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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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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129
130 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
131 act may be cited as the “Coronavirus Support Second Congressional Review Emergency
132 Amendment Act of 2020”.

133

134 **TITLE I. LABOR AND WORKFORCE DEVELOPMENT**

135 Sec. 101. Wage replacement.

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

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

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

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

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

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

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

158 (d) For the purposes of this section, the term “affected employee” means an employee
159 who, except as provided in subsection (g) of this section, is otherwise eligible for UI pursuant to
160 section 9 of the District of Columbia Unemployment Compensation Act, approved August 28,
161 1935 (49 Stat. 950; D.C. Official Code § 51-109), and who is determined by the Mayor to have
162 become unemployed or partially unemployed as a result of the circumstances giving rise to the
163 public health emergency. The term “affected employee” includes an employee who has been
164 quarantined or isolated by the Department of Health or any other applicable District or federal
165 agency, an employee who has self-quarantined or self-isolated in a manner consistent with the
166 recommendations or guidance of the Department of Health, any other applicable District or
167 federal agency, or a medical professional, or an employee of an employer that ceased or reduced
168 operations due to an order or guidance from the Mayor or the Department of Health or a
169 reduction in business revenue resulting from the circumstances giving rise to the public health
170 emergency, as determined by the Mayor, all as demonstrated by reasonable documentation
171 required by the Mayor or the Mayor’s designee.

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

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

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

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

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

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

189 (g) Notwithstanding any provision of District law, but subject to applicable federal laws
190 and regulations, during a period of time for which the Mayor has declared a public health
191 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
192 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the
193 requirements of section 9(a)(4)(B) and (5) of the District of Columbia Unemployment
194 Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Official Code § 51-
195 109(a)(4)(B) and (5)), shall not apply.

196 Sec. 102. Unemployment insurance clarification.

197 The District of Columbia Unemployment Compensation Act, effective August 28, 1935
198 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

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

201 “(A-i) During a period of time for which the Mayor has declared a public
202 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
203 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and in
204 conformity with federal law, the Director may determine that the term “employment” as defined
205 in paragraph (2)(A) of this section may include individuals who are self-employed, seeking part-
206 time employment, do not have sufficient work history, or otherwise would not qualify for regular
207 unemployment or extended benefits under District or federal law or pandemic emergency
208 unemployment compensation.”.

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

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

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

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

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

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

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

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

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

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

234 Sec. 103. Shared work compensation program clarification.

235 The Keep D.C. Working Act of 2010, effective October 15, 2010 (D.C. Law 18-238;

236 D.C. Official Code § 51-171 *et seq.*), is amended as follows:

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

238 (1) Paragraph (4) is repealed.

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

240 “(4A) “Health and retirement benefits” means employer-provided health benefits,
241 and retirement benefits under a defined benefit plan, as defined in section 414(j) of the Internal

242 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(j)), or
243 contributions under a defined contribution plan, as defined in section 414(i) of the Internal
244 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(i)), which
245 are incidents of employment in addition to the cash remuneration earned.

246 “(4B) “Participating employee” means an employee who voluntarily agrees to
247 participate in an employer’s shared work plan.”.

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

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

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

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

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

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

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

262 “Sec. 4. Employer participation in the shared work unemployment compensation
263 program.

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

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

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

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

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

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

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

277 “(D) The employer’s unemployment tax account number, and

278 “(E) Any other information required by the Director to identify
279 participating employees;

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

287 “(3) Identify the usual weekly hours of work for employees in the affected unit
288 and the specific percentage by which hours will be reduced during all weeks covered by the plan.
289 A shared work plan may not reduce participating employees’ usual weekly hours of work by less
290 than 10% or more than 60%. If the plan includes any week for which the employer regularly
291 provides no work (due to a holiday or other plant closing), then such week shall be identified in
292 the application;

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

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

310 “(6) Agree to:

311 “(A) Furnish reports to the Director relating to the proper conduct of the

312 shared work plan;

313 “(B) Allow the Director or the Director’s authorized representatives access

314 to all records necessary to approve or disapprove the application for a shared work plan;

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

316 “(D) Follow any other directives the Director considers necessary for the

317 agency to implement the shared work plan consistent with the requirements for shared work plan

318 applications;

319 “(7) Certify that participation in the shared work unemployment compensation

320 program and implementation of the shared work plan will be consistent with the employer’s

321 obligations under applicable federal and state laws;

322 “(8) State the duration of the proposed shared work plan, which shall not exceed

323 365 days from the effective date established pursuant to section 6;

324 “(9) Provide any additional information or certifications that the Director

325 determines to be appropriate for purposes of the shared work unemployment compensation

326 program, consistent with requirements issued by the United States Secretary of Labor; and

327 “(10) Provide written approval of the proposed shared work plan by the collective

328 bargaining representative for any employees covered by a collective bargaining agreement who

329 will participate in the plan.”.

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

331 “Sec. 5. Approval and disapproval of a shared work plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

374 “(e) For the purposes of this section, the term “public health emergency” means the
375 public health emergency declared in the Mayor’s order dated March 11, 2020, and any
376 extensions thereof.”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

410 “Sec. 7. Modification of a shared work plan.

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

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

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

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

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

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

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

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

433 “Sec. 8. Employee eligibility for shared work benefits.

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

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

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

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

449 “(b) A participating employee may be eligible for shared work benefits or unemployment
450 compensation, as appropriate, except that no participating employee may be eligible for
451 combined benefits in any benefit year in an amount more than the maximum entitlement
452 established for regular unemployment compensation, nor shall a participating employee be paid
453 shared work benefits for more than 52 weeks under a shared work plan or in an amount more
454 than the equivalent of the maximum of 26 weeks of regular unemployment compensation.

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

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

463 “(e) A participating employee who has received all of the shared work benefits or
464 combined unemployment compensation and shared work benefits available in a benefit year shall
465 be considered an exhaustee, as defined in section 7(g)(1)(H) of the District of Columbia
466 Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code
467 § 51–107(g)(1)(H)) (“Act”), for purposes of eligibility to receive extended benefits pursuant to

468 section 7(g) of the Act (D.C. Official Code § 51–107(g)), and, if otherwise eligible under that
469 section, shall be eligible to receive extended benefits.

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

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

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

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

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

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

487 “(B) If the combined hours of work for both employers results in a
488 reduction equal to or greater than 10% of the usual weekly hours worked for the shared work
489 employer, the shared work benefit payable to the participating employee is determined by
490 multiplying the weekly unemployment benefit amount for a week of total unemployment by the

491 percentage by which the combined hours of work have been reduced. A week for which benefits
492 are paid under this subparagraph shall be reported as a week of shared work benefits.

493 “(C) If an individual worked the reduced percentage of the usual weekly
494 hours of work for the shared work employer and is available for all the participating employee’s
495 usual hours of work with the shared work employer, and the participating employee did not work
496 any hours for the other employer, either because of the lack of work with that employer or
497 because the participating employee is excused from work with the other employer, the
498 participating employee shall be eligible for the full value of the shared work benefit for that
499 week.”.

500 (2) Subsection (b) is repealed

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

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

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

511 Sec. 104. Family and medical leave.

512 The District of Columbia Family and Medical Leave Act of 1990, effective October 3,
513 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*), is amended as follows:

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

515 “(1) “Employee” means:

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

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

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

524 “Sec. 3a. COVID-19 leave.

525 “(a) During the COVID-19 public health emergency, an employee shall be entitled to
526 leave if the employee is unable to work due to:

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

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

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

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

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

539 “(c) An employer may require reasonable certification of the need for COVID-19 leave
540 as follows:

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

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

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

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

554 “(e)(1) Except as provided in paragraphs (2) and (3) of this subsection, leave under this
555 section may consist of unpaid leave.

556 “(2) Any paid leave provided by an employer that the employee elects to use for
557 leave under this section shall count against the 16 workweeks of allowable leave provided in this
558 section.

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

563 “(4) An employee shall not be required, but may elect, to use leave provided
564 under this section before other leave to which the employee is entitled under federal or District
565 law or an employer’s policies, unless barred by District or federal law.

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

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

570 “(h) The rights provided to an employee under this section may not be diminished by any
571 collective bargaining agreement or any employment benefit program or plan; except, that this
572 section shall not supersede any clause on family or medical leave in a collective bargaining
573 agreement in force on the applicability date of this section for the time that the collective
574 bargaining agreement is in effect.

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

579 Sec. 105. Paid public health emergency leave.

580 (a) The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-
581 152; D.C. Official Code § 32-531.01 *et seq.*), is amended as follows:

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

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

587 “Sec. 3a. Paid public health emergency leave requirement.

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

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

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

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

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

608 “(b)(1) An employee may only use paid leave provided under this section concurrently
609 with or after exhausting any other paid leave to which the employee may be entitled for covered
610 reasons under federal or District law or an employer’s policies.

611 “(2) If an employee elects to use paid leave provided under this section
612 concurrently with other paid leave, the employer may reduce the monetary benefit of the paid
613 leave provided under this section by the amount of the monetary benefit the employee will
614 receive for paid leave taken under federal or District law or the employer’s policies.

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

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

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

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

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

634 “(2) “COVID-19 emergency” means the emergencies declared in the Declaration
635 of Public Emergency (Mayor’s Order 2020-045) together with the Declaration of Public Health
636 Emergency (Mayor’s Order 2020-046), declared on March 11, 2020, including any extension of
637 those declared emergencies.

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

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

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

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

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

650 “(1) For any reason, provide more than 48 hours’ notice of the need to use such
651 leave;

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

654 “(3) Search for or identify another employee to perform the work hours or work
655 of the employee using paid leave.”.

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

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

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

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

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

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

670 (B) Paragraph (2) is amended by striking the period and inserting the
671 phrase “; and” in its place.

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

673 “(3) Access and use paid leave as provided in section 3a.”.

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

677 “(b-1)(1) Notwithstanding subsections (b) and (f) of this section, during the COVID-19
678 emergency, no more than \$500,000 of the money in the Fund may be used for activities related
679 to enforcement of the paid public health emergency leave requirement contained in section 3a of
680 the Accrued Sick and Safe Leave Act of 2008, passed on 2nd reading on June 9, 2020 (Enrolled
681 version of Bill 23-758).

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

686 **TITLE II. BUSINESS AND ECONOMIC DEVELOPMENT**

687 Sec. 201. Small business microgrants.

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

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

693 “Sec. 2316. Public health emergency grant program.”.

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

695 “Sec. 2316. Public health emergency grant program.

696 “(a)(1) Upon the Mayor’s declaration of a public health emergency pursuant to section 5a
697 of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
698 Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may, notwithstanding the Grant
699 Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code
700 § 1-328.11 *et seq.*), and in the Mayor’s sole discretion, issue a grant or loan to an eligible small
701 business; provided, that the eligible small business:

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

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

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

709 “(A)(i) Employee wages and benefits.

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

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

714 “(C) Repayment of loans obtained through the United States Small
715 Business Administration.

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

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

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

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

728 “(1) “COVID-19 emergency” means the emergencies declared in the Declaration
729 of Public Emergency (Mayor’s Order 2020-045) together with the Declaration of Public Health
730 Emergency (Mayor’s Order 2020-046), declared on March 11, 2020, including any extension of
731 those declared emergencies.

732 “(2) “Eligible small business” means a business enterprise eligible for
733 certification under section 2332, a nonprofit entity, or an independent contractor or self-
734 employed individual determined ineligible for unemployment insurance by the Director of the
735 Department of Employment Services, unless the independent contractor or self-employed
736 individual is eligible for and receiving unemployment insurance benefits unrelated to their self-
737 employment or independent contractor work and is otherwise eligible for a grant pursuant to this
738 subsection.”.

739 Sec. 202. Contractor advance payment.

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

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

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

746 “(a-1) During a period of time for which the Mayor has declared a public health
747 emergency (“PHE”) pursuant to section 5a of the District of Columbia Public Emergency Act of
748 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an agency
749 may make advance payments to a certified contractor for purchases related to the PHE when the
750 payments are necessary to achieve the purposes of this subtitle and may provide an advance of
751 more than 10% of the total value of the contract.”.

752 Sec. 203. Certified Business Enterprise assistance.

753 (a) Notwithstanding the Small and Certified Business Enterprise Development and
754 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-
755 218.01 *et. seq.*) (“CBE Act”), or any other provision of District law or regulation, during the
756 period of the COVID-19 emergency, any contract for a government-assisted project in excess of
757 \$250,000 that is unrelated to the District’s response to the COVID-19 emergency but entered
758 into during the COVID-19 emergency, absent a waiver pursuant to section 2351 of the CBE Act,
759 shall provide that:

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

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

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

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

771 (3) For every dollar expended by a beneficiary that uses a company designated as
772 both a disadvantaged business enterprise under section 2333 of the CBE Act and as a resident-
773 owned business under section 2302(15) of the CBE Act, the beneficiary shall receive a credit for
774 \$1.30 against the CBE minimum expenditure.

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

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

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

780 (3) “COVID-19 emergency” means the emergencies declared in the Declaration
781 of Public Emergency (Mayor’s Order 2020-045) together with the Declaration of Public Health
782 Emergency (Mayor’s Order 2020-046), declared on March 11, 2020, including any extension of
783 those declared emergencies.

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

786 (5) “Government-assisted project” has the same meaning as set forth in section
787 2302(9A) of the CBE Act (D.C. Official Code § 2-218.02(9A)).

788 (6) “Longtime resident business” has the same meaning as set forth in section
789 2302(13) of the CBE Act (D.C. Official Code § 2-218.02(13)).

790 (7) “Resident-owned business” has the same meaning as set forth in section
791 2302(15) of the CBE Act (D.C. Official Code § 2-218.02(15)).

792 (8) “Small Business Enterprises” has the same meaning as set forth in section
793 2332 of the CBE Act (D.C. Official Code § 2-218.32).

794 (d) Contracts entered into on an emergency basis or that are made in furtherance of, or that
795 are related to, the District’s response to the COVID-19 emergency shall not be subject to the
796 requirements of the CBE Act or the First Source Employment Agreement Act of 1984, effective June
797 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*).

798 Sec. 204. Alcoholic beverage regulation.

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

800 (a) Chapter 1 is amended as follows:

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

802 “(h)(1) A retailer with commercial street frontage at the Walter E. Washington
803 Convention Center that sells food and is approved by the Washington Convention and Sports
804 Authority to sell alcoholic beverages for on-premises consumption (“Convention Center food
805 and alcohol business”) that registers as a Convention Center food and alcohol business with the
806 Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed
807 containers to individuals for carry out to their home, or deliver beer, wine, or spirits in closed

808 containers to the homes of District residents, pursuant to § 25-113(a)(3)(C); provided, that such
809 carry-out or delivery orders are accompanied by one or more prepared food items.

810 “(2) Board approval shall not be required for registration under this subsection.”.

811 (2) Section 25-113(a) is amended as follows:

812 (A) Paragraph (3) is amended by adding new subparagraphs (C) and (D) to
813 read as follows:

814 “(C)(i) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H,
815 D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that registers with
816 the Board may sell beer, wine, or spirits in closed containers to individuals for carry out to their
817 home, or deliver beer, wine, or spirits in closed containers to the homes of District residents;
818 provided, that each such carry out or delivery order is accompanied by one or more prepared
819 food items.

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

823 “(D)(i) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H,
824 D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that is registered
825 with the Board under subparagraph (C) of this paragraph may also register with the Board to sell,
826 on a temporary basis, beer, wine, or spirits for on-premises consumption indoors and to sell beer,
827 wine, or spirits in closed containers accompanied by one or more prepared food items for off-
828 premises consumption from up to 2 additional locations other than the licensed premises.

829 “(ii) Board approval shall not be required for the additional
830 registration under this subparagraph; provided, that:

831 “(I) The licensee separately registers with the Board and
832 receives written authorization from ABRA prior to offering beer, wine, or spirits for carryout or
833 delivery or on-premises consumption indoors at the additional location;

834 “(II) For carry-out and delivery, the licensee, the additional
835 location’s owner, or a prior tenant at the additional location possesses a valid certificate of
836 occupancy for the building used as the additional location, unless the additional location is
837 located on outdoor private space;

838 “(III) For on-premises consumption indoors, the additional
839 location’s owner or a prior tenant at the additional location possesses a valid certificate of
840 occupancy for a restaurant or other eating or drinking establishment;

841 “(IV) The licensee has been legally authorized by the
842 owner of the building or the property utilized as the additional location to utilize the space for
843 carryout and delivery, or indoor dining;

844 “(V)The licensee agrees to follow all applicable District
845 laws, regulations, guidance documents, administrative orders, including Mayor’s Orders, and
846 permit requirements or conditions, which may contain requirements that supersede provisions
847 contained in this section; and

848 “(VI) The additional location from which the licensee
849 intends to offer alcoholic beverages for carryout or delivery or on-premises consumption for
850 indoor dining is located in a commercial or mixed-use zone as defined in the zoning regulations
851 for the District.

852 “(iii) An on-premises retailer’s license, class C/R, D/R, C/T, D/T,
853 C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, may sell,

854 serve, and allow the consumption of beer, wine, or spirits indoors on the premises of the
855 additional location pursuant to sub-subparagraph (i) of this paragraph; provided, that the licensee
856 shall:

857 “(I) Limit its indoor capacity to no more than 50% of the
858 lowest indoor occupancy load or seating capacity on its certificate of occupancy, excluding
859 employees and any separately registered outdoor seating;

860 “(II) Place indoor tables so that patrons are at least 6 feet.
861 apart from one another;

862 “(III) Ensure for non-movable communal tables that
863 parties are seated at least 6 feet apart from one another and that the communal table is marked
864 with 6 foot divisions, such as with tape or signage;

865 “(IV) Ensure that all indoor dining customers are seated
866 and place orders and are served food or alcoholic beverages at tables;

867 “(V) Prohibit events and activities that would require
868 patrons to be standing, cluster, or be in close contact with one another, including dancing,
869 playing darts, video games, including games of skill, bowling, ping pong, pool, throwing axes, or
870 indoor playgrounds;

871 “(VI) Prohibit patrons from bringing their own alcoholic
872 beverages;

873 “(VII) Prohibit self-service buffets;

874 “(VIII) Have a menu in use containing a minimum of 3
875 prepared food items available for purchase by patrons;

876 “(IX) Require the purchase of one or more prepared food
877 items per table;

878 “(X) Ensure that prepared food items offered for sale or
879 served to patrons are prepared on the licensed premises or off-premises at another licensed entity
880 that has been approved to sell and serve food by the District of Columbia Department of Health
881 (“DC Health”);

882 “(XI) Restrict its operations, excluding carry-out and
883 delivery, and the sale, service, or the consumption of alcoholic beverages indoors for on-
884 premises consumption to the hours between 8:00 a.m. and midnight, Sunday through Saturday;

885 “(XII) Not have more than 6 individuals seated at a table or
886 a joined table;

887 “(XIII) Require patrons to wait outside at least 6 feet apart
888 until they are ready to be seated or make an on-site reservation;

889 “(XIV) Not provide live music or entertainment on the
890 registered indoor space without a waiver from the District of Columbia Homeland Security and
891 Emergency Management Agency. Background or recorded music played at a conversational
892 level that is not heard in the homes of District residents shall be permitted;

893 “(XV) Not serve alcoholic beverages or food to standing
894 patrons;

895 “(XVI) Prohibit standing at indoor bars and only permit
896 seating at indoor bars that are not being staffed or utilized by a bartender;

897 “(XVII) Require a minimum of 6 feet between parties
898 seated at indoor bars, rail seats, or communal tables;

922 licensee shall not offer beer, wine, or spirits for carryout or delivery for off-premises
923 consumption or on-premises alcohol sales and consumption for indoor dining from the additional
924 location for more than 90 calendar days unless a completed application to do so has been filed
925 with the Board with notice provided to the public in accordance with § 25-421.

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

929 “(viii) The Board may fine, suspend, cancel, or revoke an on-
930 premises retailer’s license, and shall revoke its registration to offer beer, wine, or spirits for
931 carryout or delivery or on-premises alcohol sales and consumption of the indoor location at the
932 additional location if the licensee fails to comply with sub-subparagraphs (i) through (vi) of this
933 subparagraph.

934 “(ix) Notwithstanding sub-subparagraph (iii) of this subparagraph,
935 if an on-premises retailer’s license, class C or D, has a settlement agreement governing its
936 operations, the Board shall interpret the settlement agreement language that restricts the indoor
937 sale, service, and consumption of beer, wine, or spirits on-premises as applying only to indoor
938 sales, service, or consumption of beer, wine, or spirits at the licensed premises and not the
939 additional location on a temporary basis because prior to the Coronavirus pandemic this new
940 registration process was not available to eligible licensees.”.

941 “(B) A new paragraph (6) is added to read as follows:

942 “(6)(A) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H,
943 D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, or a
944 manufacturer’s licensee, class A or B, with an on-site sales and consumption permit, or a

945 Convention Center food and alcohol business may register with the Board at no cost to sell,
946 serve, and permit the consumption of beer, wine, or spirits on new or expanded temporary
947 ground floor or street level outdoor public or private space not listed on its existing license.

948 Board approval shall not be required to register; provided, that the licensee:

949 “(i) Registers with the Board and receives written authorization
950 from ABRA prior to selling, serving, or permitting the consumption of beer, wine, or spirits on
951 the proposed outdoor public or private space;

952 “(ii) Registers with DDOT prior to operating on any proposed
953 outdoor public space or receives written approval from the property owner prior to utilizing any
954 proposed outdoor private space; and

955 “(iii) Agrees to follow all applicable District laws, regulations,
956 guidance documents, administrative orders, including Mayor’s Orders, and permit requirements
957 or conditions, which may contain requirements that supersede provisions contained in this
958 section.

959 “(B) An on-premises retailer’s license, class C or D, or a manufacturer’s
960 license, class A or B, with an on-site sales and consumption permit, or a Convention Center food
961 and alcohol business that has registered with the Board to sell, serve, and permit the consumption
962 of beer, wine, and spirits to seated patrons on outdoor public or private space not listed on its
963 existing license in accordance with subparagraph (A) of this paragraph shall:

964 “(i) Place tables on outdoor public or private space so that patrons
965 are at least 6 feet apart from one another;

966 “(ii) Ensure that all outdoor dining customers are seated and place
967 orders and are served food or alcoholic beverages at tables;

968 “(iii) Prohibit events and activities that would require patrons to
969 cluster or be in close contact with one another, including dancing, playing darts, video games, or
970 other outdoor games;

971 “(iv) Prohibit patrons from bringing their own alcoholic beverages;

972 “(v) Prohibit self-service buffets;

973 “(vi) Have a menu in use containing a minimum of 3 prepared food
974 items available for purchase by patrons;

975 “(vii) Require the purchase of one or more prepared food items per
976 table;

977 “(viii) Ensure that prepared food items offered for sale or served to
978 patrons are prepared on the licensed premises or off-premises at another licensed entity that has
979 been approved to sell and serve food by the DC Health;

980 “(ix) Ensure that the proposed outdoor public or private space is
981 located in a commercial or mixed-use zone as defined in the District’s zoning regulations;

982 “(x) Restrict its operations, excluding carry-out and delivery, and
983 the sale, service, or the consumption of alcoholic beverages outdoors for on-premises
984 consumption to the hours between 8:00 a.m. and midnight, Sunday through Saturday;

985 “(xi) Not have more than 6 individuals seated at a table;

986 “(xii) Require patrons to wait outside at least 6 ft. apart until they
987 are ready to be seated or make an on-site reservation;

988 “(xiii) Not provide live music or entertainment, except for
989 background or recorded music played at a conversational level that is not heard in the homes of
990 District residents;

991 “(xiv) Not serve alcoholic beverages or food to standing patrons;
992 “(xv) Prohibit standing at outdoor bars and only permit seating at
993 outdoor bars that are not being staffed or utilized by a bartender;
994 “(xvi) Abide by the terms of their public space permit with regard
995 to the allowable placement of alcohol advertising, if any, in outdoor public space;
996 “(xvii) Provide and require that wait staff wear masks;
997 “(xviii) Require that patrons wear masks or face coverings while
998 waiting in line outside of the restaurant or while traveling to use the restroom or until they are
999 seated and eating or drinking;
1000 “(xix) Implement a reservation system by phone, on-line, or on-site
1001 and consider keeping customer logs to facilitate contact tracing by DC Health;
1002 “(xx) Implement sanitization and disinfection protocols including
1003 the provision of single use condiment packages; and
1004 “(xxi) Have its own clearly delineated outdoor space and not share
1005 tables and chairs with another business.
1006 “(C) Registration under subparagraph (A) of this paragraph shall be valid
1007 until October 25, 2020.
1008 “(D) The Board may fine, suspend, or revoke an on-premises retailer’s
1009 licensee, class C or D, or a manufacturer’s licensee, class A or B, with an on-site sales and
1010 consumption permit, and shall revoke the registration to sell, serve, or permit the consumption of
1011 beer, wine, or spirits on outdoor public or private space not listed on the license, if the licensee
1012 fails to comply with subparagraph (A) or (B) of this paragraph.

1013 “(E)(i) Notwithstanding subparagraph (B) of this paragraph, the Board
1014 shall interpret settlement agreement language that restricts sidewalk cafés or summer gardens as
1015 applying only to those outdoor spaces that are currently licensed by the Board as sidewalk cafés
1016 or summer gardens.

1017 “(ii) The Board shall not interpret settlement agreement language
1018 that restricts or prohibits sidewalk cafés or summer gardens to apply to new or extended outdoor
1019 space, the use of which is now permitted under this paragraph.

1020 “(iii) The Board shall not interpret settlement agreement language
1021 that restricts or prohibits the operation of permanent outdoor space to mean prohibiting the
1022 temporary operation of sidewalk cafés or summer gardens.

1023 “(iv) The Board shall require all on-premises retailer licenses, class
1024 C or D, or manufacturer licenses, class A or B, with an on-site sales and consumption permit, to
1025 delineate or mark currently licensed outdoor space from new or extended outdoor space
1026 authorized by the DDOT or the property owner.

1027 “(v) With regard to existing outdoor public or private space, parties
1028 to a settlement agreement shall be permitted to waive provisions of settlement agreements that
1029 address currently licensed outdoor space for a period not to exceed 180 days.

1030 “(E) For purposes of this paragraph, ground floor or street level sidewalk
1031 cafés or summer gardens enclosed by awnings or tents having no more than one side shall be
1032 considered outdoor space. Areas enclosed by retractable glass walls and other forms of operable
1033 walls shall not be considered outdoor dining. Temporary unlicensed rooftops and summer
1034 gardens not located on the ground floor or street level are not eligible for registration under
1035 subparagraph (A) of this paragraph.

1036 “(F) A manufacturer’s licensee, class A or B, with an on-site sales and
1037 consumption permit or a retailer’s licensee class C/T, D/T, C/N, D/N, C/X, or D/X, may partner
1038 with a food vendor during its operating hours to satisfy the requirement of subparagraph (B)(vi)
1039 of this paragraph; provided, that patrons are seated when ordering and ordered food is delivered
1040 by the licensee or the food vendor to the seated patron.”.

1041 “(3) Section 25-113a is amended by adding a new subsection (c-1) to read as
1042 follows:

1043 “(c-1) Notwithstanding subsection (c) of this section, an on-premises retailer’s licensee,
1044 class C or D, or manufacturer’s licensee, class A or B, with an on-site sales and consumption
1045 permit may conduct business on ground floor or street level outdoor public or private space,
1046 including the sale, service, and consumption alcoholic beverages; provided, that the licensee
1047 complies with § 25-113(a)(6).” (b) Chapter 4 is amended as follows:

1048 (1) Section 25-401(c) is amended by striking the phrase “shall sign a notarized
1049 statement certifying” and inserting the phrase “shall sign a statement with an original signature,
1050 which may be a signature by wet ink, an electronic signature, or a signed copy thereof,
1051 certifying” in its place.

1052 (2) Section 25-403(a) is amended by striking the phrase “verify, by affidavit,” and
1053 inserting the word “self-certify” in its place.

1054 (3) Section 25-421(e) is amended by striking the phrase “by first-class mail,
1055 postmarked not more than 7 days after the date of submission” and inserting the phrase “by
1056 electronic mail on or before the first day of the 66-day public comment period” in its place.

1057 (4) Section 25-423 is amended as follows:

1058 (A) Subsection (e) is amended as follows:

1059 (i) Strike the phrase “45-day protest period” and insert the phrase
1060 “66-day protest period” in its place.

1061 (ii) Strike the phrase “45 days” and insert the phrase “66 days” in
1062 its place.

1063 (B) Subsection (h) is amended by striking the phrase “45-day public
1064 comment period” and inserting the phrase “66-day public comment period” in its place.

1065 (5) Section 25-431 is amended as follows:

1066 (A) Subsection (f) is amended by striking the phrase “45-day protest period”
1067 and inserting the phrase “66-day protest period” in its place.

1068 (B) Subsection (g) is amended by striking the phrase “45 days” and inserting
1069 the phrase “66 days” in its place.

1070 (c) Section 25-791(a)(1) is amended by striking the phrase “21 or more calendar days,”
1071 and inserting the phrase “21 or more calendar days, excluding each day during a period of time
1072 for which the Mayor has declared a public health emergency pursuant to § 7-2304.01,” in its
1073 place.

1074 Sec. 205. Third-party food delivery commissions.

1075 (a) During a period of time for which the Mayor has declared a public health emergency
1076 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1077 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) (“public health
1078 emergency”), a person, corporation, partnership, or association operating a third-party food
1079 platform within the District shall register with the Department of Consumer and Regulatory
1080 Affairs.

1081 (b) Notwithstanding any provision of District law, during a public health emergency, it
1082 shall be unlawful for a person to cause a third-party food delivery platform to charge a restaurant
1083 a commission fee for the use of the platform’s services for delivery or pick-up that totals more
1084 than 15% of the purchase price per online order.

1085 (c) It shall be unlawful for a person to cause a third-party food delivery platform to
1086 reduce the compensation rate paid to a delivery service driver or garnish gratuities in order to
1087 comply with subsection (b) of this section.

1088 (d) During a public health emergency, at the time a final price is disclosed to a customer
1089 for the intended purchase and delivery of food from a restaurant through a third-party food
1090 delivery platform and before that transaction is completed by the customer, the third-party food
1091 delivery platform shall disclose to the customer, in plain language and in a conspicuous manner,
1092 any commission, fee, or any other monetary payment charged to the customer by the third-party
1093 food delivery platform.

1094 (e)(1) A person who violates this section shall be subject to a fine of not less than \$250
1095 and not more than \$1,000 for each such violation.

1096 (2) A violation of this section shall be a civil infraction for purposes of the
1097 Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October
1098 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

1099 (f) For purposes of this section, the term:

1100 (1) “Online order” means an order placed by a customer through a platform
1101 provided by the third-party food delivery service for delivery or pickup within the District.

1102 (2) “Purchase price” means the menu price of an online order, excluding taxes,
1103 gratuities, or any other fees that may make up the total cost to the customer of an online order.

1104 (3) “Restaurant” shall have the same meaning as provided in D.C. Official Code §
1105 25-101(43).

1106 (4) “Third-party food delivery platform” means any website, mobile application,
1107 or other internet service that offers or arranges for the sale of food and beverages prepared by,
1108 and the same-day delivery or same-day pickup of food and beverages from, restaurants.

1109 (g) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure
1110 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue
1111 rules to implement the provisions of this section.

1112 (h) Nothing in this section limits or otherwise impacts the requirement of a third-party
1113 food delivery platform to collect and remit sales tax imposed under Chapter 20 of Title 47 of the
1114 District of Columbia Official Code.

1115 Sec. 206. Corporate filing extension.

1116 Section 29-102.12 of the District of Columbia Official Code is amended by adding a new
1117 subsection (e) to read as follows:

1118 “(e) There shall be no late fee for delivering the biennial report for 2020 required by
1119 § 29-102.11(c); provided, that the biennial report for 2020 be delivered to the Mayor for filing by
1120 June 1, 2020.”.

1121 Sec. 207. Taxes and trade name renewals.

1122 Title 47 of the District of Columbia Official Code is amended as follows:

1123 (a) Section 47-811(b) is amended by striking the phrase “tax year beginning July 1, 1989,
1124 and ending June 30, 1990, the amount of the first and second installments shall reflect and be
1125 consistent with the tax rates applicable to that tax year, as provided in § 47-812(b) and (c)” and
1126 inserting the phrase “tax year 2020 first installment owing for a real property that is

1127 commercially improved and occupied and is a hotel or motel, the Chief Financial Officer may
1128 waive any penalties and abate interest if the owner pays such installment by June 30, 2020;
1129 provided, that the Chief Financial Officer, through the Office of Tax and Revenue, shall issue
1130 administrative guidance on the definition of a hotel or motel” in its place.

1131 (b) Section 47-1803.02(a)(2) is amended by adding new subparagraphs (GG), (HH), and
1132 (II) to read as follows:

1133 “(GG) Small business loans awarded and subsequently forgiven under
1134 section 1106 of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27,
1135 2020 (Pub. L. No. 116-136; 134 Stat. 281).

1136 “(HH) Public health emergency small business grants awarded pursuant to
1137 section 2316 of the Small and Certified Business Enterprise Development and Assistance Act of
1138 2005, passed on 2nd reading on June 9, 2020 (Enrolled version of Bill 23-758).

1139 “(II) Public health emergency grants authorized pursuant to section 16(m)(1)
1140 of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law
1141 1-58; D.C. Official Code § 1-309.13(m)(1)).”.

1142 (c) Section 47-1803.03(a)(14) is amended by adding a new subparagraph (H) to read as
1143 follows:

1144 “(H) For tax years beginning after December 31, 2017, corporations,
1145 unincorporated businesses, or financial institutions shall be allowed an 80% deduction for
1146 apportioned District of Columbia net operating loss carryover to be deducted from the net
1147 income after apportionment.”.

1148 (d) Section 47-4221 is amended by adding a new subsection (d) to read as follows:

1149 “(d)(1) Except as provided in paragraph (2) of this subsection and notwithstanding any
1150 other provision of this title, the Chief Financial Officer may waive any penalty and abate interest
1151 that may be imposed for failure to timely pay any taxes due pursuant to Chapters 20 and 22 of
1152 this title for periods ending on February 29, 2020, or March 31, 2020; provided, that all taxes for
1153 such periods are paid in full on or before July 20, 2020.

1154 “(2) This subsection shall not apply to hotels or motels permitted to defer real
1155 property tax under § 47-811(b).”.

1156 (e) Section 47-2855.04 is amended by adding a new subsection (c) to read as follows:

1157 “(c) There shall be no late fee for trade name renewal applications required by rules
1158 promulgated under subsection (a) of this section to be filed by April 1, 2020; provided, that the
1159 trade name renewal application be filed by June 1, 2020.”.

1160 Sec. 208. 8th and O disposition extension.

1161 Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia
1162 no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official
1163 Code § 10-801), is amended as follows:

1164 (a) Subsection (b-3) is amended by adding a new paragraph (8) to read as follows:

1165 “(8)(A) Notwithstanding paragraph (2) of this subsection, for the disposition of
1166 the District-owned real property located at 1336 8th Street, N.W., 50% of the affordable units
1167 shall be for housing for which a low-income household will pay no more than 30% of its income
1168 toward housing costs, and 50% of the units shall be housing for which a moderate-income
1169 household will pay no more than 30% of its income toward housing costs, whether or not the
1170 units to be constructed are rental units or ownership units.

1171 “(B) The Land Disposition and Development Agreement in the form
1172 approved by Council pursuant to the 8th & O Streets, N.W., Disposition Approval Resolution of
1173 2016, effective February 2, 2016 (Res. 21-374; 63 DCR 1498), remains in full force and effect,
1174 including, without limitation, the Affordable Housing Covenant attached as an exhibit thereto,
1175 which shall be recorded against the property at closing.

1176 (b) Subsection (d-7) is amended by striking the date “February 2, 2020” and inserting the
1177 date “September 15, 2020” in its place.

1178 **TITLE III. CONSUMER PROTECTION AND REGULATION**

1179 Sec. 301. Opportunity accounts expanded use.

1180 The Opportunity Accounts Act of 2000, effective April 3, 2001 (D.C. Law 13-266; D.C.
1181 Official Code § 1-307.61 *et seq.*), is amended as follows:

1182 (a) Section 2 (D.C. Official Code § 1-307.61) is amended by adding a new paragraph
1183 (2A) to read as follows:

1184 “(2A) “Commissioner” means the Commissioner of the Department of Insurance,
1185 Securities, and Banking.”.

1186 (b) Section 8 (D.C. Official Code § 1-307.67) is amended as follows:

1187 (1) Subsection (a) is amended by striking the figure “\$2” and inserting the figure
1188 “\$1” in its place.

1189 (2) Subsection (b) is amended as follows:

1190 (A) The lead-in language is amended by striking the figure “\$2” and
1191 inserting the figure “\$3” in its place.

1192 (B) Paragraph (1) is amended as follows:

1193 (i) Strike the phrase “in at least the same amount” and insert the
1194 phrase “consistent with subsection (a) of this section” in its place.

1195 (ii) Strike the phrase “; and” and insert a semicolon in its place.

1196 (C) Paragraph (2) is amended as follows:

1197 (i) Strike the phrase “than \$3,000” and insert the phrase “than
1198 \$6,000” in its place;

1199 (ii) Strike the period and insert the phrase “; and” in its place.

1200 (D) A new paragraph (3) is added to read as follows:

1201 “(3) The Commissioner may waive the requirement of subsection (a) of this
1202 section and provide to an administering organization matching funds of up to \$4 for every dollar
1203 the account holder deposits into the opportunity account when adequate federal or private
1204 matching funds are not available.”.

1205 (c) Section 9(a) (D.C. Official Code § 1-307.68(a)) is amended as follows:

1206 (1) Paragraph (6) is repealed.

1207 (2) Paragraph (8) is amended by striking the period at the end and inserting the
1208 phrase “; and” in its place.

1209 (3) A new paragraph (9) is added to read as follows:

1210 “(9) To pay for any cost, expense, or item authorized by the Commissioner by
1211 rule issued pursuant to section 14, or by order during a declared public health emergency.”.

1212 (d) Section 10 (D.C. Official Code § 1-307.69) is amended as follows:

1213 (1) Subsection (b) is amended as follows:

1214 (A) Paragraph (2) is amended by striking the phrase “; or” and inserting a
1215 semicolon in its place.

1216 (B) Paragraph (3) is amended by striking the period at the end and
1217 inserting the phrase “; and” in its place.

1218 (C) A new paragraph (4) is added to read as follows:

1219 “(4) Making payments necessary to enable the account holder to meet necessary
1220 living expenses in the event of a sudden, unexpected loss of income.”.

1221 (2) Subsection (c) is amended by striking the phrase “An account holder” and
1222 inserting the phrase “Except during a period of time for which the Mayor has declared a public
1223 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
1224 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an
1225 account holder” in its place.

1226 (3) New subsections (c-1), (c-2), and (c-3) are added to read as follows:

1227 “(c-1) If an account holder makes an emergency withdrawal for the purposes set forth at
1228 subsection (b)(2) or (3) of this section, the account holder shall withdraw only funds deposited
1229 by the account holder and shall not withdraw matching funds.

1230 “(c-2) If an account holder makes an emergency withdrawal for the purposes set forth at
1231 subsection (b)(1) of this section, the account holder shall withdraw only funds deposited by the
1232 account holder and shall not withdraw matching funds, unless the withdrawal is for a medical
1233 emergency.

1234 “(c-3) If an account holder makes an emergency withdrawal for the purposes set forth at
1235 subsection (b)(4) of this section, the account holder may withdraw funds deposited by the
1236 account holder and matching funds.”.

1237 (4) The lead-in language of subsection (e) is amended to read as follows:

1238 “An account holder shall not be required to repay funds withdrawn from the opportunity
1239 account for an emergency withdrawal but shall be required to resume making deposits into the
1240 opportunity account no later than 90 days after the emergency withdrawal. If the account holder
1241 fails to make a deposit no later than 90 days after the emergency withdrawal:”.

1242 Sec. 302. Funeral services consumer protection.

1243 (a) The District of Columbia Funeral Services Regulatory Act of 1984, effective May 22,
1244 1984 (D.C. Law 5-84; D.C. Official Code § 3-401 *et seq.*), is amended by adding a new section
1245 4a to read as follows:

1246 “Sec. 4a. Funeral Bill of Rights.

1247 For a period of time for which the Mayor has declared a public health emergency
1248 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1249 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), there shall be established
1250 a Funeral Bill of Rights designed to inform consumers of required pricing disclosures and other
1251 available consumer rights. The Department of Consumer and Regulatory Affairs, in consultation
1252 with the Board of Funeral Directors and the Attorney General for the District of Columbia
1253 (“Attorney General”), shall write the Funeral Bill of Rights, which shall be published in the
1254 District of Columbia Register no later than May 8, 2020. If the foregoing does not occur on or
1255 before May 1, 2020, the Attorney General may write the Funeral Bill of Rights and shall have it
1256 published in the District of Columbia Register no later than May 15, 2020.”.

1257 (b) Section 28-3904 of the District of Columbia Official Code is amended as follows:

1258 (1) Subsection (jj) is amended by striking the phrase “; or” and inserting a
1259 semicolon in its place.

1260 (2) Subsection (kk) is amended by striking the period at the end and inserting the
1261 phrase “; or” in its place.

1262 (3) New subsections (ll) and (mm) are added to read as follows:

1263 “(ll) violate any provision of 17 DCMR § 3013; or”

1264 “(mm) violate any provision of 17 DCMR § 3117.”.

1265 (c) Title 17 of the District of Columbia Municipal Regulations (17 DCMR § 100 *et seq.*)
1266 is amended as follows:

1267 (1) Section 3013.2(l) (17 DCMR § 3013.2(l)) is amended as follows:

1268 (A) The lead-in language of subparagraph (8) is amended by striking the
1269 phrase “customer, or failing to passing” and inserting the phrase “customer, failing to provide to
1270 the customer any receipts for amounts advanced, paid, or owed to third parties on behalf of the
1271 customer, or failing to pass” in its place.

1272 (B) Subparagraph (24) is amended by striking the phrase “; or” and
1273 inserting a semicolon in its place.

1274 (C) Subparagraph (25) is amended by striking the period at the end and
1275 inserting a semicolon in its place.

1276 (D) New subparagraphs (26), (27), (28), and (29) are added to read as
1277 follows:

1278 “(26) Failing to clearly and conspicuously post a General Price List, a Casket
1279 Price List, or an Outer Burial Container Price List that meets the requirements of the Funeral
1280 Industry Practices Rules of the Federal Trade Commission (16 C.F.R. § 453 *et seq.*) on any
1281 website maintained by the applicant or licensee;

1282 “(27) Failing to provide to any customer a General Price List, a Casket Price List,
1283 or an Outer Burial Container Price List that meets the requirements of the Funeral Industry
1284 Practices Rules of the Federal Trade Commission (16 C.F.R. § 453 *et seq*);

1285 “(28) Failing to clearly and conspicuously post the Funeral Bill of Rights, as
1286 specified in section 4a of the District of Columbia Funeral Services Regulatory Act of 1984,
1287 passed on 2nd reading on June 9, 2020 (Enrolled version of Bill 23-758), on any website
1288 maintained by the applicant or licensee; or

1289 “(29) Failing to provide to any customer the Funeral Bill of Rights, as specified in
1290 section 4a of the District of Columbia Funeral Services Regulatory Act of 1984, passed on 2nd
1291 reading on June 9, 2020 (Enrolled version of Bill 23-758), during an initial meeting to discuss or
1292 make arrangements for the purchase of funeral goods or services.”.

1293 (2) Section 3110 (17 DCMR § 3110) is amended by adding a new subsection
1294 3110.9 to read as follows:

1295 “3110.9 A funeral services establishment shall keep and retain records documenting any
1296 required disclosures to consumers, including disclosure of its General Price List, Casket Price
1297 List, and Outer Burial Container Price List, and the Funeral Bill of Rights signed by the
1298 consumer, as specified in section 4a of the District of Columbia Funeral Services Regulatory Act
1299 of 1984, passed on 2nd reading on June 9, 2020 (Enrolled version of Bill 23-758), after the
1300 completion or termination of a funeral contract.”.

1301 Sec. 303. Debt collection.

1302 Section 28-3814 of the District of Columbia Official Code is amended as follows:

1303 (a) Subsection (b) is amended as follows:

1304 (1) New paragraphs (1A) and (1B) are added to read as follows:

1305 “(1A) “collection lawsuit” means any legal proceeding, including
1306 civil actions, statements of small claims, and supplementary process actions, commenced in any
1307 court for the purpose of collecting any debt or other past due balance owed or alleged to be
1308 owed.

1309 “(1B) “debt” means money or its equivalent which is, or is alleged to be, more
1310 than 30 days past due and owing, unless a different period is agreed to by the debtor, under a
1311 single account as a result of a purchase, lease, or loan of goods, services, or real or personal
1312 property for personal, family, or household purposes or as a result of a loan of money that was
1313 obtained for personal, family, or household purposes whether or not the obligation has been
1314 reduced to judgment.”.

1315 (2) A new paragraph (4) is added to read as follows:

1316 “(4) “public health emergency” means a period of time for which the Mayor has
1317 declared a public health emergency pursuant to § 7-2304.01, or a state of emergency pursuant to
1318 § 28-4102.”.

1319 (b) New subsections (l), (m), and (n) are added to read as follows:

1320 “(l)(1) Notwithstanding subsection (a) of this section, subsections (l) and (m) of this
1321 section shall apply to any debt, including loans directly secured on motor vehicles or direct
1322 motor vehicle installment loans covered by Chapter 36 of Title 28.

1323 “(2) During a public health emergency and for 60 days after its conclusion, no
1324 creditor or debt collector shall, with respect to any debt:

1325 “(A) Initiate, file, or threaten to file any new collection lawsuit;

1326 “(B) Initiate, threaten to initiate, or act upon any statutory remedy for the
1327 garnishment, seizure, attachment, or withholding of wages, earnings, property, or funds for the
1328 payment of a debt to a creditor;

1329 “(C) Initiate, threaten to initiate, or act upon any statutory remedy for the
1330 repossession of any vehicle; except, that creditors or debt collectors may accept collateral that is
1331 voluntarily surrendered;

1332 “(D) Visit or threaten to visit the household of a debtor at any time for the
1333 purpose of collecting a debt;

1334 “(E) Visit or threaten to visit the place of employment of a debtor at any
1335 time; or

1336 “(F) Confront or communicate in person with a debtor regarding the
1337 collection of a debt in any public place at any time, unless initiated by the debtor.

1338 “(3) This subsection shall not apply to collecting or attempting to collect a debt
1339 that is, or is alleged to be, owed on a loan secured by a mortgage on real property or owed for
1340 common expenses pursuant to § 42-1903.12.

1341 “(4) Any statute of limitations on any collection lawsuit is tolled during the
1342 duration of the public health emergency and for 60 days thereafter.

1343 “(m)(1) During a public health emergency and for 60 days after its conclusion, no debt
1344 collector shall initiate any communication with a debtor via any written or electronic
1345 communication, including email, text message, or telephone. A debt collector shall not be
1346 deemed to have initiated a communication with a debtor if the communication by the debt
1347 collector is in response to a request made by the debtor for the communication or is the mailing

1348 of monthly statements related to an existing payment plan or payment receipts related to an
1349 existing payment plan.

1350 “(2) This subsection shall not apply to:

1351 “(A) Communications initiated solely for the purpose of informing a
1352 debtor of a rescheduled court appearance date or discussing a mutually convenient date for a
1353 rescheduled court appearance;

1354 “(B) Original creditors collecting or attempting to collect their own debt;

1355 “(C) Collecting or attempting to collect a debt which is, or is alleged to be,
1356 owed on a loan secured by a mortgage on real property or owed for common expenses pursuant
1357 to § 42-1903.12; or

1358 “(D) Receiving and depositing payments the debtor chooses to make
1359 during a public health emergency.

1360 “(n) Subsections (l) and (m) of this section shall not be construed to:

1361 “(1) Exempt any person from complying with existing laws or rules of
1362 professional conduct with respect to debt collection practices;

1363 “(2) Supersede or in any way limit the rights and protections available to
1364 consumers under applicable local, state, or federal foreclosure laws; or

1365 “(3) Supersede any obligation under the District of Columbia Rules of
1366 Professional Conduct, to the extent of any inconsistency.”.

1367 Sec. 304. Emergency credit alerts.

1368 Title 28 of the District of Columbia Official Code is amended as follows:

1369 (a) The table of contents for Chapter 38 is amended by adding a new subchapter
1370 designation to read as follows:

1371 “Subchapter IV. COVID-19 Emergency Credit Alert.

1372 “28-3871. COVID-19 Emergency credit alert.

1373 (b) A new section 28-3871 is added to read as follows:

1374 “§ 28-3871. COVID-19 Emergency credit alert.

1375 “(a) If a consumer reports in good faith that he or she has experienced financial hardship

1376 resulting directly or indirectly from the public health emergency declared pursuant to § 7-

1377 2304.01, a credit reporting agency maintaining a file on the consumer shall accept and include in

1378 that file a personal statement, if furnished by the consumer, indicating that the consumer has

1379 been financially impacted by the COVID-19 emergency and shall provide that personal

1380 statement along with or accompanying any credit report provided by the agency, beginning on

1381 the date of such request, unless the consumer requests that the personal statement be removed.

1382 “(b) This section shall not apply to a federal credit union, as defined 12 U.S.C. § 1752(1)

1383 a national bank, as defined by 12 U.S.C. § 25b(a)(1), or a federal savings association, as defined

1384 by 12 U.S.C. § 1462(3); except, that an exception granted by this subsection shall not apply to

1385 any entity to which the savings clause at 12 U.S.C. § 25b(b)(2) applies.

1386 “(c) No user of a credit report shall consider adverse information in a report that was the

1387 result of an action or inaction by a consumer that occurred during, and was directly or indirectly

1388 the result of, a public health emergency declared pursuant to § 7-2304.01 if the credit report

1389 includes a personal statement pursuant to subsection (a) of this section.”

1390 “(d) When a District resident requests a copy of a credit report pursuant to 15 U.S.C. §

1391 1681j, the entity providing the credit report must notify the resident of his or her right to request

1392 a personal statement to accompany the credit report.

1393 “(e) If a credit reporting agency violates this section, the affected consumer may bring a
1394 civil action consistent with 15 U.S.C. § 1681n.

1395 “(f)(1) The Attorney General may petition the Superior Court of the District of Columbia
1396 for temporary or permanent injunctive relief for, and for an award of damages for property loss
1397 or harm suffered by a consumer as a consequence of, a violation of this section, or fraudulent or
1398 deceptive conduct in violation of this section that harms a District resident.

1399 “(2) In an action under this section, the Attorney General may recover:

1400 “(A) A civil penalty not to exceed \$1,000 for each violation; and

1401 “(B) Reasonable attorney’s fees and costs of the action.

1402 “(g) The following terms shall have the same meaning as defined in § 28-3861:

1403 “(1) “Consumer;”

1404 “(2) “Credit report;” and

1405 “(3) “Credit reporting agency.

1406 “(h) This section shall not be construed in a manner inconsistent with the Fair Credit
1407 Reporting Act, (15 U.S.C. § 1681 *et seq.*), or any other federal law or regulation.

1408 “(i) This section shall not be enforced until July 1, 2020.”.

1409 Sec. 305. Enhanced penalties for unlawful trade practices.

1410 Section 28-3903(a)(17) of the District of Columbia Official Code is amended by striking
1411 the phrase “by the Department.” and inserting the phrase “by the Department; except, that
1412 notwithstanding any other provision of District law or regulation, during a period of time for
1413 which the Mayor has declared a public health emergency pursuant to § 7-2304.01, a violation of
1414 this chapter or of any rule issued under the authority of this chapter shall be a Class 1 infraction
1415 within the meaning of 16 DCMR § 3200.1(a).”.

1416 Sec. 306. Price gouging and stockpiling.

1417 Title 28 of the District of Columbia Official Code is amended as follows:

1418 (a) The table of contents is amended by adding a new section designation to read as

1419 follows:

1420 “28-4102.01. Stockpiling.”

1421 (b) Section 28-4102(a) is amended to read as follows:

1422 “(a) It shall be unlawful for any person to charge more than the normal average retail

1423 price for any merchandise or service sold during a public health emergency declared pursuant to

1424 § 7-2304.01, or during an emergency resulting from a natural disaster declared pursuant to

1425 subsection (b) of this section.”

1426 (c) A new section 28-4102.01 is added to read as follows:

1427 “§ 28-4102.01. Stockpiling.

1428 “It shall be unlawful for any person to purchase, in quantities greater than those specified

1429 by the Mayor, the Department of Health (“DOH”), the Homeland Security and Emergency

1430 Management Agency (“HSEMA”), or the federal government goods that the Mayor, DOH,

1431 HSEMA, or the federal government have declared:

1432 “(1) Necessary for first responders or others following a natural disaster or a

1433 declaration of a public health emergency pursuant to § 7-2304.01 (“public health emergency”);

1434 “(2) Necessary to maintain supply chains of commerce during a natural disaster or

1435 a public health emergency; or

1436 “(3) Subject to rationing.”

1437 (d) Section 28-4103 is amended as follows:

1438 (1) Strike the phrase “§ 28-4102(a)” wherever it appears and insert the phrase “§
1439 28-4102(a) or § 28-4102.01” in its place.

1440 (2) A new subsection (c) is added to read as follows:

1441 “(c) When the Office of the Attorney General brings a civil action for any violation of §
1442 28-4102(a) or § 28-4102.01 under the authority granted in § 28-3909, the maximum penalty
1443 authorized by § 28-3909 shall be assessed for each such violation.”.

1444 Sec. 307. Utility shutoff.

1445 (a) Section 113a(c) of the District Department of the Environment Establishment Act of
1446 2005, effective September 11, 2019 (D.C. Law 23-16, D.C. Official Code § 8-151.13a(c)), is
1447 amended as follows:

1448 (1) The existing text is designated paragraph (1).

1449 (2) A new paragraph (2) is added to read as follows:

1450 “(2) Notwithstanding paragraph (1) of this subsection, during a period of time for
1451 which the Mayor has declared a public health emergency (“PHE”) pursuant to section 5a of the
1452 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1453 194; D.C. Official Code § 7-2304.01), and for 105 calendar days thereafter, money in the Fund
1454 may be used to assist low-income residential customers located in the District of Columbia with
1455 the payment of an outstanding water bill balance; except, that not less than \$1.26 million of
1456 funding allocated in the fiscal year in which the PHE occurs shall be reserved to assist nonprofit
1457 organizations located in the District with the payment of impervious area charges, pursuant to
1458 section 216b(a) of the Water and Sewer Authority Establishment and Department of Public
1459 Works Reorganization Act of 1996, effective October 30, 2018 (D.C. Law 22-168; D.C. Official
1460 Code § 34-2202.16b(a)), and not less than \$360,000 of funding allocated in the fiscal year in

1461 which the PHE occurs shall be reserved to assist residential customers with the payment of
1462 impervious area charges, pursuant to section 216b(b).”.

1463 (b)(1) A cable operator, as that term is defined by section 103(6) of the Cable Television
1464 Communications Act of 1981, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code
1465 § 34-1251.03(6)), shall not disconnect, suspend, or degrade basic cable service or other basic
1466 cable operator services for non-payment of a bill, any fees for service or equipment, or any other
1467 charges, or for noncompliance with a deferred payment agreement during a period of time for
1468 which the Mayor has declared a public health emergency pursuant to section 5a of the District of
1469 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
1470 Official Code § 7-2304.01), or for 15 calendar days thereafter.

1471 “(2) For purposes of this subsection, the term “other basic cable operator
1472 services” includes only basic broadband internet service and Voice over Internet Protocol service
1473 (known as VOIP service) .”.

1474 (c) The Retail Electric Competition and Consumer Protection Act of 1999, effective May
1475 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq.*), is amended by adding a new
1476 section 106b to read as follows:

1477 “Sec. 106b. Disconnection of service during a public health emergency prohibited.

1478 “(a) For the purposes of this section, the term “public health emergency” means a period
1479 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1480 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1481 194; D.C. Official Code § 7-2304.01).

1482 “(b) An electric company shall not disconnect electric service for non-payment of a bill
1483 or fees during a public health emergency or for 15 calendar days thereafter.”.

1484 (d) The Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004,
1485 effective March 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.01 *et seq.*), is
1486 amended by adding a new section 7b to read as follows:

1487 “Sec. 7b. Disconnection of service during a public health emergency prohibited.

1488 “(a) For the purposes of this section, the term “public health emergency” means a period
1489 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1490 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1491 194; D.C. Official Code § 7-2304.01).

1492 “(b) A gas company shall not disconnect gas service for non-payment of a bill or fees
1493 during a public health emergency or for 15 calendar days thereafter.”.

1494 (e) Section 103 of the District of Columbia Public Works Act of 1954, approved May 18,
1495 1954 (68 Stat. 102; D.C. Code § 34-2407.01), is amended by adding a new subsection (c) to read
1496 as follows:

1497 “(c)(1) For the purposes of this subsection, the term “public health emergency” means a
1498 period of time for which the Mayor has declared a public health emergency pursuant to section
1499 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1500 Law 14-194; D.C. Official Code § 7-2304.01).

1501 “(2) During a public health emergency, or for 15 calendar days thereafter,
1502 notwithstanding any other provision of this act, the water supply to any property shall not be shut
1503 off for non-payment of a bill or fees.”.

1504 (f) The Telecommunications Competition Act of 1996, effective September 9, 1996 (D.C.
1505 Law 11-154; D.C. Official Code § 34-2002.01 *et. seq.*), is amended by adding a new section 3a
1506 to read as follows:

1507 “Section 3a. Disconnection of telecommunications service during a public health
1508 emergency prohibited.

1509 “(a) For the purposes of this section, the term “public health emergency” means a period
1510 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1511 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1512 194; D.C. Official Code § 7-2304.01).

1513 “(b) A telecommunications service provider shall not disconnect, suspend, or degrade
1514 basic telecommunications service for non-payment of a bill, any fees for service or equipment, or
1515 other charges, or for noncompliance with a deferred payment agreement during a public health
1516 emergency or for 15 calendar days thereafter.”.

1517 (g) Notwithstanding any District law, the Attorney General for the District of Columbia
1518 may use the enforcement authority set forth at D.C. Official Code § 28-3909 against any
1519 merchant, including a utility provider, that violates any provision of this act.

1520 Sec. 308. Utility payment plans.

1521 (a) During a program period, a utility provider shall offer a utility-payment-plan program
1522 (“program”) for eligible customers. Under its program, a utility provider shall:

1523 (1) Make a payment plan (“payment plan”) available to an eligible customer for
1524 the payment of amounts that come due during the program period, with a minimum term length
1525 of one year, unless a shorter time period is requested by the eligible customer;

1526 (2) Waive any fee, interest, or penalty that arises out of the eligible customer
1527 entering into a payment plan;

1528 (3) Not report to a credit reporting agency as delinquent the amounts subject to
1529 the payment plan; and

1530 (4) Notify all customers of the availability, terms, and application process for its
1531 program.

1532 (b)(1) Customers entering into a payment plan shall be required to make payments in
1533 equal monthly installments for the duration of the payment plan unless a shorter payment
1534 schedule is requested by the customer.

1535 (2) A utility provider shall permit a customer that has entered into a payment plan
1536 to pay an amount greater than the monthly amount provided for in the payment plan.

1537 (3) A utility provider shall not require or request a customer provide a lump-sum
1538 payment under a payment plan.

1539 (4) A utility provider shall provide confirmation in writing to the customer of the
1540 payment plan entered into, including the terms of a payment plan.

1541 (c) A utility provider shall utilize existing procedures or, if necessary, establish new
1542 procedures to provide a process by which a customer may apply for a payment plan, which may
1543 include requiring the customer to submit supporting documentation. A utility provider shall
1544 permit application for a payment plan to occur online and by telephone.

1545 (d)(1) A utility provider shall approve each application for a payment plan submitted
1546 during the covered time period made by an eligible customer.

1547 (2) If the customer is not eligible and the customer's application for a payment
1548 plan is denied, the utility provider shall inform the customer, in writing, of the denial and of the
1549 option to file a written complaint pursuant to subsection (g) of this section.

1550 (e)(1) A utility provider shall not disconnect service for non-payment of a bill or fees
1551 when a customer has entered into a payment plan under this section and has made payments in
1552 accordance with the terms of the payment plan;

1553 (2) When a customer fails to pay in full the amounts due under a payment plan
1554 and the customer and utility provider have not mutually agreed to a modification of the terms of
1555 the payment plan, nothing under this section shall prevent a utility provider from either offering
1556 the customer a new payment plan or disconnecting service.

1557 (3) Notwithstanding any provision in this section, a utility provider is not required
1558 to offer a customer a new payment plan when a customer has defaulted on a previous payment
1559 plan offered pursuant to this section.

1560 (f)(1) A utility provider that receives an application for a payment plan pursuant to this
1561 section shall retain the application, whether approved or denied, for at least 3 years.

1562 (2) Upon request by the customer, a utility provider shall make an application for
1563 a payment plan available to:

1564 (A) For utility providers regulated by the Public Service Commission and
1565 DC Water, the Office of the People’s Counsel;

1566 (B) For a cable operator, the Office of Cable Television, Film, Music and
1567 Entertainment; and

1568 (C) For all other utility providers, the Department of Consumer and
1569 Regulatory Affairs and the Office of the Attorney General.

1570 (g) A customer whose application for a payment plan is denied may file a written
1571 complaint with:

1572 (1) For utility providers regulated by the Public Service Commission, the Public
1573 Service Commission, and the Office of the People’s Counsel;

1574 (2) For a cable operator, the Office of Cable Television, Film, Music and
1575 Entertainment; and

1576 (3) For all other utility providers, the Department of Consumer and Regulatory
1577 Affairs.

1578 (h) During a period of time for which the Mayor has declared a public health emergency,
1579 a utility provider regulated by the Public Service Commission shall reconnect service to
1580 occupied residential property upon an eligible customer's request and not charge a fee for this
1581 reconnection.

1582 (i) For the purposes of this section, the term:

1583 (1) "Cable operator" shall have the same meaning as provided in section 103(6) of
1584 the Cable Television Communications Act of 1981, effective October 9, 2002 (D.C. Law 14-193;
1585 D.C. Official Code § 34-1251.03(6)).

1586 (2) "DC Water" means the District of Columbia Water and Sewer Authority
1587 established pursuant to section 202(a) of the Water and Sewer Authority Establishment and
1588 Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law
1589 11-111; D.C. Official Code § 34-2202.02(a)).

1590 (3) "Electric company" shall have the same meaning as provided in section 8 of
1591 An Act Making appropriations to provide for the expenses of the government of the District of
1592 Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other
1593 purposes, approved March 4, 1913 (37 Stat. 976; D.C. Official Code § 34-207).

1594 (4) "Eligible Customer" means a customer that:

1595 (A) Has notified the utility provider of an inability to pay all or a portion
1596 of the amount due as a result, directly or indirectly, of the public health emergency; and

1597 (B) Agrees in writing to make payments in accordance with the payment
1598 plan.

1599 (5) “Gas company” shall have the same meaning as provided in section 3(11) of
1600 the Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004, effective
1601 March 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.02(11)).

1602 (6) “Program period” means a period of time for which the Mayor has declared a
1603 public health emergency pursuant to section 5a of the District of Columbia Public Emergency
1604 Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)

1605 and:

1606 (A) For a cable operator, or a telecommunications provider not regulated
1607 by the Public Service Commission, 60 days thereafter; or

1608 (B) For any other utility provider, 6 months thereafter.

1609 (7) “Telecommunications provider” means an entity that provides
1610 telecommunications services, whether through a telecommunications system or universal service,
1611 as those terms are defined, respectively, in section 2(21) and (22) of the Telecommunications
1612 Competition Act of 1996, effective September 9, 1996 (D.C. Law 11-154; D.C. Official Code §
1613 34-2001(21) and (22)), or other telecommunication service, whether such service is regulated by
1614 the Public Service Commission of the District of Columbia or the Federal Communications
1615 Commission, or is currently not regulated by either local or federal law.

1616 (8) “Utility provider” means a cable operator, DC Water, an electric company, a
1617 gas company, or a telecommunications provider.

1618 Sec. 309. Composting virtual training.

1619 Section 112a(f) of the Sustainable Solid Waste Management Amendment Act of 2014,
1620 effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.12a(f)), is amended
1621 by adding a new paragraph (1A) to read as follows:

1622 “(1A) Notwithstanding paragraph (1) of this subsection, during a period of time
1623 for which the Mayor has declared a public health emergency pursuant to section 5a of the
1624 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1625 194; D.C. Official Code § 7-2304.01), the Mayor, or a contractor selected by the Mayor, may
1626 provide the training required by paragraph (1) of this subsection remotely through
1627 videoconference.”.

1628 Sec. 310. Emergency Department of Insurance, Securities, and Banking authority.

1629 The Department of Insurance and Securities Regulation Establishment Act of 1996,
1630 effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-101 *et seq.*), is amended by
1631 adding a new section 5a to read as follows:

1632 “Sec. 5a. Emergency authority of the Commissioner during a declared public health
1633 emergency.

1634 “(a) For the duration of a public health emergency declared by the Mayor pursuant to
1635 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
1636 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and to address the circumstances giving rise
1637 to that emergency, the Commissioner may issue emergency rulemaking, orders, or bulletins that:

1638 “(1) Apply to any person or entity regulated by the Commissioner; and

1639 “(2) Address:

1640 “(A) Submission of claims or proof of loss;

1641 “(B) Grace periods for payment of premiums and performance of other
1642 duties by insureds;

1643 “(C) Temporary postponement of:

1644 “(i) Cancellations;

1645 “(ii) Nonrenewals; or
1646 “(iii) Premium increases;
1647 “(D) Modifications to insurance policies;
1648 “(E) Insurer operations;
1649 “(F) Filing requirements;
1650 “(G) Procedures for obtaining nonelective health care services;
1651 “(H) Time restrictions for filling or refilling prescription drugs;
1652 “(I) Time frames applicable to an action by the Commissioner under this
1653 section;
1654 “(J) Temporarily waiving application of laws, rulemaking, or requirements
1655 to ensure that depository services, non-depository services, and securities transactions can
1656 continue to be provided, including allowing for the opening of a temporary service location,
1657 which may be a mobile branch, temporary office space, or other facility; and
1658 “(K) Any other activity related to insurance, securities, and banking and
1659 under the purview of the Commissioner reasonably calculated to protect the health, safety, and
1660 welfare of District residents during the public health emergency.
1661 “(b) The Commissioner may require licensees to answer questions related to, and submit
1662 documentation of, the licensee’s continuity of operations plan.
1663 “(c)(1) To accomplish the purposes of this section, the Commissioner may issue
1664 emergency rulemaking, orders, or bulletins pursuant to this section specifying:
1665 “(A) That the rulemaking, order, or bulletin is effective immediately;
1666 “(B) The line or lines of business or the class or classes of licenses to
1667 which the regulation, order, or bulletin applies;

1668 “(C) The geographic areas to which the regulation, order, or bulletin
1669 applies; and

1670 “(D) The period of time for which the regulation, order, or bulletin
1671 applies.

1672 “(2) A regulation issued under paragraph (1) of this subsection may not apply for
1673 longer than the duration of the effects of a declared public health emergency.”.

1674 Sec. 311. Vacant property designations.

1675 Section 6(b) of An Act To provide for the abatement of nuisances in the District of
1676 Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2001
1677 (D.C. Law 13-281; D.C. Official Code § 42-3131.06(b)), is amended as follows:

1678 (a) Paragraph (8) is amended by striking the phrase “; or” and inserting a semicolon in its
1679 place.

1680 (b) Paragraph (9) is amended by striking the period and inserting the phrase “; or” in its
1681 place.

1682 (c) A new paragraph (10) is added to read as follows:

1683 “(10) A commercial property that houses a business that has closed during a
1684 period of time for which the Mayor has declared a public health emergency pursuant to section
1685 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1686 Law 14-194; D.C. Official Code§ 7-2304.01), as a result of the circumstances giving rise to or
1687 resulting from the public health emergency, and for 60 days thereafter.”.

1688 Sec. 312. Extension of licenses and registrations; waiver of deadlines.

1689 Notwithstanding any provision of law during, or within 45 days after the end of, a period
1690 time for which the Mayor has declared a public health emergency pursuant to section 5a of the

1691 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1692 194; D.C. Official Code § 7-2304.01), the Mayor, may:

1693 (1) Prospectively or retroactively extend the validity of a license, registration,
1694 permit, or authorization, including driver licenses, vehicle registrations, professional licenses,
1695 registrations, and certifications;

1696 (2) Waive the deadlines for filings, and waive fees, fines, and penalties associated
1697 with the failure to timely renew a license, registration, permit, or other authorization or to timely
1698 submit a filing; or

1699 (3) Extend or waive the deadline by which action is required to be taken by the
1700 executive branch of the District government or by which an approval or disapproval is deemed to
1701 have occurred based on inaction by the executive branch of the District government.

1702 **TITLE IV. HOUSING AND TENANT PROTECTIONS**

1703 Sec. 401. Mortgage relief.

1704 (a) In accordance with section 5(b)(15) of the District of Columbia Public Emergency
1705 Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(15)),
1706 and notwithstanding any provision of the Mortgage Lender and Broker Act of 1996, effective
1707 September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1101 *et seq.*), or any other
1708 provision of District law, during a period of time for which the Mayor has declared a public
1709 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
1710 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) (“Public
1711 Emergency Act”), and for 60 days thereafter, a mortgage lender that makes or holds a residential
1712 mortgage loan or commercial mortgage loan in the District shall develop a deferment program
1713 for borrowers that, at a minimum:

1714 (1) Grants at least a 90-day deferment of the monthly payment of principal and
1715 interest on a mortgage for borrowers;

1716 (2) Waives any late fee, processing fee, or any other fee accrued during the period
1717 of time for which the Mayor has declared a public health emergency pursuant to the Public
1718 Emergency Act; and

1719 (3) Does not report to a credit reporting agency as delinquent the amounts subject
1720 to the deferral.

1721 (b) The mortgage lender shall establish application criteria and procedures for borrowers
1722 to apply for the deferment program. An application or summary of procedures shall be made
1723 available online or by telephone.

1724 (c) The mortgage lender shall approve each application in which a borrower:

1725 (1) Demonstrates to the mortgage lender evidence of a financial hardship resulting
1726 directly or indirectly from the public health emergency, including an existing delinquency or
1727 future inability to make payments; and

1728 (2) Agrees in writing to pay the deferred payments within:

1729 (A) A reasonable time agreed to in writing by the applicant and the
1730 mortgage lender; or

1731 (B) If no reasonable time can be agreed to pursuant to subparagraph (A) of
1732 this paragraph, 3 years from the end of the deferment period, or the end of the original term of
1733 the mortgage loan, whichever is earlier.

1734 (d)(1) A mortgage lender who receives an application for deferment pursuant to this
1735 section shall retain the application, whether approved or denied, for at least 3 years after final
1736 payment is made on the mortgage or the mortgage is sold, whichever occurs first.

1737 (2) Upon request, a mortgage lender shall make an application for deferment
1738 available to the Commissioner.

1739 (3)(A)(i) A mortgage lender who approves an application for deferment pursuant
1740 to this section shall, on or before June 4, 2020, provide to the Commissioner notice of all
1741 approved applications on a form prescribed by the Commissioner.

1742 (ii) After the initial submission prescribed in this paragraph, a
1743 mortgage lender who approves an application for deferment pursuant to this section shall provide
1744 the Commissioner with a list of all new approvals in 15-day intervals for the duration of the
1745 public health emergency and for 60 days thereafter.

1746 (iii) The Commissioner may request information on the number
1747 and nature of approvals between 15-day intervals.

1748 (B) The Commissioner shall maintain a publicly available list of approved
1749 commercial loan deferral applications. The requirement of this subparagraph may be satisfied by
1750 posting to the Department of Insurance, Securities, and Banking website.

1751 (e) A mortgage lender shall be prohibited from requesting or requiring a lump sum
1752 payment from any borrower making payments under a deferred payment program pursuant to
1753 this section, subject to investor guidelines.

1754 (f) A person or business whose application for deferment is denied may file a written
1755 complaint with the Commissioner. The Commissioner is authorized to investigate the complaint
1756 in accordance with section 13 of the Mortgage Lender and Broker Act of 1996, effective
1757 September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1112).

1758 (g) The provisions of this section shall apply to any lender who makes or holds a
1759 commercial mortgage loan in the District, with the exception of national banks and federally
1760 chartered credit unions.

1761 (h) To the extent necessary to conform with the provisions of this section, the provisions
1762 in section 313(c)(1) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89;
1763 D.C. Official Code § 42-1903.13(c)(1)), are waived for the duration of the public health
1764 emergency.

1765 (i) This section shall not apply to a property for which, as of March 11, 2020, a mortgage
1766 lender initiated a foreclosure action or exercised its right to accelerate the balance and maturity
1767 date of the loan on or before March 11, 2020.

1768 (j) This section shall not apply to a mortgage loan that is a Federally backed mortgage
1769 loan, as that term is defined in section 4022(a)(2) of the Coronavirus Aid, Relief, and Economic
1770 Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. § 9056(a)(2)) (“CARES Act”),
1771 or a Federally backed multifamily mortgage loan, as that term is defined in section 4023(f)(2) of
1772 the CARES Act (15 U.S.C. § 9057(f)(2)).

1773 (k) A mortgage lender that violates the provisions of this section shall be subject to the
1774 penalties prescribed in section 19 of the Mortgage Lender and Broker Act of 1996, effective
1775 September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1118).

1776 (l) For the purposes of this section, the term:

1777 (1) “Commercial mortgage loan” means a loan for the acquisition, construction,
1778 or development of real property, or a loan secured by collateral in such real property, that is
1779 owned or used by a person, business, or entity for the purpose of generating profit, and includes

1780 real property used for single-family housing, multifamily housing, retail, office space, and
1781 commercial space that is made, owned, or serviced by a mortgage lender.

1782 (2) “Commissioner” means the Commissioner of the Department of Insurance,
1783 Securities, and Banking.

1784 (3) “Mortgage lender” means any person that makes a mortgage loan to any
1785 person or that engages in the business of servicing mortgage loans for others or collecting or
1786 otherwise receiving mortgage loan payments directly from borrowers for distribution to any
1787 other person. The term “mortgage lender” does not include the Federal Home Loan Mortgage
1788 Corporation, the Federal National Mortgage Association, or the Government National Mortgage
1789 Association.

1790 Sec. 402. Tenant payment plans.

1791 (a) During a period of time for which the Mayor has declared a public health emergency
1792 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1793 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for one year
1794 thereafter (“program period”), a provider shall offer a rent-payment-plan program (“program”)
1795 for eligible tenants. Under its program, a provider shall:

1796 (1) Make a payment plan available to an eligible tenant for the payment of gross
1797 rent and any other amounts that come due under the lease during the program period and prior to
1798 the cessation of tenancy (“covered time period”), with a minimum term length of one year unless
1799 a shorter payment plan term length is requested by the eligible tenant.

1800 (2) Waive any fee, interest, or penalty that arises out of an eligible tenant entering
1801 into a payment plan;

1802 (3) Not report to a credit reporting agency as delinquent the rent subject to the
1803 payment plan;

1804 (4) Provide that an eligible tenant does not lose any rights under the lease by
1805 entering into the payment plan; and

1806 (5) Notify all tenants of the availability, terms, and application process for its
1807 program.

1808 (b)(1) Tenants entering into a payment plan shall be required to make payments in equal
1809 monthly installments for the duration of the payment plan unless a different payment schedule is
1810 requested by the tenant.

1811 (2) A provider shall permit a tenant that has entered into a payment plan to pay an
1812 amount greater than the monthly amount provided for in the payment plan.

1813 (3) A provider shall not require or request a tenant to provide a lump-sum
1814 payment under a payment plan.

1815 (4) A provider shall agree in writing to the terms of a payment plan.

1816 (c) A provider shall utilize existing procedures or, if necessary, establish new procedures
1817 to provide a process by which an eligible tenant may apply for a payment plan, which may
1818 include requiring the tenant to submit supporting documentation. A provider shall permit an
1819 application for a payment plan to occur online and by telephone.

1820 (d) A provider shall approve each application for a payment plan submitted during a
1821 covered time period in which an eligible tenant:

1822 (1) Demonstrates to the provider evidence of a financial hardship resulting
1823 directly or indirectly from the public health emergency, regardless of an existing delinquency or

1824 a future inability to make rental payments established prior to the start of the public health
1825 emergency; and

1826 (2) Agrees in writing to make payments in accordance with the payment plan.

1827 (e)(1) A provider who receives an application for a payment plan shall retain the
1828 application, whether approved or denied, for at least 3 years.

1829 (2) Upon request of the tenant, a provider shall make an application for a payment
1830 plan available to:

1831 (A) For residential tenants, the Rent Administrator, Office of the Tenant
1832 Advocate; and

1833 (B) For commercial tenants, the Department of Consumer and Regulatory
1834 Affairs.

1835 (f)(1) A residential tenant whose application for a payment plan is denied may file a
1836 written complaint with the Rent Administrator. The Rent Administrator shall forward the
1837 complaint to the Office of Administrative Hearings for adjudication.

1838 (2) A commercial tenant whose application for a payment plan is denied may file
1839 a written complaint with the Department of Consumer and Regulatory Affairs.

1840 (g) During the program period, unless the provider has offered a rent payment plan
1841 pursuant to this section and approved a rent payment plan pursuant to subsection (d) of this
1842 section, that provider shall be prohibited from filing any collection lawsuit or eviction for non-
1843 payment of rent; provided, that the tenant does not default on the terms of the payment plan.

1844 (h) For the purposes of this section, the term:

1845 (1) “Eligible tenant” means a tenant that:

1846 (A) Has notified a provider of an inability to pay all or a portion of the rent
1847 due as a result of the public health emergency; and

1848 (B) Is not a franchisee unless the franchise is owned by a District resident;
1849 and

1850 (C) Has leased from a provider:

1851 (i) A residential property;

1852 (ii) Commercial retail space; or

1853 (iii) Commercial space that is less than 6,500 square feet in size

1854 and that comprises all or part of a commercial building.

1855 (2) “Housing provider” means a person or entity who is a residential landlord,
1856 residential owner, residential lessor, residential sublessor, residential assignee, or the agent of
1857 any of the foregoing or any other person receiving or entitled to receive the rents or benefits for
1858 the use or occupancy of any residential rental unit within a housing accommodation within the
1859 District.

1860 (3) “Non-housing provider” means a person or entity who is a non-residential
1861 landlord, non-residential owner, non-residential lessor, non-residential sublessor, non-residential
1862 assignee, a non-residential agent of a landlord, owner, lessor, sublessor, or assignee, or any other
1863 person receiving or entitled to receive rents or benefits for the use or occupancy of a commercial
1864 unit.

1865 (4) “Provider” means a housing provider or a non-housing provider.

1866

1867 Sec. 403. Residential cleaning.

1868 (a) During a period of time for which a public health emergency has been declared
1869 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1870 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the owner or
1871 representative of the owner of a housing accommodation shall clean common areas of the
1872 housing accommodation on a regular basis, including surfaces that are regularly touched, such as
1873 doors, railings, seating, and the exterior of mailboxes.

1874 (b) For the purposes of this section “housing accommodation” means any structure or
1875 building in the District containing one or more residential units that are not occupied by the
1876 owner of the housing accommodation, including any apartment, efficiency apartment, room,
1877 accessory dwelling unit, cooperative, homeowner association, condominium, multifamily
1878 apartment building, nursing home, assisted living facility, or group home.

1879 (c) The Mayor may, pursuant to Title I of the District of Columbia Administrative
1880 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
1881 promulgate rules to implement this section.

1882 Sec. 404. Eviction prohibition.

1883 (a) Title 16 of the District of Columbia Official Code is amended as follows:

1884 (1) Section 16-1501 is amended as follows:

1885 (A) The existing text is designated as subsection (a).

1886 (B) A new subsection (b) is added to read as follows:

1887 “(b) During a period of time for which the Mayor has declared a public health emergency
1888 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective

1889 October 17, 2002 (D.C. Law 14-194; D.C. Official Code 7-2304.01), and for 60 days thereafter,
1890 the person aggrieved shall not file a complaint seeking relief pursuant to this section.”.

1891 (2) Section 16-1502 is amended by striking the phrase “exclusive of Sundays and
1892 legal holidays” and inserting the phrase “exclusive of Sundays, legal holidays, and a period of
1893 time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1894 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1895 194; D.C. Official Code § 7-2304.01)” in its place.

1896 (b) Section 501(k) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law
1897 6-10; D.C. Official Code § 42-3505.01(k)), is amended as follows:

1898 (1) Paragraph (1) is amended by striking the phrase “; or” and inserting a
1899 semicolon in its place.

1900 (2) Paragraph (2) is amended by striking the period and inserting the phrase “; or”
1901 in its place.

1902 (3) A new paragraph (3) is added to read as follows:

1903 “(3) During a period of time for which the Mayor has declared a public health
1904 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1905 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

1906 Sec. 405. Residential tenant protections.

1907 (a) The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980
1908 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq.*), is amended by adding a new section
1909 510b to read as follows:

1910 “Sec. 510b. Tolling of tenant deadlines during a public health emergency.

1911 “The running of all time periods for tenants and tenant organizations to exercise rights
1912 under this act shall be tolled from the beginning of the period of a public health emergency
1913 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1914 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), until the end of
1915 the public health emergency, and for 30 days thereafter.”

1916 (b) The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C.
1917 Official Code § 42-3501.01 *et seq.*), is amended as follows:

1918 (1) Section 202(b)(2) (D.C. Official Code § 42-3502.02(b)(2)) is amended to read
1919 as follows:

1920 “(2)(A) A majority of the Rental Housing Commissioners shall constitute a
1921 quorum to do business, and a single vacancy shall not impair the right of the remaining Rental
1922 Housing Commissioners to exercise all powers of the Rental Housing Commission.

1923 “(B) In the event that a majority of the Rental Housing Commissioners (or
1924 any one Commissioner if there is a vacancy) will be unable to perform their official duties for an
1925 extended period of time due to circumstances related to a declared state of emergency in the
1926 District of Columbia, including quarantine or movement restrictions, illness, or the care of a
1927 close family member, one Commissioner shall constitute a quorum to do business.

1928 “(i) If the Chairperson will be unable to perform his or her duties,
1929 he or she shall designate an acting Chairperson or, if only one Commissioner is available, that
1930 Commissioner shall be automatically designated as acting Chairperson.

1931 “(ii) The Chairperson of the Rental Housing Commission shall
1932 notify the Mayor and the Chairperson of the Council in writing of any temporary vacancy and
1933 whether the Commission is operating as a quorum of one.

1934 “(iii) For such time as the Rental Housing Commission is operating
1935 as a quorum of one, the Commission shall only issue, amend, or rescind rules on an emergency
1936 basis in accordance with section 105(c) of the District of Columbia Administrative Procedure
1937 Act, approved October 21, 2968 (82 Stat. 1206; D.C. Official Code § 2-505(c)).

1938 “(iv) The authority to operate as a quorum of one shall terminate
1939 when at least one Rental Housing Commissioner notifies the Chairperson in writing that he or
1940 she is able to resume his or her duties. The authority may extend beyond the termination of the
1941 original declared state of emergency if Commissioners are personally affected by continuing
1942 circumstances.

1943 (2) Section 208(a)(1) (D.C. Official Code § 42-3502.08(a)(1)) is amended as
1944 follows:

1945 (A) Subparagraph (F) is amended by striking the phrase “; and” and
1946 inserting a semicolon in its place.

1947 (B) Subparagraph (G) is amended by striking the period at the end and
1948 inserting the phrase “; and” in its place.

1949 (C) A new subparagraph (H) is added to read as follows:

1950 “(H) None of the circumstances set forth in section 904(c) applies.”.

1951 (3) Section 211 (D.C. Official Code § 42-3502.11) is amended as follows:

1952 (A) The existing text is designated as subsection (a).

1953 (B) A new subsection (b) is added to read as follows:

1954 “(b) If, during a public health emergency that has been declared pursuant to section 5a of
1955 the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law
1956 14-194; D.C. Official Code § 7-2304.01) (“Public Emergency Act”), and consistent with

1957 applicable law or an order issued by the Mayor pursuant to the Public Emergency Act , a housing
1958 provider temporarily stops providing:

1959 “(1) An amenity that a tenant pays for in addition to the rent charged, then the
1960 housing provider shall refund to the tenant pro rata any fee charged to the tenant for the amenity
1961 during the public health emergency; or

1962 “(2) A service or facility that is lawfully included in the rent charged, then the
1963 housing provider shall not be required to reduce the rent charged pursuant to subsection (a) of
1964 this section.”.

1965 (4) Section 531(c) (D.C. Official Code § 42-3505.31(c)) is amended as follows:

1966 (A) Paragraph (4) is amended by striking the phrase “or;” and inserting a
1967 semicolon in its place.

1968 (B) Paragraph (5) is amended by striking the period and inserting the
1969 phrase “; or” in its place.

1970 (C) A new paragraph (6) is added to read as follows:

1971 “(6) Impose a late fee on a tenant during any month for which a public health
1972 emergency has been declared pursuant to section 5a of the District of Columbia Public
1973 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1974 2304.01).”.

1975 (5) Section 553 (D.C. Official Code § 42-3505.53) is amended as follows:

1976 (A) The existing text is designated subsection (a).

1977 (B) A new subsection (b) is added to read as follows:

1978 “(b) Any notice of intent to vacate that a tenant provided prior to the period for which a
1979 public health emergency has been declared pursuant to section 5a of the District of Columbia

1980 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
1981 Code § 7-2304.01), shall be tolled at the election of the tenant for the period of any such public
1982 health emergency such that the tenant shall have the same number of days to vacate remaining at
1983 the end of the public health emergency as the tenant had remaining upon the effective date of the
1984 public health emergency.”.

1985 (6) Section 554 (D.C. Official Code § 42-3505.54) is amended by adding a new
1986 subsection (c) to read as follows:

1987 “(c) Any notice of intent to vacate that a tenant provided prior to the period for which a
1988 public health emergency has been declared pursuant to section 5a of the District of Columbia
1989 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
1990 Code § 7-2304.01), shall be tolled at the election of the tenant for the period of any such public
1991 health emergency such that the tenant shall have the same number of days to vacate remaining at
1992 the end of the public health emergency as the tenant had remaining upon the effective date of the
1993 public health emergency.”.

1994 (7) Section 904 (D.C. Official Code § 42-3509.04) is amended by adding new
1995 subsections (c) and (d) to read as follows:

1996 “(c) No housing provider may issue a rent increase notice to any residential tenant during
1997 a period for which a public health emergency has been declared pursuant to section 5a of the
1998 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1999 194; D.C. Official Code § 7-2304.01) (“Public Emergency Act”).

2000 “(d)(1) Any rent increase, whether under this act, the Rental Accommodations Act of
2001 1975, the Rental Housing Act of 1977, the Rental Housing Act of 1980, or any administrative

2002 decisions issued under these acts, shall be null and void and shall be issued anew in accordance
2003 with subsection (b) of this section if:

2004 “(A) The effective date of the rent increase as stated on the notice of rent
2005 increase occurs during a period for which a public health emergency has been declared pursuant
2006 to the Public Emergency Act, and for 30 days thereafter;

2007 “(B) The notice of rent increase was provided to the tenant during a period
2008 for which a public health emergency has been declared; or

2009 “(C) The notice was provided to the tenant prior to, but the rent increase
2010 takes effect following, a public health emergency.

2011 “(2) The Rent Administrator shall review all notices to a tenant of an adjustment
2012 in the rent charged filed by a housing provider with the Rental Accommodations Division of the
2013 Department of Housing and Community Development for consistency with this subsection and
2014 shall inform the housing provider that:

2015 “(A) A rent increase is prohibited during the public health emergency plus
2016 30 days pursuant to this section;

2017 “(B) The housing provider shall withdraw the rent increase notice;

2018 “(C) The housing provider shall inform tenants in writing that any rent
2019 increase notice is null and void pursuant to the Coronavirus Support Temporary Amendment Act
2020 of 2020, passed on 2nd reading on June 9, 2020 (Enrolled version of Bill 23-758);

2021 “(D) The housing provider shall, within 7 calendar days, file a certification
2022 with the Rental Accommodations Division that the notice letter required by subparagraph (C) of
2023 this paragraph was sent to tenants, along with a sample copy of the notice and a list of each
2024 tenant name and corresponding unit numbers; and

2025 “(E) If it is determined that the housing provider knowingly demanded or
2026 received any rent increase prohibited by this act or substantially reduced or eliminated related
2027 services previously provided for a rental unit, the housing provider may be subject to treble
2028 damages and a rollback of the rent, pursuant to section 901(a).”.

2029 (8) A new section 911 is added to read as follows:

2030 “Sec. 911. Tolling of tenant deadlines during a public health emergency.

2031 “The running of all time periods for tenants and tenant organizations to exercise rights
2032 under this act or under chapters 38 through 43 of Title 14 of the District of Columbia Municipal
2033 Regulations (14 DCMR §§ 3800 through 4399) shall be tolled during a period for which a public
2034 health emergency has been declared pursuant to section 5a of the District of Columbia Public
2035 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2036 2304.01), and for 30 days thereafter.”.

2037 Sec. 406. Rent increase prohibition.

2038 (a) Notwithstanding any other provision of law, a rent increase for a residential property
2039 not prohibited by the provisions of section 904(c) of the Rental Housing Act of 1985, effective
2040 July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3509.04(c)), shall be prohibited during a
2041 period for which a public health emergency has been declared pursuant to section 5a of the
2042 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
2043 194; D.C. Official Code § 7-2304.01), and for 30 days thereafter.

2044 (b)(1) Notwithstanding any other provision of law, a rent increase for a commercial
2045 property shall be prohibited during a period for which a public health emergency has been
2046 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,

2047 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-1875 2304.01), and for 30
2048 days thereafter.

2049 (2) For the purposes of this subsection, the term “commercial property” means:

2050 (A) A commercial retail establishment; or

2051 (B) Leased commercial space that is less than 6,500 square feet in size and
2052 that comprises all or part of a commercial building.

2053 (3) Any increase of rent on a commercial property made by a landlord between
2054 March 11, 2020, and June 9, 2020, shall be null and void and any excess rent paid by a tenant shall
2055 be credited to the tenant.

2056

2057 Sec. 407. Nonprofit corporations and cooperative association remote meetings.

2058 Title 29 of the District of Columbia Official Code is amended as follows:

2059 (a) Section 29-405.01(e) is amended by striking the phrase “The articles of incorporation
2060 or bylaws may provide that an annual” and inserting the phrase “Notwithstanding the articles of
2061 incorporation or bylaws, during a period for which a public health emergency has been declared
2062 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2063 October 17, 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), an annual” in its place.

2064 (b) Section 29-910 is amended by striking the phrase “If authorized by the articles or
2065 bylaws” and inserting the phrase “During a period for which a public health emergency has been
2066 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2067 effective October 17, 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), regardless of
2068 whether remote regular and special meetings of members are authorized by the articles or
2069 bylaws” in its place.

2070 Sec. 408. Foreclosure moratorium.

2071 (a)(1) Notwithstanding any provision of District law, during a period of time for which
2072 the Mayor has declared a public health emergency pursuant to section 5a of the District of
2073 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
2074 Official Code § 7-2304.01), and for 60 days thereafter, no:

2075 (A) Residential foreclosure may be initiated or conducted under section 539
2076 or section 95 of An Act To establish a code of law for the District of Columbia, approved March
2077 3, 1901 (31 Stat. 1274; D.C. Official Code §§ 42-815 and 42-816); or

2078 (B) Sale may be conducted under section 313(c) of the Condominium Act of
2079 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.13(c)).

2080 (2) This subsection shall not apply to a residential property at which neither a
2081 record owner nor a person with an interest in the property as heir or beneficiary of a record
2082 owner, if deceased, has resided for at least 275 total days during the previous 12 months, as of
2083 the first day of the public health emergency.

2084 (b) Section 313(e) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law
2085 1-89; D.C. Official Code § 42-1903.13(e)), is amended by striking the phrase “3 years” and
2086 inserting the phrase “3 years, not including any period of time for which the Mayor has declared
2087 a public health emergency pursuant to section 5a of the District of Columbia Public Emergency
2088 Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01),
2089 and for 60 days thereafter,” in its place.

2090 **TITLE V. HEALTH AND HUMAN SERVICES**

2091 Sec. 501. Prescription drugs.

2092 Section 208 of the District of Columbia Health Occupations Revision Act of 1985,
2093 effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.08), is amended by
2094 adding a new subsection (g-2) to read as follows:

2095 “(g-2)(1) An individual licensed to practice pharmacy pursuant to this act may authorize
2096 and dispense a refill of patient prescription medications prior to the expiration of the waiting
2097 period between refills to allow District residents to maintain an adequate supply of necessary
2098 medication during a period of time for which the Mayor has declared a public health emergency
2099 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2100 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

2101 “(2) This subsection shall not apply to any patient prescription for which a refill
2102 otherwise would be prohibited under District law.”.

2103 Sec. 502. Homeless services.

2104 The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-
2105 35; D.C. Official Code § 4-751.01 *et seq.*), is amended as follows:

2106 (a) Section 8(c-1) (D.C. Official Code § 4-753.02(c-1)) is amended as follows:

2107 (1) Paragraph (1) is amended by striking the phrase “not to exceed 3 days” and
2108 inserting the phrase “not to exceed 3 days; except, that during a public health emergency
2109 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2110 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may
2111 place the family in an interim eligibility placement for a period not to exceed 60 days” in its
2112 place.

2113 (2) Paragraph (2) is amended by striking the phrase “and section 9(a)(20)” and
2114 inserting the phrase “and section 9(a)(20); except, that the Mayor may extend an interim
2115 eligibility placement to coincide with the period of a public health emergency declared pursuant
2116 to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17,
2117 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

2118 (3) Paragraph (3) is amended by striking the phrase “within 12 days of the start of
2119 the interim eligibility placement” and inserting the phrase “within 12 days of the start of the
2120 interim eligibility placement; except, that during a public health emergency declared pursuant to
2121 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
2122 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor shall have 10 business days
2123 following the end of the public health emergency to issue the eligibility determination required
2124 by this paragraph” in its place.

2125 (4) Paragraph (4) is amended by striking the phrase “start of an interim eligibility
2126 placement,” and inserting the phrase “start of an interim eligibility placement, or as otherwise
2127 required by paragraph (3) of this subsection” in its place.

2128 (b) Section 9(a)(14) (D.C. Official Code § 4-754.11(a)(14)) is amended by striking the
2129 phrase “and other professionals” and inserting the phrase “and other professionals; except, that
2130 the Mayor may waive the requirements of this provision for in-person meetings and
2131 communications during a public health emergency declared pursuant to section 5a of the District
2132 of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
2133 Official Code § 7-2304.01)” in its place.

2134 (c) Section 10(1) (D.C. Official Code § 4-754.12(1)) is amended by striking the phrase
2135 “established pursuant to section 18” and inserting the phrase “established pursuant to section 18;

2136 except, that the Mayor may waive this provision during a public health emergency declared
2137 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2138 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

2139 (d) Section 19(c-2) (D.C. Official Code § 4-754.33(c-2)) is amended by striking the
2140 phrase “served on the client.” and inserting the phrase “served on the client; except, that during a
2141 public health emergency declared pursuant to section 5a of the District of Columbia Public
2142 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2143 2304.01), the Mayor may serve written notice via electronic transmission.” in its place.

2144 (e) Section 24(f) (D.C. Official Code § 4-754.38(f)) is amended as follows:

2145 (1) Paragraph (1) is amended as follows:

2146 (A) Subparagraph (A) is amended by striking the phrase “to the unit; or”
2147 and inserting the phrase “to the unit;” in its place.

2148 (B) Subparagraph (B) is amended by striking the phrase “at the location”
2149 and inserting the phrase “at the location; or” in its place.

2150 (C) A new subparagraph (C) is added to read as follows:

2151 “(C) During a period of time for which a public health emergency has
2152 been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2153 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), to prevent or
2154 mitigate the spread of contagious disease, as determined by the Department or provider.” in its
2155 place.

2156 (2) Paragraph (2) is amended by striking the phrase “to paragraph (1)(B)” and
2157 inserting the phrase “to paragraph (1)(B) or (C)” in its place.

2158 Sec. 503. Extension of care and custody for aged-out youth.

2159 (a) Section 303(a-1) of the Prevention of Child Abuse and Neglect Act of 1977, effective
2160 September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1303.03(a-1)), is amended as
2161 follows:

2162 (1) Paragraph (12) is amended by striking the phrase “; and” and inserting a
2163 semicolon in its place.

2164 (2) Paragraph (13) is amended by striking the period and inserting the phrase “;
2165 and” in its place.

2166 (3) A new paragraph (14) is added to read as follows:

2167 “(14) To retain custody of a youth committed to the Agency who becomes 21
2168 years of age during a period of time for which the Mayor has declared a public health emergency
2169 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2170 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), for a period not
2171 exceeding 90 days after the end of the public health emergency; provided, that the youth
2172 consents to the Agency’s continued custody.”.

2173 (b) Chapter 23 of Title 16 of the District of Columbia Official Code is amended as
2174 follows:

2175 (1) Section 16-2303 is amended as follows:

2176 (A) The existing text is designated as subsection (a).

2177 (B) A new subsection (b) is added to read as follows:

2178 “(b) The Division shall retain jurisdiction of a minor in the legal custody of a public
2179 agency pursuant to § 16-2320(a)(1)(3)(A) who becomes 21 years of age during a period of time
2180 for which the Mayor has declared a public health emergency pursuant to § 7-2304.01, for a

2181 period not exceeding 90 days after the end of the public health emergency; provided, that the
2182 minor consents to the Division’s retention of jurisdiction.”.

2183 (2) Section 16-2322(f)(1) is amended by striking the phrase “twenty-one years of
2184 age” and inserting the phrase “21 years of age, not including orders extended pursuant to § 16-
2185 2303(b)” in its place.

2186 Sec. 504. Standby guardianship.

2187 Section 16-4802 of the District of Columbia Official Code is amended as follows:

2188 (a) A new paragraph (5A) is added to read as follows:

2189 “(5A) “COVID-19” means the disease caused by the novel 2019 coronavirus
2190 SARS-CoV-2.”.

2191 (b) Paragraph (6) is amended to read as follows:

2192 “(6) “Deilitation” means those periods when a person cannot care for that
2193 person’s minor child as a result of:

2194 “(A) A chronic condition caused by physical illness, disease, or injury
2195 from which, to a reasonable degree of probability, the designator may not recover; or

2196 “(B) A serious medical condition caused by COVID-19.”.

2197 (c) Paragraph (10) is amended to read as follows:

2198 “(10) “Incapacity” means:

2199 “(A) A chronic and substantial inability, as a result of a mental or organic
2200 impairment, to understand the nature and consequences of decisions concerning the care of a
2201 minor child, and a consequent inability to care for the minor child; or

2202 “(B) A substantial inability, as a result of COVID-19, to understand the
2203 nature and consequences of decisions concerning the care of a minor child, and a consequent
2204 inability to care for the minor child.”.

2205 (d) Paragraph (13) is amended to read as follows:

2206 “(13) “Triggering event” means any of the following events:

2207 “(A) The designator is subject to an adverse immigration action;

2208 “(B) The designator has been diagnosed, in writing, by a licensed clinician
2209 to suffer from a chronic condition caused by injury, disease, or illness from which, to a
2210 reasonable degree of probability, the designator may not recover and the designator:

2211 “(i) Becomes debilitated, with the designator’s written
2212 acknowledgement of debilitation and consent to commencement of the standby guardianship;

2213 “(ii) Becomes incapacitated as determined by an attending
2214 clinician; or

2215 “(iii) Dies; or

2216 “(C) The designator has been diagnosed, in writing, by a licensed clinician
2217 to suffer from COVID-19 and the designator:

2218 “(i) Becomes debilitated, with the designator’s written
2219 acknowledgement of debilitation and consent to commencement of the standby guardianship;

2220 “(ii) Becomes incapacitated as determined by an attending
2221 clinician; or

2222 “(iii) Dies.”.

2223 Sec. 505. Health status and residence of wards.

2224 Subchapter V of Chapter 20 of Title 21 of the District of Columbia Official Code is
2225 amended as follows:

2226 (a) The table of contents is amended by adding a new section designation to read as
2227 follows:

2228 “§ 21-2047.03. Duty of guardian to inform certain relatives about the health status and
2229 residence of a ward.”

2230 (b) A new section 21-2047.03 is added to read as follows:

2231 § 21-2047.03. Duty of guardian to inform certain relatives about the health status and
2232 residence of a ward.

2233 “(a) During a period for which a public health emergency has been declared pursuant to
2234 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
2235 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), the guardian of a ward shall inform at least
2236 one relative of the ward, if one exists pursuant to subsection (d) of this section, as soon as
2237 practicable but no later than within 48 hours, of the following events:

2238 “(1) The ward dies;

2239 “(2) The ward is admitted to a medical facility;

2240 “(3) The ward is transferred to acute care;

2241 “(4) The ward is placed on a ventilator;

2242 “(5) The residence of the ward or the location where the ward lives has changed;

2243 or

2244 “(6) The ward is staying at a location other than the residence of the ward for a
2245 period that exceeds 7 consecutive days.

2246 “(b) In the case of the death of the ward, the guardian shall inform at least one relative of
2247 the ward, if one exists, pursuant to subsection (d) of this section, of any funeral arrangements and
2248 the location of the final resting place of the ward at least 72 hours before the funeral.

2249 “(c) Nothing in this section shall be construed to exempt a guardian from complying with
2250 federal or District privacy laws to which they are otherwise subject.

2251 “(d) This section shall apply only to the relative of a ward:

2252 “(1) Against whom a protective order is not in effect to protect the ward;

2253 “(2) Who has not been found by a court or other state agency to have abused,
2254 neglected, or exploited the ward; and

2255 “(3) Who has elected in writing to receive a notice about the ward.

2256 “(e) For the purposes of this section the term:

2257 “(1) “Relative” means a spouse, parent, sibling, child, or domestic partner of the
2258 ward.

2259 “(2) “Domestic partner” shall have the same meaning as in section 2(3) of the
2260 Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C.
2261 Official Code § 32-701(3)).”.

2262 Sec. 506. Contact tracing hiring requirements.

2263 An Act to authorize the Commissioners of the District of Columbia to make regulations
2264 to prevent and control the spread of communicable and preventable diseases, approved August
2265 11, 1939 (53 Stat. 1408; D.C. Official Code § 7-131 *et seq.*), is amended by adding a new section
2266 9a to read as follows:

2267 “Sec. 9a. Contact tracing hiring requirements.

2268 “Of the number of persons hired by the Department of Health for positions, whether they
2269 be temporary or permanent, under the Contact Trace Force initiative to contain the spread of the
2270 novel 2019 coronavirus (SARS-CoV-2) in the District, the Director of the Department of Health
2271 shall establish a goal and make the best effort to hire at least 50% District residents, and for the
2272 position of investigator, whether it be a temporary or permanent position, also establish a goal
2273 and make the best effort to hire at least 25% graduates from a workforce development or adult
2274 education program funded or administered by the District of Columbia.”.

2275 Sec. 507. Public health emergency authority.

2276 The District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C.
2277 Law 3-149; D.C. Official Code § 7-2301 *et seq.*), is amended as follows:

2278 (a) Section 5(b) (D.C. Official Code § 7-2304(b)) is amended as follows:

2279 (1) Paragraph (2) is amended by striking the phrase “District of Columbia
2280 government;” and inserting the phrase “District of Columbia government; provided further, that
2281 a summary of each emergency procurement entered into during a period for which a public
2282 health emergency is declared shall be provided to the Council no later than 7 days after the
2283 contract is awarded. The summary shall include:

2284 (A) A description of the goods or services procured;

2285 (B) The source selection method;

2286 (C) The award amount; and

2287 (D) The name of the awardee.”.

2288 (2) Paragraph (13) is amended by striking the phrase “; or” and inserting a
2289 semicolon in its place.

2290 (3) Paragraph (14) is amended by striking the period at the end and inserting a
2291 semicolon in its place.

2292 (4) New paragraphs (15) and (16) are added to read as follows:

2293 “(15) Waive application of any law administered by the Department of Insurance,
2294 Securities, and Banking if doing so is reasonably calculated to protect the health, safety, or
2295 welfare of District residents; and

2296 “(16) Notwithstanding any provision of the District of Columbia Government
2297 Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C.
2298 Official Code § 1-601.01 *et seq.*) (“CMPA”), or the rules issued pursuant to the CMPA, the Jobs
2299 for D.C. Residents Amendment Act of 2007, effective February 6, 2008 (D.C. Law 17-108; D.C.
2300 Official Code § 1-515.01 *et seq.*), or any other personnel law or rules, the Mayor may take the
2301 following personnel actions regarding executive branch subordinate agencies that the Mayor
2302 determines necessary and appropriate to address the emergency:

2303 “(A) Redeploying employees within or between agencies;

2304 “(B) Modifying employees’ tours of duty;

2305 “(C) Modifying employees’ places of duty;

2306 “(D) Mandating telework;

2307 “(E) Extending shifts and assigning additional shifts;

2308 “(F) Providing appropriate meals to employees required to work overtime
2309 or work without meal breaks;

2310 “(G) Assigning additional duties to employees;

2311 “(H) Extending existing terms of employees;

2312 “(I) Hiring new employees into the Career, Education, and Management
2313 Supervisory Services without competition;

2314 “(J) Eliminating any annuity offsets established by any law; or

2315 “(K) Denying leave or rescinding approval of previously approved leave.”.

2316 (b) Section 5a(d) (D.C. Official Code § 7-2304.01(d)) is amended as follows:

2317 (1) Paragraph (3) is amended by striking the phrase “solely for the duration of the
2318 public health emergency; and” and inserting the phrase “solely for actions taken during the
2319 public health emergency;” in its place.

2320 (2) Paragraph (4) is amended by striking the period at the end and inserting a
2321 semicolon in its place.

2322 (3) New paragraphs (5), (6), and (7) are added to read as follows:

2323 “(5) Waive application in the District of any law administered by the Department
2324 of Insurance, Securities, and Banking if doing so is reasonably calculated to protect the health,
2325 safety, and welfare of District residents;

2326 “(6) Authorize the use of crisis standards of care or modified means of delivery of
2327 health care services in scarce-resource situations; and

2328 “(7) Authorize the Department of Health to coordinate health-care delivery for
2329 first aid within the limits of individual licensure in shelters or facilities as provided in plans and
2330 protocols published by the Department of Health.”.

2331 (c) A new section 5b to read as follows:

2332 “Sec. 5b. Public health emergency response grants.

2333 “(a) Upon the Mayor’s declaration of a public health emergency pursuant to section 5a,
2334 and for a period not exceeding 90 days after the end of the public health emergency, the Mayor

2335 may, notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C.
2336 Law 20-61; D.C. Official Code § 1-328.11 et seq.), and in the Mayor’s sole discretion, issue a
2337 grant or loan to a program or organization to assist the District in responding to the public health
2338 emergency, including a grant or loan for the purpose of:

2339 “(1) Increasing awareness and participation in disease investigation and contact
2340 tracing;

2341 “(2) Purchasing and distributing personal protective equipment;

2342 “(3) Promoting and facilitating social distancing measures;

2343 “(4) Providing public health awareness outreach; or

2344 “(5) Assisting residents with obtaining disease testing, contacting health care
2345 providers, and obtaining medical services.

2346 “(b) The Mayor may issue one or more grants to a third-party grant-managing entity for
2347 the purpose of issuing or administering grants on behalf of the Mayor in accordance with the
2348 requirements of this section.

2349 “(c)(1) The Mayor, and any third-party entity chosen pursuant to subsection (b) of this
2350 section, shall maintain a list of all grants and loans awarded pursuant to this section with respect
2351 to each public health emergency for which grants or loans are issued. The list shall identify, for
2352 each award, the grant or loan recipient, the date of award, the intended use of the award, and the
2353 award amount.

2354 “(2) The Mayor shall publish the list online no later than 60 days after the first
2355 grant or loan is issued under this section with respect to a specific public health emergency and
2356 shall publish an updated list online within 30 days after each additional grant or loan, if any, is
2357 issued with respect to the specific public health emergency.

2358 “(d) The Mayor, pursuant to section 105 of the District of Columbia Administrative
2359 Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505), may
2360 issue rules to implement the provisions of this section.”.

2361 (d) Section 8 (D.C. Official Code § 7-2307) is amended as follows:

2362 (1) The existing text is designated as subsection (a).

2363 (2) New subsections (b) and (c) are added to read as follows:

2364 “(b) The Mayor may revoke, suspend, or limit the license, permit, or certificate of
2365 occupancy of a person or entity that violates an emergency executive order.

2366 “(c) For the purposes of this section a violation of a rule, order, or other issuance issued
2367 under the authority of an emergency executive order shall constitute a violation of the emergency
2368 executive order.”.

2369 Sec. 508. Public benefits clarification and continued access.

2370 (a) The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C.
2371 Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

2372 (1) Section 101 (D.C. Official Code § 4-201.01) is amended by adding a new
2373 paragraph (2A-i) to read as follows:

2374 “(2A-i) “COVID-19 relief” means any benefit in cash or in kind, including
2375 pandemic Supplemental Nutrition Assistance Program benefits, emergency Supplemental
2376 Nutrition Assistance Program benefits, and advance refund of tax credits, that are of a gain or
2377 benefit to a household and were received pursuant to federal or District relief provided in
2378 response to the COVID-19 Public Health Emergency of 2020. The term “COVID-19 relief”
2379 does not include COVID-19 related unemployment insurance benefits.”.

2380 (2) Section 505(4) (D.C. Official Code § 4-205.05(4)) is amended by striking the
2381 phrase “medical assistance” and inserting the phrase “medical assistance; COVID-19 relief;” in
2382 its place.

2383 (3) Section 533(b) (D.C. Official Code § 4-205.33(b)) is amended by adding a
2384 new paragraph (4) to read as follows:

2385 “(4) COVID-19 relief shall not be considered in determining eligibility for TANF
2386 and shall not be treated as a lump-sum payment or settlement under this act.”.

2387 (b) Notwithstanding any provision of District law, the Mayor may extend the eligibility
2388 period for individuals receiving benefits, extend the timeframe for determinations for new
2389 applicants, and take such other actions as the Mayor determines appropriate to support continuity
2390 of, and access to, any public benefit program, including the DC Healthcare Alliance and
2391 Immigrant Children’s program, Temporary Assistance for Needy Families, and Supplemental
2392 Nutritional Assistance Program, until 60 days after the end of a public health emergency
2393 declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act
2394 of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), as
2395 allowable under federal law.

2396 Sec. 509. Notice of modified staffing levels.

2397 Section 504(h-1)(1)(B) of the Health-Care and Community Residence Facility Hospice
2398 and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C.
2399 Official Code § 44-504(h-1)(1)(B)), is amended as follows:

2400 (a) Sub-subparagraph (i) is amended by striking the phrase “; and” and inserting a
2401 semicolon in its place.

2402 (b) Sub-subparagraph (ii) is amended by striking the semicolon and inserting the phrase
2403 “; and” in its place.

2404 (c) A new sub-subparagraph (iii) is added to read as follows:

2405 “(iii) Provide a written report of the staffing level to the Department of Health for
2406 each day that the facility is below the prescribed staffing level as a result of circumstances giving
2407 rise to a public health emergency during a period of time for which the Mayor has declared a
2408 public health emergency pursuant to section 5a of the District of Columbia Public Emergency
2409 Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

2410 Sec. 510. Not-for-Profit Hospital Corporation.

2411 Section 5115(l) of the Not-For-Profit Hospital Corporation Establishment Amendment
2412 Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04(l)),
2413 is amended as follows:

2414 (a) Paragraph (1) is amended by striking the phrase “Subsections (a), (b),” and inserting
2415 the phrase “Except as provided in paragraph (1A) of this subsection, subsections (a), (b),” in its
2416 place.

2417 (b) A new paragraph (1A) is added to read as follows:

2418 “(1A) During the period of time for which the Mayor has declared a public health
2419 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2420 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), subsections (a),
2421 (b), (c), (d), (e), and (f) of this section shall expire if:

2422 “(A) By September 15, 2019, the Board does not adopt a revised budget
2423 for Fiscal Year 2020 that has been certified by the Chief Financial Officer of the District of
2424 Columbia as being balanced with a District operating subsidy of \$22.14 million or less; or

2425 “(B) At any time after September 30, 2020, a District operating subsidy of
2426 more than \$15 million per year is required.”.

2427 Sec. 511. Discharge of Long-Term Care residents

2428 Section 301 of the Nursing Home and Community Residence Facilities Protection Act of
2429 1985, effective April 18, 1986 (D.C. Law 6-108; D.C. Official Code § 44-1003.01), is amended
2430 by adding a new subsection (c) to read as follows:

2431 “(c) During a period of time for which the Mayor has declared a public health emergency
2432 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2433 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), plus an additional 45
2434 days following the end of that period, a facility providing long-term care shall not involuntarily
2435 discharge a resident except because the discharge:

2436 “(1) Results from the completion of the resident’s skilled nursing or medical care;
2437 or

2438 “(2) Is essential to safeguard that resident or one or more other residents from
2439 physical injury.”.

2440 Sec. 512. Long-Term Care Facility reporting of positive cases.

2441 Each long-term care facility located in the District shall report daily to the Department of
2442 Health both the number of novel 2019 coronavirus (SARS-CoV-2) positive cases and the number
2443 of novel 2019 coronavirus (SARS-CoV-2)-related deaths for both employees and residents of the
2444 long-term care facility during the period of time for which the Mayor has declared a public
2445 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
2446 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 60
2447 days thereafter.

2448 Sec. 513. Food access study.

2449 The Food Policy Council and Director Establishment Act of 2014, effective March 10,
2450 2015 (D.C. Law 20-191; D.C. Official Code § 48-311 *et seq.*), is amended by adding a new
2451 section 5a to read as follows:

2452 “Sec. 5a. Food access study.

2453 “(a) By July 15, 2020, the Food Policy Director, in consultation with the Department of
2454 Employment Services, the Department of Human Services, the Homeland Security and
2455 Emergency Management Agency, and, as needed, other District agencies, shall make publicly
2456 available a study that evaluates and makes recommendations regarding food access needs during
2457 and following the COVID-19 public health emergency, including:

2458 “(1) An analysis of current and projected food insecurity rates, based on data
2459 compiled across District agencies; and

2460 “(2) A plan for how to address food needs during and following the public health
2461 emergency.

2462 “(b) For the purposes of this section, the term “COVID-19” means the disease caused by
2463 the novel 2019 coronavirus SARS-CoV-2.”.

2464 Sec. 514. Hospital support funding.

2465 (a) The Mayor may, notwithstanding the Grant Administration Act of 2013, effective
2466 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and in the Mayor’s
2467 sole discretion, issue a grant to an eligible hospital; provided, that the eligible hospital submits a
2468 grant application in the form and with the information required by the Mayor.

2469 (b) The amount of a grant issued to an eligible hospital shall be based on:

2470 (1) An allocation formula based on the number of beds at the eligible hospital; or

2471 (2) Such other method or formula, as established by the Mayor, that addresses the
2472 impacts of COVID-19 on eligible hospitals.

2473 (c) A grant issued pursuant to this section may be expended by the eligible hospital for:

2474 (1) Supplies and equipment related to the COVID-19 emergency, including
2475 personal protective equipment, sanitization and cleaning products, medical supplies and
2476 equipment, and testing supplies and equipment;

2477 (2) Personnel costs incurred to respond to the COVID-19 emergency, including
2478 the costs of contract staff; and

2479 (3) Costs of constructing and operating temporary structures to test individuals for
2480 COVID-19 or to treat patients with COVID-19.

2481 (d) The Mayor may issue one or more grants to a third-party grant-managing entity for
2482 the purpose of administering the grant program authorized by this section and making subgrants
2483 on behalf of the Mayor in accordance with the requirements of this section.

2484 (e) The Mayor shall maintain a list of all grants awarded pursuant to this section,
2485 identifying for each award the grant recipient, the date of award, intended use of the award, and
2486 the award amount. The Mayor shall publish the list online no later than July 1, 2020, or 30 days
2487 after the end of the COVID-19 emergency, whichever is earlier.

2488 (f) The Mayor, pursuant to section 105 of the District of Columbia Administrative
2489 Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505), may
2490 issue rules to implement the provisions of this section.

2491 (g) For the purposes of this section, the term:

2492 (1) “COVID-19” means the disease caused by the novel 2019 coronavirus SARS-
2493 CoV-2.

2494 (2) “COVID-19 emergency” means the emergencies declared in the Declaration
2495 of Public Emergency (Mayor’s Order 2020-045) and the Declaration of Public Health
2496 Emergency (Mayor’s Order 2020-046), declared on March 11, 2020, including any extension of
2497 those emergencies.

2498 (3) “Eligible hospital” means a non-profit or for-profit hospital located in the
2499 District.

2500 Sec. 515. Contractor reporting of positive cases.

2501 (a) A District government contractor or subcontractor shall immediately provide written
2502 notice to the District if it or its subcontractor learns, or has reason to believe, that a covered
2503 employee has come into contact with, had a high likelihood of coming into contact with, or has
2504 worked in close physical proximity to a covered individual.

2505 (b) Notices under subsection (a) of this section shall be made to the District government’s
2506 contracting officer and contract administrator, or, if a covered individual is in care or custody of
2507 the District, to the District agency authorized to receive personally identifiable information. The
2508 notices shall contain the following information:

2509 (1) The name, job title, and contact information of the covered employee;

2510 (2) The date on, and location at, which the covered employee was exposed, or
2511 suspected to have been exposed, to SARS-CoV-2, if known;

2512 (3) All of the covered employee’s tour-of-duty locations or jobsite addresses and
2513 the employee’s dates at such locations and addresses;

2514 (4) The names of all covered individuals whom the covered employee is known to
2515 have come into contact with, had a high likelihood of coming into contact with, or was in close

2516 physical proximity to, while the covered employee performed any duty under the contract with
2517 the District; and

2518 (5) Any other information related to the covered employee that will enable the
2519 District to protect the health or safety of District residents, employees, or the general public.

2520 (c) A District government contractor or subcontractor shall immediately cease the on-site
2521 performance of a covered employee until such time as the covered employee no longer poses a
2522 health risk as determined in writing by a licensed health care provider. The District government
2523 contractor shall provide a written copy of the determination to the contract administrator and the
2524 contracting officer before the covered employee returns to his or her tour-of-duty location or
2525 jobsite address.

2526 (d) The District shall privately and securely maintain all personally identifiable
2527 information of covered employees and covered individuals and shall not disclose such
2528 information to a third party except as authorized or required by law. District contractors and
2529 subcontractors may submit notices pursuant to subsection (a) of this section and otherwise
2530 transmit personally identifiable information electronically; provided, that all personally
2531 identifiable information be transmitted via a secure or otherwise encrypted data method.

2532 (e) For purposes of this section, the term:

2533 (1) “Covered employee” means an employee, volunteer, subcontractor, or agent
2534 of a District government contractor or subcontractor that has provided any service under a
2535 District contract or subcontract and has:

2536 (A) Tested positive for the novel 2019 coronavirus (SARS-CoV-2);

2537 (B) Is in quarantine or isolation due to exposure or suspected exposure to the
2538 novel 2019 coronavirus (SARS-CoV-2); or

2539 (C) Is exhibiting symptoms of COVID-19.

2540 (2) “Covered individual” means:

2541 (A) A District government employee, volunteer, or agent;

2542 (B) An individual in the care of the District, the contractor, or the

2543 subcontractor; or

2544 (C) A member of the public who interacted with, or was in close proximity

2545 to, a covered employee while the covered employee carried out performance under a District

2546 government contract or subcontract and while the covered employee was at a District

2547 government facility or a facility maintained or served by the contractor or subcontractor under a

2548 District government contract or subcontract.

2549 (3) “COVID-19” means the disease caused by the novel 2019 coronavirus

2550 (SARS-CoV-2).

2551 (4) “District government facility” means a building or any part of a building that

2552 is owned, leased, or otherwise controlled by the District government.

2553 (5) “SARS-CoV-2” means the novel 2019 coronavirus.

2554 (f) This section shall apply to all District government contracts and subcontracts that

2555 were in effect on, or awarded after March 11, 2020, and shall remain in effect during the period

2556 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the

2557 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-

2558 194; D.C. Official Code § 7- 2304.01), and for 30 days thereafter.

2559 **TITLE VI. EDUCATION**

2560 Sec. 601. Graduation requirements.

2561 Chapter 22 of Title 5-A of the District of Columbia Municipal Regulations (5-A DCMR §
2562 2201 *et seq.*) is amended as follows:

2563 (a) Section 2203.3(f) (5-A DCMR § 2203.3(f)) is amended by striking the phrase “shall
2564 be satisfactorily completed” and inserting the phrase “shall be satisfactorily completed; except,
2565 that this requirement shall be waived for a senior who otherwise would be eligible to graduate
2566 from high school in the District of Columbia in the 2019-20 school year” in its place.

2567 (b) Section 2299.1 (5-A DCMR § 2299.1) is amended by striking the phrase “one
2568 hundred and twenty (120) hours of classroom instruction over the course of an academic year”
2569 and inserting the phrase “one hundred and twenty (120) hours of classroom instruction over the
2570 course of an academic year; except, that following the Superintendent’s approval to grant an
2571 exception to the one hundred eighty (180) day instructional day requirement pursuant to 5A
2572 DCMR § 2100.3 for school year 2019-20, a Carnegie Unit may consist of fewer than one
2573 hundred and twenty (120) hours of classroom instruction over the course of the 2019-2020
2574 academic year for any course in which a student in grades 9-12 is enrolled” in its place.

2575 Sec. 602. Out of school time report waiver.

2576 Section 8 of the Office of Out of School Time Grants and Youth Outcomes Establishment
2577 Act of 2016, effective April 7, 2017 (D.C. Law 21-261; D.C. Official Code § 2-1555.07), is
2578 amended by adding a new subsection (c) to read as follows:

2579 “(c) During a period of time for which the Mayor has declared a public health emergency
2580 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2581 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Office may waive the

2582 requirement to conduct an annual, community-wide needs assessment pursuant to subsection
2583 (a)(1) of this section.”.

2584 Sec. 603. Summer school attendance.

2585 Section 206 of the Student Promotion Act of 2013, effective February 22, 2014 (D.C.
2586 Law 20-84; D.C. Official Code § 38-781.05), is amended by adding a new subsection (c) to read
2587 as follows:

2588 “(c) The Chancellor shall have the authority to waive the requirements of subsection (a)
2589 of this section for any student who fails to meet the promotion criteria specified in the DCMR
2590 during a school year that includes a period of time for which the Mayor has declared a public
2591 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
2592 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

2593 Sec. 604. Education research practice partnership review panel.

2594 Section 104(d)(2) of the District of Columbia Education Research Practice Partnership
2595 Establishment and Audit Act of 2018, effective March 28, 2019 (D.C. Law 22-268; D.C. Official
2596 Code § 38-785.03(d)(2)), is amended by striking the phrase “timely manner” and inserting the
2597 phrase “timely manner; except, that upon the declaration of a public health emergency pursuant
2598 to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17,
2599 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the meeting of the review panel shall
2600 be postponed until 7 business days following the end of the period of time for which the public
2601 health emergency was declared” in its place.

2602 Sec. 605. UDC Board of Trustees terms.

2603 Section 201 of the District of Columbia Public Postsecondary Education Reorganization
2604 Act, approved October 26, 1974 (88 Stat. 1424; D.C. Official Code § 38-1202.01), is amended as
2605 follows:

2606 (a) Subsections (d), (e), and (f) are amended to read as follows:

2607 “(d) All terms on the Board of Trustees shall begin on May 15 and shall end one or 5
2608 years thereafter on May 14. The student member elected pursuant to subsection (c)(2) of this
2609 section shall serve for a term of one year. All other members shall serve for a term of 5 years.
2610 Depending on the date of the individual’s election or appointment, a member of the Board of
2611 Trustees may not actually serve a full term.

2612 “(e) A member of the Board of Trustees who is elected as a holder of a degree pursuant to
2613 subsection (c)(3) of this section may be re-elected to serve one additional term, after which he or
2614 she may not again be elected pursuant to subsection (c)(3) of this section until at least 5 years
2615 have passed following his or her last day of service on the Board.”.

2616 “(f) A member of the Board of Trustees who is appointed pursuant to subsection (c)(1) of
2617 this section may serve 3 full or partial terms consecutively. No member shall serve for more
2618 than 15 consecutive years, regardless of whether elected or appointed, and shall not serve
2619 thereafter until 5 years have passed following his or her last day of service on the Board.”.

2620 Sec. 606. UDC fundraising match.

2621 Section 4082(a) of the University of the District of Columbia Fundraising Match Act of
2622 2019, effective September 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is amended by striking the
2623 phrase “for every \$2 that UDC raises from private donations by April 1” and inserting the phrase
2624 “to match dollar-for-dollar the amount UDC raises from private donations by May 1” in its place.

2625 **TITLE VII. PUBLIC SAFETY AND JUSTICE**

2626 Sec. 701. Jail reporting.

2627 Section 3022(c) of the Office of the Deputy Mayor for Public Safety and Justice
2628 Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code §
2629 1-301.191(c)), is amended as follows:

2630 (a) Paragraph (5)(B) is amended by striking the phrase “; and” and inserting a semicolon
2631 in its place.

2632 (b) Paragraph (6)(G)(viii) is amended by striking the period and inserting the phrase “;
2633 and” in its place.

2634 (c) A new paragraph (7) is added to read as follows:

2635 “(7) During a period of time for which the Mayor has declared a public health
2636 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2637 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), provide to the
2638 Council Committee with jurisdiction over the Office a weekly written update containing the
2639 following information:

2640 “(A) Unless otherwise distributed to the Chairperson of the Council
2641 Committee with jurisdiction over the Office by the Criminal Justice Coordinating Council, a
2642 daily census for that week of individuals detained in the Central Detention Facility and
2643 Correctional Treatment Facility, categorized by legal status;

2644 “(B) Any District of Columbia Government response to either the United
2645 States District Court for the District of Columbia or the Court-appointed inspectors regarding the
2646 implementation of the Court’s orders and resolution of the inspectors’ findings in the matter of
2647 *Banks v. Booth* (Civil Action No. 20-849), redacted for personally identifiable information; and

2648 “(C) A description of:
2649 “(i) All actions taken by the District Government to improve
2650 conditions of confinement in the Central Detention Facility and Correctional Treatment Facility,
2651 including by the Director of the Department of Youth and Rehabilitation Services or Director’s
2652 designee; and

2653 “(ii) Without reference to personally identifiable information,
2654 COVID-19 testing of individuals detained in the Central Detention Facility and Correctional
2655 Treatment Facility, including whether and under what conditions the District is testing
2656 asymptomatic individuals.”.

2657 Sec. 702. Civil rights enforcement.

2658 The Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C.
2659 Official Code § 2-1401.01 *et seq.*), is amended by adding a new section 316a to read as follows:

2660 “Sec. 316a. Civil actions by the Attorney General.

2661 “During a period of time for which the Mayor has declared a public health emergency
2662 (“PHE”) pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2663 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), in a civil action
2664 initiated by the Attorney General for the District of Columbia (“Attorney General”) for
2665 violations of this act, or a civil action arising in connection with the PHE, other than an action
2666 brought pursuant to section 307:

2667 “(1) The Attorney General may obtain:

2668 “(A) Injunctive relief, as described in section 307;

2669 “(B) Civil penalties, up to the amounts described in section 313(a)(1)(E-
2670 1), for each action or practice in violation of this act, and, in the context of a discriminatory
2671 advertisement, for each day the advertisement was posted; and

2672 “(C) Any other form of relief described in section 313(a)(1); and

2673 “(2) The Attorney General may seek subpoenas for the production of documents
2674 and materials or for the attendance and testimony of witnesses under oath, or both, which shall
2675 contain the information described in section 110a(b) of the Attorney General for the District of
2676 Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015
2677 (D.C. Law 21-36; D.C. Official Code § 1-301.88d(b)) (“Act”), and shall follow the procedures
2678 described in section 110a(c), (d), and (e) of the Act (D.C. Official Code § 1-301.88d(c), (d), and
2679 (e)); provided, that the subpoenas are not directed to a District government official or entity.”.

2680 Sec. 703. FEMS reassignments.

2681 Section 212 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law
2682 2-38; D.C. Official Code § 2-1402.12), is amended by adding a new subsection (c) to read as
2683 follows:

2684 “(c) It shall not be an unlawful discriminatory practice for the Mayor to reassign
2685 personnel of the Fire and Emergency Medical Services Department from firefighting and
2686 emergency medical services operations during a period of time for which a public health
2687 emergency has been declared pursuant to section 5a of the District of Columbia Public
2688 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2689 2304.01), based upon the inability of the personnel to wear personal protective equipment in a
2690 manner consistent with medical and health guidelines.”.

2691 Sec. 704. Police Complaints Board investigation extension.

2692 Section 5(d-3) of the Office of Citizen Complaint Review Establishment Act of 1998,
2693 effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104(d-3)), is amended
2694 as follows:

2695 (a) Paragraph (1) is amended by striking the phrase “January 1, 2017, through December
2696 31, 2019” and inserting the phrase “August 1, 2019, through January 31, 2020” in its place.

2697 (b) Paragraph (2) is amended by striking the date “April 30, 2021” and inserting the date
2698 “September 30, 2021” in its place.

2699 Sec. 705. Extension of time for non-custodial arrestees to report.

2700 Section 23-501(4) of the District of Columbia Official Code is amended by striking the
2701 period and inserting the phrase “, or within 90 days, if the non-custodial arrest was conducted
2702 during a period of time for which the Mayor has declared a public health emergency pursuant to
2703 § 7-2304.01.” in its place.

2704 Sec. 706. Good time credits and compassionate release.

2705 (a) Section 3c(c) of the District of Columbia Good Time Credits Act of 1986, effective
2706 May 17, 2011 (D.C. Law 18-732; D.C. Official Code § 24-221.01c(c)), is amended by striking
2707 the phrase “this section combined” and inserting the phrase “this section combined; except, that
2708 during a period for which a public health emergency has been declared pursuant to section 5a of
2709 the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law
2710 14-194; D.C. Official Code § 7-2304.01), the Department of Corrections shall have discretion to
2711 award additional credits beyond the limits described in this subsection to effectuate the
2712 immediate release of persons sentenced for misdemeanors, including pursuant to section 3 and
2713 this section, consistent with public safety.”.

2714 (b) An Act To establish a Board of Indeterminate Sentence and Parole for the District of
2715 Columbia and to determine its functions, and for other purposes, approved July 15, 1932 (47
2716 Stat. 696; D.C. Official Code § 24-403 *et seq.*), is amended as follows:

2717 (1) A new section 3a-1 is added to read as follows:

2718 “Sec. 3a-1. Good time credit for felony offenses committed before August 5, 2000.

2719 “(a)(1) Notwithstanding any other provision of law, a defendant who is serving a term of
2720 imprisonment for an offense committed between June 22, 1994, and August 4, 2000, shall be
2721 retroactively awarded good time credit toward the service of the defendant’s sentence of up to 54
2722 days for each year of the defendant’s sentence imposed by the court, subject to determination by
2723 the Bureau of Prisons that during those years the defendant has met the conditions provided in 18
2724 U.S.C. § 3624(b).

2725 “(2) An award of good time credit pursuant to paragraph (1) of this subsection
2726 shall apply to the minimum and maximum term of incarceration, including the mandatory
2727 minimum; provided, that in the event of a maximum term of life, only the minimum term shall
2728 receive good time.

2729 “(b)(1) Notwithstanding any other provision of law, a defendant who is serving a term of
2730 imprisonment for an offense committed before June 22, 1994, shall be retroactively awarded
2731 good time credit toward the service of the defendant’s sentence of up to 54 days for each year of
2732 the defendant’s sentence imposed by the court, subject to determination by the Bureau of Prisons
2733 that during those years the defendant has met the conditions provided in 18 U.S.C. § 3624(b).

2734 “(2) An award of good time credit pursuant to paragraph (1) of this subsection:

2735 “(A) Shall apply to any mandatory minimum term of incarceration; and

2736 “(B) Is not intended to modify how the defendant is awarded good time
2737 credit toward any portion of the sentence other than the mandatory minimum.”.

2738 (2) A new section 3d is added to read as follows:

2739 “Sec. 3d. Motions for compassionate release for individuals convicted of felony offenses.

2740 “(a) Notwithstanding any other provision of law, the court may modify a term of
2741 imprisonment imposed upon a defendant if it determines the defendant is not a danger to the
2742 safety of any other person or the community, pursuant to the factors to be considered in 18
2743 U.S.C. §§ 3142(g) and 3553(a) and evidence of the defendant's rehabilitation while incarcerated,
2744 and:

2745 “(1) The defendant has a terminal illness, which means a disease or condition with
2746 an end-of-life trajectory;

2747 “(2) The defendant is 60 years of age or older and has served at least 25 years in
2748 prison; or

2749 “(3) Other extraordinary and compelling reasons warrant such a modification,
2750 including:

2751 “(A) A debilitating medical condition involving an incurable, progressive
2752 illness, or a debilitating injury from which the defendant will not recover;

2753 “(B) Elderly age, defined as a defendant who:

2754 “(i) Is 60 years of age or older;

2755 “(ii) Has served at least 20 years in prison or has served the greater
2756 of 10 years or 75% of his or her sentence; and

2757 “(iii) Suffers from a chronic or serious medical condition related to
2758 the aging process or that causes an acute vulnerability to severe medical complications or death
2759 as a result of COVID-19;

2760 “(C) Death or incapacitation of the family member caregiver of the
2761 defendant’s children; or

2762 “(D) Incapacitation of a spouse or a domestic partner when the defendant
2763 would be the only available caregiver for the spouse or domestic partner.

2764 “(b) Motions brought pursuant to this section may be brought by the United States
2765 Attorney’s Office for the District of Columbia, the Bureau of Prisons, the United States Parole
2766 Commission, or the defendant.

2767 “(c) Although a hearing is not required, to provide for timely review of a motion made
2768 pursuant to this section and at the request of counsel for the defendant, the court may waive the
2769 appearance of a defendant currently held in the custody of the Bureau of Prisons.

2770 “(d) For the purposes of this section, the term “COVID-19” means the disease caused by
2771 the novel 2019 coronavirus SARS-CoV-2.

2772 Sec. 707. Healthcare provider liability.

2773 (a) Notwithstanding any provision of District law:

2774 (1) A healthcare provider, first responder, or volunteer who renders care or
2775 treatment to a potential, suspected, or diagnosed individual with COVID-19 shall be exempt
2776 from liability in a civil action for damages resulting from such care or treatment of COVID-19,
2777 or from any act or failure to act in providing or arranging medical treatment for COVID-19;

2778 (2) A donor of time, professional services, equipment, or supplies for the benefit
2779 of persons or entities providing care or treatment for COVID-19 to a suspected or diagnosed

2780 individual with COVID-19, or care for the family members of such individuals for damages
2781 resulting from such donation shall be exempt from liability in a civil action; and

2782 (3) A contractor or subcontractor on a District government contract that has been
2783 contracted to provide either health care services or human care services, consistent with section
2784 104(37) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
2785 371; D.C. Official Code § 2-351.04(37)), related to the District government’s COVID-19
2786 response shall be exempt from liability in a civil action.

2787 (b) The limitations on liability provided for by subsection (a) of this section shall apply to
2788 any healthcare provider, first responder, volunteer, donor, or District government contractor or
2789 subcontractor of a District government contractor (“provider”), including a party involved in the
2790 healthcare process at the request of a health-care facility or the District government and acting
2791 within the scope of the provider’s employment or organization’s purpose, contractual or
2792 voluntary service, or donation, even if outside the provider’s professional scope of practice, state
2793 of licensure, or with an expired license, who:

2794 (1) Prescribes or dispenses medicines for off-label use to attempt to combat the
2795 COVID-19 virus, in accordance with the Trickett Wendler, Frank Mongiello, Jordan McLinn,
2796 and Matthew Bellina Right to Try Act of 2017, approved May 30, 2018 (Pub. L. No. 115-176;
2797 132 Stat. 1372).

2798 (2) Provides direct or ancillary health-care services or health care products,
2799 including direct patient care, testing, equipment or supplies, consultations, triage services,
2800 resource teams, nutrition services, or physical, mental, and behavioral therapies; or

2801 (3) Utilizes equipment or supplies outside of the product’s normal use for medical
2802 practice and the provision of health-care services to combat the COVID-19 virus;

2803 (c) The limitations on civil liability provided for by subsection (a) of this section shall not
2804 extend to:

2805 (1) Acts or omissions that constitute actual fraud, actual malice, recklessness,
2806 breach of contract, gross negligence, or willful misconduct; or

2807 (2) Acts or omissions unrelated to direct patient care; provided, that a contractor
2808 or subcontractor shall not be liable for damages for any act or omission alleged to have caused an
2809 individual to contract COVID-19.

2810 (d) The limitations on liability provided for by subsection (a) of this section extend to
2811 acts, omissions, and donations performed or made during a period of time for which the Mayor
2812 has declared a public health emergency pursuant to section 5a of the District of Columbia Public
2813 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2814 2304.01), and to damages that ensue at any time from acts, omissions, and donations made
2815 during the public health emergency.

2816 (e) A healthcare provider, first responder, or volunteer who renders care or treatment to a
2817 potential, suspected, or diagnosed individual with COVID-19 shall be exempt from criminal
2818 prosecution for any act or failure to act in providing or arranging medical treatment for COVID-
2819 19 during a public health emergency, if such action is made in good faith.

2820 (f) The limitations on liability provided for by this section do not limit the applicability of
2821 other limitations on liability, including qualified and absolute immunity, that may otherwise
2822 apply to a person covered by this section.

2823 (g) For the purposes of this section, the term “COVID-19” means the disease caused by
2824 the novel 2019 coronavirus SARS-CoV-2.

2825 **TITLE VIII. GOVERNMENT OPERATIONS**

2826 Sec. 801. Board of Elections stipends.

2827 Section 1108(c-1)(10) of the District of Columbia Government Comprehensive Merit
2828 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
2829 611.08(c-1)(10)), is amended by striking the phrase “Chairperson per year” and inserting the
2830 phrase “Chairperson per year; except, that for the remainder of 2020 following April 10, 2020,
2831 District of Columbia Board of Elections members shall be entitled to compensation at the hourly
2832 rate of \$40 while actually in the service of the board, not to exceed \$25,000 for each member per
2833 year and \$53,000 for the Chairperson per year” in its place.

2834 Sec. 802. Retirement Board Financial disclosure extension of time.

2835 Section 161(a)(1) of the District of Columbia Retirement Reform Act, approved
2836 November 17, 1979 (93 Stat. 884; D.C. Official Code § 1-731(a)(1)), is amended by striking the
2837 phrase “April 30th” and inserting the phrase “July 30th” in its place.

2838 Sec. 803. Ethics and campaign finance.

2839 (a) The Government Ethics Act of 2011, effective April 27, 2012 (D.C. Law 19-124;
2840 D.C. Official Code § 1-1162.01 *et seq.*), is amended as follows:

2841 (1) Section 224 (D.C. Official Code § 1-1162.24) is amended by adding a new
2842 subsection (c-2) to read as follows:

2843 “(c-2) Notwithstanding any other provision of this section, in calendar year 2020, the
2844 Board may change the dates by which:

2845 “(1) Reports required by this section are to be filed; and

2846 “(2) The names of public officials are to be published pursuant to subsection (c-1)
2847 of this section.”.

2848 (2) Section 225 (D.C. Official Code § 1-1162.25) is amended by adding a new
2849 subsection (b-1) to read as follows:

2850 “(b-1) Notwithstanding any other provision of this section, in calendar year 2020, the
2851 Board may change the dates by which:

2852 “(1) Reports required by subsection (a) of this section are to be filed; and

2853 “(2) Reports filed pursuant to subsection (a) of this section shall be reviewed
2854 pursuant to subsection (b) of this section.”.

2855 (3) Section 230 (D.C. Official Code § 1-1162.30) is amended by adding a new
2856 subsection (a-1) to read as follows:

2857 “(a-1) Notwithstanding any other provision of this section, in calendar year 2020, the
2858 Board may change the dates by which reports required by subsection (a) of this section shall be
2859 filed.”.

2860 (b) The Campaign Finance Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C.
2861 Official Code § 1-1163.01 *et seq.*), is amended as follows:

2862 (1) Section 304(7A)(A) (D.C. Official Code § 1-1163.04(7A)(A)) is amended by
2863 striking the phrase “in person, although online materials may be used to supplement the training”
2864 and inserting the phrase “in person or online” in its place.

2865 (2) Section 332d (D.C. Official Code § 1-1163.32d) is amended by striking the
2866 phrase “5 days after” wherever it appears and inserting the phrase “5 business days after” in its
2867 place.

2868 (3) Section 332e(e) (D.C. Official Code § 1-1163.32e(e)) is amended by striking
2869 the phrase “Within 5 days after” and inserting the phrase “Within 5 business days after” in its
2870 place.

2871 Sec. 804. Election preparations.

2872 The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat.

2873 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

2874 (a) Section 2 (D.C. Official Code § 1-1001.02) is amended by adding a new paragraph

2875 (31) to read as follows:

2876 “(31) For the June 2, 2020, Primary Election and the June 16, 2020, Ward 2

2877 Special Election, the term “polling place” shall include Vote Centers operated by the Board

2878 throughout the District.”.

2879 (b) Section 5(a) (D.C. Official Code § 1-1001.05(a)) is amended as follows:

2880 (1) A new paragraph (9A) is added to read as follows:

2881 “(9A) For the June 2, 2020, Primary Election, mail every registered qualified

2882 elector an absentee ballot application and a postage-paid return envelope;”.

2883 (2) Paragraph (10A) is amended by striking the phrase “7th day after the election”

2884 and inserting the phrase “7th day after the election; provided, that for elections held in calendar

2885 year 2020, the Board shall accept absentee ballots postmarked or otherwise proven to have been

2886 sent on or before the day of the election, and received by the Board no later than the 10th day

2887 after the election” in its place.

2888 (c) Section 7 (D.C. Official Code § 1-1001.07) is amended as follows:

2889 (1) Subsection (d)(2) is amended as follows:

2890 (A) Subparagraph (C) is amended by striking the phrase “; and” and

2891 inserting a semicolon in its place.

2892 (B) Subparagraph (D) is amended by striking the period and inserting the

2893 phrase “; and” in its place.

2894 (C) A new subparagraph (E) is added to read as follows:
2895 “(E) For the June 2, 2020, Primary Election and the June 16, 2020, Ward 2
2896 Special Election, regularly promote the Board’s revised plans for those elections on the voter
2897 registration agencies’ social media platforms, including by providing information about how to
2898 register to vote and vote by mail.”.

2899 (2) Subsection (h) is amended by adding a new paragraph (4) to read as follows:
2900 “(4) The provisions of this subsection shall not apply to the June 2, 2020, Primary
2901 Election and the June 16, 2020, Ward 2 Special Election.”.

2902 (d) Section 8 (D.C. Official Code § 1-1001.08) is amended as follows:
2903 (1) Subsection (b) is amended by adding a new paragraph (3A) to read as follows:
2904 “(3A) For the November 3, 2020, general election:
2905 “(A) Petition sheets circulated in support of a candidate for elected office
2906 pursuant to this act may be electronically:
2907 “(i) Made available by the candidate to qualified petition
2908 circulators; and
2909 “(ii) Returned by qualified petition circulators to the candidate; and
2910 “(B) Signatures on such petition sheets shall not be invalidated because
2911 the signer was also the circulator of the same petition sheet on which the signature appears.”.

2912 (2) Subsection (j) is amended as follows:
2913 (A) Paragraph (1) is amended by striking the phrase “A duly” and
2914 inserting the phrase “Except as provided in paragraph (4) of this subsection, a duly” in its place.
2915 (B) A new paragraph (4) is added to read as follows:

2916 “(4) A duly qualified candidate for the following offices for the November 3,
2917 2020, general election may be nominated directly for election to such office by a petition that is
2918 filed with the Board not fewer than 90 days before the date of such General Election and signed
2919 by the number of voters duly registered under section 7 as follows:

2920 “(A) For Delegate or at-large member of the Council, 250 voters; and

2921 “(B) For member of the Council elected by ward, 150 voters who are
2922 registered in the ward from which the candidate seeks election.”.

2923 (3) Subsection (n) is amended as follows:

2924 (A) The existing text is designated as paragraph (1).

2925 (B) The newly designated paragraph (1) is amended by striking the phrase
2926 “Each candidate” and inserting the phrase “Except as provided in paragraph (2) of this
2927 subsection, each candidate” in its place.

2928 (C) A new paragraph (2) is added to read as follows:

2929 “(2) A duly qualified candidate for the following offices for the November 3,
2930 2020, general election may be nominated directly for election to such office by a petition that is
2931 filed with the Board not fewer than 90 days before the date of such general election and signed
2932 by the number of voters duly registered under section 7 as follows:

2933 “(A) For member of the State Board of Education elected at-large, 150
2934 voters; and

2935 “(B) For member of the State Board of Education elected by ward, 50
2936 voters who are registered in the ward from which the candidate seeks election.”.

2937 (e) Section 16 (D.C. Official Code § 1-1001.16) is amended as follows:

2938 (1) Subsection (g) is amended by striking the phrase “white paper of good writing
2939 quality of the same size as the original or shall utilize the mobile application made available
2940 under section 5(a)(19). Each initiative or referendum petition sheet shall consist of one double-
2941 sided sheet providing numbered lines for 20 printed” and inserting the phrase “paper of good
2942 writing quality or shall utilize the mobile application made available under section 5(a)(19).
2943 Each initiative or referendum petition sheet shall consist of one sheet providing numbered lines
2944 for printed” in its place.

2945 (2) A new subsection (g-1) is added to read as follows:

2946 “(g-1) In calendar year 2020:

2947 “(1) Petition sheets of proposers may be electronically:

2948 “(A) Made available by the proposers to qualified petition circulators; and

2949 “(B) Returned by qualified petition circulators to the proposers; and

2950 “(2) Signatures on petition sheets of proposers shall not be invalidated because the
2951 signer was also the circulator of the same petition sheet on which the signature appears.”.

2952 Sec. 805. Absentee ballot request signature waiver.

2953 Section 720.7(h) of Title 3 of the District of Columbia Municipal Regulations (3 DCMR

2954 § 720.7(h)) is amended by striking the phrase “Voter’s signature” and inserting the phrase

2955 “Except for a request for an absentee ballot for the June 2, 2020, Primary Election or the June 16,
2956 2020, Ward 2 Special Election, voter’s signature” in its place.

2957 Sec. 806. Overseas ballot extension.

2958 Section 110 of the Uniform Military and Overseas Voters Act of 2012, effective June 5,

2959 2012 (D.C. Law 19-137; D.C. Official Code § 1-1061.10), is amended by striking the phrase

2960 “after the election;” and inserting the phrase “after the election; provided, that for elections held

2961 in calendar year 2020, the Board shall accept a military-overseas ballot postmarked or otherwise
2962 proven to have been sent on or before the day of the election, and received by the Board no later
2963 than the 10th day after the election;” in its place.

2964 Sec. 807. Remote notarizations.

2965 The Revised Uniform Law on Notarial Acts Act of 2018, effective December 4, 2018
2966 (D.C. Law 22-189; D.C. Official Code § 1-1231.01 *et seq.*), is amended as follows:

2967 (a) Section 2 (D.C. Official Code § 1-1231.01) is amended by adding a new paragraph
2968 (1A) to read as follows:

2969 “(1A) “Audio-video communication” means an electronic device or process that:

2970 “(A) Enables a notary public to view, in real time, an individual and to
2971 compare for consistency the information and photos on that individual’s government-issued
2972 identification; and

2973 “(B) Is specifically designed to facilitate remote notarizations.”.

2974 (b) Section 6 (D.C. Official Code § 1-1231.05) is amended as follows:

2975 (1) The existing text is designated as subsection (a).

2976 (2) A new subsection (b) is added to read as follows:

2977 “(b) Notwithstanding any provision of District law, during a period of time for which the
2978 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia
2979 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
2980 Code § 7-2304.01), the Mayor may authorize, without the personal appearance of the individual
2981 making the statement or executing the signature, notarial acts required or permitted under
2982 District law if:

2983 “(1) The notary public and the individual communicate with each other
2984 simultaneously by sight and sound using audio-video communication; and
2985 “(2) The notary public:
2986 “(A) Has notified the Mayor of the intention to perform notarial acts using
2987 audio-video communication and the identity of the audio-video communication the notary public
2988 intends to use;
2989 “(B) Has satisfactory evidence of the identity of the individual by means
2990 of:
2991 “(i) Personal knowledge or by the individual’s presentation of a
2992 current government-issued identification that contains the signature or photograph of the
2993 individual to the notary public during the video conference; or
2994 “(ii) A verification on oath or affirmation of a credible witness
2995 personally appearing before the officer and known to the officer or whom the officer can identify
2996 based on a current passport, driver’s license, or government-issued nondriver identification card;
2997 “(C) Confirms that the individual made a statement or executed a
2998 signature on a document;
2999 “(D) Receives by electronic means a legible copy of the signed document
3000 directly from the individual immediately after it was signed;
3001 “(E) Upon receiving the signed document, immediately completes the
3002 notarization;
3003 “(F) Upon completing the notarization, immediately transmits by
3004 electronic means the notarized document to the individual;

3005 “(G) Creates, or directs another person to create, and retains an audio-
3006 visual recording of the performance of the notarial act; and

3007 “(H) Indicates on a certificate of the notarial act and in a journal that the
3008 individual was not in the physical presence of the notary public and that the notarial act was
3009 performed using audio-visual communication.”.

3010 (c) Section 10 (D.C. Official Code § 1-1231.09) is amended by adding a new subsection
3011 (d) to read as follows:

3012 “(d) Notwithstanding any provision of District law, during a period of time for which the
3013 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia
3014 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
3015 Code § 7-2304.01), a notarial act shall be deemed to be performed in the District.”.

3016 Sec. 808. Freedom of Information Act.

3017 The Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96;
3018 D.C. Official Code § 2-531 *et seq.*), is amended as follows:

3019 (a) Section 202 (D.C. Official Code § 2-532) is amended as follows:

3020 (1) Subsection (c) is amended as follows:

3021 (A) Paragraph (1) is amended by striking the phrase “Sundays, and” and
3022 inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

3023 (B) Paragraph (2)(A) is amended by striking the phrase “Sundays, and”
3024 and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

3025 (2) Subsection (d)(1) is amended by striking the phrase “Sundays, and” both times
3026 it appears and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

3027 (b) Section 207(a) (D.C. Official Code § 2-537(a)) is amended by striking the phrase
3028 “Sundays, and” and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its
3029 place.

3030 (c) Section 209 (D.C. Official Code § 2-539) is amended by adding a new subsection (c)
3031 to read as follows:

3032 “(c) For the purposes of this title, the term “COVID-19 closure” means:

3033 “(1) A period of time for which the Mayor has declared a public health emergency
3034 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3035 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01); or

3036 “(2) A period of time during which a public body is closed due to the COVID-19
3037 coronavirus disease, as determined by the personnel authority of the public body.”.

3038 Sec. 809. Open meetings.

3039 The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code
3040 § 2-571 *et seq.*), is amended as follows:

3041 (a) Section 405(a) (D.C. Official Code § 2-575(a)) is amended as follows:

3042 (1) Paragraph (2) is amended by striking the phrase “; or” and inserting a
3043 semicolon in its place.

3044 (2) Paragraph (3) is amended by striking the period and inserting the phrase “; or”
3045 in its place.

3046 (3) A new paragraph (4) is added to read as follows:

3047 “(4) During a period for which a public health emergency has been declared
3048 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3049 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the public body takes

3050 steps reasonably calculated to allow the public to view or hear the meeting while the meeting is
3051 taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably
3052 practicable.”.

3053 (b) Section 406 (D.C. Official Code § 2-576) is amended by adding a new paragraph (6)
3054 to read as follows:

3055 “(6) The public posting requirements of paragraph (2)(A) of this section shall not
3056 apply during a period for which a public health emergency has been declared pursuant to section
3057 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3058 Law 14-194; D.C. Official Code § 7-2304.01).”.

3059 (c) Section 407(a)(1) (D.C. Official Code § 2-577(a)(1)) is amended by striking the
3060 phrase “attend the meeting;” and inserting the phrase “attend the meeting, or in the case of a
3061 meeting held during a period for which a public health emergency has been declared pursuant to
3062 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
3063 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), steps are taken that are reasonably
3064 calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if
3065 doing so is not technologically feasible, as soon thereafter as reasonably practicable.”.

3066 (d) Section 408(b) (D.C. Official Code § 2-578(b)) is amended by adding a new
3067 paragraph (3) to read as follows:

3068 “(3) The schedule provided in paragraphs (1) and (2) of this subsection shall be
3069 tolled during a period for which a public health emergency has been declared pursuant to section
3070 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3071 Law 14-194; D.C. Official Code § 7-2304.01).”.

3072 Sec. 810. Electronic witnessing.

3073 (a) Title 16 of the District of Columbia Official Code is amended as follows:

3074 (1) Section 16-4802 is amended as follows:

3075 (A) New paragraphs (9A) and (9B) are added to read as follows:

3076 “(9A) “Electronic” means relating to technology having electrical, digital,
3077 magnetic, wireless, optical, electromagnetic, or similar capabilities.

3078 “(9B) “Electronic presence” means when one or more witnesses are in a different
3079 physical location than the designator but can observe and communicate with the designator and
3080 one another to the same extent as if the witnesses and designator were physically present with
3081 one another.”.

3082 (B) New paragraphs (11A) and (11B) are added to read as follows:

3083 “(11A) “Record” means information that is inscribed on a tangible medium or that
3084 is stored in an electronic medium and is retrievable in perceivable form.

3085 “(11B) “Sign” means with present intent to authenticate or adopt a record to:

3086 “(A) Execute or adopt a tangible symbol; or

3087 “(B) Affix to or associate with the record an electronic signature.”.

3088 (2) Section 16-4803 is amended as follows:

3089 (A) Subsection (c) is amended by striking the phrase “the adult signs the
3090 designation in the presence of the designator” and inserting the phrase “the adult signs the
3091 designation in the presence or, during a period of time for which the Mayor has declared a public
3092 health emergency pursuant to § 7-2304.01, the electronic presence of the designator” in its place.

3093 (B) Subsection (d) is amended by striking the phrase “in the presence of 2
3094 witnesses” and inserting the phrase “in the presence or, during a period of time for which the

3095 Mayor has declared a public health emergency pursuant to § 7-2304.01, the electronic presence
3096 of 2 witnesses” in its place.

3097 (b) Title 21 of the District of Columbia Official Code is amended as follows:

3098 (1) Section 21-2011 is amended as follows:

3099 (A) New paragraphs (5B-i) and (5B-ii) are added to read as follows:

3100 “(5B-i) “Electronic” means relating to technology having electrical, digital,
3101 magnetic, wireless, optical, electromagnetic, or similar capabilities.

3102 “(5B-ii) “Electronic presence” means when one or more witnesses are in a
3103 different physical location than the signatory but can observe and communicate with the
3104 signatory and one another to the same extent as if the witnesses and signatory were physically
3105 present with one another.”.

3106 (B) New paragraphs (23A) and (23B) are added to read as follows:

3107 “(23A) “Record” means information that is inscribed on a tangible medium or that
3108 is stored in an electronic medium and is retrievable in perceivable form.

3109 “(23B) “Sign” means with present intent to authenticate or adopt a record to:

3110 “(A) Execute or adopt a tangible symbol; or

3111 “(B) Affix to or associate with the record an electronic signature.”.

3112 (2) Section 21-2043 is amended by adding a new subsection (c-1) to read as
3113 follows:

3114 “(c-1) With respect to witnesses referred to in subsection (c) of this section, witnesses
3115 must be in the presence or, during a period of time for which the Mayor has declared a public
3116 health emergency pursuant to § 7-2304.01, the electronic presence of the signatory.”.

3117 (3) Section 21-2202 is amended as follows:

3118 (A) New paragraphs (3A) and (3B) are added to read as follows:

3119 “(3A) “Electronic” means relating to technology having electrical, digital,
3120 magnetic, wireless, optical, electromagnetic, or similar capabilities.

3121 “(3B) “Electronic presence” means when one or more witnesses are in a different
3122 physical location than the principal but can observe and communicate with the principal and one
3123 another to the same extent as if the witnesses and principal were physically present with one
3124 another.”.

3125 (B) A new paragraph (6B) is added to read as follows:

3126 “(6B) “Record” means information that is inscribed on a tangible medium or that
3127 is stored in an electronic medium and is retrievable in perceivable form.”.

3128 (C) A new paragraph (8) is added to read as follows:

3129 “(8) “Sign” means with present intent to authenticate or adopt a record to:

3130 “(A) Execute or adopt a tangible symbol; or

3131 “(B) Affix to or associate with the record an electronic signature.”.

3132 (4) Section 21-2205(c) is amended by striking the phrase “2 adult witnesses who
3133 affirm that the principal was of sound mind” and inserting the phrase “2 adult witnesses who, in
3134 the presence or, during a period of time for which the Mayor has declared a public health
3135 emergency pursuant to § 7-2304.01, the electronic presence of the principal, affirm that the
3136 principal was of sound mind” in its place.

3137 (5) Section 21-2210(c) is amended is amended by striking the phrase “There
3138 shall be at least 1 witness present” and inserting the phrase “There shall be at least one witness
3139 present or, during a period of time for which the Mayor has declared a public health emergency
3140 pursuant to § 7-2304.01, electronically present” in its place.

3141 (c) Title III of the Disability Services Reform Amendment Act of 2018, effective May 5,
3142 2018 (D.C. Law 22-93; D.C. Official Code § 7-2131 *et seq.*), is amended as follows:

3143 (1) Section 301 (D.C. Official Code § 7-2131) is amended as follows:

3144 (A) New paragraphs (6A) and (6B) are added to read as follows:

3145 “(6A) “Electronic” means relating to technology having electrical, digital,
3146 magnetic, wireless, optical, electromagnetic, or similar capabilities.

3147 “(6B) “Electronic presence” means when one or more witnesses are in a different
3148 physical location than the signatory but can observe and communicate with the signatory and one
3149 another to the same extent as if the witnesses and signatory were physically present with one
3150 another.”.

3151 (B) New paragraphs (9A) and (9B) are added to read as follows:

3152 “(9A) “Record” means information that is inscribed on a tangible medium or that
3153 is stored in an electronic medium and is retrievable in perceivable form.

3154 “(9B) “Sign” means with present intent to authenticate or adopt a record to:

3155 “(A) Execute or adopt a tangible symbol; or

3156 “(B) Affix to or associate with the record an electronic signature.”.

3157 (2) Section 302 (D.C. Official Code § 7-2132) is amended by adding a

3158 new subsection (c-1) to read as follows:

3159 “(c-1) With respect to witnesses referred to in subsection (c) of this section, witnesses
3160 must be in the presence or, during a period of time for which the Mayor has declared a public
3161 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
3162 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the
3163 electronic presence of the signatory.”.

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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

3187 “(B) Affix to or associate with the record an electronic signature.

3188 “(b)(1) A validly executed electronic will shall be a record that is:

3189 “(A) Readable as text at the time of signing pursuant to subparagraph (B)
3190 of this paragraph; and

3191 “(B) Signed:

3192 “(i) By the testator, or by another person in the testator’s physical
3193 presence and by the testator’s express direction; and

3194 “(ii) In the physical or electronic presence of the testator by at least
3195 2 credible witnesses, each of whom is physically located in the United States at the time of
3196 signing.

3197 “(2) In order for the electronic will to be admitted to the Probate Court, the
3198 testator, a witness to the will, or an attorney admitted to practice in the District of Columbia who
3199 supervised the execution of the electronic will shall certify a paper copy of the electronic will by
3200 affirming under penalty of perjury that:

3201 “(A) The paper copy of the electronic will is a complete, true, and accurate
3202 copy of the electronic will; and

3203 “(B) The conditions in paragraph (1) of this subsection were satisfied at
3204 the time the electronic will was signed.

3205 “(3) Except as provided in subsection (c) of this section, a certified paper copy of
3206 an electronic will shall be deemed to be the electronic will of the testator for all purposes under
3207 this title.

3208 “(c)(1) An electronic will may revoke all or part of a previous will or electronic will.

3209 “(2) An electronic will, or a part thereof, is revoked by:

3210 “(A) A subsequent will or electronic will that revokes the electronic will,
3211 or a part thereof, expressly or by inconsistency; or

3212 “(B) A direct physical act cancelling the electronic will, or a part thereof,
3213 with the intention of revoking it, by the testator or a person in the testator’s physical presence
3214 and by the testator’s express direction and consent.

3215 “(3) After it is revoked, an electronic will, or a part thereof, may not be revived
3216 other than by its re-execution, or by a codicil executed as provided in the case of wills or
3217 electronic wills, and then only to the extent to which an intention to revive is shown in the
3218 codicil.

3219 “(d) An electronic will not in compliance with subsection (b)(1) of this section is valid if
3220 executed in compliance with the law of the jurisdiction where the testator is:

3221 “(1) Physically located when the electronic will is signed; or

3222 “(2) Domiciled or resides when the electronic will is signed or when the testator
3223 dies.

3224 “(e) Except as otherwise provided in this section:

3225 “(1) An electronic will is a will for all purposes under the laws of the District of
3226 Columbia; and

3227 “(2) The laws of the District of Columbia applicable to wills and principles of
3228 equity apply to an electronic will.

3229 “(f) This section shall apply to electronic wills made during a period of time for which
3230 the Mayor has declared a public health emergency pursuant to § 7-2304.01.”.

3231 Sec. 812. Administrative hearings deadlines.

3232 Notwithstanding any provision of District law, but subject to applicable federal laws and
3233 regulations, during a period time for which the Mayor has declared a public health emergency
3234 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3235 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the 90-day time period to
3236 request a hearing shall be tolled:

3237 (1) To review an adverse action by the Mayor concerning any new application for
3238 public assistance or any application or request for a change in the amount, kind or conditions of
3239 public assistance, or a decision by the Mayor to terminate, reduce, or change the amount, kind, or
3240 conditions of public assistance benefits or to take other action adverse to the recipient pursuant to
3241 section 1009 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982
3242 (D.C. Law 4-101; D.C. Official Code § 4-210.09); or

3243 (2) To appeal an adverse decision listed in section 26(b) of the Homeless Services
3244 Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-
3245 754.41(b)).

3246 Sec. 813. Other boards and commissions.

3247 Notwithstanding any provision of law, during a period time for which the Mayor has
3248 declared a public health emergency pursuant to section 5a of the District of Columbia Public
3249 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3250 2304.01):

3251 (1) Any requirement for a board, commission, or other public body to meet is
3252 waived, unless the Mayor determines that it is necessary or appropriate for the board,

3253 commission, or other public body to meet during the period of the public health emergency, in
3254 which case the Mayor may order the board, commission, or other public body to meet;

3255 (2) Any vacancy that occurs on a board or commission shall not be considered a
3256 vacancy for the purposes of nominating a replacement; and

3257 (3) The review period for nominations transmitted to the Council for approval or
3258 disapproval in accordance with section 2(a) of the Confirmation Act of 1978, effective March 3,
3259 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)), shall be tolled.

3260 Sec. 814. Living will declaration.

3261 The Natural Death Act of 1981, effective February 25, 1982 (D.C. Law 4-69; D.C. Official
3262 Code § 7-621 *et seq.*), is amended as follows:

3263 (a) Section 2 (D.C. Official Code § 7–621) is amended as follows:

3264 (1) A new paragraph (2B) is added to read as follows:

3265 “(2B) “Electronic presence” means when one or more witnesses are in a different
3266 physical location than the declarant but can observe and communicate with the declarant and one
3267 another by using technology having electrical, digital, magnetic, wireless, optical, electromagnetic,
3268 or similar capabilities to the same extent as if the witnesses and declarant were physically present
3269 with one another.

3270 (2) A new paragraph (5A) is added to read as follows:

3271 “(5A) “Sign” means with present intent to authenticate or adopt a record to:

3272 “(A) Execute or adopt a tangible symbol; or

3273 “(B) Affix to or associate with the record an electronic signature.”.

3274 (b) Section 3 (D.C. Official Code § 7–622) is amended as follows:

3275 (1) Subsection (a)(4) is amended by striking the phrase “Signed in the presence”
3276 and inserting the phrase “Signed in the presence or, during a period of time for which the Mayor
3277 has declared a public health emergency pursuant to section 5a of the District of Columbia Public
3278 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3279 2304.01), the electronic presence” in its place.

3280 (2) A new subsection (d) is added to read as follows:

3281 “(d) During a period of time for which the Mayor has declared a public health emergency
3282 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3283 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), any signature required by
3284 this act may be an electronic signature.”.

3285 (c) Section 5(a)(3) (D.C. Official Code § 7-624(a)(3)) is amended by striking the phrase
3286 “in the presence of a witness” and inserting the phrase “in the presence or, during a period of
3287 time for which the Mayor has declared a public health emergency pursuant to section 5a of the
3288 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
3289 194; D.C. Official Code § 7-2304.01), electronic presence of a witness” in its place.

3290 **TITLE IX. LEGISLATIVE BRANCH**

3291 Sec. 901. Council Rules.

3292 The Rules of Organization and Procedure for the Council of the District of Columbia,
3293 Council Period 23, Resolution of 2019, effective January 2, 2019 (Res. 23-1; 66 DCR 272), is
3294 amended as follows:

3295 (a) Section 101(31) is amended by striking the phrase “in 2020.” and inserting the phrase
3296 “in 2020. For 2020, the summer recess shall be August 1st through September 7th.” in its place

3297 (b) Section 367 is amended by striking the phrase “remote voting or proxy shall” and
3298 inserting the phrase “proxy shall” in its place.

3299 (c) Rule VI(c) of the Council of the District of Columbia, Code of Official Conduct,
3300 Council Period 23, is amended by adding a new paragraph (5) to read as follows:

3301 “(5) Notwithstanding any other rule, during a period of time for which the Mayor
3302 has declared a public health emergency pursuant to section 5a of the District of Columbia Public
3303 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3304 2304.01), a Councilmember may disseminate information about, and connect constituents with,
3305 services and offers, including from for-profit entities, that the Councilmember determines is in
3306 the public interest in light of the public health emergency.”.

3307 (d) Rule X(f)(1)(C) of the Council of the District of Columbia, Code of Official Conduct,
3308 Council Period 23, is amended by striking the phrase “The proposed” and inserting the phrase
3309 “Unless the electronic newsletter exclusively contains information relating to a declared public
3310 health emergency, the proposed” in its place.

3311

3312 Sec. 902. Grant budget modifications.

3313 (a) The Council approves the acceptance, obligation, and expenditure by the Mayor of the
3314 federal, private, and other grants related to the Declaration of Public Emergency (Mayor’s Order
3315 2020-045) and the Declaration of Public Health Emergency (Mayor’s Order 2020-046), both
3316 declared on March 11, 2020, submitted to the Council for approval and accompanied by a report
3317 by the Office of the Chief Financial Officer on or before March 17, 2020 pursuant to section
3318 446B(b)(1) of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat.
3319 2040; D.C. Official Code § 1-204.46b(b)(1)).

3320 (b) For purposes of section 446B(b)(1)(B) of the District of Columbia Home Rule Act,
3321 approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(B)), the
3322 Council shall be deemed to have reviewed and approved the acceptance, obligation, and
3323 expenditure of a grant related to the Declaration of Public Emergency (Mayor’s Order 2020-045)
3324 and the Declaration of Public Health Emergency (Mayor’s Order 2020-046), both declared on
3325 March 11, 2020, all or a portion of which is accepted, obligated, and expended for the purpose of
3326 addressing a public emergency, if:

3327 (1) No written notice of disapproval is filed with the Secretary to the Council
3328 within 2 business days of the receipt of the report from the Chief Financial Officer under section
3329 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120
3330 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)); or

3331 (2) Such a notice of disapproval is filed within such deadline, the Council does
3332 not by resolution disapprove the acceptance, obligation, or expenditure of the grant within 5
3333 calendar days of the initial receipt of the report from the Chief Financial Officer under section
3334 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120
3335 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)).

3336 Sec. 903. Budget submission requirements.

3337 The Fiscal Year 2021 Budget Submission Requirements Resolution of 2019, effective
3338 November 22, 2019 (Res. 23-268; 66 DCR 15372), is amended as follows:

3339 (a) Section 2 is amended by striking the phrase “not later than March 19, 2020,” and
3340 inserting the phrase “not later than May 18, 2020, unless another date is set by subsequent
3341 resolution of the Council” in its place.

3342 (b) Section 3(2) is amended as follows:

3343 (1) Subparagraph (A) is amended by striking the phrase “the proposed Fiscal Year
3344 2021 Local Budget Act of 2020,” and inserting the phrase “the proposed Fiscal Year 2021 Local
3345 Budget Act of 2020, the proposed Fiscal Year 2021 Local Budget Emergency Act of 2020, the
3346 proposed Fiscal Year 2021 Local Budget Temporary Act of 2020,” in its place.

3347 (2) Subparagraph (C) is amended by striking the phrase “produced from
3348 PeopleSoft on March 19, 2020” and inserting the phrase “produced from PeopleSoft on May 18,
3349 2020” in its place.

3350 Sec. 904. Tolling of matters transmitted to the Council.

3351 (a) Section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142;
3352 D.C. Official Code § 1-523.01), is amended as follows:

3353 (1) Subsection (c) is amended by striking the phrase “180 days,” and inserting the
3354 phrase “180 days, excluding days occurring during a period of time for which the Mayor has
3355 declared a public health emergency pursuant to section 5a of the District of Columbia Public
3356 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3357 2304.01),” in its place

3358 (2) Subsection (e) is amended by striking the phrase “excluding days of Council
3359 recess” and inserting the phrase “excluding days of Council recess and days occurring during a
3360 period of time for which the Mayor has declared a public health emergency pursuant to section
3361 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3362 Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3363 (3) Subsection (f) is amended by striking the phrase “Council shall have an
3364 additional 45 days, excluding days of Council recess,” and inserting the phrase “Council shall
3365 have an additional 45 days, excluding days of Council recess and days occurring during a period

3366 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
3367 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
3368 194; D.C. Official Code § 7-2304.01),” in its place.

3369 (b) Notwithstanding any provision of law, during a period time for which the Mayor has
3370 declared a public health emergency pursuant to section 5a of the District of Columbia Public
3371 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3372 2304.01), the review period for any matter transmitted to the Council for approval or
3373 disapproval, other than nominations transmitted in accordance with section 2 of the Confirmation
3374 Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), contract
3375 approvals, or reprogrammings transmitted in accordance with section 4 of the Reprogramming
3376 Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Official Code § 47-
3377 363), shall be tolled if not inconsistent with the District of Columbia Home Rule Act, approved
3378 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3379 Sec. 905. Advisory Neighborhood Commissions.

3380 The Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C.
3381 Law 1-58; D.C. Official Code § 1-309.01 *et seq.*), is amended as follows:

3382 (a) Section 6(b) (D.C. Official Code § 1-309.05(b)) is amended as follows:

3383 (1) Paragraph (1) is amended by striking the phrase “Candidates for” and inserting
3384 the phrase “Except as provided in paragraph (3) of this subsection, candidates for” in its place.

3385 (2) A new paragraph (3) is added to read as follows:

3386 “(3) For the November 3, 2020, general election:

3387 “(A) Candidates for member of an Advisory Neighborhood Commission
3388 shall be nominated by a petition signed by not fewer than 10 registered qualified electors who are
3389 residents of the single-member district from which the candidate seeks election;

3390 “(B) The petitions of a candidate in subparagraph (A) of this paragraph
3391 may be electronically:

3392 “(i) Made available by the candidate to a qualified petition
3393 circulator; and

3394 “(ii) Returned by a qualified petition circulator to the candidate;
3395 and

3396 “(C) Signatures on a candidate’s petitions shall not be invalidated because
3397 the signer was also the circulator of the same petition on which the signature appears.”.

3398 (b) Section 8(d) (D.C. Official Code § 1-309.06(d)) is amended as follows:

3399 (1) Paragraph (1) is amended by striking the phrase “prior to a general election”
3400 both times it appears and inserting the phrase “prior to a general election or during a period of
3401 time for which a public health emergency has been declared by the Mayor pursuant to section 5a
3402 of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3403 Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3404 (2) Paragraph (6) is amended as follows:

3405 (A) Subparagraph (A) is amended by striking the phrase “and legal
3406 holidays” and inserting the phrase “legal holidays, and days during a period of time for which a
3407 public health emergency has been declared by the Mayor pursuant to section 5a of the District of
3408 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
3409 Official Code § 7-2304.01)” in its place.

3410 (B) Subparagraph (C) is amended by striking the phrase “petitions
3411 available,” and inserting the phrase “petitions available, not including days during a period of
3412 time for which a public health emergency has been declared by the Mayor pursuant to section 5a
3413 of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3414 Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3415 (C) Subparagraph (E) is amended by striking the phrase “or special
3416 meeting” and inserting the phrase “or special meeting, not to include a remote meeting held
3417 during a period of time for which a public health emergency has been declared by the Mayor
3418 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3419 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3420 (c) Section 13 (D.C. Official Code § 1-309.10) is amended by adding a new subsection
3421 (q) to read as follows:

3422 “(q) During a period of time for which a public health emergency has been declared by
3423 the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
3424 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01):

3425 “(1) The 30-day written notice requirement set forth in subsection (b) of this
3426 section shall be a 51-day written notice requirement; and

3427 “(2) The 45-calendar-day notice requirement set forth in subsection (c)(2)(A) of
3428 this section shall be a 66-calendar-day notice requirement.”.

3429 (d) Section 14(b) (D.C. Official Code § 1-309.11(b)), is amended as follows:

3430 (1) Paragraph (1) is amended by striking the phrase “by the Commission.” and
3431 inserting the phrase “by the Commission; provided, that no meetings shall be required to be held
3432 during a period for which a public health emergency has been declared by the Mayor pursuant to

3433 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
3434 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and the number of meetings required to be
3435 held in a given year shall be reduced by one for every 30 days that a public health emergency is
3436 in effect during the year.”.

3437 (2) A new paragraph (1B) is added to read as follows:

3438 “(1B) Notwithstanding any other provision of law, during a period for which a
3439 public health emergency has been declared by the Mayor pursuant to section 5a of the District of
3440 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
3441 Official Code § 7-2304.01), an Advisory Neighborhood Commissioner may call a meeting and
3442 remotely participate in that meeting and vote on matters before the Commission without being
3443 physically present through a teleconference or through digital means identified by the
3444 Commission for this purpose. Members physically or remotely present shall be counted for
3445 determination of a quorum.”.

3446 (e) Section 16 (D.C. Official Code § 1-309.13) is amended as follows:

3447 (1) Subsection (j)(3) is amended by adding a new subparagraph (C) to read as
3448 follows:

3449 “(C) Subparagraph (A)(i) of this paragraph shall not apply to the failure to
3450 file quarterly reports due during a period of time for which a public health emergency has been
3451 declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act
3452 of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

3453 (2) Subsection (m)(1) is amended by striking the phrase “District government”
3454 and inserting the phrase “District government; except, that notwithstanding any provision of
3455 District law, during a period for which a public health emergency has been declared by the

3456 Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
3457 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), a Commission
3458 may approve grants to organizations for the purpose of providing humanitarian relief, including
3459 food or supplies, during the public health emergency, or otherwise assisting in the response to
3460 the public health emergency anywhere in the District, even if those services are duplicative of
3461 services also performed by the District government” in its place.

3462 **TITLE X. BORROWING AUTHORITY**

3463 **SUBTITLE A. GENERAL OBLIGATION NOTES**

3464 Sec. 1001. Short title.

3465 This subtitle may be cited as the “Fiscal Year 2020 General Obligation Notes Temporary
3466 Act of 2020”.

3467 Sec. 1002. Definitions.

3468 For the purposes of this subtitle, the term:

3469 (1) “Additional Notes” means District general obligation notes described in
3470 section 1009 that may be issued pursuant to section 471 of the Home Rule Act (D.C. Official
3471 Code § 1-204.71), and that will mature on or before September 30, 2021, on a parity with the
3472 notes.

3473 (2) “Authorized delegate” means the City Administrator, the Chief Financial
3474 Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor’s functions under
3475 this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

3476 (3) “Available funds” means District funds required to be deposited with the
3477 Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

3478 (4) “Bond Counsel” means a firm or firms of attorneys designated

3479 as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

3480 (5) “Chief Financial Officer” means the Chief Financial Officer established

3481 pursuant to section 424(a)(1) of the Home Rule Act (D.C. Official Code § 1-204.24a(a)).

3482 (6) “City Administrator” means the City Administrator established pursuant to

3483 section 422(7) of the Home Rule Act (D.C. Official Code § 1-204.22(7)).

3484 (7) “Council” means the Council of the District of Columbia.

3485 (8) “District” means the District of Columbia.

3486 (9) “Escrow Agent” means any bank, trust company, or national banking

3487 association with requisite trust powers designated to serve in this capacity by the Chief Financial

3488 Officer.

3489 (10) “Escrow Agreement” means the escrow agreement between the District and

3490 the Escrow Agent authorized in section 1007.

3491 (11) “Home Rule Act” means the District of Columbia Home Rule Act, approved

3492 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3493 (12) “Mayor” means the Mayor of the District of Columbia.

3494 (13) “Notes” means one or more series of District general obligation notes

3495 authorized to be issued pursuant to this subtitle.

3496 (14) “Receipts” means all funds received by the District from any source,

3497 including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys

3498 advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds

3499 that are pledged to debt or other obligations according to section 1009 or that are restricted by

3500 law to uses other than payment of principal of, and interest on, the notes.

3501 (15) “Secretary” means the Secretary of the District of Columbia.

3502 (16) “Treasurer” means the District of Columbia Treasurer established pursuant to
3503 section 424(a)(3)(E) of the Home Rule Act (D.C. Official Code § 1-204.24a(c)(5)).

3504 Sec. 1003. Findings.

3505 The Council finds that:

3506 (1) Under section 471 of the Home Rule Act (D.C. Official Code § 1-204.71),
3507 the Council may authorize, by act, the issuance of general obligation notes for a fiscal year to
3508 meet appropriations for that fiscal year.

3509 (2) Under section 482 of the Home Rule Act (D.C. Official Code § 1-204.82),
3510 the full faith and credit of the District is pledged for the payment of the principal of, and interest
3511 on, any general obligation note.

3512 (3) Under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83),
3513 the Council is required to provide in the annual budget sufficient funds to pay the principal of,
3514 and interest on, all general obligation notes becoming due and payable during that fiscal year,
3515 and the Mayor is required to ensure that the principal of, and interest on, all general obligation
3516 notes is paid when due, including by paying the principal and interest from funds not otherwise
3517 legally committed.

3518 (4) The issuance of general obligation notes in a sum not to exceed
3519 \$300,000,000 is in the public interest.

3520 Sec. 1004. Note authorization.

3521 (a) The District is authorized to incur indebtedness, for operating or capital expenses, by
3522 issuing the notes pursuant to sections 471 and 482 of the Home Rule Act (D.C. Official Code §§
3523 1-204.71 and 1-204.82), in one or more series, in a sum not to exceed \$300,000,000, to meet
3524 appropriations for the fiscal year ending September 30, 2020.

3525 (b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the
3526 costs and expenses of issuing and delivering the notes, including, but not limited to,
3527 underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement,
3528 marketing and selling the notes, interest or credit fees, and printing costs and expenses.

3529 Sec. 1005. Note details.

3530 (a) The notes shall be known as “District of Columbia Fiscal Year 2020 General
3531 Obligation Notes” and shall be due and payable, as to both principal and interest, on or before
3532 September 30, 2021.

3533 (b) The Chief Financial Officer is authorized to take any action necessary or appropriate
3534 in accordance with this subtitle in connection with the preparation, execution, issuance, sale,
3535 delivery, security for, and payment of the notes, including, but not limited to, determinations of:

3536 (1) The final form, content, designation, and terms of the notes, including
3537 any redemptions applicable thereto and a determination that the notes may be issued in book-
3538 entry form;

3539 (2) Provisions for the transfer and exchange of the notes;

3540 (3) The principal amount of the notes to be issued;

3541 (4) The rate or rates of interest or the method of determining the rate or rates of
3542 interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall
3543 not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days
3544 elapsed); provided, further, that if the notes are not paid at maturity, the notes may provide for an
3545 interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the
3546 basis of a 365-day year (actual days elapsed);

3547 (5) The date or dates of issuance, sale, and delivery of the notes;

3548 (6) The place or places of payment of principal of, and interest on, the notes;

3549 (7) The designation of a registrar, if appropriate, for any series of the notes, and

3550 the execution and delivery of any necessary agreements relating to the designation;

3551 (8) The designation of paying agent(s) or escrow agent(s) for any series of the

3552 notes, and the execution and delivery of any necessary agreements relating to such designations;

3553 and

3554 (9) Provisions concerning the replacement of mutilated, lost, stolen, or destroyed

3555 notes.

3556 (c) The notes shall be executed in the name of the District and on its behalf by the

3557 signature, manual or facsimile, of the Mayor or an authorized delegate. The official seal of the

3558 District or a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a

3559 registrar is designated, the registrar shall authenticate each note by manual signature and

3560 maintain the books of registration for the payment of the principal of and interest on the notes

3561 and perform other ministerial responsibilities as specifically provided in its designation as

3562 registrar.

3563 (d) The notes may be issued at any time or from time to time in one or more

3564 issues and in one or more series.

3565 Sec. 1006. Sale of the notes.

3566 (a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract

3567 or at competitive sale pursuant to a bid form. The purchase contract or bid form shall contain the

3568 terms that the Chief Financial Officer considers necessary or appropriate to carry out the

3569 purposes of this subtitle. The Chief Financial Officer's execution and delivery of the purchase

3570 contract or bid form shall constitute conclusive evidence of the Chief Financial Officer's

3571 approval, on behalf of the District, of the final form and content of the notes. The Chief
3572 Financial Officer shall deliver the notes, on behalf of the District, to the purchasers upon
3573 receiving the purchase price provided in the purchase contract or bid form.

3574 (b) The Chief Financial Officer may execute, in connection with each sale of the notes,
3575 an offering document on behalf of the District, and may authorize the document's distribution in
3576 relation to the notes being sold.

3577 (c) The Chief Financial Officer shall take actions and execute and deliver agreements,
3578 documents, and instruments (including any amendment of or supplement to any such agreement,
3579 document, or instrument) in connection with any series of notes as required by or incidental to:

3580 (1) The issuance of the notes;

3581 (2) The establishment or preservation of the exclusion from gross income for
3582 federal income tax purposes of interest on the notes, if issued tax-exempt, and the exemption
3583 from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

3584 (3) The performance of any covenant contained in this subtitle, in any
3585 purchase contract for the notes, or in any escrow or other agreement for the security thereof;

3586 (4) The provision for securing the repayment of the notes by a letter or line of
3587 credit or other form of credit enhancement, and the repayment of advances under any such credit
3588 enhancement, including the evidencing of such a repayment obligation with a negotiable
3589 instrument with such terms as the Chief Financial Officer shall determine; or

3590 (5) The execution, delivery, and performance of the Escrow Agreement, a
3591 purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement
3592 relating to credit enhancement, if any, including any amendments of any of these agreements,
3593 documents, or instruments.

3594 (d) The notes shall not be issued until the Chief Financial Officer receives an approving
3595 opinion of Bond Counsel as to the validity of the notes and the exemption from the District
3596 income taxation of the interest on the notes (except estate, inheritance and gift taxes) and, if
3597 issued tax-exempt, the establishment or preservation of the exclusion from gross income for
3598 federal income tax purposes of the interest on the notes. .

3599 (e) The Chief Financial Officer shall execute a note issuance certificate evidencing the
3600 determinations and other actions taken by the Chief Financial Officer for each issue or series of
3601 the notes issued and shall designate in the note issuance certificate the date of the notes, the
3602 series designation, the aggregate principal amount to be issued, the authorized denominations of
3603 the notes, the sale price, and the interest rate or rates on the notes. The certificate shall be
3604 delivered at the time of delivery of the notes and shall be conclusive evidence of the actions
3605 taken as stated in the certificate. A copy of the certificates shall be filed with the Secretary to the
3606 Council not more than 3 days after the delivery of the notes covered by the certificate.

3607 Sec. 1007. Payment and security.

3608 (a) The full faith and credit of the District is pledged for the payment of the principal of,
3609 and interest on, the notes as they become due and payable through required sinking fund
3610 payments, redemptions, or otherwise.

3611 (b) The Council shall, in the full exercise of the authority granted in section 483 of the
3612 Home Rule Act (D.C. Official Code § 1-204.83) and under any other law, provide in each annual
3613 budget for a fiscal year of the District sufficient funds to pay the principal of, and interest on, the
3614 notes becoming due and payable for any reason during that fiscal year.

3615 (c) The Mayor shall, in the full exercise of the authority granted to the Mayor under the
3616 Home Rule Act and under any other law, take such actions as may be necessary or appropriate to

3617 ensure that the principal of, and interest on, the notes are paid when due for any reason, including
3618 the payment of principal and interest from any funds or accounts of the District not otherwise
3619 legally committed.

3620 (d) The notes shall evidence continuing obligations of the District until paid in
3621 accordance with their terms.

3622 (e) The funds for the payment of the notes as described in this subtitle shall be
3623 irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds
3624 shall be used for the payment of the principal of, and interest on, the notes when due, and shall
3625 not be used for other purposes so long as the notes are outstanding and unpaid.

3626 (f) The Chief Financial Officer may, without regard to any act or resolution of the
3627 Council now existing or adopted after the effective date of this subtitle, designate an Escrow
3628 Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the
3629 Escrow Agreement, on behalf of the District and in the Chief Financial Officer's official
3630 capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate
3631 to carry out the purposes of this subtitle. A special account entitled "Special Escrow for
3632 Payment of District of Columbia Fiscal Year 2020 General Obligation Notes" is created and
3633 shall be maintained by the Escrow Agent for the benefit of the owners of the notes as stated in
3634 the Escrow Agreement. Funds on deposit, including investment income, under the Escrow
3635 Agreement shall not be used for any purposes except for payment of the notes or, to the extent
3636 permitted by the Home Rule Act, to service any contract or other arrangement permitted under
3637 subsections (k) or (l) of this section, and may be invested only as provided in the Escrow
3638 Agreement.

3639 (g) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with
3640 the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued
3641 interest and premium, if any, received upon the sale of the notes.

3642 (h) The Chief Financial Officer shall set aside and deposit with the Escrow Agent funds
3643 in accordance with the Escrow Agreement at the time and in the amount as provided in the
3644 Escrow Agreement.

3645 (i) There are provided and approved for expenditure sums as may be necessary
3646 for making payments of the principal of, and interest on, the notes, and the provisions of the
3647 Fiscal Year 2020 Local Budget Act and Fiscal Year 2021 Local Budget Act, if enacted prior to
3648 the effective date of this subtitle, relating to borrowings are amended and supplemented
3649 accordingly by this section, as contemplated in section 483 of the Home Rule Act (D.C. Official
3650 Code § 1-204.83).

3651 (j) The notes shall be payable, as to both principal and interest, in lawful money of the
3652 United States of America in immediately available or same day funds at a bank or trust company
3653 acting as paying agent, and at not more than 2 co-paying agents that may be located outside the
3654 District. All of the paying agents shall be qualified to act as paying agents under the laws of the
3655 United States of America, of the District, or of the state in which they are located, and shall be
3656 designated by the Chief Financial Officer without regard to any other act or resolution of the
3657 Council now existing or adopted after the effective date of this subtitle.

3658 (k) In addition to the security available for the holders of the notes, the Chief Financial
3659 Officer is hereby authorized to enter into agreements, including any agreement calling for
3660 payments in excess of \$1,000,000 during Fiscal Year 2020, with a bank or other financial
3661 institution to provide a letter of credit, line of credit, or other form of credit enhancement to

3662 secure repayment of the notes when due. The obligation of the District to reimburse the bank or
3663 financial institution for any advances made under any such credit enhancement shall be a general
3664 obligation of the District until repaid and shall accrue interest at the rate of interest established by
3665 the Chief Financial Officer not in excess of 20% per year until paid.

3666 (l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
3667 371; D.C. Official Code § 2-351.01 *et seq.*), and subchapter III-A of Chapter 3 of Title 47 of the
3668 District of Columbia Official Code, shall not apply to any contract that the Chief Financial
3669 Officer may from time to time determine to be necessary or appropriate to place, in whole or in
3670 part, including:

3671 (1) An investment or obligation of the District as represented by the notes;

3672 (2) An investment or obligation or program of investment; or

3673 (3) A contract or contracts based on the interest rate, currency, cash flow, or other
3674 basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap
3675 agreements; currency swap agreements; insurance agreements; forward payment conversion
3676 agreements; futures; contracts providing for payments based on levels of, or changes in, interest
3677 rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a
3678 series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure,
3679 including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts
3680 or other arrangements also may be entered into by the District in connection with, or incidental
3681 to, entering into or maintaining any agreement that secures the notes. The contracts or other
3682 arrangements shall contain whatever payment, security, terms, and conditions as the Chief
3683 Financial Officer may consider appropriate and shall be entered into with whatever party or
3684 parties the Chief Financial Officer may select, after giving due consideration, where applicable,

3685 to the creditworthiness of the counterparty or counterparties including any rating by a nationally
3686 recognized rating agency or any other criteria as may be appropriate. In connection with, or
3687 incidental to, the issuance or holding of the notes, or entering into any contract or other
3688 arrangement referred to in this section, the District may enter into credit enhancement or
3689 liquidity agreements, with payment, interest rate, termination date, currency, security, default,
3690 remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds
3691 of the notes and any money set aside for payment of the notes or of any contract or other
3692 arrangement entered into pursuant to this section may be used to service any contract or other
3693 arrangement entered into pursuant to this section.

3694 Sec. 1008. Defeasance.

3695 (a) The notes shall no longer be considered outstanding and unpaid for the purpose of this
3696 subtitle and the Escrow Agreement, and the requirements of this subtitle and the Escrow
3697 Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

3698 (1) Deposits with an Escrow Agent, herein referred to as the “defeasance escrow
3699 agent,” in a separate defeasance escrow account, established and maintained by the Escrow
3700 Agent solely at the expense of the District and held in trust for the note owners, sufficient
3701 moneys or direct obligations of the United States, the principal of and interest on which, when
3702 due and payable, will provide sufficient moneys to pay when due the principal of, and interest
3703 payable at maturity on, all the notes; and

3704 (2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to
3705 apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

3706 (b) The defeasance escrow agent shall not invest the defeasance escrow account in any
3707 investment callable at the option of its issuer if the call could result in less-than-sufficient
3708 moneys being available for the purposes required by this section.

3709 (c) The moneys and direct obligations referred to in subsection (a)(1) of this section may
3710 include moneys or direct obligations of the United States of America held under the Escrow
3711 Agreement and transferred, at the written direction of the Chief Financial Officer, to the
3712 defeasance escrow account.

3713 (d) The defeasance escrow account specified in subsection (a) of this section may be
3714 established and maintained without regard to any limitations placed on these accounts by any act
3715 or resolution of the Council now existing or adopted after this subtitle becomes effective, except
3716 for this subtitle.

3717 Sec. 1009. Additional debt and other obligations.

3718 (a) The District reserves the right at any time to: borrow money or enter into
3719 other obligations to the full extent permitted by law; secure the borrowings or obligations by the
3720 pledge of its full faith and credit; secure the borrowings or obligations by any other security and
3721 pledges of funds as may be authorized by law; and issue bonds, notes, including Additional
3722 Notes, or other instruments to evidence the borrowings or obligations.

3723 (b)(1) The District may issue Additional Notes pursuant to section 471 of the Home Rule
3724 Act (D.C. Official Code § 1-204.71) that shall mature on or before September 30, 2021, and the
3725 District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other
3726 available funds for payment of the principal of, and the interest on, the Additional Notes issued
3727 pursuant to section 471 of the Home Rule Act (D.C. Official Code § 1-204.71) on a parity basis
3728 with the notes.

3729 (2) The receipts and available funds referred to in subsection (a) of this section
3730 shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home
3731 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
3732 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

3733 (3) Any covenants relating to any Additional Notes shall have equal standing and
3734 be on a parity with the covenants made for payment of the principal of, and the interest on, the
3735 notes.

3736 (4) If Additional Notes are issued pursuant to section 471 of the Home Rule Act
3737 (D.C. Official Code § 1-204.71), the provisions of section 1007 shall apply to both the notes and
3738 the Additional Notes and increase the amounts required to be set aside and deposited with the
3739 Escrow Agent.

3740 (5) As a condition precedent to the issuance of any Additional Notes, the Chief
3741 Financial Officer shall deliver a signed certificate certifying that the District is in full compliance
3742 with all covenants and obligations under this subtitle and the Escrow Agreement.

3743 Sec. 1010. Tax matters.

3744 At the full discretion of the Chief Financial Officer, the notes authorized by this subtitle
3745 may be issued as federally taxable or tax-exempt. If issued as tax-exempt, the Chief Financial
3746 Officer shall take all actions necessary to be taken so that the interest on the notes will not be
3747 includable in gross income for federal income tax purposes.

3748 Sec. 1011. Contract.

3749 This subtitle shall constitute a contract between the District and the owners of the notes
3750 authorized by this subtitle. To the extent that any acts or resolutions of the Council may be in
3751 conflict with this subtitle, this subtitle shall be controlling.

3752 Sec. 1012. District officials.

3753 (a) The elected or appointed officials, officers, employees, or agents of the District shall
3754 not be liable personally for the payment of the notes or be subject to any personal liability by
3755 reason of the issuance of the notes.

3756 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
3757 any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding
3758 the fact that the official ceases to be that official before delivery of the notes.

3759 Sec. 1013. Authorized delegation of authority.

3760 To the extent permitted by the District and federal laws, the Mayor may delegate to the
3761 City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act
3762 authorized to be performed by the Mayor under this subtitle.

3763 Sec. 1014. Maintenance of documents.

3764 Copies of the notes and related documents shall be filed in the Office of the Secretary.

3765 **SUBTITLE B. TRANs NOTES**

3766 Sec. 1021. Short title.

3767 This subtitle may be cited as the “Fiscal Year 2020 Tax Revenue Anticipation Notes
3768 Temporary Act of 2020”.

3769 Sec. 1022. Definitions.

3770 For the purposes of this subtitle, the term:

3771 (1) “Additional Notes” means District general obligation revenue anticipation
3772 notes described in section 1029 that may be issued pursuant to section 472 of the Home Rule Act
3773 (D.C. Official Code § 1-204.72) and that will mature on or before September 30, 2020, on a
3774 parity with the notes.

3775 (2) “Authorized delegate” means the City Administrator, the Chief Financial
3776 Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor’s functions under
3777 this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

3778 (3) “Available funds” means District funds required to be deposited with the
3779 Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

3780 (4) “Bond Counsel” means a firm or firms of attorneys designated
3781 as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

3782 (5) “Chief Financial Officer” means the Chief Financial Officer established
3783 pursuant to section 424(a)(1) of the Home Rule Act (D.C. Official Code § 1-204.24a(a)).

3784 (6) “City Administrator” means the City Administrator established pursuant to
3785 section 422(7) of the Home Rule Act (D.C. Official Code § 1-204.22(7)).

3786 (7) “Council” means the Council of the District of Columbia.

3787 (8) “District” means the District of Columbia.

3788 (9) “Escrow Agent” means any bank, trust company, or national banking
3789 association with requisite trust powers designated to serve in this capacity by the Chief Financial
3790 Officer.

3791 (10) “Escrow Agreement” means the escrow agreement between the District and
3792 the Escrow Agent authorized in section 1027.

3793 (11) “Home Rule Act” means the District of Columbia Home Rule Act, approved
3794 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*)

3795 (12) “Mayor” means the Mayor of the District of Columbia.

3796 (13) “Notes” means one or more series of District general obligation
3797 revenue anticipation notes authorized to be issued pursuant to this subtitle.

3798 (14) "Receipts" means all funds received by the District from any source,
3799 including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys
3800 advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds
3801 that are pledged to debt or other obligations according to section 1029 or that are restricted by
3802 law to uses other than payment of principal of, and interest on, the notes.

3803 (15) "Secretary" means the Secretary of the District of Columbia.

3804 (16) "Treasurer" means the District of Columbia Treasurer established pursuant to
3805 section 424(a)(3)(E) of the Home Rule Act (D.C. Official Code § 1-204.24a(c)(5)).

3806 Sec. 1023. Findings.

3807 The Council finds that:

3808 (1) Under section 472 of the Home Rule Act (D.C. Official Code § 1-204.72), the
3809 Council may authorize, by act, the issuance of general obligation revenue anticipation notes for a
3810 fiscal year in anticipation of the collection or receipt of revenues for that fiscal year. Section 472
3811 of the Home Rule Act (D.C. Official Code § 1-204.72) provides further that the total amount of
3812 general obligation revenue anticipation notes issued and outstanding at any time during a fiscal
3813 year shall not exceed 20% of the total anticipated revenue of the District for that fiscal year, as
3814 certified by the Mayor pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-
3815 204.72), as of a date not more than 15 days before each original issuance of the notes.

3816 (2) Under section 482 of the Home Rule Act (D.C. Official Code § 1-204.82), the
3817 full faith and credit of the District is pledged for the payment of the principal of, and interest on,
3818 any general obligation revenue anticipation note.

3819 (3) Under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83), the
3820 Council is required to provide in the annual budget sufficient funds to pay the principal of, and

3821 interest on, all general obligation revenue anticipation notes becoming due and payable during
3822 that fiscal year, and the Mayor is required to ensure that the principal of, and
3823 interest on, all general obligation revenue anticipation notes is paid when due, including by
3824 paying the principal and interest from funds not otherwise legally committed.

3825 (4) The Chief Financial Officer has advised the Council that, based upon the
3826 Chief Financial Officer's projections of anticipated receipts and disbursements during the fiscal
3827 year ending September 30, 2020, it may be necessary for the District to borrow to a sum not to
3828 exceed \$200,000,000, an amount that does not exceed 20% of the total anticipated revenue of the
3829 District for such fiscal year, and to accomplish the borrowing by issuing general obligation
3830 revenue anticipation notes in one or more series.

3831 (5) The issuance of general obligation revenue anticipation notes in a sum not to
3832 exceed \$200,000,000 is in the public interest.

3833 Sec. 1024. Note authorization.

3834 (a) The District is authorized to incur indebtedness by issuing the notes pursuant to
3835 sections 472 and 482 of the Home Rule Act (D.C. Official Code §§ 1-204.72 and 1-204.82), in
3836 one or more series, in a sum not to exceed \$200,000,000, to finance its general governmental
3837 expenses, including operating or capital expenses, in anticipation of the collection or receipt of
3838 revenues for the fiscal year ending September 30, 2020.

3839 (b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the
3840 costs and expenses of issuing and delivering the notes, including, but not limited to,
3841 underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement,
3842 marketing and selling the notes, interest or credit fees, and printing costs and expenses.

3843

3844 Sec. 1025. Note details.

3845 (a) The notes shall be known as “District of Columbia Fiscal Year 2020 General
3846 Obligation Tax Revenue Anticipation Notes” and shall be due and payable, as to both principal
3847 and interest, on or before September 30, 2020.

3848 (b) The Chief Financial Officer is authorized to take any action necessary or appropriate
3849 in accordance with this subtitle in connection with the preparation, execution, issuance, sale,
3850 delivery, security for, and payment of the notes, including, but not limited to, determinations of:

3851 (1) The final form, content, designation, and terms of the notes, including
3852 any redemptions applicable thereto and a determination that the notes may be issued in book-
3853 entry form;

3854 (2) Provisions for the transfer and exchange of the notes;

3855 (3) The principal amount of the notes to be issued;

3856 (4) The rate or rates of interest or the method of determining the rate or rates of
3857 interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall
3858 not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days
3859 elapsed); provided further, that if the notes are not paid at maturity, the notes may provide for an
3860 interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the
3861 basis of a 365-day year (actual days elapsed);

3862 (5) The date or dates of issuance, sale, and delivery of the notes;

3863 (6) The place or places of payment of principal of, and interest on, the notes;

3864 (7) The designation of a registrar, if appropriate, for any series of the notes, and
3865 the execution and delivery of any necessary agreements relating to the designation;

3866 (8) The designation of paying agent(s) or escrow agent(s) for any series of the
3867 notes, and the execution and delivery of any necessary agreements relating to such designations;
3868 and

3869 (9) Provisions concerning the replacement of mutilated, lost, stolen, or destroyed
3870 notes.

3871 (c) The notes shall be executed in the name of the District and on its behalf by the manual
3872 or facsimile signature of the Mayor or an authorized delegate. The official seal of the District or
3873 a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a registrar
3874 is designated, the registrar shall authenticate each note by manual signature and maintain the
3875 books of registration for the payment of the principal of and interest on the notes and perform
3876 other ministerial responsibilities as specifically provided in its designation as registrar.

3877 (d) The notes may be issued at any time or from time to time in one or more
3878 issues and in one or more series.

3879 Sec. 1026. Sale of the notes.

3880 (a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract
3881 or at competitive sale pursuant to a bid form. The notes shall be sold at a price not less than par
3882 plus accrued interest from the date of the notes to the date of delivery thereof. The purchase
3883 contract or bid form shall contain the terms that the Chief Financial Officer considers necessary
3884 or appropriate to carry out the purposes of this subtitle. The Chief Financial Officer's execution
3885 and delivery of the purchase contract or bid form shall constitute conclusive evidence of the
3886 Chief Financial Officer's approval, on behalf of the District, of the final form and content of the
3887 notes. The Chief Financial Officer shall deliver the notes, on behalf of the District, to the
3888 purchasers upon receiving the purchase price provided in the purchase contract or bid form.

3889 (b) The Chief Financial Officer may execute, in connection with each sale of the notes,
3890 an offering document on behalf of the District, and may authorize the document's distribution in
3891 relation to the notes being sold.

3892 (c) The Chief Financial Officer shall take actions and execute and deliver agreements,
3893 documents, and instruments (including any amendment of or supplement to any such agreement,
3894 document, or instrument) in connection with any series of notes as required by or incidental to:

3895 (1) The issuance of the notes;

3896 (2) The establishment or preservation of the exclusion from gross income for
3897 federal income tax purposes of interest on the notes, if issued tax-exempt, and the exemption
3898 from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

3899 (3) The performance of any covenant contained in this subtitle, in any
3900 purchase contract for the notes, or in any escrow or other agreement for the security thereof;

3901 (4) The provision for securing the repayment of the notes by a letter or line of
3902 credit or other form of credit enhancement, and the repayment of advances under any such credit
3903 enhancement, including the evidencing of such a repayment obligation with a negotiable
3904 instrument with such terms as the Chief Financial Officer shall determine; or

3905 (5) The execution, delivery, and performance of the Escrow Agreement, a
3906 purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement
3907 relating to credit enhancement, if any, including any amendments of any of these agreements,
3908 documents, or instruments.

3909 (d) The notes shall not be issued until the Chief Financial Officer receives an approving
3910 opinion of Bond Counsel as to the validity of the notes and the exemption from the District
3911 income taxation of the interest on the notes (except estate, inheritance and gift taxes) and, if

3912 issued tax-exempt, the establishment or preservation of the exclusion from gross income for
3913 federal income tax purposes of the interest on the notes.

3914 (e) The Chief Financial Officer shall execute a note issuance certificate evidencing the
3915 determinations and other actions taken by the Chief Financial Officer for each issue or series of
3916 the notes issued and shall designate in the note issuance certificate the date of the notes, the
3917 series designation, the aggregate principal amount to be issued, the authorized denominations of
3918 the notes, the sale price, and the interest rate or rates on the notes. The Mayor shall certify in a
3919 separate certificate, not more than 15 days before each original issuance of a series, the total
3920 anticipated revenue of the District for the fiscal year ending September 30, 2020, and that the
3921 total amount of all general obligation revenue anticipation notes issued and outstanding at any
3922 time during the fiscal year will not exceed 20% of the total anticipated revenue of the District for
3923 the fiscal year. These certificates shall be delivered at the time of delivery of the notes and shall
3924 be conclusive evidence of the actions taken as stated in the certificates. A copy of each of the
3925 certificates shall be filed with the Secretary to the Council not more than 3 days after the delivery
3926 of the notes covered by the certificates.

3927 Sec. 1027. Payment and security.

3928 (a) The full faith and credit of the District is pledged for the payment of the principal of,
3929 and interest on, the notes when due.

3930 (b) The funds for the payment of the notes as described in this subtitle shall be
3931 irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds
3932 shall be used for the payment of the principal of, and interest on, the notes when due, and shall
3933 not be used for other purposes so long as the notes are outstanding and unpaid.

3934 (c) The notes shall be payable from available funds of the District, including, but not
3935 limited to, any moneys advanced, loaned, or otherwise provided to the District by the United
3936 States Treasury, and shall evidence continuing obligations of the District until paid in accordance
3937 with their terms.

3938 (d) The Chief Financial Officer may, without regard to any act or resolution of the
3939 Council now existing or adopted after the effective date of this subtitle, designate an Escrow
3940 Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the
3941 Escrow Agreement, on behalf of the District and in the Chief Financial Officer's official
3942 capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate
3943 to carry out the purposes of this subtitle. A special account entitled "Special Escrow for
3944 Payment of District of Columbia Fiscal Year 2020 General Obligation Tax Revenue Anticipation
3945 Notes" is created and shall be maintained by the Escrow Agent for the benefit of the owners of
3946 the notes as stated in the Escrow Agreement. Funds on deposit, including investment income,
3947 under the Escrow Agreement shall not be used for any purposes except for payment of the notes
3948 or, to the extent permitted by the Home Rule Act, to service any contract or other arrangement
3949 permitted under subsections (k) or (l) of this section, and may be invested only as provided in the
3950 Escrow Agreement.

3951 (e) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with
3952 the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued
3953 interest and premium, if any, received upon the sale of the notes.

3954 (f)(1) The Chief Financial Officer shall set aside and deposit with the Escrow Agent
3955 funds in accordance with the Escrow Agreement at the time and in the amount as provided in the
3956 Escrow Agreement.

3957 (2) If Additional Notes are issued pursuant to section 1029(b), and if on the date
3958 set forth in the Escrow Agreement, the aggregate amount of principal and interest payable at
3959 maturity on the outstanding notes, including any Additional Notes, less all amounts on deposit,
3960 including investment income, under the Escrow Agreement exceeds 90% of the actual receipts of
3961 District taxes (other than special taxes or charges levied pursuant to section 481(a) of the Home
3962 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
3963 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90)), for the period
3964 August 15, 2020, until September 30, 2020, beginning on the date set forth in the Escrow
3965 Agreement, the Chief Financial Officer shall promptly, upon receipt by the District, set aside and
3966 deposit with the Escrow Agent the receipts received by the District after the date set forth in the
3967 Escrow Agreement, until the aggregate amount of principal and interest payable at maturity on
3968 the outstanding notes, including any Additional Notes as described above, is less than 90% of
3969 actual receipts of District taxes (other than special taxes or charges levied pursuant to section
3970 481(a) of the Home Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to
3971 particular purposes pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-
3972 204.90)).

3973 (3) The District covenants that it shall levy, maintain, or enact taxes due and
3974 payable during August 1, 2020, through September 30, 2020, to provide for payment in full of
3975 the principal of, and interest on, the notes when due. The taxes referred to in this paragraph shall
3976 be separate from special taxes or charges levied pursuant to section 481(a) of the Home Rule Act
3977 (D.C. Official Code § 1-204.81(a)), or taxes, if any, dedicated to particular purposes pursuant to
3978 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

3979 (g) Before the 16th day of each month, beginning in August 2020, the Chief Financial
3980 Officer shall review the current monthly cash flow projections of the District, and if the Chief
3981 Financial Officer determines that the aggregate amount of principal and interest payable at
3982 maturity on the notes then outstanding, less any amounts and investment income on deposit
3983 under the Escrow Agreement, equals or exceeds 85% of the receipts estimated by the Chief
3984 Financial Officer to be received after such date by the District but before the maturity of the
3985 notes, then the Chief Financial Officer shall promptly, upon receipt by the District, set aside and
3986 deposit with the Escrow Agent the receipts received by the District on and after that date until
3987 the aggregate amount, including investment income, on deposit with the Escrow Agent equals or
3988 exceeds 100% of the aggregate amount of principal of and interest on the notes payable at their
3989 maturity.

3990 (h) The Chief Financial Officer shall, in the full exercise of the authority granted the
3991 Chief Financial Officer under the Home Rule Act and under any other law, take actions as may
3992 be necessary or appropriate to ensure that the principal of and interest on the notes are paid when
3993 due, including, but not limited to, seeking an advance or loan of moneys from the United States
3994 Treasury if available under then current law. This action shall include, without limitation, the
3995 deposit of available funds with the Escrow Agent as may be required under section 483 of the
3996 Home Rule Act (D.C. Official Code § 1-204.83), this subtitle, and the Escrow Agreement.
3997 Without limiting any obligations under this subtitle or the Escrow Agreement, the Chief
3998 Financial Officer reserves the right to deposit available funds with the Escrow Agent at his or her
3999 discretion.

4000 (i) There are provided and approved for expenditure sums as may be necessary

4001 for making payments of the principal of, and interest on, the notes, and the provisions of the
4002 Fiscal Year 2020 Local Budget Act relating to borrowings are amended and supplemented
4003 accordingly by this section, as contemplated in section 483 of the Home Rule Act (D.C. Official
4004 Code § 1-204.83)).

4005 (j) The notes shall be payable, as to both principal and interest, in lawful money of the
4006 United States of America in immediately available or same day funds at a bank or trust company
4007 acting as paying agent, and at not more than 2 co-paying agents that may be located outside the
4008 District. All of the paying agents shall be qualified to act as paying agents under the laws of the
4009 United States of America, of the District, or of the state in which they are located, and shall be
4010 designated by the Chief Financial Officer without regard to any other act or resolution of the
4011 Council now existing or adopted after the effective date of this subtitle.

4012 (k) In addition to the security available for the holders of the notes, the Chief Financial
4013 Officer is hereby authorized to enter into agreements, including any agreement calling for
4014 payments in excess of \$1,000,000 during Fiscal Year 2020, with a bank or other financial
4015 institution to provide a letter of credit, line of credit, or other form of credit enhancement to
4016 secure repayment of the notes when due. The obligation of the District to reimburse the bank or
4017 financial institution for any advances made under any such credit enhancement shall be a general
4018 obligation of the District until repaid and shall accrue interest at the rate of interest established by
4019 the Chief Financial Officer not in excess of 15% per year until paid.

4020 (l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
4021 371; D.C. Official Code § 2-351.01 *et seq.*), and subchapter III-A of Chapter 3 of Title 47 of the
4022 District of Columbia Official Code, shall not apply to any contract that the Chief Financial

4023 Officer may from time to time determine to be necessary or appropriate to place, in whole or in
4024 part, including:

- 4025 (1) An investment or obligation of the District as represented by the notes;
- 4026 (2) An investment or obligation or program of investment; or
- 4027 (3) A contract or contracts based on the interest rate, currency, cash flow, or other

4028 basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap
4029 agreements; currency swap agreements; insurance agreements; forward payment conversion
4030 agreements; futures; contracts providing for payments based on levels of, or changes in, interest
4031 rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a
4032 series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure,
4033 including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts
4034 or other arrangements also may be entered into by the District in connection with, or incidental
4035 to, entering into or maintaining any agreement that secures the notes. The contracts or other
4036 arrangements shall contain whatever payment, security, terms, and conditions as the Chief
4037 Financial Officer may consider appropriate and shall be entered into with whatever party or
4038 parties the Chief Financial Officer may select, after giving due consideration, where applicable,
4039 to the creditworthiness of the counterparty or counterparties including any rating by a nationally
4040 recognized rating agency or any other criteria as may be appropriate. In connection with, or
4041 incidental to, the issuance or holding of the notes, or entering into any contract or other
4042 arrangement referred to in this section, the District may enter into credit enhancement or
4043 liquidity agreements, with payment, interest rate, termination date, currency, security, default,
4044 remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds
4045 of the notes and any money set aside for payment of the notes or of any contract or other

4046 arrangement entered into pursuant to this section may be used to service any contract or other
4047 arrangement entered into pursuant to this section.

4048 Sec. 1028. Defeasance.

4049 (a) The notes shall no longer be considered outstanding and unpaid for the purpose of this
4050 subtitle and the Escrow Agreement, and the requirements of this subtitle and the Escrow
4051 Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

4052 (1) Deposits with an Escrow Agent, herein referred to as the “defeasance escrow
4053 agent,” in a separate defeasance escrow account, established and maintained by the Escrow
4054 Agent solely at the expense of the District and held in trust for the note owners, sufficient
4055 moneys or direct obligations of the United States, the principal of and interest on which, when
4056 due and payable, will provide sufficient moneys to pay when due the principal of, and interest
4057 payable at maturity on, all the notes; and

4058 (2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to
4059 apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

4060 (b) The defeasance escrow agent shall not invest the defeasance escrow account in any
4061 investment callable at the option of its issuer if the call could result in less than sufficient moneys
4062 being available for the purposes required by this section.

4063 (c) The moneys and direct obligations referred to in subsection (a)(1) of this section may
4064 include moneys or direct obligations of the United States of America held under the Escrow
4065 Agreement and transferred, at the written direction of the Chief Financial Officer, to the
4066 defeasance escrow account.

4067 (d) The defeasance escrow account specified in subsection (a) of this section may be
4068 established and maintained without regard to any limitations placed on these accounts by any act

4069 or resolution of the Council now existing or adopted after this subtitle becomes effective, except
4070 for this subtitle.

4071 Sec. 1029. Additional debt and other obligations.

4072 (a) The District reserves the right at any time to: borrow money or enter into
4073 other obligations to the full extent permitted by law; secure the borrowings or obligations by the
4074 pledge of its full faith and credit; secure the borrowings or obligations by any other security and
4075 pledges of funds as may be authorized by law; and issue bonds, notes, including Additional
4076 Notes, or other instruments to evidence the borrowings or obligations.

4077 (b)(1) The District may issue Additional Notes pursuant to section 472 of the Home Rule
4078 Act (D.C. Official Code § 1-204.72) that shall mature on or before September 30, 2020, and the
4079 District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other
4080 available funds for payment of the principal of, and the interest on, the Additional Notes issued
4081 pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-204.72) on a parity basis
4082 with the notes.

4083 (2) The receipts and available funds referred to in subsection (a) of this section
4084 shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home
4085 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
4086 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

4087 (3) Any covenants relating to any Additional Notes shall have equal standing and
4088 be on a parity with the covenants made for payment of the principal of, and the interest on, the
4089 notes.

4090 (4) If Additional Notes are issued pursuant to section 472 of the Home Rule Act
4091 (D.C. Official Code § 1-204.72), the provisions of section 1027 shall apply to both the notes and

4092 the Additional Notes and increase the amounts required to be set aside and deposited with the
4093 Escrow Agent.

4094 (5) As a condition precedent to the issuance of any Additional Notes, the Chief
4095 Financial Officer shall deliver a signed certificate certifying that the District is in full compliance
4096 with all covenants and obligations under this subtitle and the Escrow Agreement, that no set-
4097 aside and deposit of receipts pursuant to section 1027(g) applied as of the date of issuance is
4098 required, and that no set-aside and deposit will be required under section 1027(g) applied
4099 immediately after the issuance.

4100 Sec. 1030. Tax matters.

4101 At the full discretion of the Chief Financial Officer, the notes authorized by this subtitle
4102 may be issued as federally taxable or tax-exempt. If issued as tax-exempt, the Chief Financial
4103 Officer shall take all actions necessary to be taken so that the interest on the notes will not be
4104 includable in gross income for federal income tax purposes.

4105 Sec. 1031. Contract.

4106 This subtitle shall constitute a contract between the District and the owners of the notes
4107 authorized by this subtitle. To the extent that any acts or resolutions of the Council may be in
4108 conflict with this subtitle, this subtitle shall be controlling.

4109 Sec. 1032. District officials.

4110 (a) The elected or appointed officials, officers, employees, or agents of the District shall
4111 not be liable personally for the payment of the notes or be subject to any personal liability by
4112 reason of the issuance of the notes.

4113 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
4114 any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding
4115 the fact that the official ceases to be that official before delivery of the notes.

4116 Sec. 1033. Authorized delegation of authority.

4117 To the extent permitted by the District and federal laws, the Mayor may delegate to the
4118 City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act
4119 authorized to be performed by the Mayor under this subtitle.

4120 Sec. 1034. Maintenance of documents.

4121 Copies of the notes and related documents shall be filed in the Office of the Secretary.

4122 **TITLE XI. REVENUE BONDS**

4123 **SUBTITLE A. STUDIO THEATER, INC.**

4124 Sec. 1101. Short title.

4125 This subtitle may be cited as the “The Studio Theatre, Inc. Revenue Bonds Temporary
4126 Act of 2020”.

4127 Sec. 1102. Definitions.

4128 For the purposes of this subtitle the term:

4129 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
4130 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
4131 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
4132 the Mayor’s functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C.
4133 Official Code § 422(6)).

4134 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
4135 counsel from time to time by the Mayor.

4136 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
4137 obligations (including refunding bonds, notes, and other obligations), in one or more series,
4138 authorized to be issued pursuant to this subtitle.

4139 (4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed
4140 with proceeds from the Bonds, which shall be The Studio Theatre, Inc., a non-profit corporation
4141 organized under the laws of the District of Columbia, which is exempt from federal income taxes
4142 under section 501(a) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A
4143 Stat. 163; 26 U.S.C. § 501(a)), as an organization described in section 501(c)(3) of the Internal
4144 Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)), and
4145 which is liable for the repayment of the Bonds.

4146 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

4147 (6) “Closing Documents” means all documents and agreements, other than
4148 Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the
4149 Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms,
4150 receipts, and other similar instruments.

4151 (7) “District” means the District of Columbia.

4152 (8) “Financing Documents” means the documents, other than Closing Documents,
4153 that relate to the financing, refinancing or reimbursement of transactions to be effected through
4154 the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering
4155 document, and any required supplements to any such documents.

4156 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
4157 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

4158 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
4159 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
4160 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
4161 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
4162 with the development and implementation of the Financing Documents, the Closing Documents,
4163 and those other documents necessary or appropriate in connection with the authorization,
4164 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
4165 Loan, together with financing fees, costs, and expenses, including program fees and
4166 administrative fees charged by the District, fees paid to financial institutions and insurance
4167 companies, initial letter of credit fees (if any), and compensation to financial advisors and other
4168 persons (other than full-time employees of the District) and entities performing services on
4169 behalf of or as agents for the District.

4170 (11) “Loan” means the District’s lending of proceeds from the sale, in one or
4171 more series, of the Bonds to the Borrower.

4172 (12) “Project” means the financing, refinancing, or reimbursing of all or a portion
4173 of the Borrower’s costs of:

4174 (A) Renovating and expanding by approximately 2,780 gross square feet
4175 the Borrower’s mixed-use theater complex located at 1501 14th Street, N.W., in Washington,
4176 D.C. (Square 241, Lot 0128), currently comprising approximately 53,532 gross square feet of
4177 above grade improvements (“Theater Facility”);

4178 (B) Renovating certain residential facilities in Washington, D.C., owned
4179 by the Borrower and used as artist housing, located at 1630 Corcoran Street, N.W. (Square 0179,
4180 Lot 0094), 1736 Corcoran Street, N.W. (Square 0155, Lot 0208), 1437 Clifton Street, N.W.

4181 (Square 2664, Lot 0058); and Condominium Units 317, 409, 419 and 820 at 1718 P Street, N.W.
4182 (Square 0157, Lots 2061, 2073, 2083 and 2164) (collectively, “Ancillary Facilities” and together
4183 with the Theater Facility, “Facilities”);

4184 (C) Purchasing certain equipment and furnishings, together with other
4185 property, real and personal, functionally related and subordinate to the Facilities;

4186 (D) Funding certain expenditures associated with the financing of the
4187 Facilities, to the extent permissible, including, credit enhancement costs, liquidity costs, debt
4188 service reserve fund or working capital; and

4189 (E) Paying costs of issuance and other related costs, to the extent
4190 permissible.

4191 Sec. 1103. Findings.

4192 The Council finds that:

4193 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
4194 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
4195 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
4196 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the
4197 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
4198 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
4199 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
4200 the purchase, lease, or sale of any property.

4201 (2) The Borrower has requested the District to issue, sell, and deliver revenue
4202 bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not

4203 to exceed \$12,500,000, and to make the Loan for the purpose of financing, refinancing, or
4204 reimbursing costs of the Project.

4205 (3) The Facilities are located in the District and will contribute to the health,
4206 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
4207 District, or to economic development of the District.

4208 (4) The Project is an undertaking in the area of capital projects in the form of
4209 facilities used for the Borrower's operations and, in part, as a venue to produce contemporary
4210 theater and serve the community through artistic innovation, engagement, education and
4211 professional development (and property used in connection with or supplementing the
4212 foregoing), within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-
4213 204.90).

4214 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
4215 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
4216 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

4217 Sec. 1104. Bond authorization.

4218 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
4219 financing, refinancing, or reimbursing the costs of the Project by:

4220 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
4221 aggregate principal amount not to exceed \$12,500,000; and

4222 (2) The making of the Loan.

4223 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
4224 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
4225 respect to the Bonds as required by the Financing Documents.

4226 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
4227 an amount sufficient to cover costs and expenses incurred by the District in connection with the
4228 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
4229 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
4230 with the District, and maintaining official records of each bond transaction, and assisting in the
4231 redemption, repurchase, and remarketing of the Bonds.

4232 Sec. 1105. Bond details.

4233 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
4234 necessary or appropriate in accordance with this subtitle in connection with the preparation,
4235 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
4236 including, but not limited to, determinations of:

4237 (1) The final form, content, designation, and terms of the Bonds, including a
4238 determination that the Bonds may be issued in certificated or book-entry form;

4239 (2) The principal amount of the Bonds to be issued and denominations of the
4240 Bonds;

4241 (3) The rate or rates of interest or the method for determining the rate or rates of
4242 interest on the Bonds;

4243 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
4244 on, the Bonds, and the maturity date or dates of the Bonds;

4245 (5) The terms under which the Bonds may be paid, optionally or mandatorily
4246 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
4247 their respective stated maturities;

4248 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
4249 replacement of mutilated, lost, stolen, or destroyed Bonds;

4250 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
4251 the Bonds;

4252 (8) The time and place of payment of the Bonds;

4253 (9) Procedures for monitoring the use of the proceeds received from the sale of
4254 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
4255 the purposes of the Home Rule Act and this subtitle;

4256 (10) Actions necessary to qualify the Bonds under blue sky laws of any
4257 jurisdiction where the Bonds are marketed; and

4258 (11) The terms and types of credit enhancement under which the Bonds may be
4259 secured.

4260 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
4261 obligations of the District, are without recourse to the District, are not a pledge of, and do not
4262 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
4263 District, and do not constitute lending of the public credit for private undertakings as prohibited
4264 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4265 (c) The Bonds shall be executed in the name of the District and on its behalf by the
4266 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
4267 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
4268 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
4269 approval, on behalf of the District, of the final form and content of the Bonds.

4270 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
4271 otherwise reproduced on the Bonds.

4272 (e) The Bonds of any series may be issued in accordance with the terms of a trust
4273 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
4274 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
4275 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
4276 204.90(a)(4)).

4277 (f) The Bonds may be issued at any time or from time to time in one or more issues and
4278 in one or more series.

4279 Sec. 1106. Sale of the Bonds.

4280 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
4281 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
4282 the best interest of the District.

4283 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
4284 the Bonds, offering documents on behalf of the District, may deem final any such offering
4285 document on behalf of the District for purposes of compliance with federal laws and regulations
4286 governing such matters and may authorize the distribution of the documents in connection with
4287 the sale of the Bonds.

4288 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
4289 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
4290 the original purchasers of the Bonds upon payment of the purchase price.

4291 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
4292 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is

4293 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
4294 for purposes of federal income taxation.

4295 Sec. 1107. Payment and security.

4296 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4297 from proceeds received from the sale of the Bonds, income realized from the temporary
4298 investment of those proceeds, receipts and revenues realized by the District from the Loan,
4299 income realized from the temporary investment of those receipts and revenues prior to payment
4300 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
4301 available to the District for the payment of the Bonds, and other sources of payment (other than
4302 from the District), all as provided for in the Financing Documents.

4303 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
4304 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
4305 the Financing Documents and Closing Documents, including a security interest in certain
4306 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

4307 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
4308 the sale of the Bonds pursuant to the Financing Documents.

4309 Sec. 1108. Financing and Closing Documents.

4310 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4311 Documents and all Closing Documents to which the District is a party that may be necessary or
4312 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
4313 the Financing Documents and each of the Closing Documents to which the District is not a party
4314 shall be approved, as to form and content, by the Mayor.

4315 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4316 Financing Documents and any Closing Documents to which the District is a party by the
4317 Mayor's manual or facsimile signature.

4318 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4319 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4320 which the District is a party.

4321 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4322 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
4323 approval, on behalf of the District, of the final form and content of the executed Financing
4324 Documents and the executed Closing Documents.

4325 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4326 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4327 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4328 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4329 Sec. 1109. Authorized delegation of authority.

4330 To the extent permitted by District and federal laws, the Mayor may delegate to any
4331 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4332 under this subtitle.

4333 Sec. 1110. Limited liability.

4334 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
4335 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
4336 pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a

4337 debt of the District, and shall not constitute lending of the public credit for private undertakings
4338 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4339 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
4340 shall have no obligation with respect to the purchase of the Bonds.

4341 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
4342 Documents shall create an obligation on the part of the District to make payments with respect to
4343 the Bonds from sources other than those listed for that purpose in section 1107.

4344 (d) The District shall have no liability for the payment of any Issuance Costs or for any
4345 transaction or event to be effected by the Financing Documents.

4346 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
4347 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
4348 Documents to which the District is a party, shall be considered to be the covenants, obligations,
4349 and agreements of the District to the fullest extent authorized by law, and each of those
4350 covenants, obligations, and agreements shall be binding upon the District, subject to the
4351 limitations set forth in this subtitle.

4352 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
4353 any claims against the District or any of its elected or appointed officials, officers, employees, or
4354 agents for monetary damages suffered as a result of the failure of the District or any of its elected
4355 or appointed officials, officers, employees or agents to either perform any covenant, undertaking,
4356 or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing
4357 Documents, or as a result of the incorrectness of any representation in or omission from the
4358 Financing Documents or the Closing Documents, unless the District or its elected or appointed
4359 officials, officers, employees, or agents have acted in a willful and fraudulent manner.

4360 Sec. 1111. District officials.

4361 (a) Except as otherwise provided in section 1110(f), the elected or appointed officials,
4362 officers, employees, or agents of the District shall not be liable personally for the payment of the
4363 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
4364 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
4365 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
4366 Documents.

4367 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
4368 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
4369 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
4370 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
4371 Documents.

4372 Sec. 1112. Maintenance of documents.

4373 Copies of the specimen Bonds and of the final Financing Documents and Closing
4374 Documents shall be filed in the Office of the Secretary of the District of Columbia.

4375 Sec. 1113. Information reporting.

4376 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
4377 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
4378 Council.

4379 Sec. 1114. Disclaimer.

4380 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
4381 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
4382 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or

4383 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
4384 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
4385 against the District, its elected or appointed officials, officers, employees, or agents as a
4386 consequence of any failure to issue any Bonds for the benefit of the Borrower.

4387 (b) The District reserves the right to issue the Bonds in the order or priority it determines
4388 in its sole and absolute discretion. The District gives no assurance and makes no representations
4389 that any portion of any limited amount of bonds or other obligations, the interest on which is
4390 excludable from gross income for federal income tax purposes, will be reserved or will be
4391 available at the time of the proposed issuance of the Bonds.

4392 (c) The District, by enacting this subtitle or by taking any other action in connection with
4393 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
4394 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
4395 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
4396 Bonds, nor any other person shall rely upon the District with respect to these matters.

4397 Sec. 1115. Expiration.

4398 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
4399 the effective date of this act, the authorization provided in this subtitle with respect to the
4400 issuance, sale, and delivery of the Bonds shall expire.

4401 Sec. 1116. Severability.

4402 If any particular provision of this subtitle or the application thereof to any person or
4403 circumstance is held invalid, the remainder of this subtitle and the application of such provision
4404 to other persons or circumstances shall not be affected thereby. If any action or inaction
4405 contemplated under this subtitle is determined to be contrary to the requirements of applicable

4406 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
4407 the validity of the Bonds shall not be adversely affected.

4408 **SUBTITLE B. DC SCHOLARS PUBLIC CHARTER SCHOOL, INC.**

4409 Sec. 1121. Short title.

4410 This subtitle may be cited as the “DC Scholars Public Charter School, Inc. Revenue
4411 Bonds Temporary Act of 2020”.

4412 Sec. 1122. Definitions.

4413 For the purpose of this subtitle, the term:

4414 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
4415 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
4416 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
4417 the Mayor’s functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C.
4418 Official Code § 1-204.22(6)).

4419 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
4420 counsel from time to time by the Mayor.

4421 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
4422 obligations (including refunding bonds, notes, and other obligations), in one or more series,
4423 authorized to be issued pursuant to this subtitle.

4424 (4) “Borrower” means the owner, operator, manager and user of the assets
4425 financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be DC Scholars
4426 Public Charter School, Inc., a corporation organized under the laws of the District of Columbia,
4427 and exempt from federal income taxes under section 501(a) of the Internal Revenue Code of
4428 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C § 501(a)), as an organization

4429 described in section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954
4430 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).

4431 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

4432 (6) “Closing Documents” means all documents and agreements other than
4433 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
4434 and to make the Loan contemplated thereby, and includes agreements, certificates, letters,
4435 opinions, forms, receipts, and other similar instruments.

4436 (7) “District” means the District of Columbia.

4437 (8) “Financing Documents” means the documents other than Closing Documents
4438 that relate to the financing or refinancing of transactions to be effected through the issuance, sale,
4439 and delivery of the Bonds and the making of the Loan, including any offering document, and any
4440 required supplements to any such documents.

4441 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
4442 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

4443 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
4444 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
4445 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
4446 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
4447 with the development and implementation of the Financing Documents, the Closing Documents,
4448 and those other documents necessary or appropriate in connection with the authorization,
4449 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
4450 Loan contemplated thereby, together with financing fees, costs, and expenses, including program
4451 fees and administrative fees charged by the District, fees paid to financial institutions and

4452 insurance companies, initial letter of credit fees (if any), compensation to financial advisors and
4453 other persons (other than full-time employees of the District) and entities performing services on
4454 behalf of or as agents for the District.

4455 (11) "Loan" means the District's lending of proceeds from the sale, in one or
4456 more series, of the Bonds to the Borrower.

4457 (12) "Project" means the financing, refinancing, or reimbursing of all or a portion
4458 of the Borrower's costs of:

4459 (A) Financing the acquisition of a leasehold interest in an existing
4460 school facility located at 5601 East Capitol Street, S.E., Washington, D.C. 20019 (the
4461 "Facility"), which Facility will be operated by the Borrower;

4462 (B) Refinancing the outstanding amount of existing taxable loans
4463 and related expenses, the proceeds of which were used to finance improvements to the Facility;

4464 (C) Funding a debt service reserve fund with respect to the Bonds,
4465 if deemed necessary in connection with the sale of the Bonds;

4466 (D) Paying capitalized interest with respect to the Bonds, if
4467 deemed necessary in connection with the sale of the Bonds; and

4468 (E) Paying allowable Issuance Costs.

4469 Sec. 1123. Findings.

4470 The Council finds that:

4471 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
4472 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
4473 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
4474 refinance, or reimburse, and to assist in the financing, refinancing, or reimbursing of

4475 undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90), and may
4476 effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any
4477 individual or legal entity, by the purchase of any mortgage, note, or other security, or by the
4478 purchase, lease, or sale of any property.

4479 (2) The Borrower has requested the District to issue, sell, and deliver revenue
4480 bonds, in one or more series, in the aggregate principal amount not to exceed \$16,000,000, and
4481 to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

4482 (3) The Project is located in the District and will contribute to the health,
4483 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
4484 District, or to economic development of the District.

4485 (4) The Project is an undertaking in the area of elementary, secondary, and
4486 college and university facilities within the meaning of section 490 of the Home Rule Act (D.C.
4487 Official Code § 1-204.90).

4488 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
4489 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
4490 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

4491 Sec. 1124. Bond authorization.

4492 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
4493 financing, refinancing, or reimbursing the costs of the Project by:

4494 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in the
4495 aggregate principal amount not to exceed \$16,000,000; and

4496 (2) The making of the Loan.

4497 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
4498 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
4499 respect to the Bonds as required by the Financing Documents.

4500 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
4501 an amount sufficient to cover costs and expenses incurred by the District in connection with the
4502 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
4503 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
4504 with the District, and maintaining official records of each bond transaction and assisting in the
4505 redemption, repurchase, and remarketing of the Bonds.

4506 Sec. 1125. Bond details.

4507 (a) The Mayor is authorized to take any action reasonably necessary or appropriate in
4508 accordance with this subtitle in connection with the preparation, execution, issuance, sale,
4509 delivery, security for, and payment of the Bonds of each series, including, but not limited to,
4510 determinations of:

4511 (1) The final form, content, designation, and terms of the Bonds, including a
4512 determination that the Bonds may be issued in certificated or book-entry form;

4513 (2) The principal amount of the Bonds to be issued and denominations of the
4514 Bonds;

4515 (3) The rate or rates of interest or the method for determining the rate or rates of
4516 interest on the Bonds;

4517 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
4518 on the Bonds, and the maturity date or dates of the Bonds;

4519 (5) The terms under which the Bonds may be paid, optionally or mandatorily
4520 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
4521 their respective stated maturities;

4522 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
4523 replacement of mutilated, lost, stolen, or destroyed Bonds;

4524 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
4525 the Bonds;

4526 (8) The time and place of payment of the Bonds;

4527 (9) Procedures for monitoring the use of the proceeds received from the sale of
4528 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
4529 the purposes of the Home Rule Act and this subtitle;

4530 (10) Actions necessary to qualify the Bonds under blue sky laws of any
4531 jurisdiction where the Bonds are marketed; and

4532 (11) The terms and types of credit enhancement under which the Bonds may be
4533 secured.

4534 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
4535 obligations of the District, are without recourse to the District, are not a pledge of, and do not
4536 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
4537 District, and do not constitute lending of the public credit for private undertakings as prohibited
4538 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4539 (c) The Bonds shall be executed in the name of the District and on its behalf by the
4540 manual or facsimile signature of the Mayor and attested by the Secretary of the District of
4541 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The

4542 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
4543 approval, on behalf of the District, of the final form and content of the Bonds.

4544 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
4545 otherwise reproduced on the Bonds.

4546 (e) The Bonds of any series may be issued in accordance with the terms of a trust
4547 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
4548 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
4549 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
4550 204.90(a)(4)).

4551 (f) The Bonds may be issued at any time or from time to time in one or more issues and
4552 in one or more series.

4553 Sec. 1126. Sale of the Bonds.

4554 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
4555 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
4556 the best interest of the District.

4557 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
4558 the Bonds, offering documents on behalf of the District, may deem final any such offering
4559 document on behalf of the District for purposes of compliance with federal laws and regulations
4560 governing such matters, and may authorize the distribution of the documents in connection with
4561 the sale of the Bonds.

4562 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
4563 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
4564 the original purchasers of the Bonds upon payment of the purchase price.

4565 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
4566 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
4567 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
4568 for purposes of federal income taxation.

4569 Sec. 1127. Payment and security.

4570 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4571 from proceeds received from the sale of the Bonds, income realized from the temporary
4572 investment of those proceeds, receipts and revenues realized by the District from the Loan,
4573 income realized from the temporary investment of those receipts and revenues prior to payment
4574 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
4575 available to the District for the payment of the Bonds, and other sources of payment (other than
4576 from the District), all as provided for in the Financing Documents.

4577 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
4578 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
4579 the Financing Documents and Closing Documents, including a security interest in certain
4580 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

4581 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
4582 the sale of the Bonds pursuant to the Financing Documents.

4583 Sec. 1128. Financing and Closing Documents.

4584 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4585 Documents and all Closing Documents that may be necessary or appropriate to issue, sell, and
4586 deliver the Bonds and to make the Loan to the Borrower.

4587 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4588 Financing Documents and any Closing Documents to which the District is a party by the
4589 Mayor's manual or facsimile signature.

4590 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4591 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4592 which the District is a party.

4593 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4594 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
4595 approval, on behalf of the District, of the final form and content of the executed Financing
4596 Documents and the executed Closing Documents.

4597 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4598 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4599 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4600 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4601 Sec. 1129. Authorized delegation of authority.

4602 To the extent permitted by District and federal laws, the Mayor may delegate to any
4603 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4604 under this subtitle.

4605 Sec. 1130. Limited liability.

4606 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
4607 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
4608 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a

4609 debt of the District, and shall not constitute lending of the public credit for private undertakings
4610 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4611 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
4612 shall have no obligation with respect to the purchase of the Bonds.

4613 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
4614 Documents shall create an obligation on the part of the District to make payments with respect to
4615 the Bonds from sources other than those listed for that purpose in section 1127.

4616 (d) The District shall have no liability for the payment of any Issuance Costs or for any
4617 transaction or event to be effected by the Financing Documents.

4618 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
4619 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
4620 Documents to which the District is a party, shall be considered to be the covenants, obligations,
4621 and agreements of the District to the fullest extent authorized by law, and each of those
4622 covenants, obligations, and agreements shall be binding upon the District, subject to the
4623 limitations set forth in this subtitle.

4624 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
4625 any claims against the District or any of its elected or appointed officials, officers, employees, or
4626 agents for monetary damages suffered as a result of the failure of the District or any of its elected
4627 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
4628 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,
4629 nor as a result of the incorrectness of any representation in, or omission from, the Financing
4630 Documents or the Closing Documents, unless the District or its elected or appointed officials,
4631 officers, employees, or agents have acted in a willful and fraudulent manner.

4632 Sec. 1131. District officials.

4633 (a) Except as otherwise provided in section 1130(f), the elected or appointed officials,
4634 officers, employees, or agents of the District shall not be liable personally for the payment of the
4635 Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the
4636 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
4637 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
4638 Documents.

4639 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
4640 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
4641 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
4642 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
4643 Documents.

4644 Sec. 1132. Maintenance of documents.

4645 Copies of the specimen Bonds and of the final Financing Documents and Closing
4646 Documents shall be filed in the Office of the Secretary of the District of Columbia.

4647 Sec. 1133. Information reporting.

4648 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
4649 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
4650 Council.

4651 Sec. 1134. Disclaimer.

4652 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
4653 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
4654 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in, or

4655 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
4656 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
4657 against the District, its elected or appointed officials, officers, employees, or agents as a
4658 consequence of any failure to issue any Bonds for the benefit of the Borrower.

4659 (b) The District reserves the right to issue the Bonds in the order or priority it determines
4660 in its sole and absolute discretion. The District gives no assurance and makes no representations
4661 that any portion of any limited amount of bonds or other obligations, the interest on which is
4662 excludable from gross income for federal income tax purposes, will be reserved or will be
4663 available at the time of the proposed issuance of the Bonds.

4664 (c) The District, by enacting this subtitle or by taking any other action in connection with
4665 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
4666 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
4667 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
4668 Bonds, nor any other person shall rely upon the District with respect to these matters.

4669 Sec. 1135. Expiration.

4670 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
4671 the effective date of this act, the authorization provided in this subtitle with respect to the
4672 issuance, sale, and delivery of the Bonds shall expire.

4673 Sec. 1136. Severability.

4674 If any particular provision of this subtitle, or the application thereof to any person or
4675 circumstance is held invalid, the remainder of this subtitle and the application of such provision
4676 to other persons or circumstances shall not be affected thereby. If any action or inaction
4677 contemplated under this subtitle is determined to be contrary to the requirements of applicable

4678 law, such action or inaction shall not be necessary for the purpose of issuing the Bonds, and the
4679 validity of the Bonds shall not be adversely affected.

4680 **SUBTITLE C. WASHINGTON HOUSING CONSERVANCY.**

4681 Sec. 1141. Short title.

4682 This subtitle may be cited as the “Washington Housing Conservancy/WHC Park Pleasant
4683 LLC Revenue Bonds Temporary Act of 2020”.

4684 Sec. 1142. Definitions.

4685 For the purposes of this subtitle, the term:

4686 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
4687 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
4688 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
4689 the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act
4690 (D.C. Official Code § 1-204.22(6)).

4691 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
4692 counsel from time to time by the Mayor.

4693 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
4694 obligations (including refunding bonds, notes, and other obligations), in one or more series,
4695 authorized to be issued pursuant to this resolution.

4696 (4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed
4697 with proceeds from the Bonds, which shall be, individually or collectively, Washington Housing
4698 Conservancy, a non-profit corporation organized under the laws of the District of Columbia,
4699 and/or WHC Park Pleasant LLC, a District of Columbia limited liability company, the sole
4700 member of which is the Washington Housing Conservancy, both of which are exempt from

4701 federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved
4702 August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as organizations described in section
4703 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26
4704 U.S.C. § 501(c)(3)), and which are, individually or collectively, as the case may be, liable for the
4705 repayment of the Bonds.

4706 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

4707 (6) “Closing Documents” means all documents and agreements, other than
4708 Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the
4709 Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms,
4710 receipts, and other similar instruments.

4711 (7) “District” means the District of Columbia.

4712 (8) “Financing Documents” means the documents, other than Closing Documents,
4713 that relate to the financing, refinancing or reimbursement of transactions to be effected through
4714 the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering
4715 document, and any required supplements to any such documents.

4716 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
4717 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

4718 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
4719 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
4720 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
4721 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
4722 with the development and implementation of the Financing Documents, the Closing Documents,
4723 and those other documents necessary or appropriate in connection with the authorization,

4724 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
4725 Loan, together with financing fees, costs, and expenses, including program fees and
4726 administrative fees charged by the District, fees paid to financial institutions and insurance
4727 companies, initial letter of credit fees (if any), and compensation to financial advisors and other
4728 persons (other than full-time employees of the District) and entities performing services on
4729 behalf of or as agents for the District.

4730 (11) "Loan" means the District's lending of proceeds from the sale, in one or
4731 more series, of the Bonds to the Borrower.

4732 (12) "Project" means the financing, refinancing, or reimbursing of all or a portion
4733 of the Borrower's costs of:

4734 (A) Acquiring and renovating real property, including a parcel of land
4735 comprising approximately 2.042 acres improved with approximately 69,910 square feet of
4736 residential rental property comprising 126 rental housing units and associated parking facilities
4737 located in Washington, D.C., commonly known as Park Pleasant Apartments with street
4738 addresses at 3339 Mt. Pleasant Street, N.W., 3360 Mt. Pleasant Street, N.W., 3354 Mt. Pleasant
4739 Street, N.W., 3348 Mt. Pleasant Street, N.W., 3342 Mt. Pleasant Street, N.W., 3336 Mt. Pleasant
4740 Street, N.W., 3351 Mt. Pleasant Street, N.W., 3331 Mt. Pleasant Street, N.W., 3327 Mt. Pleasant
4741 Street, N.W., 3323 Mt. Pleasant Street, N.W., and 1712 Newton Street, N.W. (collectively,
4742 "Facility");

4743 (B) Purchasing certain equipment and furnishings, together with other
4744 property, real and personal, functionally related and subordinate to the Facility;

4745 (C) Funding certain expenditures associated with the financing of the
4746 Facility, to the extent permissible, including, credit enhancement costs, liquidity costs, debt
4747 service reserve fund or working capital; and

4748 (D) Paying costs of issuance and other related costs, to the extent
4749 permissible.

4750 Sec. 1143. Findings.

4751 The Council finds that:

4752 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
4753 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
4754 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
4755 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the
4756 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
4757 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
4758 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
4759 the purchase, lease, or sale of any property.

4760 (2) The Borrower has requested the District to issue, sell, and deliver revenue
4761 bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not
4762 to exceed \$28,000,000, and to make the Loan for the purpose of financing, refinancing, or
4763 reimbursing costs of the Project.

4764 (3) The Facility is located in the District and will contribute to the health,
4765 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
4766 District, or to economic development of the District.

4767 (4) The Project is an undertaking in the area of housing, within the meaning of
4768 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

4769 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
4770 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
4771 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

4772 Sec. 1144. Bond authorization.

4773 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
4774 financing, refinancing, or reimbursing the costs of the Project by:

4775 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
4776 aggregate principal amount not to exceed \$28,000,000; and

4777 (2) The making of the Loan.

4778 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
4779 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
4780 respect to the Bonds as required by the Financing Documents.

4781 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
4782 an amount sufficient to cover costs and expenses incurred by the District in connection with the
4783 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
4784 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
4785 with the District, and maintaining official records of each bond transaction, and assisting in the
4786 redemption, repurchase, and remarketing of the Bonds.

4787 Sec. 1145. Bond details.

4788 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
4789 necessary or appropriate in accordance with this subtitle in connection with the preparation,

4790 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
4791 including, but not limited to, determinations of:

4792 (1) The final form, content, designation, and terms of the Bonds, including a
4793 determination that the Bonds may be issued in certificated or book-entry form;

4794 (2) The principal amount of the Bonds to be issued and denominations of the
4795 Bonds;

4796 (3) The rate or rates of interest or the method for determining the rate or rates of
4797 interest on the Bonds;

4798 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
4799 on, the Bonds, and the maturity date or dates of the Bonds;

4800 (5) The terms under which the Bonds may be paid, optionally or mandatorily
4801 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
4802 their respective stated maturities;

4803 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
4804 replacement of mutilated, lost, stolen, or destroyed Bonds;

4805 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
4806 the Bonds;

4807 (8) The time and place of payment of the Bonds;

4808 (9) Procedures for monitoring the use of the proceeds received from the sale of
4809 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
4810 the purposes of the Home Rule Act and this subtitle;

4811 (10) Actions necessary to qualify the Bonds under blue sky laws of any
4812 jurisdiction where the Bonds are marketed; and

4813 (11) The terms and types of credit enhancement under which the Bonds may be
4814 secured.

4815 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
4816 obligations of the District, are without recourse to the District, are not a pledge of, and do not
4817 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
4818 District, and do not constitute lending of the public credit for private undertakings as prohibited
4819 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4820 (c) The Bonds shall be executed in the name of the District and on its behalf by the
4821 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
4822 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
4823 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
4824 approval, on behalf of the District, of the final form and content of the Bonds.

4825 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
4826 otherwise reproduced on the Bonds.

4827 (e) The Bonds of any series may be issued in accordance with the terms of a trust
4828 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
4829 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
4830 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
4831 204.90(a)(4)).

4832 (f) The Bonds may be issued at any time or from time to time in one or more issues and
4833 in one or more series.

4834 Sec. 1146. Sale of the Bonds.

4835 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
4836 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
4837 the best interest of the District.

4838 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
4839 the Bonds, offering documents on behalf of the District, may deem final any such offering
4840 document on behalf of the District for purposes of compliance with federal laws and regulations
4841 governing such matters and may authorize the distribution of the documents in connection with
4842 the sale of the Bonds.

4843 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
4844 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
4845 the original purchasers of the Bonds upon payment of the purchase price.

4846 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
4847 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
4848 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
4849 for purposes of federal income taxation.

4850 Sec. 1147. Payment and security.

4851 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4852 from proceeds received from the sale of the Bonds, income realized from the temporary
4853 investment of those proceeds, receipts and revenues realized by the District from the Loan,
4854 income realized from the temporary investment of those receipts and revenues prior to payment
4855 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made

4856 available to the District for the payment of the Bonds, and other sources of payment (other than
4857 from the District), all as provided for in the Financing Documents.

4858 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
4859 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
4860 the Financing Documents and Closing Documents, including a security interest in certain
4861 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

4862 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
4863 the sale of the Bonds pursuant to the Financing Documents.

4864 Sec. 1148. Financing and Closing Documents.

4865 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4866 Documents and all Closing Documents to which the District is a party that may be necessary or
4867 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
4868 the Financing Documents and each of the Closing Documents to which the District is not a party
4869 shall be approved, as to form and content, by the Mayor.

4870 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4871 Financing Documents and any Closing Documents to which the District is a party by the
4872 Mayor's manual or facsimile signature.

4873 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4874 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4875 which the District is a party.

4876 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4877 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's

4878 approval, on behalf of the District, of the final form and content of the executed Financing
4879 Documents and the executed Closing Documents.

4880 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4881 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4882 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4883 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4884 Sec. 1149. Authorized delegation of authority.

4885 To the extent permitted by District and federal laws, the Mayor may delegate to any
4886 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4887 under this subtitle.

4888 Sec. 1150. Limited liability.

4889 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
4890 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
4891 pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a
4892 debt of the District, and shall not constitute lending of the public credit for private undertakings
4893 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4894 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
4895 shall have no obligation with respect to the purchase of the Bonds.

4896 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
4897 Documents shall create an obligation on the part of the District to make payments with respect to
4898 the Bonds from sources other than those listed for that purpose in section 1147.

4899 (d) The District shall have no liability for the payment of any Issuance Costs or for any
4900 transaction or event to be effected by the Financing Documents.

4901 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
4902 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
4903 Documents to which the District is a party, shall be considered to be the covenants, obligations,
4904 and agreements of the District to the fullest extent authorized by law, and each of those
4905 covenants, obligations, and agreements shall be binding upon the District, subject to the
4906 limitations set forth in this subtitle.

4907 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
4908 any claims against the District or any of its elected or appointed officials, officers, employees, or
4909 agents for monetary damages suffered as a result of the failure of the District or any of its elected
4910 or appointed officials, officers, employees or agents to either perform any covenant, undertaking,
4911 or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing
4912 Documents, or as a result of the incorrectness of any representation in or omission from the
4913 Financing Documents or the Closing Documents, unless the District or its elected or appointed
4914 officials, officers, employees, or agents have acted in a willful and fraudulent manner.

4915 Sec. 1151. District officials.

4916 (a) Except as otherwise provided in section 1150(f), the elected or appointed officials,
4917 officers, employees, or agents of the District shall not be liable personally for the payment of the
4918 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
4919 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
4920 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
4921 Documents.

4922 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
4923 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall

4924 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
4925 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
4926 Documents.

4927 Sec. 1152. Maintenance of documents.

4928 Copies of the specimen Bonds and of the final Financing Documents and Closing
4929 Documents shall be filed in the Office of the Secretary of the District of Columbia.

4930 Sec. 1153. Information reporting.

4931 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
4932 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
4933 Council.

4934 Sec. 1154. Disclaimer.

4935 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
4936 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
4937 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
4938 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
4939 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
4940 against the District, its elected or appointed officials, officers, employees, or agents as a
4941 consequence of any failure to issue any Bonds for the benefit of the Borrower.

4942 (b) The District reserves the right to issue the Bonds in the order or priority it determines
4943 in its sole and absolute discretion. The District gives no assurance and makes no representations
4944 that any portion of any limited amount of bonds or other obligations, the interest on which is
4945 excludable from gross income for federal income tax purposes, will be reserved or will be
4946 available at the time of the proposed issuance of the Bonds.

4947 (c) The District, by enacting this subtitle or by taking any other action in connection with
4948 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
4949 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
4950 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
4951 Bonds, nor any other person shall rely upon the District with respect to these matters.

4952 Sec. 1155. Expiration.

4953 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
4954 the effective date of this act, the authorization provided in this subtitle with respect to the
4955 issuance, sale, and delivery of the Bonds shall expire.

4956 Sec. 1156. Severability.

4957 If any particular provision of this subtitle or the application thereof to any person or
4958 circumstance is held invalid, the remainder of this subtitle and the application of such provision
4959 to other persons or circumstances shall not be affected thereby. If any action or inaction
4960 contemplated under this subtitle is determined to be contrary to the requirements of applicable
4961 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
4962 the validity of the Bonds shall not be adversely affected.

4963 **SUBTITLE D. NATIONAL PUBLIC RADIO, INC.**

4964 Sec. 1161. Short title.

4965 This subtitle may be cited as the “National Public Radio, Inc., Refunding Revenue Bonds
4966 Temporary Act of 2020”.

4967 Sec. 1162. Definitions.

4968 For the purpose of this subtitle, the term:

4969 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
4970 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
4971 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
4972 the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act
4973 (D.C. Official Code § 1-204.22(6)).

4974 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
4975 counsel from time to time by the Mayor.

4976 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
4977 obligations (including refunding bonds, notes, and other obligations), in one or more series,
4978 authorized to be issued pursuant to this resolution.

4979 (4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed
4980 with proceeds from the Bonds, which shall be National Public Radio, Inc., a non-profit
4981 corporation organized and existing under the laws of the District of Columbia, and exempt from
4982 federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved
4983 August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as an organization described in section
4984 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26
4985 U.S.C. § 501(c)(3)).

4986 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

4987 (6) “Closing Documents” means all documents and agreements other than
4988 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
4989 and to make the Loan contemplated thereby, and includes agreements, certificates, letters,
4990 opinions, forms, receipts, and other similar instruments.

4991 (7) “District” means the District of Columbia.

4992 (8) “Financing Documents” means the documents, other than Closing Documents,
4993 that relate to the financing or refinancing of transactions to be effected through the issuance, sale,
4994 and delivery of the Bonds and the making of the Loan, including any offering document and any
4995 required supplements to any such documents.

4996 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
4997 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

4998 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
4999 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
5000 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
5001 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
5002 with the development and implementation of the Financing Documents, the Closing Documents,
5003 and those other documents necessary or appropriate in connection with the authorization,
5004 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
5005 Loan contemplated thereby, together with financing fees, costs, and expenses, including program
5006 fees and administrative fees charged by the District, fees paid to financial institutions and
5007 insurance companies, letter of credit fees (if any), compensation to financial advisors and other
5008 persons (other than full-time employees of the District) and entities performing services on
5009 behalf of or as agents for the District.

5010 (11) “Loan” means the District’s lending of proceeds from the sale, in one or
5011 more series, of the Bonds to the Borrower.

5012 (12) “Project” means the financing, refinancing, or reimbursing of all or a portion
5013 of the Borrower’s costs (including payments of principal of, and interest on, the bonds being
5014 refunded) to:

5015 (A) Refund all or a portion of the outstanding District of Columbia
5016 Refunding Revenue Bonds (National Public Radio, Inc., Issue) Series 2013, the proceeds of
5017 which were used to advance refund a portion of the District of Columbia Revenue Bonds
5018 (National Public Radio, Inc. Issue) Series 2010 (the “Series 2010 Bonds”) and to pay Issuance
5019 Costs, which Series 2010 Bonds were used to finance, refinance or reimburse all or a portion of
5020 the costs incurred by the Borrower to acquire, develop, renovate, furnish and equip a new office,
5021 production and distribution center located at 1111 North Capitol Street, N.E., Washington, D.C.
5022 20002-7502 (Square 673, Lot 36), and to pay Issuance Costs; and

5023 (B) Refund all or a portion of the outstanding District of Columbia
5024 Refunding Revenue Bonds (National Public Radio, Inc., Issue) Series 2016, the proceeds of
5025 which were also used to advance refund a portion of the Series 2010 Bonds and to pay Issuance
5026 Costs.

5027 Sec. 1163. Findings.

5028 The Council finds that:

5029 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
5030 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
5031 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
5032 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the
5033 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
5034 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
5035 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
5036 the purchase, lease, or sale of any property.

5037 (2) The Borrower has requested the District to issue, sell, and deliver revenue
5038 bonds, in one or more series, in the aggregate principal amount not to exceed \$210,000,000 and
5039 to make the Loan for the purpose of financing, refinancing or reimbursing costs of the Project.

5040 (3) The Project is located in the District and will contribute to the health,
5041 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
5042 District, or to economic development of the District.

5043 (4) The Project is an undertaking in the area of education and contributes to the
5044 health, education, safety, or welfare of residents of the District within the meaning of section 490
5045 of the Home Rule Act (D.C. Official Code § 1-204.90).

5046 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
5047 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
5048 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.
5049 Sec. 1164. Bond authorization.

5050 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
5051 financing, refinancing, or reimbursing the costs of the Project by:

5052 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in the
5053 aggregate principal amount not to exceed \$210,000,000; and

5054 (2) The making of the Loan.

5055 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
5056 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
5057 respect to the Bonds as required by the Financing Documents.

5058 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
5059 an amount sufficient to cover costs and expenses incurred by the District in connection with the

5060 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
5061 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
5062 with the District, and maintaining official records of each bond transaction and assisting in the
5063 redemption, repurchase, and remarketing of the Bonds.

5064 Sec. 1165. Bond details.

5065 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
5066 necessary or appropriate in accordance with this subtitle in connection with the preparation,
5067 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
5068 including, but not limited to, determinations of:

5069 (1) The final form, content, designation, and terms of the Bonds, including a
5070 determination that the Bonds may be issued in certificated or book-entry form;

5071 (2) The principal amount of the Bonds to be issued and denominations of the
5072 Bonds;

5073 (3) The rate or rates of interest or the method for determining the rate or rates of
5074 interest on the Bonds;

5075 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
5076 on the Bonds, and the maturity date or dates of the Bonds;

5077 (5) The terms under which the Bonds may be paid, optionally or mandatorily
5078 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
5079 their respective stated maturities;

5080 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
5081 replacement of mutilated, lost, stolen, or destroyed Bonds;

- 5082 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
5083 the Bonds;
- 5084 (8) The time and place of payment of the Bonds;
- 5085 (9) Procedures for monitoring the use of the proceeds received from the sale of
5086 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
5087 the purposes of the Home Rule Act and this subtitle;
- 5088 (10) Actions necessary to qualify the Bonds under blue sky laws of any
5089 jurisdiction where the Bonds are marketed; and
- 5090 (11) The terms and types of credit enhancement under which the Bonds may be
5091 secured.

5092 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
5093 obligations of the District, are without recourse to the District, are not a pledge of, and do not
5094 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
5095 District, and do not constitute lending of the public credit for private undertakings as prohibited
5096 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

5097 (c) The Bonds shall be executed in the name of the District and on its behalf by the
5098 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
5099 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
5100 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
5101 approval, on behalf of the District, of the final form and content of the Bonds.

5102 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
5103 otherwise reproduced on the Bonds.

5104 (e) The Bonds of any series may be issued in accordance with the terms of a trust
5105 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
5106 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
5107 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
5108 204.90(a)(4)).

5109 (f) The Bonds may be issued at any time or from time to time in one or more issues and
5110 in one or more series.

5111 Sec. 1166. Sale of the Bonds.

5112 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
5113 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
5114 the best interest of the District.

5115 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
5116 the Bonds, offering documents on behalf of the District, may deem final any such offering
5117 document on behalf of the District for purposes of compliance with federal laws and regulations
5118 governing such matters and may authorize the distribution of the documents in connection with
5119 the sale of the Bonds.

5120 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
5121 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
5122 the original purchasers of the Bonds upon payment of the purchase price.

5123 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
5124 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
5125 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
5126 for purposes of federal income taxation.

5127 Sec. 1167. Payment and security.

5128 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
5129 from proceeds received from the sale of the Bonds, income realized from the temporary
5130 investment of those proceeds, receipts and revenues realized by the District from the Loan,
5131 income realized from the temporary investment of those receipts and revenues prior to payment
5132 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
5133 available to the District for the payment of the Bonds, and other sources of payment (other than
5134 from the District), all as provided for in the Financing Documents.

5135 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
5136 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
5137 the Financing Documents and Closing Documents, including a security interest in certain
5138 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

5139 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
5140 the sale of the Bonds pursuant to the Financing Documents.

5141 Sec. 1168. Financing and Closing Documents.

5142 (a) The Mayor is authorized to prescribe the final form and content of all Financing
5143 Documents and all Closing Documents to which the District is a party that may be necessary or
5144 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
5145 the Financing Documents and each of the Closing Documents to which the District is not a party
5146 shall be approved, as to form and content, by the Mayor.

5147 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
5148 Financing Documents and any Closing Documents to which the District is a party by the
5149 Mayor's manual or facsimile signature.

5150 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
5151 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
5152 which the District is a party.

5153 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
5154 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
5155 approval, on behalf of the District, of the final form and content of said executed Financing
5156 Documents and said executed Closing Documents.

5157 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
5158 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
5159 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
5160 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

5161 Sec. 1169. Authorized delegation of authority.

5162 To the extent permitted by District and federal laws, the Mayor may delegate to any
5163 Authorized Delegate the performance of any function authorized to be performed by the Mayor
5164 under this subtitle.

5165 Sec. 1170. Limited liability.

5166 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
5167 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
5168 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
5169 debt of the District, and shall not constitute lending of the public credit for private undertakings
5170 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

5171 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
5172 shall have no obligation with respect to the purchase of the Bonds.

5173 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
5174 Documents shall create an obligation on the part of the District to make payments with respect to
5175 the Bonds from sources other than those listed for that purpose in section 1167.

5176 (d) The District shall have no liability for the payment of any Issuance Costs or for any
5177 transaction or event to be effected by the Financing Documents.

5178 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
5179 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
5180 Documents to which the District is a party, shall be considered to be the covenants, obligations,
5181 and agreements of the District to the fullest extent authorized by law, and each of those
5182 covenants, obligations, and agreements shall be binding upon the District, subject to the
5183 limitations set forth in this subtitle.

5184 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
5185 any claims against the District or any of its elected or appointed officials, officers, employees, or
5186 agents for monetary damages suffered as a result of the failure of the District or any of its elected
5187 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
5188 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,
5189 nor as a result of the incorrectness of any representation in or omission from the Financing
5190 Documents or the Closing Documents, unless the District or its elected or appointed officials,
5191 officers, employees, or agents have acted in a willful and fraudulent manner.

5192 Sec. 1171. District officials.

5193 (a) Except as otherwise provided in section 1170(f), the elected or appointed officials,
5194 officers, employees, or agents of the District shall not be liable personally for the payment of the
5195 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the

5196 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
5197 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
5198 Documents.

5199 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
5200 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
5201 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
5202 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
5203 Documents.

5204 Sec. 1172. Maintenance of documents.

5205 Copies of the specimen Bonds and of the final Financing Documents and Closing
5206 Documents shall be filed in the Office of the Secretary of the District of Columbia.

5207 Sec. 1173. Information reporting.

5208 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
5209 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
5210 Council.

5211 Sec. 1174. Disclaimer.

5212 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
5213 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
5214 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
5215 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
5216 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
5217 against the District, its elected or appointed officials, officers, employees, or agents as a
5218 consequence of any failure to issue any Bonds for the benefit of the Borrower.

5219 (b) The District reserves the right to issue the Bonds in the order or priority it determines
5220 in its sole and absolute discretion. The District gives no assurance and makes no representations
5221 that any portion of any limited amount of bonds or other obligations, the interest on which is
5222 excludable from gross income for federal income tax purposes, will be reserved or will be
5223 available at the time of the proposed issuance of the Bonds.

5224 (c) The District, by enacting this subtitle or by taking any other action in connection with
5225 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
5226 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
5227 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
5228 Bonds, nor any other person shall rely upon the District with respect to these matters.

5229 Sec. 1175. Expiration.

5230 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
5231 the effective date of this act, the authorization provided in this subtitle with respect to the
5232 issuance, sale, and delivery of the Bonds shall expire.

5233 Sec. 1176. Severability.

5234 If any particular provision of this subtitle or the application thereof to any person or
5235 circumstance is held invalid, the remainder of this subtitle and the application of such provision
5236 to other persons or circumstances shall not be affected thereby. If any action or inaction
5237 contemplated under this subtitle is determined to be contrary to the requirements of applicable
5238 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
5239 the validity of the Bonds shall not be adversely affected.

5240 **SUBTITLE E. PUBLIC WELFARE FOUNDATION, INC.**

5241 Sec. 1181. Short title.

5242 This subtitle may be cited as the “Public Welfare Foundation, Inc., Revenue Bonds
5243 Temporary Act of 2020”.

5244 Sec. 1182. Definitions.

5245 For the purpose of this subtitle, the term:

5246 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
5247 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
5248 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
5249 the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act
5250 (D.C. Official Code § 1-204.22(6)).

5251 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
5252 counsel from time to time by the Mayor.

5253 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
5254 obligations (including refunding bonds, notes, and other obligations), in one or more series,
5255 authorized to be issued pursuant to this resolution.

5256 (4) “Borrower” means the owner of the assets financed or refinanced with
5257 proceeds from the Bonds, which shall be Public Welfare Foundation, Inc., a non-profit
5258 corporation organized and existing under the laws of the State of Delaware, duly authorized to
5259 transact business as a foreign corporation in the District of Columbia, and exempt from federal
5260 income taxes as an organization described in section 501(c)(3) of the Internal Revenue Code of
5261 1986, approved August 16, 1954 (68A Stat. 163; 26. U.S.C. § 501(c)(3)).

5262 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

5263 (6) “Closing Documents” means all documents and agreements, other than
5264 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
5265 and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts,
5266 and other similar instruments.

5267 (7) “District” means the District of Columbia.

5268 (8) “Financing Documents” means, the documents, other than Closing
5269 Documents, that relate to the financing, refinancing or reimbursement of transactions to be
5270 effected through the issuance, sale, and delivery of the Bonds and the making of the Loan,
5271 including any offering document and any required supplements to any such documents.

5272 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
5273 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

5274 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
5275 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
5276 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
5277 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
5278 with the development and implementation of the Financing Documents, the Closing Documents,
5279 and those other documents necessary or appropriate in connection with the authorization,
5280 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
5281 Loan, together with financing fees, costs, and expenses, including program fees and
5282 administrative fees charged by the District, fees paid to financial institutions and insurance
5283 companies, initial letter of credit fees (if any), compensation to financial advisors and other
5284 persons (other than full-time employees of the District) and entities performing services on
5285 behalf of or as agents for the District.

5286 (11) “Loan” means the District’s lending to the Borrower of the proceeds from the
5287 sale, in one or more series, of the Bonds.

5288 (12) “Project” means the financing, refinancing or reimbursing of the Borrower,
5289 on a tax exempt or taxable basis, for all or a portion of the Borrower’s costs incurred in
5290 connection with the renovation of certain facilities of the Borrower located at 1200 U Street,
5291 N.W., Washington, D.C. (the “Building”) in one or more phases and comprised of the following:

5292 (A) Replacement of nearly all exterior windows of the Building and the
5293 repair of certain sheet metal and masonry;

5294 (B) Soft costs, including architectural, engineering, and permitting fees, in
5295 connection therewith;

5296 (C) Purchase of certain equipment and furnishings, together with other
5297 property, real and personal, functionally related and subordinate thereto;

5298 (D) Refinancing, in whole or in part, of existing indebtedness; and

5299 (E) Certain expenditures associated therewith to the extent financeable,
5300 including, without limitation, Issuance Costs, credit costs, and working capital.

5301 Sec. 1183. Findings.

5302 The Council finds that:

5303 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
5304 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
5305 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
5306 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the
5307 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
5308 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly

5309 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
5310 the purchase, lease, or sale of any property.

5311 (2) The Borrower has requested the District to issue, sell, and deliver revenue and
5312 refunding bonds, in one or more series, in an aggregate principal amount not to exceed
5313 \$13,000,000 and to make the Loan for the purpose of financing, refinancing or reimbursing costs
5314 of the Project.

5315 (3) The Project is located in the District and will contribute to the health,
5316 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
5317 District, or to economic development of the District.

5318 (4) The Project is an undertaking in the area of a capital project as facilities used
5319 to house and equip operations related to the study, development, application, or production of
5320 social services within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-
5321 204.90).

5322 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
5323 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
5324 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.
5325 Sec. 1184. Bond authorization.

5326 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
5327 financing, refinancing, or reimbursing the costs of the Project by:

5328 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
5329 aggregate principal amount not to exceed \$13,000,000; and

5330 (2) The making of the Loan.

5331 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
5332 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
5333 respect to the Bonds as required by the Financing Documents.

5334 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
5335 an amount sufficient to cover costs and expenses incurred by the District in connection with the
5336 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
5337 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
5338 with the District, and maintaining official records of each bond transaction and assisting in the
5339 redemption, repurchase, and remarketing of the Bonds.

5340 Sec. 1185. Bond details.

5341 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
5342 necessary or appropriate in accordance with this subtitle in connection with the preparation,
5343 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
5344 including, but not limited to, determinations of:

5345 (1) The final form, content, designation, and terms of the Bonds, including a
5346 determination that the Bonds may be issued in certificated or book-entry form;

5347 (2) The principal amount of the Bonds to be issued and denominations of the
5348 Bonds;

5349 (3) The rate or rates of interest or the method for determining the rate or rates of
5350 interest on the Bonds;

5351 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
5352 on the Bonds, and the maturity date or dates of the Bonds;

5353 (5) The terms under which the Bonds may be paid, optionally or mandatorily
5354 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
5355 their respective stated maturities;

5356 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
5357 replacement of mutilated, lost, stolen, or destroyed Bonds;

5358 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
5359 the Bonds;

5360 (8) The time and place of payment of the Bonds;

5361 (9) Procedures for monitoring the use of the proceeds received from the sale of
5362 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
5363 the purposes of the Home Rule Act and this subtitle;

5364 (10) Actions necessary to qualify the Bonds under blue sky laws of any
5365 jurisdiction where the Bonds are marketed; and

5366 (11) The terms and types of credit enhancement under which the Bonds may be
5367 secured.

5368 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
5369 obligations of the District, are without recourse to the District, are not a pledge of, and do not
5370 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
5371 District, and do not constitute lending of the public credit for private undertakings as prohibited
5372 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

5373 (c) The Bonds shall be executed in the name of the District and on its behalf by the
5374 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
5375 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The

5376 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
5377 approval, on behalf of the District, of the final form and content of the Bonds.

5378 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
5379 otherwise reproduced on the Bonds.

5380 (e) The Bonds of any series may be issued in accordance with the terms of a trust
5381 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
5382 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
5383 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
5384 204.90(a)(4)).

5385 (f) The Bonds may be issued at any time or from time to time in one or more issues and
5386 in one or more series.

5387 Sec. 1186. Sale of the Bonds.

5388 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
5389 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
5390 the best interest of the District.

5391 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
5392 the Bonds, offering documents on behalf of the District, may deem final any such offering
5393 document on behalf of the District for purposes of compliance with federal laws and regulations
5394 governing such matters and may authorize the distribution of the documents in connection with
5395 the sale of the Bonds.

5396 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
5397 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
5398 the original purchasers of the Bonds upon payment of the purchase price.

5399 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
5400 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
5401 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
5402 for purposes of federal income taxation.

5403 Sec. 1187. Payment and security.

5404 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
5405 from proceeds received from the sale of the Bonds, income realized from the temporary
5406 investment of those proceeds, receipts and revenues realized by the District from the Loan,
5407 income realized from the temporary investment of those receipts and revenues prior to payment
5408 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
5409 available to the District for the payment of the Bonds, and other sources of payment (other than
5410 from the District), all as provided for in the Financing Documents.

5411 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
5412 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
5413 the Financing Documents and Closing Documents, including a security interest in certain
5414 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

5415 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
5416 the sale of the Bonds pursuant to the Financing Documents.

5417 Sec. 1188. Financing and Closing Documents.

5418 (a) The Mayor is authorized to prescribe the final form and content of all Financing
5419 Documents and all Closing Documents to which the District is a party that may be necessary or
5420 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of

5421 the Financing Documents and each of the Closing Documents to which the District is not a party
5422 shall be approved, as to form and content, by the Mayor.

5423 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
5424 Financing Documents and any Closing Documents to which the District is a party by the
5425 Mayor's manual or facsimile signature.

5426 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
5427 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
5428 which the District is a party.

5429 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
5430 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
5431 approval, on behalf of the District, of the final form and content of said executed Financing
5432 Documents and said executed Closing Documents.

5433 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
5434 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
5435 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
5436 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

5437 Sec. 1189. Authorized delegation of authority.

5438 To the extent permitted by District and federal laws, the Mayor may delegate to any
5439 Authorized Delegate the performance of any function authorized to be performed by the Mayor
5440 under this subtitle.

5441 Sec. 1190. Limited liability.

5442 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
5443 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a

5444 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
5445 debt of the District, and shall not constitute lending of the public credit for private undertakings
5446 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

5447 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
5448 shall have no obligation with respect to the purchase of the Bonds.

5449 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
5450 Documents shall create an obligation on the part of the District to make payments with respect to
5451 the Bonds from sources other than those listed for that purpose in section 1187.

5452 (d) The District shall have no liability for the payment of any Issuance Costs or for any
5453 transaction or event to be effected by the Financing Documents.

5454 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
5455 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
5456 Documents to which the District is a party, shall be considered to be the covenants, obligations,
5457 and agreements of the District to the fullest extent authorized by law, and each of those
5458 covenants, obligations, and agreements shall be binding upon the District, subject to the
5459 limitations set forth in this subtitle.

5460 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
5461 any claims against the District or any of its elected or appointed officials, officers, employees, or
5462 agents for monetary damages suffered as a result of the failure of the District or any of its elected
5463 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
5464 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,
5465 or as a result of the incorrectness of any representation in or omission from the Financing

5466 Documents or the Closing Documents, unless the District or its elected or appointed officials,
5467 officers, employees, or agents have acted in a willful and fraudulent manner.

5468 Sec. 1191. District officials.

5469 (a) Except as otherwise provided in section 1190(f), the elected or appointed officials,
5470 officers, employees, or agents of the District shall not be liable personally for the payment of the
5471 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
5472 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
5473 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
5474 Documents.

5475 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
5476 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
5477 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
5478 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
5479 Documents.

5480 Sec. 1192. Maintenance of documents.

5481 Copies of the specimen Bonds and of the final Financing Documents and Closing
5482 Documents shall be filed in the Office of the Secretary of the District of Columbia.

5483 Sec. 1193. Information reporting.

5484 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
5485 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
5486 Council.

5487 Sec. 1194. Disclaimer.

5488 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
5489 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
5490 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
5491 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
5492 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
5493 against the District, its elected or appointed officials, officers, employees, or agents as a
5494 consequence of any failure to issue any Bonds for the benefit of the Borrower.

5495 (b) The District reserves the right to issue the Bonds in the order or priority it determines
5496 in its sole and absolute discretion. The District gives no assurance and makes no representations
5497 that any portion of any limited amount of bonds or other obligations, the interest on which is
5498 excludable from gross income for federal income tax purposes, will be reserved or will be
5499 available at the time of the proposed issuance of the Bonds.

5500 (c) The District, by enacting this subtitle or by taking any other action in connection with
5501 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
5502 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
5503 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
5504 Bonds, nor any other person shall rely upon the District with respect to these matters.

5505 Sec. 1195. Expiration.

5506 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
5507 the effective date of this act, the authorization provided in this subtitle with respect to the
5508 issuance, sale, and delivery of the Bonds shall expire.

5509 Sec. 1196. Severability.

5510 If any particular provision of this subtitle or the application thereof to any person or
5511 circumstance is held invalid, the remainder of this subtitle and the application of such provision
5512 to other persons or circumstances shall not be affected thereby. If any action or inaction
5513 contemplated under this subtitle is determined to be contrary to the requirements of applicable
5514 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
5515 the validity of the Bonds shall not be adversely affected.

5516 **TITLE XII. REPEALS; APPLICABILITY; FISCAL IMPACT STATEMENT;**

5517 **EFFECTIVE DATE**

5518 Sec. 1201. Repeals.

5519 (a) The COVID-19 Response Emergency Amendment Act of 2020, effective March 17,
5520 2020 (D.C. Act 23-247; 67 DCR 3093), is repealed.

5521 (b) The COVID-19 Response Supplemental Emergency Amendment Act of 2020,
5522 effective April 10, 2020 (D.C. Act 23-286; 67 DCR 4178), is repealed.

5523 (c) The COVID-19 Supplemental Corrections Emergency Amendment Act of 2020,
5524 effective May 4, 2020 (D.C. Act 23-299; 67 DCR 5050), is repealed.

5525 (d) The Coronavirus Omnibus Emergency Amendment Act of 2020, effective May 13,
5526 2020 (D.C. Act 23-317; 67 DCR 5235), is repealed.

5527 (e) The Foreclosure Moratorium Emergency Amendment Act of 2020, effective May 27,
5528 2020 (D.C. Act 23-318; 67 DCR 6591), is repealed.

5529 (f) The COVID-19 Response Supplemental Temporary Amendment Act of 2020, enacted
5530 on May 21, 2020 (D.C. Act 23-323; 67 DCR 6601), is repealed.

5531 Sec. 1202. Fiscal impact statement.

5532 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
5533 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
5534 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

5535 Sec. 1203. Effective date.

5536 This act shall take effect following approval by the Mayor (or in the event of veto by the
5537 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
5538 90 days, as provided for emergency acts of the Council of the District of Columbia in section
5539 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
5540 D.C. Official Code § 1-204.12(a)).