141	53	13	15	799	**5,058**
133	1,317	46	6	2	0	182	**1,553**
134	2,249	55	25	2	4	309	**2,644**
140	1,896	61	8	5	9	292	**2,271**
TOTALS	**47,988**	**1,578**	**477**	**150**	**190**	**8,197**	**58,580**

D.C. BOARD OF ELECTIONS

MONTHLY REPORT OF VOTER REGISTRATION STATISTICS

CITYWIDE REGISTRATION ACTIVITY

For voter registration activity between 4/30/2020 and 5/31/2020

NEW REGISTRATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Beginning Totals	**375,937**	**28,361**	**3,600**	**1,809**	**1,360**	**84,824**	**495,891**
Board of Elections Over the Counter	14	0	0	1	0	1	**16**
Board of Elections by Mail	76	4	0	1	0	9	**90**
Board of Elections Online Registration	1,054	69	10	10	12	590	**1,745**
Department of Motor Vehicle	11	0	0	0	1	9	**21**
Department of Disability Services	1	0	1	0	0	0	**2**
Office of Aging	0	0	0	0	0	0	**0**
Federal Postcard Application	0	0	0	0	0	0	**0**
Department of Parks and Recreation	0	0	0	0	0	0	**0**
Nursing Home Program	0	2	0	0	0	0	**2**
Dept. of Youth Rehabilitative Services	0	0	0	0	0	0	**0**
Department of Corrections	3	0	0	1	0	3	**7**
Department of Human Services	4	0	0	0	0	1	**5**
Special / Provisional	0	0	0	0	0	0	**0**
All Other Sources	27	1	0	0	0	9	**37**
+Total New Registrations	**1,190**	**76**	**11**	**13**	**13**	**622**	**1,925**

ACTIVATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Reinstated from Inactive Status	410	15	4	2	5	47	**483**
Administrative Corrections	10	0	0	0	0	1	**11**
+TOTAL ACTIVATIONS	**420**	**15**	**4**	**2**	**5**	**48**	**494**

DEACTIVATIONS	DEM	REP	STG	LIB	OTH	N-P	TOTAL
Changed to Inactive Status	0	0	0	0	0	0	**0**
Moved Out of District (Deleted)	0	0	0	0	0	0	**0**
Felon (Deleted)	0	0	0	0	0	1	**1**
Deceased (Deleted)	1,145	75	7	0	1	112	**1,340**
Administrative Corrections	326	18	3	5	2	670	**1,024**
-TOTAL DEACTIVATIONS	**1,471**	**93**	**10**	**5**	**3**	**783**	**2,365**

AFFILIATION CHANGES	DEM	REP	STG	LIB	OTH	N-P	
+ Changed To Party	3,973	812	30	33	30	862	
- Changed From Party	-244	-147	-57	-19	-12	-4,505	
ENDING TOTALS	**379,805**	**29,024**	**3,578**	**1,833**	**1,393**	**81,068**	**496,701**

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF FILING OF A
VOLUNTARY CLEANUP ACTION PLAN

2219 Town Center Drive, SE
Case No. VCP2015-033 (B, C, D)

Pursuant to § 601 of the Brownfield Revitalization Amendment Act of 2000, effective June 13, 2001 (D.C. Law 13-312, as amended April 8, 2011, D.C. Law 18-369; D.C. Official Code §§ 8-636.01), the Voluntary Cleanup Program in the Department of Energy and Environment (DOEE), Land Remediation and Development Branch, is informing the public that it has received a Voluntary Cleanup Action Plan (VCAP) requesting to perform a remediation action. The applicant for the property located at 2219 Town Center Drive, SE, consisting of Square 8533 and multi lots is Skyland Holdings, LLC; c/o Larry M. Spott, 8405 Greensboro Drive, 8th Floor, McLean, Virginia, 22102.

The VCAP identifies the presence of metals and petroleum compounds in soil and groundwater. The applicant is re-developing the site known as Skyland Phase B-1, C-1, C-2 comprising approximately 5.3, 3 and 3.5, acres of the 18.7 acres in southeast Washington DC, in a mixed use structures. The Subject Property is a portion of the "Skyland Town Center", an approximately 18.7-acre tract of land formerly improved with twelve commercial structures

Pursuant to § 636.01(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC-8B02) for the area in which the property is located. The VCAP is available for public review at the following location:

Voluntary Cleanup Program
Department of Energy and Environment (DOEE)
1200 First Street, NE, 5th Floor
Washington, DC 20002

Interested parties may also request a copy of the application by contacting the Voluntary Cleanup Program at the above address or by calling (202) 499-0437. An electronic copy of the application may be viewed at http://doee.dc.gov/service/vcp-cleanup-sites.

Written comments on the Voluntary Cleanup Action Plan must be received by the VCP at the address listed above within fourteen (14) days from the date of this publication. DOEE is required to consider all relevant public comments it receives before acting on the application, the cleanup action plan, or a certificate of completion.

Please refer to Case No. VCP2015-033B, C, D in any correspondence related to this application.

DEPARTMENT OF HEALTH CARE FINANCE

MEDICAL CARE ADVISORY COMMITTEE

PUBLIC NOTICE OF PROPOSED BY-LAW CHANGE

The Medical Care Advisory Committee (MCAC) will consider an amendment to its by-laws at its June 24, 2020 meeting. The proposed amendment requires the Chairperson to serve no more than two consecutive terms.

A copy of the June 24 agenda, the current MCAC by-laws, and the proposed amendment are posted on the MCAC website at https://dhcf.dc.gov/page/dc-medical-care-advisory-committee.

For more information, please contact:

Bill Hanna at william.hanna@dc.gov or 202-442-5819

DEPARTMENT OF HEALTH (DC Health)
HIV/AIDS, HEPATITIS, STD, & TB ADMINISTRATION (HAHSTA)
NOTICE OF FUNDING AVAILABILITY
RFA #HAHSTA_EBTI 07.03.20

Effi Barry Training Institute

The District of Columbia, Department of Health (DC Health), HIV/AIDS, Hepatitis, STD, and TB Administration (HAHSTA) is soliciting applications from qualified applicants to provide services in the program areas described in this Notice of Funding Availability (NOFA). The Request for Applications (RFA) will be released under a separate announcement with guidelines for submitting applications, review criteria, and DC Health terms and conditions for applying and receiving funding.

General Information:

Funding Opportunity Title	Effi Barry Training Institute
Funding Opportunity Number	FO-HAHSTA-PG-00061-002
Program RFA ID Number	HAHSTA _EBTI 07.03.20
Opportunity Category	Competitive
DC Health Administrative Unit	HIV/AIDS, Hepatitis, STD & TB Administration (HAHSTA)
DC Health Program Bureau	Capacity Building, Housing, and Community Partnership Division
Program Contact	Anthony.Fox@dc.gov
Program Description	The awardee shall provide capacity building, trainings, technical assistance, and logistical support determined by HAHSTA based on needs assessed or requests received from prospective HAHSTA and non-Ryan White grantees, non-funded community-based organizations, and current Ryan White grantees or contractors in the Washington, DC eligible metropolitan area (EMA).
Eligible Applicants	501(c)3, not-for-profit within the Washington, DC eligible metropolitan area (EMA). Applicants may be individual organizations or partnerships in collaborations of organizations; one of which must serve as fiscal agent and a Memorandum of Agreement attached with the application.
Anticipated Number of Awards	1
Anticipated Amount Available	$1,000,000

Floor Award Amount	$700,000
Ceiling Award Amount	$1,000,000

Funding Authorization

Legislative Authorization	DC Appropriated & Ryan White HIV/AIDS Treatment Extension Act of 2009
Associated CFDA Number	93.914
Associated Federal Award ID Number	H89HA00012
Cost Sharing / Match Required?	No
RFA Release Date	July 3, 2020
Pre-App Meeting (Date)	July 8, 2020
Pre-App Meeting (Time)	2:30 pm-4:00 pm
Pre-Application Meeting (Location/Conference Call Access)	Zoom Virtual Conference Meeting https://us02web.zoom.us/j/81787118910 Meeting ID: 817 8711 8910 One tap mobile +13017158592 - 81787118910#
Letter of Intent Due Date	Not applicable
Application Deadline Date	August 3, 2020
Application Deadline Time	6:00 PM
Links to Additional Information about this Funding Opportunity	DC Grants Clearinghouse http://opgs.dc.gov/page/opgs-district-grants-clearinghouse. DC Health EGMS https://dcdoh.force.com/GO__ApplicantLogin2

KIPP DC PUBLIC CHARTER SCHOOLS

REQUEST FOR PROPOSALS

Leadership Development Consulting Services

KIPP DC is soliciting proposals from qualified vendors for Leadership Development Consulting Services. The RFP can be found on KIPP DC's website at www.kippdc.org/procurement. Proposals should be uploaded to the website no later than 5:00 PM ET on June 30, 2020. Questions can be addressed to rebecca.maltzman@kippdc.org.

Chromebook and Laptop Insurance

KIPP DC is soliciting proposals from qualified vendors for Chromebook and Laptop Insurance. The RFP can be found on KIPP DC's website at www.kippdc.org/procurement. Proposals should be uploaded to the website no later than 5:00 PM ET on June 30, 2020. Questions can be addressed to keon.toyer@kippdc.org.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) will be holding a meeting on Thursday, July 2, 2020 at 9:30 a.m. The meeting will be held in the Board Room (2nd floor) at 1385 Canal Street, S.E. (use 120 O Street, S.E. for directions), Washington, D.C. 20003. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at www.dcwater.com. Due to COVID-19, the General Manager has suspended public access to DC Water facilities. Please see the website for remote access information for the meetings.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or linda.manley@dcwater.com.

DRAFT AGENDA

1.	Call to Order	Board Chairman
2.	Roll Call	Board Secretary
3.	Approval of June 4, 2020 Meeting Minutes	Board Chairman
4.	Committee Reports	Committee Chairperson
5.	Chief Executive Officer's Report	Chief Executive Officer
6.	Action Items Joint-Use Non Joint-Use	Board Chairman
7.	Other Business	Board Chairman
8.	Adjournment	Board Chairman

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 20062 of Mid City Builders LLC, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under the penthouse requirements of Subtitle C § 1500.4, and under Subtitle C § 1504 from the penthouse setback requirements of Subtitle C § 1502.1(c)(1)(a), to construct a new three-story flat with a cellar level, roof deck and a rooftop access penthouse in the RF-1 Zone at premises 802 10th Street, N.E. (Square 933, Lot 47).

HEARING DATE: July 31, 2019
DECISION DATES: September 25 and October 9, 2019

DECISION AND ORDER

This self-certified application was submitted on April 25, 2019 on behalf of Mid City Builders LLC, the owner of the property that is the subject of the application (the "Applicant"). Following a public hearing, the Board voted to deny the application.

PRELIMINARY MATTERS

Notice of Application and Notice of Hearing. By memoranda dated June 13, 2019, the Office of Zoning provided notice of the application and of the public hearing to the Applicant, the Office of Planning ("OP"), the District Department of Transportation ("DDOT"), the Office of Advisory Neighborhood Commissions, the Councilmember for Ward 6, as well as the Chairman and the four at-large members of the D.C. Council, Advisory Neighborhood Commission ("ANC") 6A, the ANC in which the subject property is located, Single Member District/ANC 6A01, and the owners of all property within 200 feet of the subject property. Notice was published in the *District of Columbia Register* on June 14, 2019. (66 DCR 7148.)

Party Status. The Applicant and ANC 6A were automatically parties in this proceeding. There were no requests for party status.

Applicant's Case. The Applicant provided evidence and testimony in support of the application from Aaron Ruderman and Matthew Corell.

ANC Report. ANC 6A did not submit a written report to the record for this application.

OP Report. By memorandum dated July 19, 2019, the Office of Planning recommended approval of the zoning relief requested by the Applicant. (Exhibit 29.)

DDOT Report. By memorandum dated July 12, 2019, the District Department of Transportation indicated no objection to approval of the application. (Exhibit 30.)

Persons in support. The Board received letters and heard testimony in support of the application. The persons in support noted that other properties in the square had rooftop decks and asserted that the Applicant's proposal would not unduly affect the privacy of neighboring properties given its proposed size and setback from the front of the property.

FINDINGS OF FACT

1. The property that is the subject of this application is located on the west side of 10th Street, N.E. between H and I Streets (Square 933, Lot 47).

2. The subject property is rectangular, approximately 16.4 feet wide and 106 feet deep. The lot area is 1,736 square feet.

3. The subject property is currently vacant but was previously improved with a two-story attached dwelling.

4. The Applicant planned to build a new three-story attached building on the subject property for use as a two-family flat. The third story would have a rear balcony.

5. The new building would comply with applicable development standards, with a building height of 35 feet, lot occupancy of 55%, and a rear yard of approximately 47 feet. (*See* Subtitle E §§ 303.1, 304.1, 306.)

6. The Applicant proposed to construct a roof deck on the new building. The deck would have an area of 156 square feet and would be accessible from the third floor via an internal stair. A metal guardrail, 42 inches in height, would be installed around the deck.

7. The Applicant also proposed to construct a penthouse stair enclosure on the roof. The penthouse would be eight feet, six inches in height and almost 18 feet in length, with an area of 82 square feet. The penthouse would be located along the northern lot line, set back slightly more than 14 feet from the front of the building.

8. The properties abutting the subject property are improved with two-story dwellings, an attached building to the south and a semi-detached building to the north. The majority of buildings on the block are attached dwellings, two stories and approximately 22 feet in height.

9. Properties to the south, fronting on H Street, are located in Neighborhood Mixed Use (NC) zones. Some of these properties are improved with larger buildings, including a new five-story building 50 feet in height in the vicinity of the subject property.

10. The subject property is located in a Residential Flat zone, RF-1.

11. The Residential Flat (RF) zones are residential zones that provide for areas developed primarily with row dwellings, but within which there have been limited conversions of dwellings or other buildings into more than two dwelling units. (Subtitle E § 100.1.) The RF zones are designed to be mapped in areas identified as low-, moderate- or medium-density residential areas suitable for residential life and supporting uses. (Subtitle E § 100.2.)

12. The provisions of the RF zones are intended to: (a) recognize and reinforce the importance of neighborhood character, walkable neighborhoods, housing affordability, aging in place, preservation of housing stock, improvements to the overall environment, and low- and moderate-density housing to the overall housing mix and health of the city; (b) allow for limited compatible non-residential uses; (c) allow for the matter-of-right development of existing lots of record; (d) establish minimum lot area and dimensions for the subdivision and creation of new lots of record in RF zones; (e) allow for the limited conversion of rowhouse and other structures for flats; and (f) prohibit the conversion of flats and row houses for apartment buildings as anticipated in the RA zone. (Subtitle E § 100.3.)

13. The purpose of the RF-1 zone is to provide for areas predominantly developed with row houses on small lots within which no more than two dwelling units are permitted. (Subtitle E § 300.1.)

CONCLUSIONS OF LAW AND OPINION

The Applicant seeks special exceptions under the penthouse requirements of Subtitle C § 1500.4 and under Subtitle C § 1504 from the penthouse setback requirements of Subtitle C § 1502.1(c)(1)(a) to allow a penthouse, without the required setback from a side wall, on a new three-story attached building for use as a flat, with a roof deck, in the RF-1 zone at 802 10th Street, N.E. (Square 933, Lot 47). The Board is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2) (2012 Repl.) to grant special exceptions, as provided in the Zoning Regulations, where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map, subject to specific conditions. (*See* 11 DCMR Subtitle X § 901.2.)

Pursuant to Subtitle C § 1500.4, a penthouse is not permitted on the roof of an attached dwelling or flat unless approved as a special exception, provided that the penthouse (a) is no more than 10 feet and one story in height and (b) contains only stair or elevator access to the roof, with a maximum of 30 square feet of storage space ancillary to a rooftop deck.[1] A penthouse must "harmonize with the main structure in architectural character, material, and color." (Subtitle C § 1500.6.) The Zoning Regulations impose setback requirements restricting the location of a penthouse in the case of a building used as an attached dwelling or flat that is adjacent to a property that has a lower or equal building height permitted as a matter of right. The setback requirements include that any penthouse, roof deck, or guard-rails around a roof deck must be set back from the edge of the roof a distance from the side building wall equal to height. (Subtitle C § 1502.1(c)(1)(a).)

The Applicant seeks a special exception to allow a penthouse stair enclosure on the roof of the planned building, an attached building configured for use as a flat. The proposal would meet the requirements of Subtitle C § 1500.4 for special exception approval of a penthouse on the roof of an attached dwelling or flat in that the proposed penthouse would not exceed 10 feet and one story in height and would contain only stair access to the roof, without any storage space. However, the Applicant's proposal would not satisfy the setback requirement of Subtitle C § 1502.1(c)(1)(a) because the new building will be adjacent to properties where the same building height is permitted as a matter of right, and the penthouse would be situated without any setback from the side wall on the northern edge of the property, where a setback equal to height – in this case, eight feet, six inches – is required.

Pursuant to Subtitle C § 1504.1, the Board may grant relief from the setback requirement as a special exception, subject to certain requirements. An applicant for relief must demonstrate that the strict application of the setback requirements would result in construction that is unduly restrictive, prohibitively costly, or unreasonable, or would be inconsistent with building codes. Approval of the requested relief must result in a better design of the roof structure that would not appear to be an extension of the building wall and must result in a roof structure that is visually less intrusive. An applicant for relief must make every effort for the housing for a stairway penthouse to comply with the required setbacks. Relief is appropriate when full compliance with the setback requirements would be unduly restrictive, prohibitively costly, or unreasonable due to operating difficulties, size of the building lot, or other conditions relating to the building or surrounding area. The purpose and intent of the Zoning Regulations must not be materially impaired by the planned penthouse structure, and the light and air of adjacent buildings must not be affected adversely.

The Applicant testified that the planned penthouse had to be situated along the northern property line due to the narrowness of the lot, stating that a central location for a staircase providing access to the roof could not satisfy the setback requirement and would have created some "dysfunctional flows in the third level" of the building. (BZA Public Hearing Transcript of July

[1] Exceptions to this provision, applicable to screening for rooftop mechanical equipment or a guard-rail required by Title 12 of the DCMR, D.C. Construction Code for a roof deck, are not relevant to this application.

31, 2019 at 6.) According to the Applicant, the penthouse would not be visually intrusive because it would not be visible from 10th Street due to its front setback and because of the presence of taller buildings in the vicinity, some with rooftop penthouses. The Applicant contended that the proposed penthouse would not adversely affect the light, air, or privacy available to neighboring properties due to its size and location. The Office of Planning agreed, stating that "full compliance with a 1-to-1 side setback would be impossible" on the narrow lot, and that a partial setback would result in an inefficient layout of the top floor of the building. (Exhibit 29.) OP acknowledged that "[l]ocating the penthouse on the north property line could result in an appearance of a taller wall along a common lot line" but concluded that the proposed location, "well back from the front and the rear, would minimize visibility from most vantage points [for most] pedestrian traffic." (*Id.*)

Based on the findings of fact, the Board concludes that the application does not satisfy the requirements for special exception approval consistent with Subtitle C § 1504. The Applicant considered at least two alternatives to the proposed penthouse: a rooftop hatch and an open stair from the third-floor balcony. The Applicant rejected those options, citing concerns about ease of use, water infiltration, and cost with regard to the roof hatch. The Applicant asserted that a rear stair would occupy a large area of the balcony and would require a railing that would not comply with height or setback requirements. The Board was not persuaded that other available options for providing access to the roof deck, which would comply with most if not all zoning requirements, would be unsuitable in this case, and therefore is unable to find that the strict application of the setback requirements would result in construction that is unduly restrictive, prohibitively costly, or unreasonable.

The Board is also unable to find that approval of the requested relief would result in a better design of the roof structure that would be visually less intrusive. The Applicant acknowledged being unable to build a penthouse that would not appear to be an extension of the building wall. With a height in excess of eight feet, the proposed penthouse would be more visually intrusive than the other options identified as capable of providing access to a roof deck. While the front setback would limit its visibility from directly across the street, the proposed penthouse would be readily visible from other locations along 10th Street, where most nearby buildings have two stories and are considerably lower in height than the Applicant's new three-story building. The additional height and visibility of the proposed penthouse, appearing as an extension of the building wall, would be disruptive to the character and nature of the nearby rowhouses. That change in character would not be mitigated by the presence of taller buildings in the neighborhood, in light of the lower density character and appearance in the immediate vicinity of the subject property.

The Board is unable to conclude that approval of the requested special exceptions would be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and would not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Map, as is required for approval of the application under Subtitle X § 901.2. Approval of the application would not satisfy the requirements of Subtitle C § 1504 and

would not be consistent with the purposes of the RF zones to recognize and reinforce the importance of neighborhood character and improvements to the overall environment to the overall housing mix and health of the city, and to allow for the matter-of-right development of existing lots of record.

The Board is required to give "great weight" to the recommendation of the Office of Planning. (D.C. Official Code § 6-623.04 (2012 Repl.).) For the reasons discussed above, the Board does not agree with OP's recommendation that the application should be approved in this case.

The Board is also required to give "great weight" to the issues and concerns raised by the affected ANC. (Section 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)(3)(A) (2012 Repl.)).) In this case, ANC 6A did not submit a report stating any issues or concerns to which the Board can give great weight.

Based on the findings of fact and conclusion of law, the Board concludes that the Applicant has not satisfied the burden of proof with respect to the request for special exceptions under the penthouse requirements of Subtitle C § 1500.4 and under Subtitle C § 1504 from the penthouse setback requirements of Subtitle C § 1502.1(c)(1)(a) to allow a penthouse, without the required setback from a side wall, on a new three-story attached building for use as a flat, with a roof deck, in the RF-1 zone at 802 10th Street, N.E. (Square 933, Lot 47). Accordingly, it is **ORDERED** that the application is **DENIED**.

VOTE: 4-0-1 (Frederick L. Hill, Carlton E. Hart, Lorna L. John, and Peter G. May voting to DENY; no other Board member participating.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: June 8, 2020

PURSUANT TO SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 20210 of Hadell and Fannie Callands, as amended, pursuant to 11 DCMR Subtitle X Chapter 9, for special exceptions under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, and from the nonconforming structure requirements of Subtitle C § 202.2, to construct a new two-story rear addition to an existing three-unit apartment house in the RF-1 zone at premises 1012 16th Street, N.E. (Square 4075, Lot 176).

HEARING DATE: June 3, 2020[1]
DECISION DATE: June 10, 2020

SUMMARY ORDER

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 16 (Revised); Exhibits 4 and 11 (Original).)[2]

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 5D.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on February 11, 2020, at which a quorum was present, the ANC voted to support the application. (Exhibit 36.)

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 37.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 34.)

[1] This application was originally scheduled for public hearing on March 18, 2020 but was rescheduled for a virtual public hearing on June 3, 2020 based on the closures and postponements related to the public health emergency declared on March 11, 2020. Notice of the virtual public hearing was provided to the parties and to the property owners within 200 feet of the subject property.

[2] The application was amended to revise the plans and withdraw a request for relief from the rear yard requirements of Subtitle E § 306.1.

Persons in Support. The Board received a letter in support from a resident at 1011 16th Street, N.E. (Exhibit 41.)

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for special exceptions under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1, and from the nonconforming structure requirements of Subtitle C § 202.2.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED** and, pursuant to Subtitle Y § 604.10, subject to the **APPROVED PLANS**[3] at **EXHIBITS 18A1-18A2.**

VOTE: **4-0-1** (Frederick L. Hill, Lorna L. John, Carlton E. Hart, and Peter G. May (by absentee vote) to APPROVE; one Board seat vacant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: June 11, 2020

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY

[3] Self-certification: In granting the certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 20217 of Tricia Jefferson, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201 from the rear yard requirements of Subtitle E § 506.1 and from the nonconforming structure requirements of Subtitle C § 202.2, and pursuant to 11 DCMR Subtitle X, Chapter 10 for an area variance from the lot occupancy requirements of Subtitle E § 504.1 to construct a rear addition to an existing, attached principal dwelling unit in the RF-3 Zone at premises 508 D Street, N.E. (Square 836, Lot 48).

HEARING DATE: June 3, 2020[1]
DECISION DATE: June 10, 2020

SUMMARY ORDER

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 15 (Revised); Exhibit 10 (Original).) [2]

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 6C.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on February 12, 2020, at which a quorum was present, the ANC voted to support the application. (Exhibit 49.)

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 54.)

[1] This application was originally scheduled for public hearing on March 4, 2020 and was rescheduled to March 25, 2020 to allow for the application to be re-noticed with a revised case description. The application was further rescheduled for a virtual public hearing on June 3, 2020 based on the closures and postponements related to the public health emergency declared on March 11, 2020. Notice of the virtual public hearing was provided to the parties and to the property owners within 200 feet of the subject property.

[2] The application was amended to correct the originally requested special exception relief from the lot occupancy requirements of Subtitle E § 504.1 to an area variance.

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 48.)

Architect of the Capitol Report. The Architect of the Capitol submitted a report indicating that the application is not inconsistent with the intent of the RF-3 zone district and would not adversely affect the health, safety, and general welfare of the U.S. Capitol Precinct and area adjacent to this jurisdiction and is not inconsistent with the goals and mandates of the United States Congress as stated in Subtitle E § 5202.1. (Exhibit 59.)

Persons in Support. The Applicant's adjacent neighbors submitted letters in support. (Exhibit 12 and 13.)

Variance Relief

The Applicant seeks relief under Subtitle X § 1002.1 for an area variance from the lot occupancy requirements of Subtitle E § 504.1.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty, in the case of an area variance, or an undue hardship, in the case of a use variance, in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for special exceptions under Subtitle E § 5201 from the rear yard requirements of Subtitle E § 506.1 and from the nonconforming structure requirements of Subtitle C § 202.2.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS[3] AT EXHIBIT 5.**

VOTE: **4-0-1** (Frederick L. Hill, Lorna L. John, Carlton E. Hart, and Peter G. May (by absentee vote) to APPROVE; one Board seat vacant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: June 10, 2020

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION,

[3] Self-certification: In granting the certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 20219 of Julia Garrison, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E §§ 206.2 and 5203.3 from the upper floor addition requirements of Subtitle E § 206.1, to alter an existing rooftop architectural element on an existing, attached, principal dwelling unit in the RF-1 zone at premises 3629 13th Street, N.W. (Square 2829, Lot 148).

HEARING DATE: June 3, 2020
DECISION DATE: June 10, 2020[1]

SUMMARY ORDER

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 40 (Updated); Exhibit 15 (Original).)

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 1A.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on February 12, 2020, at which a quorum was present, the ANC voted to support the application, provided that the fronts of the dormers remain as seen in the plans. (Exhibit 35.) The Board concludes that, in the approved plans, the dormers remain as shown in the plans reviewed by the ANC.

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 42.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 33.)

[1] This application was originally placed on the Board's expedited review calendar of March 11, 2020 but was removed and scheduled for public hearing on April 1, 2020 because the relief requested did not meet the criteria for expedited review. This application was further rescheduled for a virtual public hearing on June 3, 2020 based on the closures and postponements related to the public health emergency declared on March 11, 2020. Notice of the virtual public hearing was provided to the parties and to the property owners within 200 feet of the subject property.

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under Subtitle E §§ 206.2 and 5203.3 from the upper floor addition requirements of Subtitle E § 206.1.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED** and, pursuant to Subtitle Y § 604.10, subject to the **APPROVED PLANS**[2] at **EXHIBIT 48.**

VOTE: **4-0-1** (Frederick L. Hill, Lorna L. John, Carlton E. Hart, and Peter G. May (by absentee vote) to APPROVE; one Board seat vacant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: June 10, 2020

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST

[2] Self-certification: In granting the certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 20223 of Bernard Berry, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1 to construct an addition to a three-story principal dwelling unit, with a cellar level and roof deck pool in the RF-1 zone at premises 509 O Street, N.W. (Square 479, Lot 818).

HEARING DATE: June 3, 2020[1]
DECISION DATE: June 10, 2020

SUMMARY ORDER

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 4.) The Board notes that it considered the self-certified relief, as necessitated by the addition identified in the plans in Exhibit 37, and did not consider areas of relief that may be needed by other aspects of the project.

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 6E.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on December 3, 2019, at which a quorum was present, the ANC voted to support the application. (Exhibit 33.)

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 31.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 14.)

[1] This application was originally scheduled for public hearing on March 25, 2020 but was rescheduled for a virtual public hearing on June 3, 2020 based on the closures and postponements related to the public health emergency declared on March 11, 2020. Notice of the virtual public hearing was provided to the parties and to the property owners within 200 feet of the subject property.

Persons in Support. The Board received letters in support from four neighbors and a petition in support with 20 signatures. (Exhibits 10 and 11.)

Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under Subtitle E § 5201 from the lot occupancy requirements of Subtitle E § 304.1 to construct an addition to a three-story principal dwelling unit, with a cellar level and roof deck pool in the RF-1 zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS[2] AT EXHIBIT 37.**

VOTE: **4-0-1** (Frederick L. Hill, Lorna L. John, Carlton E. Hart, and Peter G. May (by absentee vote) to APPROVE; one Board seat vacant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: June 10, 2020

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY

[2] Self-certification: In granting the certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

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