

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

Councilmember Kenyan McDuffie

Chairman Phil Mendelson

Councilmember Anita Bonds

Councilmember David Grosso

Councilmember Elissa Silverman

Councilmember Robert C. White, Jr.

Councilmember Brianne K. Nadeau

Councilmember Mary M. Cheh

Councilmember Brandon Todd

Councilmember Charles Allen

Councilmember Vincent C. Gray

Councilmember Trayon White, Sr.

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 supports to businesses during the current public health
emergency; and for other purposes

CONTENTS

46
47
48 **TITLE I. LABOR AND WORKFORCE DEVELOPMENT 4**
49 Sec. 101. Wage replacement..... 4
50 Sec. 102. Unemployment insurance clarification. 7
51 Sec. 103. Shared work compensation program clarification. 9
52 Sec. 104. Family and medical leave..... 20
53 Sec. 105. Paid public health emergency leave. 23
54 **TITLE II. BUSINESS AND ECONOMIC DEVELOPMENT 28**
55 Sec. 201. Small business microgrants..... 28
56 Sec. 202. Contractor advance payment..... 30
57 Sec. 203. Certified Business Enterprise assistance..... 31
58 Sec. 204. Alcoholic beverage regulation. 33
59 Sec. 205. Third-party food delivery commissions. 37
60 Sec. 206. Corporate filing extension..... 39
61 Sec. 207. Outdoor dining expansion. 39
62 Sec. 208. Taxes and trade name renewals..... 42
63 Sec. 209. 8th and O disposition extension. 43
64 **TITLE III. CONSUMER PROTECTION AND REGULATION 44**
65 Sec. 301. Opportunity accounts expanded use..... 44
66 Sec. 302. Funeral services consumer protection. 47
67 Sec. 303. Debt collection. 50
68 Sec. 304. Emergency credit alerts..... 52
69 Sec. 305. Enhanced penalties for unlawful trade practices..... 55
70 Sec. 306. Price gouging and stockpiling..... 55
71 Sec. 307. Utility shutoff. 57
72 Sec. 308. Utility payment plans. 60
73 Sec. 309. Composting virtual training. 64
74 Sec. 310. Emergency Department of Insurance, Securities, and Banking authority. 64
75 Sec. 311. Vacant property designations. 67
76 Sec. 312. Extension of licenses and registrations; waiver of deadlines. 67
77 **TITLE IV. HOUSING AND TENANT PROTECTIONS 68**
78 Sec. 401. Mortgage relief..... 68
79 Sec. 402. Tenant payment plans. 73
80 Sec. 403. Residential cleaning. 76
81 Sec. 404. Eviction prohibition. 77
82 Sec. 405. Residential tenant protections. 78
83 Sec. 406. Rent increase prohibition. 83
84 Sec. 407. Cooperative association remote meetings..... 83
85 Sec. 408. Foreclosure by mortgagees. 84
86 **TITLE V. HEALTH AND HUMAN SERVICES 84**
87 Sec. 501. Prescription drugs..... 85

88 Sec. 502. Homeless services. 85

89 Sec. 503. Extension of care and custody for aged-out youth. 88

90 Sec. 504. Standby guardianship. 89

91 Sec. 505. Contact tracing hiring requirements. 90

92 Sec. 506. Public health emergency authority. 91

93 Sec. 507. Public benefits clarification and continued access. 94

94 Sec. 508. Notice of modified staffing levels. 95

95 Sec. 509. Not-for-Profit Hospital Corporation. 96

96 Sec. 510. Discharge of Long-Term Care residents. 97

97 Sec. 511. Long-Term Care Facility reporting of positive cases. 97

98 Sec. 512. Food access study. 98

99 Sec. 513. Hospital support funding. 98

100 Sec. 514. Contractor reporting of positive cases. 100

101 **TITLE VI. EDUCATION** **102**

102 Sec. 601. Graduation requirements. 103

103 Sec. 602. Out of school time report waiver. 103

104 Sec. 603. Summer school attendance. 104

105 Sec. 604. Education research practice partnership review panel. 104

106 Sec. 605. UDC Board of Trustees terms. 105

107 Sec. 606. UDC fundraising match. 106

108 **TITLE VII. PUBLIC SAFETY AND JUSTICE** **106**

109 Sec. 701. Jail reporting. 106

110 Sec. 702. Civil rights enforcement. 107

111 Sec. 704. Police Complaints Board investigation extension. 109

112 Sec. 705. Extension of time for non-custodial arrestees to report. 109

113 Sec. 706. Good time credits and compassionate release. 109

114 Sec. 707. Healthcare provider liability. 112

115 **TITLE VIII. GOVERNMENT OPERATIONS** **114**

116 Sec. 801. Board of Elections stipends. 115

117 Sec. 802. Retirement Board Financial disclosure extension of time. 115

118 Sec. 802. Ethics and campaign finance. 115

119 Sec. 803. Election preparations. 117

120 Sec. 804. Absentee ballot request signature waiver. 120

121 Sec. 805. Remote notarizations. 120

122 Sec. 806. Freedom of Information Act. 122

123 Sec. 807. Open meetings. 123

124 Sec. 808. Electronic witnessing. 125

125 Sec. 809. Electronic wills. 129

126 Sec. 810. Administrative hearings deadlines. 132

127 Sec. 811. Other boards and commissions. 132

128 **TITLE IX. LEGISLATIVE BRANCH** **133**

129 Sec. 901. Council Rules. 133

130 Sec. 902. Budget submission requirements. 135
131 Sec. 903. Tolling of matters transmitted to the Council. 136
132 Sec. 904. Advisory Neighborhood Commissions. 137
133 **TITLE X. BORROWING AUTHORITY 141**
134 SUBTITLE A. GENERAL OBLIGATION NOTES 141
135 SUBTITLE B. TRANS NOTES 154
136 **TITLE XI. REVENUE BONDS 170**
137 SUBTITLE A. STUDIO THEATER, INC..... 170
138 SUBTITLE B. DC SCHOLARS PUBLIC CHARTER SCHOOL, INC. 183
139 SUBTITLE C. WASHINGTON HOUSING CONSERVANCY. 195
140 SUBTITLE D. NATIONAL PUBLIC RADIO, INC..... 208
141 SUBTITLE E. PUBLIC WELFARE FOUNDATION, INC..... 220
142 **TITLE XII. REPEALS; APPLICABILITY; FISCAL IMPACT STATEMENT;**
143 **EFFECTIVE DATE 232**
144 Sec. 1201. Repeals. 232
145 Sec. 1202. Applicability..... 233
146 Sec. 1203. Fiscal impact statement. 233
147 Sec. 1204. Effective date. 233
148

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

152
153 **TITLE I. LABOR AND WORKFORCE DEVELOPMENT**

154 Sec. 101. Wage replacement.

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

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

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

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

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

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

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

177 (d) For the purposes of this section, the term “affected employee” means an employee
178 who, except as provided in subsection (g) of this section, is otherwise eligible for UI pursuant to
179 section 9 of the District of Columbia Unemployment Compensation Act, approved August 28,
180 1935 (49 Stat. 950; D.C. Official Code § 51-109), and who is determined by the Mayor to have
181 become unemployed or partially unemployed as a result of the circumstances giving rise to the
182 public health emergency. The term “affected employee” includes an employee who has been
183 quarantined or isolated by the Department of Health or any other applicable District or federal

184 agency, an employee who has self-quarantined or self-isolated in a manner consistent with the
185 recommendations or guidance of the Department of Health, any other applicable District or
186 federal agency, or a medical professional, or an employee of an employer that ceased or reduced
187 operations due to an order or guidance from the Mayor or the Department of Health or a
188 reduction in business revenue resulting from the circumstances giving rise to the public health
189 emergency, as determined by the Mayor, all as demonstrated by reasonable documentation
190 required by the Mayor or the Mayor’s designee.

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

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

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

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

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

204 (f) If the Mayor determines that the payment of UI under this section may not be made
205 from the District Unemployment Fund or from the unemployment fund of another jurisdiction

206 due to federal law or regulation, payment may be made by the Mayor from any other source of
207 funds that is available.

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

215 Sec. 102. Unemployment insurance clarification.

216 The District of Columbia Unemployment Compensation Act, effective August 28, 1935
217 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

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

220 “(A-i) During a period of time for which the Mayor has declared a public
221 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
222 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), and in
223 conformity with federal law, the Director may determine that the term “employment” as defined
224 in paragraph (2)(A) of this section may include individuals who are self-employed, seeking part-
225 time employment, do not have sufficient work history, or otherwise would not qualify for regular
226 unemployment or extended benefits under District or Federal law or pandemic emergency
227 unemployment compensation.”.

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

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

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

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

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

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

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

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

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

247 “(b) During a period of time for which the Mayor has declared a public health emergency
248 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
249 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), the Director shall have
250 broad discretion to waive any eligibility requirements set forth in this act, other than the physical

251 ability and availability requirement, when the Director deems such waiver to be in the public
252 interest.”.

253 Sec. 103. Shared work compensation program clarification.

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

256 (a) Section 2(5) is amended as follows:

257 (1) Paragraph (4) is repealed.

258 (2) Paragraph (5) is amended to read as follows:

259 “(5) “Normal weekly hours of work” means the usual hours of work for full-time
260 or part-time employees in the affected unit when that unit is operating on its regular basis, not to
261 exceed 40 hours and not including hours of overtime work.”.

262 (3) Paragraph (7) is amended to read as follows:

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

266 (4) Paragraph (8) is amended to read as follows:

267 “(8) “Shared work plan” means a written plan to participate in the shared work
268 unemployment compensation program approved by the Director, under which the employer
269 requests the payment of shared work benefits to workers in an affected unit of the employer to
270 avert temporary or permanent layoffs.”.

271 (5) New paragraph 5a is added. to read as follows:

272 “(5a) “Participating employee” means an employee who voluntarily agrees to
273 participate in an employer’s shared work plan.”

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

275 “Sec. 4. Employer participation in the shared work unemployment compensation
276 program.

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

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

282 “(c) The Director shall develop an application form consistent with the requirements of
283 this section. The application shall require the employer to:

284 “(1) Identify the affected unit (or units) to be covered by the shared work plan,
285 including the number of full-time or part-time employees in such unit, the percentage of workers
286 in the affected unit covered by the plan, identification of each individual employee in the
287 affected unit by name, social security number, the employer’s unemployment tax account
288 number, and any other information required by the Director to identify plan participants;

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

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

302 “(4) If the employer provides health benefits and retirement benefits under the
303 defined benefit pension plans (as defined in section 414(j) of the Internal Revenue Code) or
304 contributions under a defined contribution plan (defined in section 414(i) of such Code) to any
305 participating employee whose usual weekly hours of work are reduced under the plan, certify
306 that such benefits will continue to be provided to participating employees under the same terms
307 and conditions as though the usual weekly hours of work of such participating employee had not
308 been reduced or to the same extent as employees not participating in the shared work plan. For
309 defined benefit retirement plans, the hours that are reduced under the shared work plan shall be
310 credited for purposes of participation, vesting, and accrual of benefits as though the participating
311 employee’s usual weekly hours of work had not been reduced. The dollar amount of employer
312 contributions to a defined contribution plan that are based on a percentage of compensation may
313 be reduced due to the reduction in the participating employee’s compensation. A reduction in
314 health and retirement benefits scheduled to occur during the duration of a shared work plan,
315 which is equally applicable to employees who are not participating in the plan and to
316 participating employees, does not violate a certification made pursuant to this paragraph;

317 “(7) Certify that the aggregate reduction in work hours under the shared work
318 plan is in lieu of temporary or permanent layoffs and provide a good faith estimate of the number
319 of workers who would have been laid off in the absence of the shared work plan;

320 “(8) Agree to:

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

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

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

326 (C) Follow any other directives the Director deems necessary for the
327 agency to implement the shared work plan consistent with the requirements for shared work plan
328 applications;

329 “(9) Certify that participation in the shared work unemployment compensation
330 program and implementation of the shared work plan will be consistent with the employer’s
331 obligations under applicable federal and state laws;

332 “(10) State the duration of the shared work plan, which shall not exceed 365 days
333 from the effective date established pursuant to section 6;

334 “(11) Provide any additional information or certifications that the Director
335 determines to be appropriate for purposes of the shared work unemployment compensation
336 program, consistent with requirements issued by the United States Secretary of Labor.

337 “(12) Provide written approval of the shared work plan by the collective
338 bargaining representative for any employees who will participate in the plan and who are
339 covered by a collective bargaining agreement.”.

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

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

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

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

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

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

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

353 “(2)(A) Has filed all reports required to be filed under the employment security
354 law for all past and current periods and has paid all contributions and benefit cost payments; or

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

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

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

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

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

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

367 “(5) For employees who are receiving or who will receive supplemental
368 unemployment benefits during any period a shared work plan is in effect.

369 “(d) During the effective period of a shared work plan entered into during a public health
370 public health emergency, section shall not apply. During , the Director may not approve a shared
371 work plan:

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

374 “(2) For employers that have reported quarterly earnings to the Department of
375 Employment Services for fewer than 3 quarters at the time of the application for the shared work
376 unemployment compensation program.”.

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

379
380 (d) Section 8(b) (D.C. Official Code § 51-177(b)) is amended to read as follows:

381 “Sec. 6. Effective date and expiration of a shared work plan.

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

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

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

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

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

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

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

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

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

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

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

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

403 “(e) Upon a decision to revoke a shared work plan, the Director shall issue a written
404 revocation order to the employer that specifies the reasons for the revocation and the date the
405 revocation is effective. The Director shall provide a copy of the revocation order to the
406 representative of an affected collective bargaining unit.

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

409

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

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

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

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

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

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

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

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

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

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

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

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

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

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

442 “(2) Notwithstanding any other provisions of the employment security law
443 relating to availability for work and actively seeking work, the participating employee was
444 available for the individual’s usual hours of work with the shared-work employer, which may
445 include availability to participate in training to enhance job skills approved by the Director, such
446 as employer-sponsored training or training funded under the Workforce Innovation and
447 Opportunities Act.

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

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

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

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

466 “(e) A participating employee who has received all of the shared work benefits or
467 combined unemployment compensation and shared work benefits available in a benefit year shall
468 be considered an exhaustee for purposes of extended benefits pursuant to section § 51–107 (g),
469 and if otherwise eligible under those provisions, shall be eligible to receive extended benefits.

470 “(f) Shared work benefits shall be charged to employers' experience rating accounts in the
471 same manner as unemployment compensation is charged under the employment security law,
472 unless waived by federal or local 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 local 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 does not
484 result in a reduction of at least 10% of the usual weekly hours of work the participating
485 employee works for the shared-work employer, the participating employee is not eligible for
486 shared work 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) New subsections (c) and (d) are added to read as follows:

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

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

510 Sec. 104. Family and medical leave.

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

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

514 “(1) “Employee” means:

515 “(A) For leave provided under sections 3 or 4, any individual who has
516 been employed by the same employer for 1 year without a break in service except for regular
517 holiday, sick, or personal leave granted by the employer and has worked at least 1000 hours
518 during the 12-month period immediately preceding the request for family or medical leave; or

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

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

523 “Sec. 3a. COVID-19 family and medical leave.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

567 “(g) Any employer who willfully violates subsections (a) through (e) of this section shall
568 be assessed a civil penalty of \$1000 for each offense.

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

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

578

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 is added to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

644

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

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

647 (2) 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; or

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, effective _____ (D.C. Act 23-286; D.C.
681 Official Code § 32-531.02a)..

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

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

688 Sec. 201. Small business microgrants.

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

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

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

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

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

697 “(a)(1) Upon the Mayor’s declaration of a public health emergency pursuant to section 5a
698 of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
699 Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may, notwithstanding the Grant
700 Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code

701 § 1-328.11 *et seq.*), and in the Mayor’s sole discretion, issue a grant or loan to an eligible small
702 business; provided, that the eligible small business:

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

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

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

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

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

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

715 “(C) Repayment of loans obtained through the United States Small
716 Business Administration; and

717 “(D) Payments or other mortgage housing costs, in the case of independent
718 contractors and self-employed individuals.

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

722 “(c) The Mayor, pursuant to section 105 of the District of Columbia Administrative
723 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-505), may
724 issue emergency rules to implement the provisions of this section.

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

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

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

735 “(2) “Eligible small business” means a business enterprise eligible for
736 certification under section 2332, a nonprofit entity, or an independent contractor or self-
737 employed individual determined ineligible for Unemployment Insurance by the Director of the
738 Department of Employment Services.

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
774 maximum credit for \$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 Small and Certified Business Enterprise Development and Assistance Act of
797 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Code § 2-218.01 *et seq.*), or the First
798 Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official
799 Code § 2-219.01 *et seq.*).

800 Sec. 204. Alcoholic beverage regulation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

851 “(iv) An on-premises retailer’s licensee who has been registered to offer
852 beer, wine, or spirits for carryout or delivery in accordance with this subparagraph may do so for
853 no longer than 30 calendar days. The Board may approve a written request from an on-premises
854 licensee to extend carryout or delivery alcohol sales from an additional location pursuant to this
855 subparagraph for one additional 30 calendar-day period. A licensee shall not offer beer, wine, or
856 spirits for carryout or delivery for off-premises consumption from the additional location for
857 more than 60 calendar days unless a completed application to do so has been filed with the Board
858 with notice provided to the public in accordance with § 25-421.

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

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

867 (b) Chapter 4 is amended as follows:

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

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

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

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

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

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

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

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

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

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

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

890 (c) Section 25-791(a)(1) is amended by striking the phrase “21 or more calendar
891 days,” and inserting the phrase “21 or more calendar days, excluding each day during a period of
892 time for which the Mayor has declared a public health emergency pursuant to section 5a of the
893 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
894 194; D.C. Official Code § 7-2304.01),” in its place.

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

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

902 (b) Notwithstanding any provision of District law, during a public health emergency, it
903 shall be unlawful for a person to cause a third-party food delivery platform to charge a restaurant

904 a commission fee for the use of the platform’s services for delivery or pick-up that totals more
905 than 15% of the purchase price per online order.

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

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

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

918 (2) A violation of this section shall be a civil infraction for purposes of the
919 Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October
920 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 et seq.).

921 (f) For purposes of this section:

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

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

926 (3) “Restaurant” shall have the same meaning as provided in § 25-101(43).

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

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

933 Sec. 206. Corporate filing extension.

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

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

939 Sec. 207. Outdoor dining expansion.

940 (a) For the purposes of this section, the term:

941 (1) “BID” means a Business Improvement District formed pursuant the Business
942 Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official
943 Code § 2-1215.01 et seq.).

944 (2) “Eligible business” means an applicant for an Outdoor Dining Expansion
945 permit, pursuant to this section, that:

946 (A) Before submitting an application pursuant to this section, has:

947 (i) Met the administrative procedures for a sidewalk café, as set
948 forth in Chapter 3 of Title 24 of the District of Columbia Municipal Regulations; and

949 (ii) Obtained the necessary licenses and license endorsements
950 required by the Alcoholic Beverage Control Board to sell, serve, or permit the consumption of
951 alcoholic beverages in a sidewalk café, pursuant to D.C. Official Code § 25-113a; and

952 (B) Is required, pursuant to a valid Mayor’s Order, to operate at a reduced
953 capacity, compared to the capacity at which the applicant operated before the declaration of a
954 public health emergency declared pursuant to section 5a of the District of Columbia Public
955 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
956 2304.01).

957 (3) “Main Street Program” means a D.C. Main Streets Program that is in good
958 standing and has a letter of agreement with the Department of Small and Local Business
959 Development.

960 (b) The District Department of Transportation (“DDOT”) shall create an Outdoor Dining
961 Expansion permit application and make it available, at no cost, through DDOT’s website.

962 (c)(1) An eligible business, a BID, or a Main Street Program may submit an Outdoor
963 Dining Expansion permit application requesting that, for the purposes of an eligible business
964 operating a sidewalk café, DDOT close to vehicle traffic:

965 (A) In the case of an eligible business, public space on a block where the
966 eligible business operates a sidewalk café; or

967 (B) In the case of a BID or a Main Street Program, public space within the
968 BID’s or Main Street Program’s boundaries.

969 (2) The application shall identify, in a form determined by DDOT:

970 (A) The area of public space the eligible business, BID, or Main Street
971 Program requests for closure;

972 (B) The period of time for which the eligible business, BID, or Main
973 Street Program requests the closure of public space, up to one year after a public health
974 emergency declared pursuant to section 5a of the District of Columbia Public Emergency Act of
975 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) has ended;
976 and

977 (C) A list of any eligible businesses that will use, as a sidewalk café, the
978 public space requested for closure and, for each eligible business listed, evidence that the eligible
979 business meets the description in subsection (a)(2)(A).

980 (d) DDOT shall approve or deny an Outdoor Dining Expansion permit application made
981 pursuant to this section, by providing to the applicant written notice of approval or disapproval,
982 within 30 days after receipt of the Outdoor Dining Expansion permit application.

983 (e)(1) DDOT shall approve an Outdoor Dining Expansion permit application made
984 pursuant to this section if DDOT:

985 (A) Determines that the application meets the requirements of subsection
986 (c)(2) of this section;

987 (B) Has received a letter of support for the application from each Advisory
988 Neighborhood Commission (“ANC”) that includes the area of public space for which the
989 application requests closure; and

990 (C) Determines that the closure of public space will not cause significant
991 public safety concerns.

992 (2) A notice of approval shall describe the area of public space to be closed.

993 (3) DDOT shall close to motor vehicle traffic the public space identified in the
994 notice of approval.

995 (f) Notwithstanding subsection (e) of this section, DDOT may modify the area of public
996 space to be closed if the modification is consistent with a letter of support received from an ANC
997 described in subsection (e)(1)(B) of this section.

998 (g) Notwithstanding section 202 of the District of Columbia Public Space Rental Act,
999 approved October 17, 1968 (82 Stat. 1158; D.C. Official Code § 10-1102.02), and D.C. Official
1000 Code § 25-113a, an eligible business shall not be required to pay any additional fees for the use
1001 of public space allowed by a permit issued pursuant to this section.

1002 (h) A permit, issued pursuant to the requirements set forth in Chapter 3 of Title 24 of the
1003 District of Columbia Municipal Regulations, held by an eligible business listed in an application
1004 submitted pursuant to subsection (c) of this section that authorizes the eligible business to
1005 operate a sidewalk café shall also authorize the eligible business to operate a sidewalk café in
1006 public space closed pursuant to subsection (e) of this section.

1007 Sec. 208. Taxes and trade name renewals.

1008 Title 47 of the District of Columbia Official Code is amended as follows:

1009 (a) Section 47-811(b) is amended by striking the phrase “tax year beginning July 1, 1989,
1010 and ending June 30, 1990, the amount of the first and second installments shall reflect and be
1011 consistent with the tax rates applicable to that tax year, as provided in § 47-812(b) and (c)” and
1012 inserting the phrase “tax year 2020 first installment owing for a real property that is
1013 commercially improved and occupied and is a hotel or motel; provided, that the Chief Financial
1014 Officer, through the Office of Tax and Revenue, shall issue administrative guidance on the
1015 definition of a hotel or motel, the Chief Financial Officer may waive any penalties and abate
1016 interest if the owner pays such installment by June 30, 2020” in its place.

1017 (b) Section 47-1803.02(a)(2) is amended by adding a new subparagraphs (GG) and (HH)
1018 to read as follows:

1019 “(GG) Small business loans awarded and subsequently forgiven under
1020 section 1106 of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27,
1021 2020 (Pub. L. No. 116-136; 134 Stat. 281).”.

1022 “(HH) Public health emergency small business grants awarded pursuant to
1023 section 201 of this act.”.

1024 (c) Section 47-2855.04 is amended by adding a new subsection (c) to read as follows:

1025 “(c) There shall be no late fee for trade name renewal applications required by rules
1026 promulgated under subsection (a) of this section to be filed by April 1, 2020; provided, that the
1027 trade name renewal application be filed by June 1, 2020.”.

1028 (d) Section 47-4221 is amended by adding a new subsection (d) to read as follows:

1029 “(d)(1) Except as provided in paragraph (2) and notwithstanding any other provision of
1030 this title, the Chief Financial Officer may waive any penalty and abate interest that may be
1031 imposed for failure to timely pay any taxes due pursuant to Chapters 20 and 22 of this title for
1032 periods ending on February 29, 2020, or March 31, 2020; provided, that all taxes for such
1033 periods are paid in full on or before July 20, 2020.

1034 “(2) This subsection shall not apply to hotels or motels permitted to defer real
1035 property tax under § 47-811(b).”.

1036 Sec. 209. 8th and O disposition extension.

1037 Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia
1038 no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official
1039 Code § 10-801), is amended as follows:

1040 (a) Subsection (b-3) is amended by adding a new paragraph (8) to read as follows:

1041 “(8) Notwithstanding paragraph (2) of this subsection, for the disposition of the
1042 District-owned real property located at 1336 8th Street, N.W., 50% of the affordable units shall
1043 be for housing for which a low-income household will pay no more than 30% of its income
1044 toward housing costs, and 50% of the units shall be housing for which a moderate-income
1045 household will pay no more than 30% of its income toward housing costs, whether or not the
1046 units to be constructed are rental units or ownership units. The Land Disposition and
1047 Development Agreement in the form approved by Council pursuant to the 8th & O Streets,
1048 N.W., Disposition Approval Resolution of 2016, effective February 2, 2016 (Res. 21-374; 63
1049 DCR 1498), remains in full force and effect, including, without limitation, the Affordable
1050 Housing Covenant attached as an exhibit thereto, which shall be recorded against the property at
1051 closing.

1052 (b) Subsection (d-7) is amended by striking the date “February 2, 2020” and inserting the
1053 date “September 15, 2020” in its place.

1054 **TITLE III. CONSUMER PROTECTION AND REGULATION**

1055 Sec. 301. Opportunity accounts expanded use.

1056 The Opportunity Accounts Act of 2000, effective April 3, 2001 (D.C. Law 13-266; D.C.
1057 Official Code § 1-307.61 *et seq.*), is amended as follows:

1058 (a) Section 2 (D.C. Official Code § 1-307.61) is amended by adding a new paragraph
1059 (2A) to read as follows:

1060 “(2A) “Commissioner” means the Commissioner of the Department of Insurance,
1061 Securities, and Banking.”.

1062 (b) Section 8 (D.C. Official Code § 1-307.67) is amended as follows:

1063 (1) Subsection (a) is amended by striking the figure “\$2” and inserting the figure
1064 “\$1” in its place.

1065 (2) Subsection (b) is amended as follows:

1066 (A) The lead-in language is amended by striking the figure “\$2” and
1067 inserting the figure “\$3” in its place.

1068 (B) Paragraph (1) is amended as follows:

1069 (i) Strike the phrase “in at least the same amount” and insert the
1070 phrase “consistent with subsection (a) of this section” in its place.

1071 (ii) Strike the phrase “; and” and insert a semicolon in its place.

1072 (C) Paragraph (2) is amended as follows:

1073 (i) Strike the phrase “than \$3,000” and insert the phrase “than
1074 \$6,000” in its place;

1075 (ii) Strike the period and insert the phrase “; and” in its place.

1076 (D) A new paragraph (3) is added to read as follows:

1077 “(3) The Commissioner may waive the requirement of subsection (a) of this
1078 section and provide to an administering organization matching funds of up to \$4 for every dollar
1079 the account holder deposits into the opportunity account when adequate federal or private
1080 matching funds are not available.”.

1081 (c) Section 9(a) (D.C. Official Code § 1-307.68(a)) is amended as follows:

1082 (1) Paragraph (6) is repealed.

1083 (2) Paragraph (8) is amended by striking the period at the end and inserting the
1084 phrase “; and” in its place.

1085 (3) A new paragraph (9) is added to read as follows:

1086 “(9) To pay for any cost, expense, or item authorized by the Commissioner by
1087 rule issued pursuant to section 14, or by order during a declared public health emergency.”.

1088 (d) Section 10 (D.C. Official Code § 1-307.69) is amended as follows:

1089 (1) Subsection (b) is amended as follows:

1090 (A) Paragraph (2) is amended by striking the phrase “; or” and inserting a
1091 semicolon in its place.

1092 (B) Paragraph (3) is amended by striking the period at the end and
1093 inserting the phrase “; and” in its place.

1094 (C) A new paragraph (4) is added to read as follows:

1095 “(4) Making payments necessary to enable the account holder to meet necessary
1096 living expenses in the event of a sudden, unexpected loss of income.”.

1097 (2) Subsection (c) is amended by striking the phrase “An account holder” and
1098 inserting the phrase “Except during a period of time for which the Mayor has declared a public
1099 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
1100 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an
1101 account holder” in its place.

1102 (3) New subsections (c-1), (c-2), and (c-3) are added to read as follows:

1103 “(c-1) If an account holder makes an emergency withdrawal for the purposes set forth at
1104 subsection (b)(2) or (3) of this section, the account holder shall withdraw only funds deposited
1105 by the account holder and shall not withdraw matching funds.

1106 “(c-2) If an account holder makes an emergency withdrawal for the purposes set forth at
1107 subsection (b)(1) of this section, the account holder shall withdraw only funds deposited by the

1108 account holder and shall not withdraw matching funds, unless the withdrawal is for a medical
1109 emergency.

1110 “(c-3) If an account holder makes an emergency withdrawal for the purposes set forth at
1111 subsection (b)(4) of this section, the account holder may withdraw funds deposited by the
1112 account holder and matching funds.”.

1113 (4) The lead-in language of subsection (e) is amended to read as follows:

1114 “An account holder shall not be required to repay funds withdrawn from the opportunity
1115 account for an emergency withdrawal but shall be required to resume making deposits into the
1116 opportunity account no later than 90 days after the emergency withdrawal. If the account holder
1117 fails to make a deposit no later than 90 days after the emergency withdrawal:”.

1118 Sec. 302. Funeral services consumer protection.

1119 (a) The District of Columbia Funeral Services Regulatory Act of 1984, effective May 22,
1120 1984 (D.C. Law 5-84; D.C. Official Code § 3-401 *et seq.*), is amended by adding a new section
1121 4a to read as follows:

1122 “Sec. 4a. For a period of time for which the Mayor has declared a public health
1123 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1124 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), there shall be
1125 established a Funeral Bill of Rights designed to inform consumers of required pricing disclosures
1126 and other available consumer rights. The Department of Consumer and Regulatory Affairs, in
1127 consultation with the Board of Funeral Directors and the Attorney General for the District of
1128 Columbia (“Attorney General”), shall write the Funeral Bill of Rights, which shall be published
1129 in the District of Columbia Register no later than May 8, 2020. If the foregoing does not occur

1130 on or before May 1, 2020, the Attorney General may write the Funeral Bill of Rights and shall
1131 have it published in the District of Columbia Register no later than May 15, 2020.”.

1132 (b) Section 28-3904 of the District of Columbia Official Code is amended as follows:

1133 (1) Subsection (jj) is amended by striking the phrase “; or” and inserting a
1134 semicolon in its place.

1135 (2) Subsection (kk) is amended by striking the period at the end and inserting the
1136 phrase “; or” in its place.

1137 (3) New subsections (ll) and (mm) are added to read as follows:

1138 “(ll) violate any provision of 17 DCMR § 3013; or”

1139 “(mm) violate any provision of 17 DCMR § 3117.”.

1140 (c) Title 17 of the District of Columbia Municipal Regulations (17 DCMR § 100 *et seq.*)
1141 is amended as follows:

1142 (1) Section 3013.2(l) (17 DCMR § 3013.2(l)) is amended as follows:

1143 (A) The lead-in language of subparagraph (8) is amended by striking the
1144 phrase “customer, or failing to passing” and inserting the phrase “customer, failing to provide to
1145 the customer any receipts for amounts advanced, paid, or owed to third parties on behalf of the
1146 customer, or failing to pass” in its place.

1147 (B) Subparagraph (24) is amended by striking the phrase “; or” and
1148 inserting a semicolon in its place.

1149 (C) Subparagraph (25) is amended by striking the period at the end and
1150 inserting a semicolon in its place.

1151 (D) New subparagraphs (26), (27), (28), and (29) are added to read as
1152 follows:

1153 “(26) Failing to clearly and conspicuously post a General Price List, Casket Price
1154 List, or an Outer Burial Container Price List that meets the requirements of the Funeral Industry
1155 Practices Rules of the Federal Trade Commission (16 C.F.R. § 453 *et seq.*) on any website
1156 maintained by the applicant or licensee;

1157 “(27) Failing to provide to any customer a General Price List, Casket Price List,
1158 or an Outer Burial Container Price List that meets the requirements of the Funeral Industry
1159 Practices Rules of the Federal Trade Commission (16 C.F.R. § 453 *et seq.*);

1160 “(28) Failing to clearly and conspicuously post the Funeral Bill of Rights, as
1161 specified in section 4a of the District of Columbia Funeral Services Regulatory Act of 1984,
1162 passed on 2nd reading on April 21, 2020 (Enrolled version of Bill 23-734), on any website
1163 maintained by the applicant or licensee; or

1164 “(29) Failing to provide to any customer the Funeral Bill of Rights, as specified in
1165 section 4a of the District of Columbia Funeral Services Regulatory Act of 1984, passed on 2nd
1166 reading on April 21, 2020 (Enrolled version of Bill 23-734), during an initial meeting to discuss
1167 or make arrangements for the purchase of funeral goods or services.”.

1168 (2) Section 3110 (17 DCMR § 3110) is amended by adding a new subsection
1169 3110.9 to read as follows:

1170 “3110.9 A funeral services establishment shall keep and retain records documenting any
1171 required disclosures to consumers, including disclosure of its General Price List, Casket Price
1172 List, an Outer Burial Container Price List, and the Funeral Bill of Rights signed by the consumer,
1173 as specified in section 4a of the District of Columbia Funeral Services Regulatory Act of 1984,
1174 passed on 2nd reading on April 21, 2020 (Enrolled version of Bill 23-734), after the completion
1175 or termination of a funeral contract.”.

1176 Sec. 303. Debt collection.

1177 Section 28-3814 of the D.C. Official Code is amended as follows:

1178 (a) Subsection (b) is amended as follows:

1179 (1) New paragraphs (1A) and (1B) are added to read as follows:

1180 “(1A) “collection lawsuit” means any legal proceeding, including
1181 civil actions, statements of small claims, and supplementary process actions, commenced in any
1182 court for the purpose of collecting any debt or other past due balance owed or alleged to be
1183 owed.

1184 “(1B) “debt” means money or its equivalent which is, or is alleged to be, more
1185 than 30 days past due and owing, unless a different period is agreed to by the debtor, under a
1186 single account as a result of a purchase, lease, or loan of goods, services, or real or personal
1187 property for personal, family, or household purposes or as a result of a loan of money that was
1188 obtained for personal, family, or household purposes whether or not the obligation has been
1189 reduced to judgment.”.

1190 (2) A new paragraph (4) is added to read as follows:

1191 “(4) public health emergency” means a period of time for which the Mayor has
1192 declared a public health emergency pursuant to § 7-2304.01, or a state of emergency pursuant to
1193 § 28-4102.”.

1194 (b) New subsections (l), (m), and (n) are added to read as follows:

1195 “(l)(1) Notwithstanding subsection (a) of this section, subsections (l) and (m) of this
1196 section shall apply to any debt, including loans directly secured on motor vehicles or direct
1197 motor vehicle installment loans covered by Chapter 36 of Title 28.

1198 “(2) During a public health emergency and for 60 days after its conclusion, no
1199 creditor or debt collector shall, with respect to any debt:

1200 “(A) Initiate, file, or threaten to file any new collection lawsuit;

1201 “(B) Initiate, threaten to initiate, or act upon any statutory remedy for the
1202 garnishment, seizure, attachment, or withholding of wages, earnings, property, or funds for the
1203 payment of a debt to a creditor;

1204 “(C) Initiate, threaten to initiate, or act upon any statutory remedy for the
1205 repossession of any vehicle; except, that creditors or debt collectors may accept collateral that is
1206 voluntarily surrendered; or

1207 “(D) Visit or threaten to visit the household of a debtor at any time for the
1208 purpose of collecting a debt;

1209 “(E) Visit or threaten to visit the place of employment of a debtor at any
1210 time; or

1211 “(F) Confront or communicate in person with a debtor regarding the
1212 collection of a debt in any public place at any time, unless initiated by the debtor.

1213 “(3) This subsection shall not apply to collecting or attempting to collect a debt
1214 that is, or is alleged to be, owed on a loan secured by a mortgage on real property or owed for
1215 common expenses pursuant to Section 312 of the Condominium Act of 1976, effective March
1216 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.12).

1217 “(m)(1) During a public health emergency and for 60 days after its conclusion, no debt
1218 collector shall initiate any communication with a debtor via any written or electronic
1219 communication, including email, text message, or telephone. A debt collector shall not be
1220 deemed to have initiated a communication with a debtor if the communication by the debt

1221 collector is in response to a request made by the debtor for the communication or is the mailing
1222 of monthly statements related to an existing payment plan or payment receipts related to an
1223 existing payment plan.

1224 “(2) This subsection shall not apply to:

1225 “(A) Communications initiated solely for the purpose of informing a
1226 debtor of a rescheduled court appearance date or discussing a mutually convenient date for a
1227 rescheduled court appearance;

1228 “(B) Original creditors collecting or attempting to collect their own debt;

1229 “(C) Collecting or attempting to collect a debt which is, or is alleged to be,
1230 owed on a loan secured by a mortgage on real property or owed for common expenses pursuant
1231 to Section 312 of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C.
1232 Official Code § 42-1903.12); or

1233 “(D) Receiving and depositing payments the debtor chooses to make
1234 during a public health emergency.

1235 “(n) Subsections (l) and (m) of this section shall not be construed to:

1236 “(1) Exempt any person from complying with existing laws or rules of
1237 professional conduct with respect to debt collection practices;

1238 “(2) Supersede or in any way limit the rights and protections available to
1239 consumers under applicable local, state, or federal foreclosure laws; or

1240 “(3) Supersede any obligation under the District of Columbia Rules of
1241 Professional Conduct, to the extent of any inconsistency.”.

1242 Sec. 304. Emergency credit alerts.

1243 Title 28 of the District of Columbia Official Code is amended as follows:

1244 (a) The table of contents for Chapter 38 is amended by adding the following at the end
1245 to read as follows:

1246 “Subchapter IV. COVID-19 Emergency Credit Alert.

1247 (b) A new section 28-3871 is added to read as follows:

1248 “§ 28-3871. COVID-19 Emergency credit alert.

1249 “(a) If a consumer reports in good faith that the consumer has experienced financial
1250 hardship resulting directly or indirectly from the cause of the public health emergency during the
1251 period of time for which the Mayor has declared a public health emergency pursuant to section
1252 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1253 Law 14-194; D.C. Official Code § 7-2304.01), and for 60 days following (“covered time
1254 period”), a credit reporting agency maintaining a file on the consumer shall include an alert
1255 (“COVID-19 alert”) in that file indicating that the consumer has been financially impacted by the
1256 COVID-19 emergency and shall provide that alert along with or accompanying any credit report
1257 or credit score provided by the agency, beginning on the date of such request, unless the
1258 consumer requests that such COVID-19 alert be removed.

1259 “(b) No user of a consumer report shall use or take into consideration any adverse
1260 information in a report that was the result of an action or inaction by a consumer that occurred
1261 during the covered time period if there is a COVID-19 alert included along with or
1262 accompanying the consumer’s report or provided with the consumer’s credit score pursuant to
1263 subsection (a) of this section.

1264 “(c) This section shall not apply to a federal credit union, as defined by section 1752 of
1265 the Federal Credit Union Act, approved September 22, 1959 (73 Stat 628; 12 U.S.C. § 1752(1)) a
1266 national bank, as defined by section 25b of the National Bank Act, approved June 3, 1864 (18

1267 Stat. 123; 12 U.S.C. § 25b(a)(1)), or a federal savings association, as defined by Section 1462 of
1268 the Home Owners’ Loan Act, approved August 9, 1989 (103 Stat. 277; 12 U.S.C. § 1462(3));
1269 except, that an exception granted by this subsection shall not apply to any entity to which the
1270 savings clause at Section 25b of the National Bank Act, approved June 3, 1864 (18 Stat. 123; 12
1271 U.S.C. § 25b(b)(2)), applies.

1272 “(d) When a District resident requests a copy of a credit report pursuant to 15 U.S.C. §
1273 1681j, the entity providing the credit report must notify the resident of his or her right to request
1274 a COVID-19 alert to accompany the credit report.

1275 “(e)(1) If any person or entity violates this section, the affected consumer may bring a
1276 civil action for:

1277 “(A) Injunctive relief to prevent or restrain further violation of this section;

1278 “(B) Actual damages; and

1279 “(C) Reasonable attorney’s fees and costs of the action.

1280 “(2) If a credit reporting agency willfully violates this section, the affected
1281 consumer may obtain punitive damages, except in the case of negligence as provided by 15
1282 U.S.C. § 1681h(e)).

1283 “(f)(1) The Attorney General may petition the Superior Court of the District of Columbia
1284 for temporary or permanent injunctive relief for, and for an award of damages for property loss
1285 or harm suffered by a consumer as a consequence of, a violation of this section, or fraudulent or
1286 deceptive conduct in violation of this section that harms a District resident.

1287 “(2) In an action under this section, the Attorney General may recover:

1288 “(A) A civil penalty not to exceed \$1,000 for each violation; and

1289 “(B) Reasonable attorney’s fees and costs of the action.

1290 “(g) The following terms shall have the same meaning as defined in § 28-3861 of this
1291 chapter:

1292 “(1) “Consumer;”

1293 “(2) “Credit report;” and

1294 “(3) “Credit reporting agency.

1295 “(h) This section shall not be construed in a manner inconsistent with the Fair Credit
1296 Reporting Act, approved October 26, 1970 (84 Stat. 1128; 15 U.S.C. § 1681 *et seq.*), or any other
1297 federal law or regulation.”.

1298 Sec. 305. Enhanced penalties for unlawful trade practices.

1299 Section 28-3903(a)(17) of the District of Columbia Official Code is amended by striking
1300 the phrase “by the Department.” and inserting the phrase “by the Department; except, that
1301 notwithstanding any other provision of District law or regulation, during a period of time for
1302 which the Mayor has declared a public health emergency pursuant to § 7-2304.01, a violation of
1303 this chapter or of any rule issued under the authority of this chapter shall be a Class 1 infraction
1304 within the meaning of 16 DCMR § 3200.1(a).”.

1305 Sec. 306. Price gouging and stockpiling.

1306 Title 28 of the District of Columbia Official Code is amended as follows:

1307 (a) The table of contents is amended by adding a new section designation to read as
1308 follows:

1309 “28-4102.01. Stockpiling.”.

1310 (b) Section 28-4102(a) is amended to read as follows:

1311 “(a) It shall be unlawful for any person to charge more than the normal average retail
1312 price for any merchandise or service sold during a public health emergency declared pursuant to

1313 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
1314 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), or during an emergency resulting from a
1315 natural disaster declared pursuant to subsection (b) of this section.”.

1316 (c) A new section 28-4102.01 is added to read as follows:

1317 “§ 28-4102.01. Stockpiling.

1318 “It shall be unlawful for any person to purchase, in quantities greater than those specified
1319 by the Mayor, the Department of Health (“DOH”), the Homeland Security and Emergency
1320 Management Agency (“HSEMA”), or the federal government goods that the Mayor, DOH,
1321 HSEMA, or the federal government have declared:

1322 “(1) Necessary for first responders or others following a natural disaster or a
1323 declaration of a public health emergency pursuant to section 5a of the District of Columbia
1324 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
1325 Code § 7-2304.01) (“public health emergency”);

1326 “(2) Necessary to maintain supply chains of commerce during a natural disaster or
1327 a public health emergency; or

1328 “(3) Subject to rationing.”.

1329 (d) Section 28-4103 is amended as follows:

1330 (1) Strike the phrase “§ 28-4102(a)” wherever it appears and insert the phrase “§
1331 28-4102(a) or § 28-4102.01” in its place.

1332 (2) A new subsection (c) is added to read as follows:

1333 “(c) When the Office of the Attorney General brings a civil action for any violation of §
1334 28-4102(a) or § 28-4102.01 under the authority granted in § 28-3909, the maximum penalty
1335 authorized by § 28-3909 shall be assessed for each such violation.”.

1336 Sec. 307. Utility shutoff.

1337 (a) Section 113a(c) of the District Department of the Environment Establishment Act of
1338 2005, effective September 11, 2019 (D.C. Law 23-16, D.C. Official Code § 8-151.13a(c)), is
1339 amended as follows:

1340 (1) The existing text is designated paragraph (1).

1341 (2) A new paragraph (2) is added to read as follows:

1342 “(2) Notwithstanding paragraph (1) of this subsection, during a period of time for
1343 which the Mayor has declared a public health emergency (“PHE”) pursuant to section 5a of the
1344 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1345 194; D.C. Official Code § 7-2304.01), and for 105 calendar days thereafter, money in the Fund
1346 may be used to assist low-income residential customers located in the District of Columbia with
1347 the payment of an outstanding water bill balance; except, that not less than \$1.26 million of
1348 funding allocated in the fiscal year in which the PHE occurs shall be reserved to assist nonprofit
1349 organizations located in the District with the payment of impervious area charges, pursuant to
1350 section 216b(a) of the Water and Sewer Authority Establishment and Department of Public
1351 Works Reorganization Act of 1996, effective October 30, 2018 (D.C. Law 22-168; D.C. Official
1352 Code § 34-2202.16b(a)), and not less than \$360,000 of funding allocated in the fiscal year in
1353 which the PHE occurs shall be reserved to assist residential customers with the payment of
1354 impervious area charges, pursuant to section 216b(b).”.

1355 (b)(1) A cable operator, as that term is defined by section 103(6) of the Cable Television
1356 Communications Act of 1981, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code
1357 § 34-1251.03(6)), shall not disconnect, suspend, or degrade basic cable service or other basic
1358 cable operator services for non-payment of a bill, any fees for service or equipment, or any other

1359 charges, or for noncompliance with a deferred payment agreement during a period of time for
1360 which the Mayor has declared a public health emergency pursuant to section 5a of the District of
1361 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
1362 Official Code § 7-2304.01), or for 15 calendar days thereafter.

1363 “(2) For purposes of this subsection, the term “other basic cable operator
1364 services” includes only basic broadband internet service and VOIP service.”.

1365 (c) The Retail Electric Competition and Consumer Protection Act of 1999, effective May
1366 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq.*), is amended by adding a new
1367 section 106b to read as follows:

1368 “Sec. 106b. Disconnection of service during a public health emergency prohibited.

1369 “(a) For the purposes of this section, the term “public health emergency” means a period
1370 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1371 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1372 194; D.C. Official Code § 7-2304.01).

1373 “(b) An electric company shall not disconnect electric service for non-payment of a bill
1374 or fees during a public health emergency or for 15 calendar days thereafter.”.

1375 (d) The Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004,
1376 effective March 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.01 *et seq.*), is
1377 amended by adding a new section 7b to read as follows:

1378 “Sec. 7b. Disconnection of service during a public health emergency prohibited.

1379 “(a) For the purposes of this section, the term “public health emergency” means a period
1380 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the

1381 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1382 194; D.C. Official Code § 7-2304.01).

1383 “(b) A gas company shall not disconnect gas service for non-payment of a bill or fees
1384 during a public health emergency or for 15 calendar days thereafter.”.

1385 (e) Section 103 of the District of Columbia Public Works Act of 1954, approved May 18,
1386 1954 (68 Stat. 102; D.C. Code § 34-2407.01), is amended by adding a new subsection (c) to read
1387 as follows:

1388 “(c)(1) For the purposes of this subsection, the term “public health emergency” means a
1389 period of time for which the Mayor has declared a public health emergency pursuant to section
1390 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1391 Law 14-194; D.C. Official Code § 7-2304.01).

1392 “(2) During a public health emergency, or for 15 calendar days thereafter,
1393 notwithstanding any other provision of this act, the water supply to any property shall not be shut
1394 off for non-payment of a bill or fees.”.

1395 (f) The Telecommunications Competition Act of 1996, effective September 9, 1996 (D.C.
1396 Law 11-154; D.C. Official Code § 34-2002.01 *et. seq.*), is amended by adding a new section 3a
1397 to read as follows:

1398 “Section 3a. Disconnection of telecommunications service during a public health
1399 emergency prohibited.

1400 “(a) For the purposes of this section, the term “public health emergency” means a period
1401 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1402 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1403 194; D.C. Official Code § 7-2304.01).

1404 “(b) A telecommunications service provider shall not disconnect, suspend, or degrade
1405 basic telecommunications service for non-payment of a bill, any fees for service or equipment,
1406 and other charges, or noncompliance with a deferred payment agreement during a public health
1407 emergency or for 15 calendar days thereafter.”.

1408 (g) Notwithstanding any District law, the Attorney General for the District of Columbia
1409 may use the enforcement authority set forth at D.C. Official Code § 28-3909 against any
1410 merchant, including a utility provider, that violates any provisions of this act.

1411 Sec. 308. Utility payment plans.

1412 (a) During a period of time for which the Mayor has declared a public health emergency
1413 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1414 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for the lesser of six
1415 months thereafter (“program period”) or the cancellation of service, whichever occurs first , a
1416 utility provider shall offer a utility-payment-plan program (“program”) for customers. Under its
1417 program, a utility provider shall:

1418 (1) Make a payment plan (“payment plan”) available to a customer for the
1419 payment of amounts that come due during the program period and prior to the cancellation of
1420 service, with a minimum term length of one year, unless a shorter time period is requested by the
1421 customer.

1422 (2) Waive any fee, interest or penalty that arises out of the customer entering into
1423 a payment plan;

1424 (3) Not report to a credit bureau any delinquency or other derogatory information
1425 that occurs solely due to the existence of a customer entering into a payment plan;;and

1426 (4) Notify all customers of the availability, terms, and application process for its
1427 utility payment program.

1428 (b)(1) Customers entering into a payment plan shall be required to make payments in
1429 equal monthly installments for the duration of the payment plan, unless a shorter payment
1430 schedule is requested by the customer.

1431 (2) A utility provider shall permit a customer that has entered into a payment plan
1432 to pay an amount greater than the monthly amount provided for in the payment plan.

1433 (3) A utility provider shall not require or request a customer provide a lump-sum
1434 payment in excess of the amount required under a payment plan.

1435 (4) A utility provider shall provide confirmation in writing to the customer of the
1436 payment plan entered into, including the terms of a payment plan.

1437 (c) A utility provider shall utilize existing procedures or, if necessary, establish new
1438 procedures to provide a process by which a customer may apply for a payment plan, which may
1439 include requiring the customer to submit supporting documentation. A utility provider shall
1440 permit application for a payment plan to occur online and by telephone.

1441 (d)(1) A utility provider shall approve each application for a payment plan submitted
1442 during the covered time period made by an eligible customer.

1443 (2) For payment plans requested within six months after the covered time period,
1444 a utility provider shall continue to offer payment plans of at least one-year in duration and
1445 consider information from customers regarding evidence of a financial hardship resulting
1446 directly or indirectly from the public health emergency. If a customer's request for a payment
1447 plan is denied, the utility provider shall inform the customer, in writing, of the option to file a

1448 written complaint to appeal a payment plan denial, and the customer may file a written complaint
1449 pursuant to subsection (g) of this section.

1450 (e)(1) A utility provide shall not disconnect service for non-payment of a bill or fees
1451 where a customer has entered into a payment plan under this section and has made payments in
1452 accordance with the terms of the payment plan;

1453 (2) Where a customer fails to pay in full the amounts due under a payment plan
1454 and the customer and utility provider have not mutually agreed to a modification of the terms of
1455 the payment plan, nothing under this section shall prevent a utility provider from offering the
1456 customer a new payment plan or disconnecting service.

1457 (f)(1) A utility provider who receives an application for a payment plan pursuant to this
1458 section shall retain the application, whether approved or denied, for at least 3 years.

1459 (2) Upon request by the customer, a provider shall make an application for a
1460 payment plan available to:

1461 (A) For utility providers regulated by the Public Service Commission and
1462 DC Water, the Office of the People’s Counsel; and

1463 (B) For all other utility providers, the Department of Consumer and
1464 Regulatory Affairs.

1465 (g) A customer whose application for a payment plan is denied may file a written
1466 complaint with:

1467 (1) For utility providers regulated by the Public Service Commission, the Public
1468 Service Commission; and

1469 (2) For all other utility providers, the Department of Consumer and Regulatory
1470 Affairs and any such complaint shall be forwarded to the Office of Administrative Hearings for
1471 adjudication.

1472 (h) A cable operator or telecommunications service provider shall offer customers with a
1473 payment plan under this section discounted basic service plan for the term of the payment plan.

1474 (i) During a period of time for which the Mayor has declared a public health emergency,
1475 a utility provider shall reconnect service to occupied residential property upon customer request
1476 and not charge a fee for this reconnection.

1477 (j) For the purposes of this section, the term:

1478 (1) "Cable operator" shall have the same meaning as provided in section 103(6) of
1479 the Cable Television Communications Act of 1981, effective October 9, 2002 (D.C. Law 14-193;
1480 D.C. Official Code § 34-1251.03(6)).

1481 (2) "DC Water" means the District of Columbia Water and Sewer Authority
1482 established pursuant to Section 202(a) of the Water and Sewer Authority Establishment and
1483 Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law
1484 11-111; D.C. Official Code § 34-2202.02(a)).

1485 (3) "Electric company" shall have the same meaning as provided in section 8 of
1486 An Act Making appropriations to provide for the expenses of the government of the District of
1487 Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other
1488 purposes, approved March 4, 1913 (37 Stat. 974; D.C. Official Code § 34-207).

1489 (4) "Customer" means a customer that:

1490 (A) Has notified the utility provider of an inability to pay all or a portion
1491 of the amount due as a result of the public health emergency;

1492 (B) Agrees in writing to make payments in accordance with the payment
1493 plan.

1494 (5) “Gas company” shall have the same meaning as provided in section 3(7) of the
1495 Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004, effective March
1496 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.02(b)).

1497 (6) “Telecommunications service provider” shall have the same meaning as
1498 provided in section 2(20A) of the Telecommunications Competition Act of 1996, effective
1499 September 9, 1996 (D.C. Law 11-154; D.C. Official Code § 34-2002.01(20A)).

1500 (7) “Utility provider” means a cable operator, DC Water, an electric company, a
1501 gas company, and a telecommunications service provider.

1502 Sec. 309. Composting virtual training.

1503 Section 112a(f) of the Sustainable Solid Waste Management Amendment Act of 2014, effective
1504 February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.12a(f)), is amended by
1505 adding a new paragraph (1A) to read as follows:

1506 “(1A) Notwithstanding paragraph (1) of this subsection, during a period of time for which the
1507 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia
1508 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
1509 Code § 7-2304.01), the Mayor, or a contractor selected by the Mayor, may provide the training
1510 required by paragraph (1) of this subsection remotely through videoconference.”.

1511 Sec. 310. Emergency Department of Insurance, Securities, and Banking authority.

1512 The Department of Insurance and Securities Regulation Establishment Act of 1996,
1513 effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-101 *et seq.*), is amended by
1514 adding a new section 5a to read as follows:

1515 “Sec. 5a. Emergency authority of the Commissioner during a declared public health
1516 emergency.

1517 “(a) For the duration of a public health emergency declared by the Mayor pursuant to
1518 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
1519 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and to address the circumstances giving rise
1520 to that emergency, the Commissioner may issue emergency rulemaking, orders, or bulletins that:

1521 “(1) Apply to any person or entity regulated by the Commissioner; and

1522 “(2) Address:

1523 “(A) Submission of claims or proof of loss;

1524 “(B) Grace periods for payment of premiums and performance of other
1525 duties by insureds;

1526 “(C) Temporary postponement of:

1527 “(i) Cancellations;

1528 “(ii) Nonrenewals; or

1529 “(iii) Premium increases;

1530 “(D) Modifications to insurance policies;

1531 “(E) Insurer operations;

1532 “(F) Filing requirements;

1533 “(G) Procedures for obtaining nonelective health care services;

1534 “(H) Time restrictions for filling or refilling prescription drugs;

1535 “(I) Time frames applicable to an action by the Commissioner under this

1536 section;

1537 “(J) Temporarily waiving application of laws, rulemaking, or requirements
1538 to ensure that depository services, non-depository services, and securities transactions can
1539 continue to be provided, including allowing for the opening of a temporary service location,
1540 which may be a mobile branch, temporary office space, or other facility; and

1541 “(K) Any other activity related to insurance, securities, and banking and
1542 under the purview of the Commissioner reasonably calculated to protect the health, safety, and
1543 welfare of District residents during the public health emergency.

1544 “(b) The Commissioner may require licensees to answer questions related to, and submit
1545 documentation of, the licensee’s continuity of operations plan.

1546 “(c) Emergency rulemaking, orders, and bulletins.

1547 “(1)(A) To accomplish the purposes of this section, the Commissioner may issue
1548 an emergency rulemaking, order, or bulletin pursuant to this section specifying:

1549 “(i) That the rulemaking, order, or bulletin is effective
1550 immediately;

1551 “(ii) The line or lines of business, or the class or classes of
1552 licenses, to which the regulation, order, or bulletin applies;

1553 “(iii) The geographic areas to which the regulation, order, or
1554 bulletin applies; and

1555 “(iv) The period of time for which the regulation, order, or bulletin
1556 applies.

1557 “(B) A regulation issued under paragraph (1)(A) of this section may not
1558 apply for longer than the duration of the effects of a declared public health emergency.”.

1559 Sec. 311. Vacant property designations.

1560 Section 6(b) of An Act To provide for the abatement of nuisances in the District of
1561 Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2001
1562 (D.C. Law 13-281; D.C. Official Code § 42-3131.06(b)), is amended as follows:

1563 (a) Paragraph (8) is amended by striking the phrase “; or” and inserting a semicolon in its
1564 place.

1565 (b) Paragraph (9) is amended by striking the period and inserting the phrase “; or” in its
1566 place.

1567 (c) A new paragraph (10) is added to read as follows:

1568 “(10) A commercial property that houses a business that has closed during a
1569 period of time for which the Mayor has declared a public health emergency pursuant to section
1570 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1571 Law 14-194; D.C. Official Code§ 7-2304.01), as a result of the circumstances giving rise to or
1572 resulting from the public health emergency, and for 60 days thereafter.”.

1573

1574 Sec. 312. Extension of licenses and registrations; waiver of deadlines.

1575 Notwithstanding any provision of law during, or within 45 days after the end of, a period
1576 time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1577 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1578 194; D.C. Official Code § 7-2304.01), the Mayor, may:

1579 (1) Prospectively or retroactively extend the validity of a license, registration,
1580 permit, or authorization, including driver licenses, vehicle registrations, professional licenses,
1581 registrations, and certifications;

1582 (2) Waive the deadlines for filings, and waive fees, fines, and penalties associated
1583 with the failure to timely renew a license, registration, permit, or other authorization or to timely
1584 submit a filing; or

1585 (3) Extend or waive the deadline by which action is required to be taken by the
1586 executive branch of the District government or by which an approval or disapproval is deemed to
1587 have occurred based on inaction by the executive branch of the District government.

1588 **TITLE IV. HOUSING AND TENANT PROTECTIONS**

1589 Sec. 401. Mortgage relief.

1590 (a) In accordance with section 5(b)(15) of the District of Columbia Public Emergency
1591 Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2301(b)(15)),
1592 and notwithstanding any provision of the Mortgage Lender and Broker Act of 1996, effective
1593 September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1101 *et seq.*), or any other
1594 provision of District law, during a period of time for which the Mayor has declared a public
1595 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
1596 1980, effective October 17, 2002 (D.C. Law 14- 194; D.C. Official Code § 7-2304.01), and for
1597 60 days thereafter, a mortgage lender that makes or holds a residential mortgage loan or
1598 commercial mortgage loan under the jurisdiction of the Commissioner of the Department of
1599 Insurance, Securities, and Banking shall develop a deferment program for borrowers that, at a
1600 minimum:

1601 (1) Grants at least a 90-day deferment of the monthly payment of principal and
1602 interest on a mortgage for borrowers;

1603 (2) Waives any late fee, processing fee, or any other fee accrued during the
1604 pendency of the public health emergency; and

1605 (3) Does not report to a credit bureau any delinquency or other derogatory
1606 information that occurs as a result of the deferral.

1607 (b) The mortgage lender shall establish application criteria and procedures for borrowers
1608 to apply for the deferment program. An application or summary of procedures shall be made
1609 available online or by telephone.

1610 (c) The mortgage lender shall approve each application in which a borrower:

1611 (1) Demonstrates to the mortgage lender evidence of a financial hardship resulting
1612 directly or indirectly from the public health emergency, including an existing delinquency or
1613 future ability to make payments; and

1614 (2) Agrees in writing to pay the deferred payments within:

1615 (A) A reasonable time agreed to in writing by the applicant and the
1616 mortgage lender; or

1617 (B) If no reasonable time can be agreed to pursuant to subparagraph (A) of
1618 this paragraph, 5 years from the end of the deferment period, or the end of the original term of
1619 the mortgage loan, whichever is earlier.

1620 (d)(1) A mortgage lender who receives an application for deferment pursuant to this
1621 section shall retain the application, whether approved or denied, for at least 3 years after final
1622 payment is made on the mortgage or the mortgage is sold, whichever occurs first.

1623 (2) Upon request, a mortgage lender shall make an application for deferment
1624 available to the Commissioner.

1625 (3)(A)(i) A mortgage lender who approves an application for deferment pursuant
1626 to this section shall, on or before June 4, 2020, provide to the Commissioner notice of all

1627 approved applications on a form prescribed by the Commissioner and such notice shall include
1628 the percentage of mortgage deferment approved for and accepted by each borrower.

1629 (ii) After the initial submission prescribed in this paragraph, a
1630 mortgage lender who approved an application for deferment pursuant to this section shall
1631 provide the Commissioner with a list of all new approvals in 15-day intervals for the duration of
1632 the public health emergency and for 60 days thereafter.

1633 (iii) The Commissioner may request information on the number
1634 and nature of approvals between 15-day intervals.

1635 (B) The Commissioner shall maintain a publicly available list of approved
1636 commercial loan deferral applications. The requirement of this subparagraph may be satisfied by
1637 posting to the Department of Insurance, Securities, and Banking website.

1638 (e) A mortgage lender shall be prohibited from requiring a lump sum payment from any
1639 borrower making payments under a deferred payment program pursuant to subsection (c)(2)(A)
1640 of this section, subject to investor guidelines.

1641 (f) A person or business whose application for deferment is denied may file a written
1642 complaint with the Commissioner. The Commissioner is authorized to investigate the complaint
1643 in accordance with section 13 of the Mortgage Lender and Broker Act of 1996, effective
1644 September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1112).

1645 (g) A borrower receiving a mortgage deferral pursuant to subsection (b) of this section on
1646 a property that has a tenant shall, within 5 days of the approval, provide notice of the deferral to
1647 all tenants, and:

1648 (1) Shall reduce the rent charged for the property to any qualified tenant during
1649 the period of time in which there is a mortgage deferral in place in an amount 80% proportional
1650 to deferred mortgage amount; and

1651
1652 (2) May require that the qualified tenant repay the difference in the amount of the
1653 rent as stated in the lease and the reduced rent, without interest or fees, within 18 months, or
1654 upon cessation of the tenancy, whichever occurs first; and

1655 (3) The borrower shall not report to a credit bureau any delinquency or other
1656 derogatory information that occurs as a result of a qualified tenant's compliance with the terms
1657 of this subsection.

1658 (h) To the extent necessary to conform with the provisions of this section, the exemptions
1659 in section 3 of the Mortgage Lender and Broker Act of 1996, effective September 9, 1996 (D.C.
1660 Law 11-155; D.C. Official Code § 26-1102), are waived for the duration of the public health
1661 emergency.

1662 (i) To the extent necessary to conform with the provisions of this section, the provisions
1663 in section 313(c)(1) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89;
1664 D.C. Official Code § 42-1903.13(c)(1)), are waived for the duration of the public health
1665 emergency.

1666 (j) This section shall not apply to a property for which, as of March 11, 2020, a mortgage
1667 lender initiated a foreclosure action or exercised its right to accelerate the balance and maturity
1668 date of the loan, on or before March 11, 2020.

1669 (k) This section shall not apply to a mortgage loan which is guaranteed or insured by the
1670 United States government.

1671 (l) A mortgage lender that violates the provisions of this section shall be subject to the
1672 penalties prescribed in section 19 of the Mortgage Lender and Broker Act of 1996, effective
1673 September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1118).

1674 (m) For the purposes of this section, the term:

1675 (1) “Commercial mortgage loan” means a loan for the acquisition, construction,
1676 or development of real property, or a loan secured by collateral in such real property, that is
1677 owned or used by a person, business, or entity for the purpose of generating profit, and includes
1678 real property used for single-family housing, multifamily housing, retail, office space, and
1679 commercial space.

1680 (2) “Commissioner” means the Commissioner of the Department of Insurance,
1681 Securities, and Banking.

1682 (3) “Mortgage lender” means any person that makes a mortgage loan to any
1683 person or that engages in the business of servicing mortgage loans for others or collecting or
1684 otherwise receiving mortgage loan payments directly from borrowers for distribution to any
1685 other person. The term “mortgage lender” does not include the Federal Home Loan Mortgage
1686 Corporation, the Federal National Mortgage Association, or the Government National Mortgage
1687 Association.

1688 (4) “Qualified tenant” means a tenant of a property owned or controlled by a
1689 person or entity receiving a mortgage deferral under subsection (a) of this section that has
1690 notified the landlord of an inability to pay all or a portion of the rent due as a result of the public
1691 health emergency.

1692 Sec. 402. Tenant payment plans.

1693 (a) During a period of time for which the Mayor has declared a public health emergency
1694 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1695 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for one year
1696 thereafter (“program period”), a provider shall offer a rent-payment-plan program (“program”)
1697 for eligible tenants. Under its program, a provider shall:

1698

1699 (1) Make a payment plan (“payment plan”) available to an eligible tenant for the
1700 payment of amounts of gross rent that come due during the program period and prior to the
1701 cessation of tenancy (“covered time period”), with a minimum term length of one year, unless a
1702 shorter payment plan term length is requested by the eligible tenant.

1703 (2) Waive any fee, interest, or penalty that arises out of an eligible tenant entering
1704 into a payment plan;

1705 (3) Not report to a credit bureau any delinquency or other derogatory information
1706 that occurs solely due to the existence of an eligible tenant entering into a payment plan;

1707 (4) Provide that an eligible tenant does not lose any rights under the lease due to a
1708 default on the monetary amounts due during the lease period, provided that the tenant does not
1709 default on the terms of the payment plan; and

1710 (5) Notify all tenants of the availability, terms, and application process for its
1711 program.

1712 (b)(1) Tenants entering into a payment plan shall be required to make payments in equal
1713 monthly installments for the duration of the payment plan, unless a different payment schedule is
1714 requested by the tenant.

1715 (2) A provider shall permit a tenant that has entered into a payment plan to pay an
1716 amount greater than the monthly amount provided for in the payment plan.

1717 (3) A provider shall not require or request a tenant to provide a lump-sum
1718 payment in excess of the amount required under a payment plan.

1719 (4) A provider shall agree in writing to the terms of a payment plan.

1720

1721 (c) A provider shall utilize existing procedures or, if necessary, establish new procedures
1722 to provide a process by which an eligible tenant may apply for a payment plan, which may
1723 include requiring the tenant to submit supporting documentation. A provider shall permit
1724 application for a payment plan to occur online and by telephone.

1725 (d) A provider shall approve each application for a payment plan submitted during a
1726 covered time period in which an eligible tenant:

1727 (1) Demonstrates to the provider evidence of a financial hardship resulting
1728 directly or indirectly from the public health emergency:

1729 (A) That is in addition to any delinquency or future inability to make rental
1730 payments in existence prior to the start of the public health emergency; and

1731 (B) That would cause the tenant to be unable to qualify to rent the unit based
1732 on utilization of the same qualification criteria that were applied to the tenant at the time he or
1733 she was approved to rent the unit; and

1734 (2) Agrees in writing to make payments in accordance with the payment plan.

1735 (e)(1) A provider who receives an application for a payment plan shall retain the
1736 application, whether approved or denied, for at least 3 years.

1737 (2) Upon request, a provider shall make an application for a payment plan

1738 available to:

1739 (A) For residential tenants, the Rent Administrator and Office of the Tenant

1740 Advocate; and

1741 (B) For commercial tenants, the Department of Consumer and Regulatory

1742 Affairs.

1743 (f)(1) A residential tenant whose application for a payment plan is denied may file a

1744 written complaint with the Rent Administrator. The Rent Administrator shall forward the

1745 complaint to the Office of Administrative Hearings for adjudication.

1746 (2) A commercial tenant whose application for a payment plan is denied may file

1747 a written complaint with the Department of Consumer and Regulatory Affairs. The Department

1748 of Consumer and Regulatory Affairs shall forward the complaint to the Office of Administrative

1749 Hearings for adjudication.

1750 (g) For the purposes of this section, the term:

1751 (1) “Eligible tenant” means a tenant of a residential or commercial retail property

1752 that:

1753 (A) Has notified a provider of an inability to pay all or a portion of the rent

1754 due as a result of the public health emergency;

1755 (B) Is not currently receiving a rent reduction pursuant to section 201 of this

1756 act; provided, that a tenant not currently receiving such a rent reduction otherwise remains

1757 eligible under this section; and

1758 (C) Is not a franchise unless the franchise is owned by a District resident.

1759 (2) “Housing provider” means a person who is:

1760 (A) A residential landlord, residential owner, residential lessor, residential
1761 sublessor, residential assignee, or the agent of any of the foregoing or any other person receiving
1762 or entitled to receive the rents or benefits for the use or occupancy of any residential rental unit
1763 within a housing accommodation within the District; and

1764 (B) Has 5 or more residential units currently rented or available for rent.

1765 (3) “Non-housing provider” means a person or entity who is a non-residential
1766 landlord, non-residential owner, non-residential lessor, non-residential sublessor, non-residential
1767 assignee, a non-residential agent of a landlord, owner, lessor, sublessor, or assignee, or any other
1768 person receiving or entitled to receive rents or benefits for the use or occupancy of a commercial
1769 unit.

1770 (4) “Provider” means a housing provider or a non-housing provider.

1771 Sec. 403. Residential cleaning.

1772 (a) During a period of time for which a public health emergency has been declared
1773 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1774 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the owner or
1775 representative of the owner of a housing accommodation shall clean common areas of the
1776 housing accommodation on a regular basis, including surfaces that are regularly touched, such as
1777 doors, railings, seating, and the exterior of mailboxes.

1778 (b) For the purposes of this section “housing accommodation” means any structure or
1779 building in the District containing one or more residential units that are not occupied by the
1780 owner of the housing accommodation, including any apartment, efficiency apartment, room,
1781 accessory dwelling unit, cooperative, homeowner association, condominium, multifamily
1782 apartment building, nursing home, assisted living facility, or group home.

1783 (c) The Mayor may, pursuant to Title I of the District of Columbia Administrative
1784 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.),
1785 promulgate rules to implement this section.

1786 Sec. 404. Eviction prohibition.

1787 (a) Title 16 of the District of Columbia Official Code is amended as follows:

1788 (1) Section 1501 is amended as follows:

1789 (A) The existing text is designated as subsection (a).

1790 (B) A new subsection (b) is added to read as follows:

1791 “(b) 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 60 days thereafter,
1794 the person aggrieved shall not file a complaint seeking relief pursuant to this section.”.

1795 (b) Section 1502 of the District of Columbia Official Code is amended by striking the
1796 phrase “exclusive of Sundays and legal holidays” and inserting the phrase “exclusive of Sundays,
1797 legal holidays, and a period of time for which the Mayor has declared a public health emergency
1798 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1799 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

1800 (c) Section 501(k) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law
1801 6-10; D.C. Official Code § 42-3505.01(k)), is amended as follows:

1802 (1) Paragraph (1) is amended by striking the phrase “; or” and inserting a
1803 semicolon in its place.

1804 (2) Paragraph (2) is amended by striking the period and inserting the phrase “; or”
1805 in its place.

1806 (3) A new paragraph (3) is added to read as follows:

1807 “(3) During a period of time for which the Mayor has declared a public health
1808 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1809 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

1810 Sec. 405. Residential tenant protections.

1811 (a) The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980
1812 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq.*), is amended by adding a new section
1813 510b to read as follows:

1814 “Sec. 510b. Tolling of tenant deadlines during a public health emergency.

1815 “The running of all time periods for tenants and tenant organizations to exercise rights
1816 under this act shall be tolled from the beginning of the period of a public health emergency
1817 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1818 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), until the end of
1819 the public health emergency, and for 30 days thereafter.”.

1820 (b) The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C.
1821 Official Code § 42-3501.01 *et seq.*), is amended as follows:

1822 (1) Section 202(b)(2) (D.C. Official Code § 42-3502.02(b)(2)) is amended to read
1823 as follows:

1824 “(2)(A) A majority of the Rental Housing Commissioners shall constitute a
1825 quorum to do business, and a single vacancy shall not impair the right of the remaining Rental
1826 Housing Commissioners to exercise all powers of the Rental Housing Commission.

1827 “(B) In the event that a majority of the Rental Housing Commissioners (or
1828 any one Commissioner if there is a vacancy) will be unable to perform their official duties for an

1829 extended period of time due to circumstances related to a declared state of emergency in the
1830 District of Columbia, including quarantine or movement restrictions, illness, or the care of a
1831 close family member, one Commissioner shall constitute a quorum to do business.

1832 “(i) If the Chairperson will be unable to perform his or her duties,
1833 he or she shall designate an acting Chairperson or, if only one Commissioner is available, that
1834 Commissioner shall be automatically designated as acting Chairperson.

1835 “(ii) The Chairperson of the Rental Housing Commission shall
1836 notify the Mayor and the Chairperson of the Council in writing of any temporary vacancy and
1837 whether the Commission is operating under a quorum of one.

1838 “(iii) For such time as the Rental Housing Commission is operating
1839 as a quorum of one, the Commission shall only issue, amend, or rescind rules on an emergency
1840 basis in accordance with D.C. Official Code § 2-505(c).

1841 “(iv) The authority to operate with a quorum of one shall terminate
1842 when at least one Rental Housing Commissioner notifies the Chairperson in writing that he or
1843 she is able to resume his or her duties. The authority may extend beyond the termination of the
1844 original declared state of emergency if Commissioners are personally affected by continuing
1845 circumstances.

1846 (2) Section 208(a)(1) (D.C. Official Code § 42-3502.08(a)(1)) is amended as
1847 follows:

1848 (A) Subparagraph (F) is amended by striking the phrase “; and” and
1849 inserting a semicolon in its place.

1850 (B) Subparagraph (G) is amended by striking the period at the end and
1851 inserting the phrase “; and” in its place.

1852 (C) A new subparagraph (H) is added to read as follows:

1853 “(H) None of the circumstances set forth in section 904(c) applies.”.

1854 (3) Section 211 (D.C. Official Code § 42-3502.11), is amended as follows:

1855 (A) The existing text is designated as subsection (a).

1856 (B) A new subsection (b) is added to read as follows:

1857 “(b) If, during a public health emergency that has been declared pursuant to section 5a of
1858 the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law
1859 14-194; D.C. Official Code § 7-2304.01), and consistent with applicable law or an order issued
1860 by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1861 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), a housing
1862 provider temporarily stops providing:

1863 “(1) An amenity that a tenant pays for in addition to the rent charged, then the
1864 housing provider shall refund to the tenant pro rata any fee charged to the tenant for the amenity
1865 during the public health emergency; or

1866 “(2) A service or facility that is lawfully included in the rent charged, then the
1867 housing provider shall not be required to reduce the rent charged pursuant to subsection (a) of
1868 this section.”.

1869 (4) Section 531(c) (D.C. Official Code § 42-3505.31(c)), is amended as follows:

1870 (A) Paragraph (4) is amended by striking the phrase “late fee;” and
1871 inserting the phrase “late fee; or” in its place.

1872 (B) Paragraph (5) is amended by striking the period and inserting the
1873 phrase “; or” in its place.

1874 (C) A new paragraph (6) is added to read as follows:

1875 “(6) Impose a late fee on a tenant during any month for which a public health
1876 emergency has been declared pursuant to section 5a of the District of Columbia Public
1877 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1878 2304.01).”.

1879 (5) Section 553 (D.C. Official Code § 42-3505.53) is amended as follows:

1880 (A) The existing language is designated subsection (a).

1881 (B) A new subsection (b) is added to read as follows:

1882 “(b) Any notice of intent to vacate that a tenant provided prior to the period for which a
1883 public health emergency has been declared pursuant to section 5a of the District of Columbia
1884 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
1885 Code § 7-2304.01), shall be tolled for the period of any such public health emergency such that
1886 the tenant shall have the same number of days to vacate remaining at the end of the public health
1887 emergency as the tenant had remaining upon the effective date of the public health emergency.”.

1888 (6) Section 554 (D.C. Official Code § 42-3505.54) is amended by adding a new
1889 subsection (c) to read as follows:

1890 “(c) Any notice of intent to vacate that a tenant provided prior to the period for which a
1891 public health emergency has been declared pursuant to section 5a of the District of Columbia
1892 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
1893 Code §7-2304.01), shall be tolled for the period of any such public health emergency such that
1894 the tenant shall have the same number of days to vacate remaining at the end of the public health
1895 emergency as the tenant had remaining upon the effective date of the public health emergency.”.

1896 (7) Section 904 D.C. Official Code § 42-3509.04) is amended by adding a new
1897 subsection (c) to read as follows:

1898 “(c)(1) Any rent increase, whether under this act, the Rental Accommodations Act of
1899 1975, the Rental Housing Act of 1977, the Rental Housing Act of 1980, or any administrative
1900 decisions issued under these acts, shall be null and void if:

1901 “(A) The effective date on the notice of rent increase occurs during a
1902 period for which a public health emergency has been declared pursuant to section 5a of the
1903 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1904 194; D.C. Official Code § 7-2304.01), and for 30 days thereafter;

1905 “(B) The notice of rent increase was provided to the tenant during a period
1906 for which a public health emergency has been declared; or

1907 “(C) The notice was provided to the tenant prior to, but takes effect
1908 following, a public health emergency.

1909 “(2) The Rent Administrator shall review all notices to a tenant of an adjustment
1910 in the rent charged filed by a housing provider with the Rental Accommodations Division of the
1911 Department of Housing and Community Development for consistency with this subsection and
1912 shall inform the housing provider and the tenant if the notice is determined to be inconsistent.”.

1913 (8) A new section 910 is added to read as follows:

1914 “Sec. 910. Tolling of tenant deadlines during a public health emergency.

1915 “The running of all time periods for tenants and tenant organizations to exercise rights
1916 under this act or under chapters 38 through 43 of Title 14 of the District of Columbia Municipal
1917 Regulations (14 DCMR §§ 3800 through 4399) shall be tolled during a period for which a public
1918 health emergency has been declared pursuant to section 5a of the District of Columbia Public
1919 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1920 2304.01), and for 30 days thereafter.”.

1921 Sec. 406. Rent increase prohibition.

1922 (a) Notwithstanding any other provision of law, a rent increase for a residential property
1923 not prohibited by the provisions of section 904(c) of the Rental Housing Act of 1985, effective
1924 July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3509.04(c)), shall be prohibited during a
1925 period for which a public health emergency has been declared pursuant to section 5a of the
1926 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1927 194; D.C. Official Code § 7-2304.01), and for 30 days thereafter.

1928 (b) Notwithstanding any other provision of law, a rent increase for a commercial retail
1929 property shall be prohibited during a period for which a public health emergency has been
1930 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1931 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 30 days
1932 thereafter.

1933 Sec. 407. Cooperative association remote meetings.

1934 Title 29 of the District of Columbia Official Code is amended as follows:

1935 (a) Section 405.01(e) is amended by striking the phrase “The articles of incorporation or
1936 bylaws may provide that an annual” and inserting the phrase “Notwithstanding the articles of
1937 incorporation or bylaws, during a period for which a public health emergency has been declared
1938 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1939 October 17, 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), an annual” in its place.

1940 (b) Section 910 is amended by striking the phrase “If authorized by the articles or
1941 bylaws” and inserting the phrase “During a period for which a public health emergency has been
1942 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1943 effective October 17, 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), regardless of

1944 whether remote regular and special meetings of members are authorized by the articles or
1945 bylaws” in its place.

1946 Sec. 408. Foreclosure by mortgagees.

1947 (a)(1) Notwithstanding any provision of District law, during a period of time for which
1948 the Mayor has declared a public health emergency pursuant to section 5a of the District of
1949 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
1950 Official Code § 7-2304.01), and for 60 days thereafter, no foreclosure on a residential mortgage
1951 shall be initiated or conducted under:

1952 (A) Section 539 of An Act To establish a code of law for the District of
1953 Columbia, approved March 3, 1901 (31 Stat. 1274; D.C. Official Code § 42-815); or

1954 (B) Section 95 of An Act To establish a code of law for the District of
1955 Columbia, approved March 3, 1901 (31 Stat. 1204; D.C. Official Code § 42-816).

1956 (2) This subsection shall not apply to a residential mortgage on a property at
1957 which neither a record owner nor a person with an interest in the property as heir or beneficiary
1958 of a record owner, if deceased, has resided for at least 275 total days during the previous 12
1959 months, as of the first day of the public health emergency.

1960 (b) Section 313(e) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law
1961 1-89; D.C. Official Code § 42-1903.13(e)), is amended by striking the phrase “3 years” and
1962 inserting the phrase “3 years, not including any period of time for which the Mayor has declared
1963 a public health emergency pursuant to section 5a of the District of Columbia Public Emergency
1964 Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01),” in
1965 its place.

1966 **TITLE V. HEALTH AND HUMAN SERVICES**

1967 Sec. 501. Prescription drugs.

1968 Section 208 of the District of Columbia Health Occupations Revision Act of 1985,
1969 effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.08), is amended by
1970 adding a new subsection (g-2) to read as follows:

1971 “(g-2) An individual licensed to practice pharmacy pursuant to this act may authorize and
1972 dispense a refill of patient prescription medications prior to the expiration of the waiting period
1973 between refills to allow District residents to maintain an adequate supply of necessary
1974 medication during a period of time for which the Mayor has declared a public health emergency
1975 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1976 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01). This subsection shall not
1977 apply to any patient prescription for which a refill otherwise would be prohibited under District
1978 law.”.

1979 Sec. 502. Homeless services.

1980 The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-
1981 35; D.C. Official Code § 4-751.01 *et seq.*), is amended as follows:

1982 (a) Section 8(c-1) (D.C. Official Code § 4-753.02(c-1)) is amended as follows:

1983 (1) Paragraph (1) is amended by striking the phrase “not to exceed 3 days” and
1984 inserting the phrase “not to exceed 3 days; except, that during a public health emergency
1985 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1986 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may
1987 place the family in an interim eligibility placement for a period not to exceed 60 days” in its
1988 place.

1989 (2) Paragraph (2) is amended by striking the phrase “and section 9(a)(20)” and
1990 inserting the phrase “and section 9(a)(20); except, that the Mayor may extend an interim
1991 eligibility placement to coincide with the period of a public health emergency declared pursuant
1992 to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17,
1993 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

1994 (3) Paragraph (3) is amended by striking the phrase “within 12 days of the start of
1995 the interim eligibility placement” and inserting the phrase “within 12 days of the start of the
1996 interim eligibility placement; except, that during a public health emergency declared pursuant to
1997 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
1998 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor shall have 10 business days
1999 following the end of the public health emergency to issue the eligibility determination required
2000 by this paragraph,” in its place.

2001 (4) Paragraph (4) is amended by striking the phrase “start of an interim eligibility
2002 placement,” and inserting the phrase “start of an interim eligibility placement, or as otherwise
2003 required by paragraph (3) of this subsection” in its place.

2004 (b) Section 9(a)(14) (D.C. Official Code § 4-754.11(a)(14)) is amended by striking the
2005 phrase “and other professionals” and inserting the phrase “and other professionals; except, that
2006 the Mayor may waive the requirements of this provision for in-person meetings and
2007 communications during a public health emergency declared pursuant to section 5a of the District
2008 of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
2009 Official Code § 7-2304.01)” in its place.

2010 (c) Section 10(1) (D.C. Official Code § 4-754.12(1)) is amended by striking the phrase
2011 “established pursuant to section 18” and inserting the phrase “established pursuant to section 18;

2012 except, that the Mayor may waive this provision during a public health emergency declared
2013 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2014 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

2015 (d) Section 19(c-2) (D.C. Official Code § 4-754.33(c-2)) is amended by striking the
2016 phrase “served on the client.” and inserting the phrase “served on the client; except, that during a
2017 public health emergency declared pursuant to section 5a of the District of Columbia Public
2018 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2019 2304.01), the Mayor may serve written notice via electronic transmission.” in its place.

2020 (e) Section 24(f) (D.C. Official Code § 4-754.38(f)) is amended as follows:

2021 (1) Paragraph (1) is amended as follows:

2022 (A) Subparagraph (A) is amended by striking the phrase “to the unit; or”
2023 and inserting the phrase “to the unit;” in its place.

2024 (B) Subparagraph (B) is amended by striking the phrase “at the location”
2025 and inserting the phrase “at the location; or” in its place.

2026 (C) A new subparagraph (C) is added to read as follows:

2027 “(C) During a period of time for which a public health emergency has
2028 been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2029 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), to prevent or
2030 mitigate the spread of contagious disease, as determined by the Department or provider.” in its
2031 place.

2032 (2) Paragraph (2) is amended by striking the phrase “to paragraph (1)(B)” and inserting the
2033 phrase “to paragraph (1)(B) or (C)” in its place.

2034 Sec. 503. Extension of care and custody for aged-out youth.

2035 (a) Section 303(a-1) of the Prevention of Child Abuse and Neglect Act of 1977, effective
2036 September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1303.03(a-1)), is amended as
2037 follows:

2038 (1) Paragraph (12) is amended by striking the phrase “; and” and inserting a
2039 semicolon in its place.

2040 (2) Paragraph (13) is amended by striking the period and inserting the phrase “;
2041 and” in its place.

2042 (3) A new paragraph (14) is added to read as follows:

2043 “(14) To retain custody of a youth committed to the Agency who becomes 21
2044 years of age during a period of time for which the Mayor has declared a public health emergency
2045 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2046 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), for a period not
2047 exceeding 90 days after the end of the public health emergency; provided, that the youth
2048 consents to the Agency’s continued custody .”.

2049 (b) Chapter 23 of Title 16 of the District of Columbia Official Code is amended as
2050 follows:

2051 (1) Section 16-2303 is amended as follows:

2052 (A) The existing text is designated as subsection (a).

2053 (B) A new subsection (b) is added to read as follows:

2054 “(b) The Division shall retain jurisdiction of a minor in the legal custody of a public
2055 agency pursuant to § 16-2320(a)(1)(3)(A) who becomes 21 years of age during a period of time
2056 for which the Mayor has declared a public health emergency pursuant to § 7-2304.01, for a

2057 period not exceeding 90 days after the end of the public health emergency; provided, that the
2058 minor consents to the Division’s retention of jurisdiction.”.

2059 (2) Section 16-2322(f)(1) is amended by striking the phrase “twenty-one years of
2060 age” and inserting the phrase “21 years of age, not including orders extended pursuant to § 16-
2061 2303(b)” in its place.

2062 Sec. 504. Standby guardianship.

2063 Section 16-4802 of the District of Columbia Official Code is amended as follows:

2064 (a) Paragraph (6) is amended to read as follows:

2065 “(6) “Debilitation” means those periods when a person cannot care for that
2066 person’s minor child as a result of:

2067 “(A) A chronic condition caused by physical illness, disease, or injury
2068 from which, to a reasonable degree of probability, the designator may not recover; or

2069 “(B) A serious medical condition caused by COVID-19.”.

2070 (b) Paragraph (10) is amended to read as follows:

2071 “(10) “Incapacity” means:

2072 “(A) A chronic and substantial inability, as a result of a mental or organic
2073 impairment, to understand the nature and consequences of decisions concerning the care of a
2074 minor child, and a consequent inability to care for the minor child; or

2075 “(B) A substantial inability, as a result of COVID-19, to understand the
2076 nature and consequences of decisions concerning the care of a minor child, and a consequent
2077 inability to care for the minor child.”.

2078 (c) Paragraph (13) is amended to read as follows:

2079 “(13) “Triggering event” means any of the following events:

2080 “(A) The designator is subject to an adverse immigration action;

2081 “(B) The designator has been diagnosed, in writing, by a licensed clinician

2082 to suffer from a chronic condition caused by injury, disease, or illness from which, to a

2083 reasonable degree of probability, the designator may not recover and the designator:

2084 “(i) Becomes debilitated, with the designator’s written

2085 acknowledgement of debilitation and consent to commencement of the standby guardianship;

2086 “(ii) Becomes incapacitated as determined by an attending

2087 clinician; or

2088 “(iii) Dies; or

2089 “(C) The designator has been diagnosed, in writing, by a licensed clinician

2090 to suffer from COVID-19 and the designator:

2091 “(i) Becomes debilitated, with the designator’s written

2092 acknowledgement of debilitation and consent to commencement of the standby guardianship;

2093 “(ii) Becomes incapacitated as determined by an attending

2094 clinician; or

2095 “(iii) Dies.”.

2096 Sec. 505. Contact tracing hiring requirements.

2097 An Act to authorize the Commissioners of the District of Columbia to make regulations

2098 to prevent and control the spread of communicable and preventable diseases, approved August

2099 11, 1939 (53 Stat. 1408; D.C. Official Code § 7-131 et seq.), is amended by adding a new section

2100 9a to read as follows:

2101 “Sec.9a. Contact tracing hiring requirements.

2102 “Of the number of persons hired by the Department of Health for positions,
2103 whether they be temporary or permanent, under the Contact Trace Force initiative to contain the
2104 spread of the 2019 coronavirus (SARS-CoV-2) in the District, the Director of the Department of
2105 Health shall establish a goal and make the best effort to hire at least 50% District residents, and
2106 for the position of investigator, whether it be a temporary or permanent position, also establish a
2107 goal and make the best effort to hire at least 25% graduates from a workforce development or
2108 adult education program funded or administered by the District of Columbia.”.

2109 Sec. 506. Public health emergency authority.

2110 The District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C.
2111 Law 3-149; D.C. Official Code § 7-2301 *et seq.*), is amended as follows:

2112 (a) Section 5(b) (D.C. Official Code § 7-2304(b)) is amended as follows:

2113 (1) Paragraph (2) is amended by striking the phrase “District of Columbia
2114 government;” and inserting the phrase “District of Columbia government; provided further, that
2115 a summary of each emergency procurement entered into during a period for which a public
2116 health emergency is declared shall be provided to the Council no later than 7 days after the
2117 contract is awarded. The summary shall include:

2118 (A) A description of the goods or services procured;

2119 (B) The source selection method;

2120 (C) The award amount; and

2121 (D) The name of the awardee.”.

2122 (2) Paragraph (13) is amended by striking the phrase “; or” and inserting a
2123 semicolon in its place.

2124 (3) Paragraph (14) is amended by striking the period at the end and inserting a
2125 semicolon in its place.

2126 (4) New paragraphs (15) and (16) are added to read as follows:

2127 “(15) Waive application of any law administered by the Department of Insurance,
2128 Securities, and Banking if doing so is reasonably calculated to protect the health, safety, or
2129 welfare of District residents; and

2130 “(16) Notwithstanding any provision of the District of Columbia Government
2131 Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et*
2132 *seq.*) (“CMPA”), or the rules issued pursuant to the CMPA, the Jobs for D.C. Residents
2133 Amendment Act of 2007, effective February 6, 2008 (D.C. Law 17-108; D.C. Official Code § 1-
2134 515.01 *et seq.*), or any other personnel law or rules, the Mayor may take the following personnel
2135 actions regarding executive branch subordinate agencies that the Mayor determines necessary
2136 and appropriate to address the emergency:

2137 “(A) Redeploying employees within or between agencies;

2138 “(B) Modifying employees’ tours of duty;

2139 “(C) Modifying employees’ places of duty;

2140 “(D) Mandating telework;

2141 “(E) Extending shifts and assigning additional shifts;

2142 “(F) Providing appropriate meals to employees required to work overtime
2143 or work without meal breaks;

2144 “(G) Assigning additional duties to employees;

2145 “(H) Extending existing terms of employees;

2146 “(I) Hiring new employees into the Career, Education, and Management
2147 Supervisory Services without competition;

2148 “(J) Eliminating any annuity offsets established by any law; or

2149 “(K) Denying leave or rescinding approval of previously approved leave.”.

2150 (b) Section 5a(d) (D.C. Official Code § 7-2304.01(d)) is amended as follows:

2151 (1) Paragraph (3) is amended by striking the phrase “solely for the duration of the
2152 public health emergency; and” and inserting the phrase “solely for actions taken during the
2153 public health emergency;” in its place.

2154 (2) Paragraph (4) is amended by striking the period at the end and inserting a
2155 semicolon in its place.

2156 (3) New paragraphs (5), (6), and (7) are added to read as follows:

2157 “(5) Waive application in the District of any law administered by the Department
2158 of Insurance, Securities, and Banking if doing so is reasonably calculated to protect the health,
2159 safety, and welfare of District residents;

2160 “(6) Authorize the use of crisis standards of care or modified means of delivery of
2161 health care services in scarce-resource situations; and

2162 “(7) Authorize the Department of Health to coordinate health-care delivery for
2163 first aid within the limits of individual licensure in shelters or facilities as provided in plans and
2164 protocols published by the Department of Health.”.

2165 (c) Section 7 (D.C. Official Code § 7-2306) is amended by adding a new subsection (c-1)
2166 to read as follows:

2167 “(c-1) Notwithstanding subsections (b) and (c) of this section, the Council
2168 authorizes the Mayor to extend the 15-day March 11, 2020, emergency executive order and

2169 public health emergency executive order (“emergency orders”) issued in response to the
2170 coronavirus (COVID-19) for an additional 135-day period. After the additional 135-day
2171 extension authorized by this subsection, the Mayor may extend the emergency orders for
2172 additional 15-day periods pursuant to subsection (b) or (c) of this section.”.

2173 (d) Section 8 (D.C. Official Code § 7-2307) is amended as follows:

2174 (1) The existing text is designated as paragraph (1).

2175 (2) New paragraphs (2) and (3) are added to read as follows:

2176 “(2) The Mayor may revoke, suspend, or limit the license, permit, or certificate of
2177 occupancy of a person or entity that violates an emergency executive order.

2178 “(3) For the purposes of this section a violation of a rule, order, or other issuance
2179 issued under the authority of an emergency executive order shall constitute a violation of the
2180 emergency executive order.”.

2181 Sec. 507. Public benefits clarification and continued access.

2182 (a) The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C.
2183 Law 4-101; D.C. Official Code § 4-201.01 et seq.), is amended as follows:

2184 (1) Section 101 (D.C. Official Code § 4-201.01) is amended by adding a new
2185 paragraph (2A-i) to read as follows:

2186 “(2A-i) “COVID-19 relief” means any benefit in cash or in kind, including but not
2187 limited to pandemic Supplemental Nutrition Assistance Program benefits, Emergency
2188 Supplemental Nutrition Assistance Program benefits, and advance refund of tax credits, that are
2189 of a gain or benefit to a household and were received pursuant to federal or District relief
2190 provided in response to the COVID-19 Public Health Emergency of 2020. This term does not
2191 include COVID-19 related unemployment insurance benefits.”.

2192 (2) Section 505(4) (D.C. Official Code § 4-205.05(4)) is amended by striking the
2193 phrase “medical assistance” and inserting the phrase “medical assistance; COVID-19 relief;” in
2194 its place.

2195 (3) Section 533(b) (D.C. Official Code § 4-205.33(b)) is amended by adding a
2196 new paragraph (4) to read as follows:

2197 “(4) COVID-19 relief shall not be considered in determining eligibility for TANF
2198 and shall not be treated as a lump-sum payment or settlement under this act.”.

2199 (b) Notwithstanding any provision of District law, the Mayor may extend the eligibility
2200 period for individuals receiving benefits, extend the timeframe for determinations for new
2201 applicants, and take such other actions as the Mayor determines appropriate to support continuity
2202 of, and access to, any public benefit program, including the DC Healthcare Alliance and
2203 Immigrant Children’s program, Temporary Assistance for Needy Families, and Supplemental
2204 Nutritional Assistance Program, until 60 days after the end of a public health emergency
2205 declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act
2206 of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), as
2207 allowable under federal law.

2208 Sec. 508. Notice of modified staffing levels.

2209 Section 504(h-1)(1)(B) of the Health-Care and Community Residence Facility Hospice
2210 and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C.
2211 Official Code § 44-504(h-1)(1)(B)), is amended as follows:

2212 (a) Sub-subparagraph (i) is amended by striking the phrase “; and” and inserting a
2213 semicolon in its place.

2214 (b) Sub-subparagraph (ii) is amended by striking the semicolon and inserting the phrase
2215 “; and” in its place.

2216 (c) A new sub-subparagraph (iii) is added to read as follows:

2217 “(iii) Provide a written report of the staffing level to the Department of Health for
2218 each day that the facility is below the prescribed staffing level as a result of circumstances giving
2219 rise to a public health emergency during a period of time for which the Mayor has declared a
2220 public health emergency pursuant to section 5a of the District of Columbia Public Emergency
2221 Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

2222 Sec. 509. Not-for-Profit Hospital Corporation.

2223 Section 5115(l) of the Not-For-Profit Hospital Corporation Establishment Amendment
2224 Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04(l)),
2225 is amended as follows:

2226 (a) Paragraph (1) is amended by striking the phrase “Subsections (a), (b),” and inserting
2227 the phrase “Except as provided in paragraph (1A), subsections (a), (b),” in its place.

2228 (b) A new paragraph (1A) is added to read as follows:

2229 “(1A) During the period of time for which the Mayor has declared a public health
2230 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2231 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), subsections (a),
2232 (b), (c), (d), (e), and (f) of this section shall expire if:

2233 “(A) By September 15, 2019, the Board does not adopt a revised budget
2234 for Fiscal Year 2020 that has been certified by the Chief Financial Officer of the District of
2235 Columbia as being balanced with a District operating subsidy of \$22.14 million or less; or

2236 “(B) At any time after September 30, 2020, a District operating subsidy of more than \$15 million
2237 per year is required.”.

2238 Sec. 510. Discharge of Long-Term Care residents

2239 Section 301 of the Nursing Home and Community Residence Facilities Protection Act of
2240 1985, effective April 18, 1986 (D.C. Law 6-108; D.C. Official Code § 44-1003.01), is amended
2241 by adding a new subsection (c) to read as follows:

2242 “(c) During a period of time for which the Mayor has declared a public health emergency
2243 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2244 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), plus an additional 45
2245 days following the end of that period, a facility providing long-term care shall not involuntarily
2246 discharge a resident except because the discharge:

2247 “(1) Results from the completion of the resident’s skilled nursing or medical care;
2248 or

2249 “(2) Is essential to safeguard that resident or one or more other residents from
2250 physical injury.”.

2251 Sec. 511. Long-Term Care Facility reporting of positive cases.

2252 Each long-term care facility located in the District shall report daily to the Department of
2253 Health both the number of novel 2019 coronavirus (SARS-CoV-2) positive cases and the number
2254 of novel 2019 coronavirus (SARS-CoV-2)-related deaths for both employees and residents of the
2255 long-term care facility during the period of time for which the Mayor has declared a public
2256 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
2257 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 60
2258 days thereafter.

2259 Sec. 512. Food access study.

2260 The Food Policy Council and Director Establishment Act of 2014, effective March 10,
2261 2015 (D.C. Law 20-191; D.C. Official Code § 48-311 *et seq.*), is amended by adding a new
2262 section 5a to read as follows:

2263 “Sec. 5a. Food access study.

2264 “By July 15, 2020, the Food Policy Director, in consultation with the Department of
2265 Employment Services, the Department of Human Services, the Homeland Security and
2266 Emergency Management Agency, and other District agencies, as needed, shall make publicly
2267 available a study that evaluates and makes recommendations regarding food access needs during
2268 and following the COVID-19 public health emergency, including:

2269 “(1) An analysis of current and projected food insecurity rates, based on data
2270 compiled across District agencies; and

2271 “(2) A plan for how to address food needs during and following the public health
2272 emergency.”.

2273 Sec. 513. Hospital support funding.

2274 (a) The Mayor may, notwithstanding the Grant Administration Act of 2013, effective
2275 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and in the Mayor’s
2276 sole discretion, issue a grant to an eligible hospital; provided, that the eligible hospital submits a
2277 grant application in the form and with the information required by the Mayor.

2278 (b) The amount of a grant issued to a hospital shall be based on:

2279 (1) An allocation formula based on the number of beds at the hospital; or

2280 (2) Such other method or formula, as established by the Mayor, that addresses the
2281 impacts of COVID-19 on hospitals.

2282 (c) A grant issued pursuant to this section may be expended by the hospital for:

2283 (1) Supplies and equipment related to the COVID-19 emergency, including
2284 personal protective equipment, sanitization and cleaning products, medical supplies and
2285 equipment, and testing supplies and equipment;

2286 (2) Personnel costs incurred to respond to the COVID-19 emergency, including
2287 the costs of contract staff; and

2288 (3) Costs of constructing and operating temporary structures to test individuals for
2289 COVID-19 or to treat patients with COVID-19.

2290 (d) The Mayor may issue one or more grants to a third-party grant-managing entity for
2291 the purpose of administering the grant program authorized by this section and making subgrants
2292 on behalf of the Mayor in accordance with the requirements of this section.

2293 (e) The Mayor shall maintain a list of all grants awarded pursuant to this section,
2294 identifying for each award the grant recipient, the date of award, intended use of the award, and
2295 the award amount. The Mayor shall publish the list online no later than July 1, 2020, or 30 days
2296 after the end of the COVID-19 emergency, whichever is earlier.

2297 (f) The Mayor, pursuant to section 105 of the District of Columbia Administrative
2298 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-505), may
2299 issue rules to implement the provisions of this section.

2300 (g) For the purposes of this section, the term:

2301 (1) “COVID-19” means the disease caused by the novel coronavirus SARS-CoV-

2302 2.

2303 (2) “COVID-19 emergency” means the emergencies declared in the Declaration
2304 of Public Emergency (Mayor’s Order 2020-045) and the Declaration of Public Health

2305 Emergency (Mayor’s Order 2020-046), declared on March 11, 2020, including any extension of
2306 those emergencies.

2307 (3) “Eligible hospital” means a non-profit or for-profit hospital located in the
2308 District.

2309 Sec. 514. Contractor reporting of positive cases.

2310 (a) A District government contractor or subcontractor shall immediately provide written
2311 notice to the District if it or its subcontractor learns, or has reason to believe, that a covered
2312 employee has come into contact with, had a high likelihood of coming into contact with, or has
2313 worked in close physical proximity to a covered individual.

2314 (b) Notices under subsection (a) shall be made to the District government’s contracting
2315 officer and contract administrator, or, if a covered individual is in care or custody of the District,
2316 to the District agency authorized to receive personally-identifiable information. The notices
2317 shall contain the following information:

2318 (1) The name, job title, and contact information of the covered employee;

2319 (2) The date on, and location at, which the covered employee was exposed, or
2320 suspected to have been exposed, to novel 2019 coronavirus (SARS-CoV-2), if known;

2321 (3) All of the covered employee’s tour-of-duty locations or jobsite addresses and
2322 the employee’s dates at such locations and addresses;

2323 (4) The names of all covered individuals with whom the covered employee is
2324 known to have come into contact, or had a high likelihood of coming in contact with, or was in
2325 close physical proximity to, while the covered employee performed any duty under the contract
2326 with the District; and

2327 (5) Any other information related to the covered employee that will enable the
2328 District to protect the health or safety of District residents, employees, or the general public.

2329 (c) A District government contractor or subcontractor shall immediately cease the on-site
2330 performance of a covered employee until such time as the covered employee no longer poses a
2331 health risk as determined in writing by a licensed health care provider. The District government
2332 contractor shall provide a written copy of the determination to the contract administrator and the
2333 contracting officer before the covered employee returns to his or her tour-of-duty location or
2334 jobsite address.

2335 .

2336 (d) The District shall privately and securely maintain all personally-identifiable
2337 information of covered employees and covered individuals and shall not disclose such
2338 information to a third party except as authorized or required by law. District contractors and
2339 subcontractors may submit notices pursuant to subsection (a) and otherwise transmit personally-
2340 identifiable information electronically, provided that all personally-identifiable information be
2341 transmitted via a secure or otherwise encrypted data method.

2342 (e) For purposes of this section, the term:

2343 (1) “Covered employee” means an employee, volunteer, subcontractor, agent of a
2344 District government contractor or subcontractor that has provided any service under a District
2345 contract or subcontract and has

2346 (A) Tested positive for the novel coronavirus (SARS-CoV-2);

2347 (B) Is in quarantine or isolation due to exposure or suspected exposure to the
2348 novel coronavirus (SARS-CoV-2); or

2349 (C) Is exhibiting symptoms of COVID-19.

2350 (2) “Covered individual” means:

2351 (A) A District government employee, volunteer, or agent;

2352 (B) An individual in the care of the District, the contractor, or the

2353 subcontractor; and

2354 (C) A member of the public who interacted with, or was in close proximity

2355 to, a covered employee while the covered employee carried out performance under a District

2356 government contract or subcontract while the covered employee was at a District government

2357 facility or a facility maintained or served by the contractor or subcontractor under a District

2358 government contract or subcontract.

2359 (3) “COVID-19” means the disease caused by the novel 2019 coronavirus

2360 (SARS-CoV-2).

2361 (4) “District government facility” means a building or any part of a building that

2362 is owned, leased, or otherwise controlled by the District government.

2363 (5) “SARS-CoV-2” means the novel 2019 coronavirus.

2364 (f) This section shall apply to all District government contracts and subcontracts that

2365 were in effect on, or awarded after March 11, 2020, and shall remain in effect during the period a

2366 period of time for which the Mayor has declared a public health emergency pursuant to section

2367 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.

2368 Law 14-194; D.C. Official Code § 7- 2304.01), and for 30 days thereafter.

2369

2370 **TITLE VI. EDUCATION**

2371 Sec. 601. Graduation requirements.

2372 Chapter 22 of Title 5-A of the District of Columbia Municipal Regulations (5-A DCMR §

2373 2201 *et seq.*) is amended as follows:

2374 (a) Section 2203.3(f) (5-A DCMR § 2203.3(f)) is amended by striking the phrase “shall
2375 be satisfactorily completed” and inserting the phrase “shall be satisfactorily completed; except,
2376 that this requirement shall be waived for a senior who would otherwise be eligible to graduate
2377 from high school in the District of Columbia in the 2019-20 school year” in its place.

2378 (b) Section 2299.1 (5-A DCMR § 2299.1) is amended by striking the phrase “one
2379 hundred and twenty (120) hours of classroom instruction over the course of an academic year”
2380 and inserting the phrase “one hundred and twenty (120) hours of classroom instruction over the
2381 course of an academic year; except, that following the Superintendent’s approval to grant an
2382 exception to the one hundred eighty (180) day instructional day requirement pursuant to 5A
2383 DCMR § 2100.3 for school year 2019-20, a Carnegie Unit may consist of fewer than one
2384 hundred and twenty (120) hours of classroom instruction over the course of the 2019-2020
2385 academic year for any course in which a student in grades 9-12 is enrolled” in its place.

2386 Sec. 602. Out of school time report waiver.

2387 Section 8 of the Office of Out of School Time Grants and Youth Outcomes Establishment
2388 Act of 2016, effective April 7, 2017 (D.C. Law 21-261; D.C. Official Code § 2-1555.07), is
2389 amended by adding a new subsection (c) to read as follows:

2390 “(c) During a period of time for which the Mayor has declared a public health emergency
2391 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2392 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), the Office of Out of

2393 School Time Grants and Youth Outcomes may waive the requirement to conduct an annual,
2394 community-wide needs assessment pursuant to subsection (a)(1) of this section.”.

2395 Sec. 603. Summer school attendance.

2396 Section 206 of the Student Promotion Act of 2013, effective February 22, 2014 (D.C.
2397 Law 20-84; D.C. Official Code § 38-781.05), is amended by adding a new subsection (c) to read
2398 as follows:

2399 “(c) The Chancellor shall have the authority to waive the requirements of subsection (a)
2400 of this section for any student who fails to meet the promotion criteria specified in the DCMR
2401 during a school year that includes a period of time for which the Mayor declared a public health
2402 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2403 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

2404 Sec. 604. Education research practice partnership review panel.

2405 Section 104(d)(2) of the District of Columbia Education Research Practice Partnership
2406 Establishment and Audit Act of 2018, effective March 28, 2019 (D.C. Law 22-268; D.C. Official
2407 Code § 38-785.03(d)(2)), is amended by striking the phrase “timely manner” and inserting the
2408 phrase “timely manner; except, that upon the declaration of a public health emergency pursuant
2409 to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17,
2410 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the meeting of the review panel shall
2411 be postponed until 7 business days following the end of the period of time for which the public
2412 health emergency was declared” in its place.

2413 Sec. 605. UDC Board of Trustees terms.

2414 Section 201 of the District of Columbia Public Postsecondary Education Reorganization Act,
2415 approved October 26, 1974 (88 Stat. 1424; D.C. Official Code § 38-1202.01), is amended as
2416 follows:

2417 (a) Subsection (d) is amended to read as follows:

2418 “(d) All terms on the Board of Trustees shall begin on May 15 and shall end one or 5
2419 years thereafter on May 14. The student member elected pursuant to subsection (c)(2) of this
2420 section shall serve for a term of one year. All other members shall serve for a term of 5 years.
2421 Depending on the date of the individual’s election or appointment, a member of the Board of
2422 Trustees may not actually serve a full term.”.

2423 (b) Subsection (e) is amended to read as follows:

2424 “(e) A member of the Board of Trustees who is elected as an alumnus or alumna pursuant
2425 to subsection (c)(3) of this section may be re-elected to serve one additional term, after which the
2426 individual may not again be elected pursuant to subsection (c)(3) of this section until at least 5
2427 years have passed following the individual’s last day of service on the Board.”.

2428 (c) Subsection (f) is amended to read as follows:

2429 “(f) A member of the Board of Trustees who is appointed pursuant to subsection (c)(1) of
2430 this section may serve 3 full or partial terms consecutively. No member shall serve for more
2431 than 15 consecutive years regardless of whether elected or appointed and shall not serve again
2432 thereafter until at least 5 years have passed following the individual’s last day of service on the
2433 Board.”.

2434 Sec. 606. UDC fundraising match.

2435 Section 4082(a) of the University of the District of Columbia Fundraising Match Act of
2436 2019, effective September 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is amended by striking the
2437 phrase “for every \$2 that UDC raises from private donations by April 1” and inserting the phrase
2438 “to match dollar-for-dollar the amount UDC raises from private donations by May 1” in its place.

2439 **TITLE VII. PUBLIC SAFETY AND JUSTICE**

2440 Sec. 701. Jail reporting.

2441 Section 3022(c) of the Office of the Deputy Mayor for Public Safety and Justice
2442 Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code §
2443 1-301.191(c)), is amended as follows:

2444 (a) Paragraph (5)(B) is amended by striking the phrase “; and” and inserting a semicolon
2445 in its place.

2446 (b) Paragraph (6)(G)(viii) is amended by striking the period and inserting the phrase “;
2447 and” in its place.

2448 (c) A new paragraph (7) is added to read as follows:

2449 “(7) During a period of time for which the Mayor has declared a public health
2450 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2451 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), provide to the
2452 Council Committee with jurisdiction over the Office a weekly written update containing the
2453 following information:

2454 “(A) Unless otherwise distributed to the Chairperson of the Council
2455 Committee with jurisdiction over the Office by the Criminal Justice Coordinating Council, a

2456 daily census for that week of individuals detained in the Central Detention Facility and
2457 Correctional Treatment Facility, categorized by legal status;

2458 “(B) Any District of Columbia Government response to either the United
2459 States District Court for the District of Columbia or the Court-appointed inspectors regarding the
2460 implementation of the Court’s orders and resolution of the inspectors’ findings in the matter of
2461 Banks v. Booth (Civil Action No. 20-849), redacted for personally identifiable information; and

2462 “(C) A description of:

2463 “(i) All actions taken by the District Government to improve conditions of
2464 confinement in the Central Detention Facility and Correctional Treatment Facility, including by
2465 the Director of the Department of Youth and Rehabilitation Services, or Director’s designee; and

2466 “(ii) Without reference to personally identifiable information,
2467 COVID-19 testing of individuals detained in the Central Detention Facility and Correctional
2468 Treatment Facility, including whether and under what conditions the District is testing
2469 asymptomatic individuals.”.

2470 Sec. 702. Civil rights enforcement.

2471 The Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C.
2472 Official Code § 2-1401.01 *et seq.*), is amended by adding a new section 316a to read as follows:

2473 “Sec. 316a. Civil actions by the Attorney General.

2474 “During a period of time for which the Mayor has declared a public health emergency (“PHE”)
2475 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2476 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), in a civil action initiated
2477 by the Attorney General for the District of Columbia (“Attorney General”) for violations of this

2478 act, or a civil action arising in connection with the PHE, other than an action brought pursuant to
2479 section 307:

2480 “(1) The Attorney General may obtain:

2481 “(A) Injunctive relief, as described in section 307;

2482 “(B) Civil penalties, up to the amounts described in section 313(a)(1)(E-
2483 1), for each action or practice in violation of this act, and, in the context of a discriminatory
2484 advertisement, for each day the advertisement was posted; and

2485 “(C) Any other form of relief described in section 313(a)(1); and

2486 “(2) The Attorney General may seek subpoenas for the production of documents
2487 and materials or for the attendance and testimony of witnesses under oath, or both, which shall
2488 contain the information described in section 110a(b) of the Attorney General for the District of
2489 Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015
2490 (D.C. Law 21-36; D.C. Official Code § 1-301.88d(b)) (“Act”), and shall follow the procedures
2491 described in section 110a(c), (d), and (e) of the Act (D.C. Official Code § 1-301.88d(c), (d), and
2492 (e)); provided, that the subpoenas are not directed to a District government official or entity.”.

2493 Sec. 703. FEMS reassignments.

2494 Section 212 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law
2495 2-38; D.C. Official Code § 2-1402.12), is amended by adding a new subsection (c) to read as
2496 follows:

2497 “(c) It shall not be an unlawful discriminatory practice for the Mayor to reassign
2498 personnel of the Fire and Emergency Medical Services Department from firefighting and
2499 emergency medical services operations during a period of time for which a public health
2500 emergency has been declared pursuant to section 5a of the District of Columbia Public

2501 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2502 2304.01), based upon the inability of the personnel to wear personal protective equipment in a
2503 manner consistent with medical and health guidelines.”.

2504 Sec. 704. Police Complaints Board investigation extension.

2505 Section 5(d-3) of the Office of Citizen Complaint Review Establishment Act of 1998,
2506 effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104(d-3)), is amended
2507 as follows:

2508 (a) Paragraph (1) is amended by striking the phrase “January 1, 2017, through December
2509 31, 2019” and inserting the phrase “August 1, 2019, through January 31, 2020” in its place.

2510 (b) Paragraph (2) is amended by striking the date “April 30, 2021” and inserting the date
2511 “September 30, 2021” in its place.

2512 Sec. 705. Extension of time for non-custodial arrestees to report.

2513 Section 23-501(4) of the District of Columbia Official Code is amended by striking the
2514 period and inserting the phrase “, or within 90 days, if the non-custodial arrest was conducted
2515 during a period of time for which the Mayor has declared a public health emergency pursuant to
2516 § 7-2304.01.” in its place.

2517 Sec. 706. Good time credits and compassionate release.

2518 (a) Section 3c(c) of the District of Columbia Good Time Credits Act of 1986, effective
2519 May 17, 2011 (D.C. Law 18-732; D.C. Official Code § 24-221.01c(c)), is amended by striking
2520 the phrase “this section combined” and inserting the phrase “this section combined; except, that
2521 during a period for which a public health emergency has been declared pursuant to section 5a of
2522 the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law
2523 14-194; D.C. Official Code § 7-2304.01), the Department of Corrections shall have discretion to

2524 award additional credits beyond the limits described in this subsection to effectuate the
2525 immediate release of persons sentenced for misdemeanors, including pursuant to section 3 and
2526 this section, consistent with public safety.”.

2527 (b) An Act To establish a Board of Indeterminate Sentence and Parole for the District of
2528 Columbia and to determine its functions, and for other purposes, approved July 15, 1932 (47
2529 Stat. 696; D.C. Official Code § 24-403 *et seq.*), is amended as follows:

2530 (1) A new section 3a-i is added to read as follows:

2531 “Sec. 3a-i. Good time credit for felony offenses committed before August 5, 2000.

2532 “(a)(1) Notwithstanding any other provision of law, a defendant who is serving a term of
2533 imprisonment for an offense committed between June 22, 1994, and August 4, 2000, shall be
2534 retroactively awarded good time credit toward the service of the defendant’s sentence of up to 54
2535 days for each year of the defendant’s sentence imposed by the court, subject to determination by
2536 the Bureau of Prisons that during those years the defendant has met the conditions provided in 18
2537 U.S.C. § 3624(b).

2538 “(2) An award of good time credit pursuant to paragraph (1) of this subsection
2539 shall apply to the minimum and maximum term of incarceration, including the mandatory
2540 minimum; provided, that in the event of a maximum term of life, only the minimum term shall
2541 receive good time.

2542 “(b)(1) Notwithstanding any other provision of law, a defendant who is serving a term of
2543 imprisonment for an offense committed before June 22, 1994, shall be retroactively awarded
2544 good time credit toward the service of the defendant’s sentence of up to 54 days for each year of
2545 the defendant’s sentence imposed by the court, subject to determination by the Bureau of Prisons
2546 that during those years the defendant has met the conditions provided in 18 U.S.C. § 3624(b).

2547 “(2) An award of good time credit pursuant to paragraph (1) of this subsection:

2548 “(A) Shall apply to any mandatory minimum term of incarceration; and

2549 “(B) Is not intended to modify how the defendant is awarded good time

2550 credit toward any portion of the sentence other than the mandatory minimum.”.

2551 (2) A new section 3d is added to read as follows:

2552 “Sec. 3d. Motions for compassionate release for individuals convicted of felony offenses.

2553 “(a) Notwithstanding any other provision of law, the court may modify a term of

2554 imprisonment imposed upon a defendant if it determines the defendant is not a danger to the

2555 safety of any other person or the community, pursuant to the factors to be considered in 18

2556 U.S.C. §§ 3142(g) and 3553(a) and evidence of the defendant's rehabilitation while incarcerated,

2557 and:

2558 “(1) The defendant has a terminal illness, which means a disease or condition with
2559 an end-of-life trajectory;

2560 “(2) The defendant is 60 years of age or older and has served at least 25 years in
2561 prison; or

2562 “(3) Other extraordinary and compelling reasons warrant such a modification,
2563 including:

2564 “(A) A debilitating medical condition involving an incurable, progressive
2565 illness, or a debilitating injury from which the defendant will not recover;

2566 “(B) Elderly age, defined as a defendant who is:

2567 “(i) 60 years of age or older;

2568 “(ii) Has served at least 20 years in prison or has served the greater
2569 of 10 years or 75% of their sentence; and

2570 “(iii) Suffers from a chronic or serious medical condition related to
2571 the aging process or that causes an acute vulnerability to severe medical complications or death
2572 as a result of COVID-19;

2573 “(C) Death or incapacitation of the family member caregiver of the
2574 defendant’s children; or

2575 “(D) Incapacitation of a spouse or a domestic partner when the defendant
2576 would be the only available caregiver for the spouse or domestic partner.

2577 “(b) Motions brought pursuant to this section may be brought by the United States
2578 Attorney’s Office for the District of Columbia, the Bureau of Prisons, the United States Parole
2579 Commission, or the defendant.

2580 “(c) Although a hearing is not required, to provide for timely review of a motion made
2581 pursuant to this section and at the request of counsel for the defendant, the court may waive the
2582 appearance of a defendant currently held in the custody of the Bureau of Prisons.”.

2583 Sec. 707. Healthcare provider liability.

2584 (a) Notwithstanding any provision of District law:

2585 (1) A healthcare provider, first responder, or volunteer who renders care or
2586 treatment to a potential, suspected, or diagnosed individual with COVID-19 shall be exempt
2587 from liability in a civil action or a criminal prosecution for damages resulting from such care or
2588 treatment of COVID-19, or from any act or failure to act in providing or arranging medical
2589 treatment for COVID-19 during a declared public health emergency;

2590 (2) A donor of time, professional services, equipment, or supplies for the benefit
2591 of persons or entities providing care or treatment for COVID-19 to a suspected or diagnosed
2592 individual with COVID-19, or care for the family members of such individuals for damages

2593 resulting from such donation shall be exempt from liability in a civil action or a criminal
2594 prosecution during a declared public health emergency; or

2595 (3) A contractor or subcontractor on a District government contract that has
2596 contracted to provide health care services or human care services (consistent with section
2597 104(37) to the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
2598 371; D.C. Official Code § 2-351.04(37)) related to a declared public health emergency related to
2599 the District government’s COVID-19 response shall be exempt from liability in a civil action or
2600 a criminal prosecution.

2601 (b) The limitations on liability provided for by subsection (a) of this section apply to any
2602 healthcare provider, first responder, volunteer, donor, or District government contractor or
2603 subcontractor of a District government contractor (“provider”), including a party involved in the
2604 healthcare process at the request of a health-care facility or the District government, and acting
2605 within the scope of the provider’s employment or organization’s purpose, contractual or
2606 voluntary service, or donation, even if outside the provider’s professional scope of practice, state
2607 of licensure, or with an expired license, who:

2608 (1) Prescribes or dispenses medicines for off-label use to attempt to combat the
2609 COVID-19 virus, in accordance with the Trickett Wendler, Frank Mongiello, Jordan McLinn,
2610 and Matthew Bellina Right to Try Act of 2017, approved May 30, 2018 (Pub. L. No. 115-176;
2611 132 Stat. 1372).

2612 (2) Provides direct or ancillary health-care services or health care products,
2613 including direct patient care, testing, equipment or supplies, consultations, triage services,
2614 resource teams, nutrition services, or physical, mental, and behavioral therapies; or

2615 (3) Utilizes equipment or supplies outside of the product’s normal use for medical
2616 practice and the provision of health-care services to combat the COVID-19 virus;

2617 (c) The limitations on liability provided for by subsection (a) of this section shall not
2618 extend to:

2619 (1) Acts or omissions that constitute a crime, actual fraud, actual malice,
2620 recklessness, breach of contract, gross negligence, or willful misconduct; or

2621 (2) Acts or omissions unrelated to direct patient care; provided, that a contractor
2622 or subcontractor shall not be liable for damages for any act or omission alleged to have caused an
2623 individual to contract COVID-19.

2624 (d) The limitations on liability provided for by subsection (a) of this section extend to
2625 acts, omissions, and donations performed or made during a period of time for which the Mayor
2626 has declared a public health emergency pursuant to section 5a of the District of Columbia Public
2627 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2628 2304.01), and to damages that ensue at any time from acts, omissions, and donations made
2629 during the emergency.

2630 (e) The limitations on liability provided for by subsection (a) of this section do not limit
2631 the applicability of other limitations on liability, including qualified and absolute immunity, that
2632 may otherwise apply to a person covered by this section; nor does this section limit the authority
2633 of the Mayor under this subsection.”.

2634

2635 **TITLE VIII. GOVERNMENT OPERATIONS**

2636 Sec. 801. Board of Elections stipends.

2637 Section 1108(c-1)(10) of the District of Columbia Government Comprehensive Merit
2638 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
2639 611.08(c-1)(10)), is amended by striking the phrase “Chairperson per year” and inserting the
2640 phrase “Chairperson per year; except, that for the remainder of 2020 following April 10, 2020,
2641 District of Columbia Board of Elections members shall be entitled to compensation at the hourly
2642 rate of \$40 while actually in the service of the board, not to exceed \$25,000 for each member per
2643 year and \$53,000 for the Chairperson per year” in its place.

2644 Sec. 802. Retirement Board Financial disclosure extension of time.

2645 (a) Section 161(a)(1) of the District of Columbia Retirement Reform Act, approved
2646 November 17, 1979 (93 Stat. 884; D.C. Official Code § 1-731(a)(1)), is amended by striking the
2647 phrase “April 30th” and inserting the phrase “July 30th” in its place.

2648 Sec. 802. Ethics and campaign finance.

2649 (a) The Government Ethics Act of 2011, effective April 27, 2012 (D.C. Law 19-124;
2650 D.C. Official Code § 1-1162.01 *et seq.*), is amended as follows:

2651 (1) Section 224 (D.C. Official Code § 1-1162.24) is amended by adding a new
2652 subsection (c-2) to read as follows:

2653 “(c-2) Notwithstanding any other provision of this section, in calendar year 2020, the
2654 Board may change the dates by which:

2655 “(1) Reports required by this section are to be filed; and

2656 “(2) The names of public officials are to be published pursuant to subsection (c-1)
2657 of this section.”.

2658 (2) Section 225 (D.C. Official Code § 1-1162.25) is amended by adding a new
2659 subsection (b-1) to read as follows:

2660 “(b-1) Notwithstanding any other provision of this section, in calendar year 2020, the
2661 Board may change the dates by which:

2662 “(1) Reports required by subsection (a) of this section are to be filed; and

2663 “(2) Reports filed pursuant to subsection (a) of this section shall be reviewed
2664 pursuant to subsection (b) of this section.”.

2665 (3) Section 230 (D.C. Official Code § 1-1162.30) is amended by adding a new
2666 subsection (a-1) to read as follows:

2667 “(a-1) Notwithstanding any other provision of this section, in calendar year 2020, the
2668 Board may change the dates by which reports required by subsection (a) of this section shall be
2669 filed.”.

2670 (b) The Campaign Finance Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C.
2671 Official Code § 1-1163.01 *et seq.*), is amended as follows:

2672 (1) Section 304(7A)(A) (D.C. Official Code § 1-1163.04(7A)(A)) is amended by
2673 striking the phrase “in person, although online materials may be used to supplement the training”
2674 and inserting the phrase “in person or online” in its place.

2675 (2) Section 332d (D.C. Official Code § 1-1163.32d) is amended by striking the
2676 phrase “5 days after” wherever it appears and inserting the phrase “5 business days after” in its
2677 place.

2678 (3) Section 332e(e) (D.C. Official Code § 1-1163.32e(e)) is amended by striking
2679 the phrase “Within 5 days after” and inserting the phrase “Within 5 business days after” in its
2680 place.

2681 Sec. 803. Election preparations.

2682 The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat.

2683 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

2684 (a) Section 2 (D.C. Official Code § 1-1001.02) is amended by adding a new paragraph

2685 (31) to read as follows:

2686 “(31) For the June 2, 2020, Primary Election and the June 16, 2020, Ward 2

2687 Special Election, the term “polling place” shall include Vote Centers operated by the Board

2688 throughout the District.”.

2689 (b) Section 5(a) (D.C. Official Code § 1-1001.05(a)) is amended by adding a new

2690 paragraph (9A) to read as follows:

2691 “(9A) For the June 2, 2020, Primary Election, mail every registered qualified

2692 elector an absentee ballot application and a postage-paid return envelope;”.

2693 (c) Section 7 (D.C. Official Code § 1-1001.07) is amended as follows:

2694 (1) Subsection (d)(2) is amended as follows:

2695 (A) Subparagraph (C) is amended by striking the phrase “; and” and

2696 inserting a semicolon in its place.

2697 (B) Subparagraph (D) is amended by striking the period and inserting the

2698 phrase “; and” in its place.

2699 (C) A new subparagraph (E) is added to read as follows:

2700 “(E) For the June 2, 2020, Primary Election and the June 16, 2020, Ward 2

2701 Special Election, regularly promote the Board’s revised plans for those elections on the voter

2702 registration agencies’ social media platforms, including by providing information about how to

2703 register to vote and vote by mail.”.

2704 (2) Subsection (h) is amended by adding a new paragraph (4) to read as follows:

2705 “(4) The provisions of this subsection shall not apply to the June 2, 2020, Primary
2706 Election and the June 16, 2020, Ward 2 Special Election.”.

2707 (d) Section 8 (D.C. Official Code § 1-1001.08) is amended as follows:

2708 (1) Subsection (b) is amended by adding a new paragraph (3A) to read as follows:

2709 “(3A) For the November 3, 2020, general election:

2710 “(A) Petition sheets circulated in support of a candidate for elected office
2711 pursuant to this act may be electronically:

2712 “(i) Made available by the candidate to qualified petition circulators; and

2713 “(ii) Returned by qualified petition circulators to the candidate; and

2714 “(B) Signatures on such petition sheets shall not be invalidated because the
2715 signer was also the circulator of the same petition sheet on which the signature appears.”.

2716 (2) Subsection (j) is amended as follows:

2717 (A) Paragraph (1) is amended by striking the phrase “A duly” and inserting
2718 the phrase “Except as provided in paragraph (4) of this subsection, a duly” in its place.

2719 (B) A new paragraph (4) is added to read as follows:

2720 “(4) A duly qualified candidate for the following offices for the November 3,
2721 2020, general election may be nominated directly for election to such office by a petition that is
2722 filed with the Board not fewer than 90 days before the date of such General Election and signed
2723 by the number of voters duly registered under section 7 as follows:

2724 “(A) For Delegate or at-large member of the Council, 250 voters; and

2725 “(B) For member of the Council elected by ward, 150 voters who are
2726 registered in the ward from which the candidate seeks election.”.

2727 (3) Subsection (n) is amended as follows:

2728 (A) The existing text is designated as paragraph (1).

2729 (B) The newly designated paragraph (1) is amended by striking the phrase
2730 “Each candidate” and inserting the phrase “Except as provided in paragraph (2) of this
2731 subsection, each candidate” in its place.

2732 (C) A new paragraph (2) is added to read as follows:

2733 “(2) A duly qualified candidate for the following offices for the November 3,
2734 2020, general election may be nominated directly for election to such office by a petition that is
2735 filed with the Board not fewer than 90 days before the date of such General Election and signed
2736 by the number of voters duly registered under section 7 as follows:

2737 “(A) For member of the State Board of Education elected at-large, 150
2738 voters; and

2739 “(B) For member of the State Board of Education elected by ward, 50 voters
2740 who are registered in the ward from which the candidate seeks election.”.

2741 (e) Section 16 (D.C. Official Code § 1-1001.16) is amended as follows:

2742 (1) Subsection (g) is amended by striking the phrase “white paper of good writing
2743 quality of the same size as the original or shall utilize the mobile application made available
2744 under section 5(a)(19). Each initiative or referendum petition sheet shall consist of one double-
2745 sided sheet providing numbered lines for 20 printed” and inserting the phrase “paper of good
2746 writing quality or shall utilize the mobile application made available under section 5(a)(19).
2747 Each initiative or referendum petition sheet shall consist of one sheet providing numbered lines
2748 for printed” in its place.

2749 (2) A new subsection (g-1) is added to read as follows:

2750 “(g-1) In calendar year 2020:

2751 “(1) Petition sheets of proposers may be electronically:

2752 “(A) Made available by the proposers to qualified petition circulators; and

2753 “(B) Returned by qualified petition circulators to the proposers; and

2754 “(2) Signatures on petition sheets of proposers shall not be invalidated because the
2755 signer was also the circulator of the same petition sheet on which the signature appears.”.

2756 Sec. 804. Absentee ballot request signature waiver.

2757 Section 720.7(h) of Title 3 of the District of Columbia Municipal Regulations (3 DCMR

2758 § 720.7(h)) is amended by striking the phrase “Voter’s signature” and inserting the phrase

2759 “Except for a request for an absentee ballot for the June 2, 2020, Primary Election or the June 16,
2760 2020, Ward 2 Special Election, voter’s signature” in its place.

2761 Sec. 805. Remote notarizations.

2762 The Revised Uniform Law on Notarial Acts Act of 2018, effective December 4, 2018

2763 (D.C. Law 22-189; D.C. Official Code § 1-1231.01 et seq.), is amended as follows:

2764 (a) Section 2 (D.C. Official Code § 1-1231.01) is amended by adding a new paragraph
2765 (1A) to read as follows:

2766 “(1A) “Audio-video communication” means an electronic device or process that:

2767 “(A) Enables a notary public to view, in real time, an individual and to
2768 compare for consistency the information and photos on that individual’s government-issued
2769 identification; and

2770 “(B) Is specifically designed to facilitate remote notarizations.”.

2771 (b) Section 6 (D.C. Official Code § 1-1231.05) is amended to read as follows:

2772 (1) The existing text is designated as subsection (a).

2773 (2) A new subsection (b) is added to read as follows:

2774 “(b) Notwithstanding any provision of District law, during a period of time for which the
2775 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia
2776 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
2777 Code § 7-2304.01), the Mayor may authorize, without the personal appearance of the individual
2778 making the statement or executing the signature, notarial acts required or permitted under
2779 District law if:

2780 “(1) The notary public and the individual communicate with each other
2781 simultaneously by sight and sound using audio-video communication; and

2782 “(2) The notary public:

2783 “(A) Has notified the Mayor of the intention to perform notarial acts using
2784 audio-video communication and the identity of the audio-video communication the notary public
2785 intends to use;

2786 “(B) Has satisfactory evidence of the identity of the individual by personal
2787 knowledge or by the individual’s presentation of a current government-issued identification that
2788 contains the signature and photograph of the individual to the notary public during the video
2789 conference;

2790 “(C) Confirms that the individual made a statement or executed a signature
2791 on a document;

2792 “(D) Receives by electronic means a legible copy of the signed document
2793 directly from the individual immediately after it was signed;

2794 “(E) Upon receiving the signed document, immediately completes the
2795 notarization;

2796 “(F) Upon completing the notarization, immediately transmits by electronic
2797 means the notarized document to the individual;

2798 “(G) Creates, or directs another person to create, and retains an audio-visual
2799 recording of the performance of the notarial act for 3 years from the date of the notarial act; and

2800 “(H) Indicates on a certificate of the notarial act and in a journal that the
2801 individual was not in the physical presence of the notary public and that the notarial act was
2802 performed using audio-visual communication.”.

2803 (c) Section 10 (D.C. Official Code § 1-1231.09) is amended by adding a new subsection
2804 (d) to read as follows:

2805 “(d) Notwithstanding any provision of District law, during a period of time
2806 for which the Mayor has declared a public health emergency pursuant to section 5a of the
2807 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
2808 194; D.C. Official Code § 7-2304.01), a notarial act shall be deemed to be performed in the
2809 District regardless of the notary public’s physical location at the time of the notarial act so long
2810 as the requirements of section 6(b) are met.”.

2811 Sec. 806. Freedom of Information Act.

2812 The Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96;
2813 D.C. Official Code § 2-531 *et seq.*), is amended as follows:

2814 (a) Section 202 (D.C. Official Code § 2-532) is amended as follows:

2815 (1) Subsection (c) is amended as follows:

2816 (A) Paragraph (1) is amended by striking the phrase “Sundays, and” and
2817 inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

2818 (B) Paragraph (2)(A) is amended by striking the phrase “Sundays, and”
2819 and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

2820 (2) Subsection (d)(1) is amended by striking the phrase “Sundays, and” both times
2821 it appears and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

2822 (b) Section 207(a) (D.C. Official Code § 2-537(a)) is amended by striking the phrase
2823 “Sundays, and” and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its
2824 place.

2825 (c) Section 209 (D.C. Official Code § 2-539) is amended by adding a new subsection (c)
2826 to read as follows:

2827 “(c) “COVID-19 closure” means:

2828 “(1) A period of time for which the Mayor has declared a public health emergency
2829 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2830 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01); or

2831 “(2) A period of time during which a public body is closed due to the COVID-19
2832 coronavirus disease, as determined by the personnel authority of the public body.”.

2833 Sec. 807. Open meetings.

2834 The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code
2835 § 2-571 *et seq.*), is amended as follows:

2836 (a) Section 405(a) (D.C. Official Code § 2-575(a)) is amended as follows:

2837 (1) Paragraph (2) is amended by striking the phrase “; or” and inserting a
2838 semicolon in its place.

2839 (2) Paragraph (3) is amended by striking the period and inserting the phrase “; or”
2840 in its place.

2841 (3) A new paragraph (4) is added to read as follows:

2842 “(4) During a period for which a public health emergency has been declared
2843 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2844 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the public body takes
2845 steps reasonably calculated to allow the public to view or hear the meeting while the meeting is
2846 taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably
2847 practicable.”.

2848 (b) Section 406 (D.C. Official Code § 2-576) is amended by adding a new paragraph (6)
2849 to read as follows:

2850 “(6) The public posting requirements of paragraph (2)(A) of this section shall not
2851 apply during a period for which a public health emergency has been declared pursuant to section
2852 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
2853 Law 14-194; D.C. Official Code § 7-2304.01).”.

2854 (c) Section 407(a)(1) (D.C. Official Code § 2-577(a)(1)) is amended by striking the
2855 phrase “attend the meeting;” and inserting the phrase “attend the meeting, or in the case of a
2856 meeting held during a period for which a public health emergency has been declared pursuant to
2857 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
2858 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), steps are taken that are reasonably
2859 calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if
2860 doing so is not technologically feasible, as soon thereafter as reasonably practicable.”.

2861 (d) Section 408(b) (D.C. Official Code § 2-578(b)) is amended by adding a new
2862 paragraph (3) to read as follows:

2863 “(3) The schedule provided in paragraphs (1) and (2) of this subsection shall be
2864 tolled during a period for which a public health emergency has been declared pursuant to section
2865 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
2866 Law 14-194; D.C. Official Code § 7-2304.01).”.

2867 Sec. 808. Electronic witnessing.

2868 (a) Title 16 of the District of Columbia Code is amended as follows:

2869 (1) Section 16-4802 is amended as follows:

2870 (A) New paragraphs (9A) and (9B) are added to read as follows:

2871 “(9A) “Electronic” means relating to technology having electrical, digital,
2872 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2873 “(9B) “Electronic presence” means when one or more witnesses are in a different
2874 physical location than the designator but can observe and communicate with the designator and
2875 one another to the same extent as if the witnesses and designator were physically present with
2876 one another.”.

2877 (B) New paragraphs (11A) and (11B) are added to read as follows:

2878 “(11A) “Record” means information that is inscribed on a tangible medium or that
2879 is stored in an electronic medium and is retrievable in perceivable form.

2880 “(11B) “Sign” means with present intent to authenticate or adopt a record to:

2881 “(A) Execute or adopt a tangible symbol; or

2882 “(B) Affix to or associate with the record an electronic signature.”.

2883 (2) Section 16-4803 is amended as follows:

2884 (A) Subsection (c) is amended by striking the phrase “the adult signs the
2885 designation in the presence of the designator” and inserting the phrase “the adult signs the

2886 designation in the presence or, during a period of time for which the Mayor has declared a public
2887 health emergency pursuant to § 7-2304.01, the electronic presence of the designator” in its place.

2888 (B) Subsection (d) is amended by striking the phrase “in the presence of 2
2889 witnesses” and inserting the phrase “in the presence or, during a period of time for which the
2890 Mayor has declared a public health emergency pursuant to § 7-2304.01, the electronic presence
2891 of 2 witnesses” in its place.

2892 (b) Title 21 of the District of Columbia Code is amended as follows:

2893 (1) Section 21-2011 is amended as follows:

2894 (A) New paragraphs (5B-i), (5B-ii) are added to read as follows:

2895 “(5B-i) “Electronic” means relating to technology having electrical, digital,
2896 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2897 “(5B-ii) “Electronic presence” means when one or more witnesses are in a
2898 different physical location than the signatory but can observe and communicate with the
2899 signatory and one another to the same extent as if the witnesses and signatory were physically
2900 present with one another.”.

2901 (B) New paragraphs (23A) and (23B) are added to read as follows:

2902 “(23A) “Record” means information that is inscribed on a tangible medium or that
2903 is stored in an electronic medium and is retrievable in perceivable form.

2904 “(23B) “Sign” means with present intent to authenticate or adopt a record to:

2905 “(A) Execute or adopt a tangible symbol; or

2906 “(B) Affix to or associate with the record an electronic signature.”.

2907 (2) Section 21-2043 is amended by adding a new subsection (c-1) to read as
2908 follows:

2909 “(c-1) With respect to witnesses referred to in subsection (c) of this section, witnesses
2910 must be in the presence or, during a period of time for which the Mayor has declared a public
2911 health emergency pursuant to § 7-2304.01, the electronic presence of the signatory.”.

2912 (3) Section 21-2202 is amended as follows:

2913 (A) New paragraphs (3A) and (3B) are added to read as follows:

2914 “(3A) “Electronic” means relating to technology having electrical, digital,
2915 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2916 “(3B) “Electronic presence” means when one or more witnesses are in a
2917 different physical location than the principal but can observe and communicate with the principal
2918 and one another to the same extent as if the witnesses and principal were physically present with
2919 one another.”.

2920 (B) A new paragraph (6B) is added to read as follows:

2921 “(6B) “Record” means information that is inscribed on a tangible medium or that
2922 is stored in an electronic medium and is retrievable in perceivable form.”.

2923 (C) A new paragraph (8) is added to read as follows:

2924 “(8) “Sign” means with present intent to authenticate or adopt a record to:

2925 “(A) Execute or adopt a tangible symbol; or

2926 “(B) Affix to or associate with the record an electronic signature.”.

2927 (4) Section 21-2205(c) is amended by striking the phrase “2 adult witnesses who
2928 affirm that the principal was of sound mind” and inserting the phrase “2 adult witnesses who, in
2929 the presence or, during a period of time for which the Mayor has declared a public health
2930 emergency pursuant to § 7-2304.01, the electronic presence of the principal, affirm that the
2931 principal was of sound mind” in its place.

2932 (5) Section 21-2210(c)) is amended is amended by striking the phrase “There
2933 shall be at least 1 witness present” and inserting the phrase “There shall be at least one witness
2934 present or, during a period of time for which the Mayor has declared a public health emergency
2935 pursuant to § 7-2304.01, electronically present” in its place.

2936 (c) Title III of the Disability Services Reform Amendment Act of 2018, effective May 5,
2937 2018 (D.C. Law 22-93; D.C. Official Code § 7-2131 et seq.), is amended as follows:

2938 (1) Section 301 (D.C. Official Code § 7-2131) is amended as follows:

2939 (A) New paragraphs (6A) and (6B) are added to read as follows:

2940 “(6A) “Electronic” means relating to technology having electrical, digital,
2941 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2942 “(6B) “Electronic presence” means when one or more witnesses are in a different
2943 physical location than the signatory but can observe and communicate with the signatory and one
2944 another to the same extent as if the witnesses and signatory were physically present with one
2945 another.”.

2946 (B) New paragraph (9A) and (9B) are added to read as follows:

2947 “(9A) “Record” means information that is inscribed on a tangible medium or that
2948 is stored in an electronic medium and is retrievable in perceivable form.

2949 “(9B) “Sign” means with present intent to authenticate or adopt a record to:

2950 “(A) Execute or adopt a tangible symbol; or

2951 “(B) Affix to or associate with the record an electronic signature.”.

2952 (2) Section 302 (D.C. Official Code § 7-2132) is amended by adding a
2953 new subsection (c-1) to read as follows:

2954 “(c-1) With respect to witnesses referred to in subsection (c) of this
2955 section, witnesses must be in the presence or, during a period of time for which the Mayor has
2956 declared a public health emergency pursuant to § 7-2304.01, the electronic presence of the
2957 signatory.”.

2958 Sec. 809. Electronic wills.

2959 Chapter 1 of Title 18 of the District of Columbia Official Code is amended as follows:

2960 (a) The table of contents is amended by adding a new section designation to read as
2961 follows:

2962 “18-813. Electronic wills.”.

2963 (b) Section 18-103(2) is amended by striking the phrase “in the presence of the testator”
2964 and inserting the phrase “in the presence or, during a period of time for which the Mayor has
2965 declared a public health emergency pursuant to § 7-2304.01, the electronic presence, as defined
2966 in § 18-813(a)(2), of the testator” in its place.

2967 (c) A new section 18-813 is added to read as follows:

2968 “§ 18-813. Electronic wills.

2969 “(a) Definitions.

2970 “For the purposes of this section, the term:

2971 “(1) “Electronic” means relating to technology having electrical, digital,
2972 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2973 “(2) “Electronic presence” means when one or more witnesses are in a different
2974 physical location than the testator but can observe and communicate with the testator and one
2975 another to the same extent as if the witnesses and testator were physically present with one
2976 another.

2977 “(3) “Electronic will” means a will or codicil executed by electronic means.

2978 “(4) “Record” means information that is inscribed on a tangible medium or that is
2979 stored in an electronic medium and is retrievable in perceivable form.

2980 “(5) “Sign” means, with present intent to authenticate or adopt a record, to:

2981 “(A) Execute or adopt a tangible symbol; or

2982 “(B) Affix to or associate with the record an electronic signature.

2983 “(b)(1) A validly executed electronic will shall be a record that is:

2984 “(A) Readable as text at the time of signing pursuant to subparagraph (B)
2985 of this paragraph; and

2986 “(B) Signed:

2987 “(i) By the testator, or by another person in the testator’s physical
2988 presence and by the testator’s express direction; and

2989 “(ii) In the physical or electronic presence of the testator by at least
2990 2 credible witnesses, each of whom is physically located in the United States at the time of
2991 signing.

2992 “(2) In order for the electronic will to be admitted to the Probate Court, the
2993 testator, a witness to the will, or an attorney admitted to practice in the District of Columbia who
2994 supervised the execution of the electronic will shall certify a paper copy of the electronic will by
2995 affirming under penalty of perjury that:

2996 “(A) The paper copy of the electronic will is a complete, true, and accurate
2997 copy of the electronic will; and

2998 “(B) The conditions in subparagraph (A) of this paragraph were satisfied
2999 at the time the electronic will was signed.

3000 “(3) Except as provided in subsection (c) of this section, a certified paper copy of
3001 an electronic will shall be deemed to be the electronic will of the testator for all purposes under
3002 this title.

3003 “(c)(1) An electronic will may revoke all or part of a previous will or electronic will.

3004 “(2) An electronic will, or a part thereof, is revoked by:

3005 “(A) A subsequent will or electronic will that revokes the electronic will,
3006 or a part thereof, expressly or by inconsistency; or

3007 “(B) A direct physical act cancelling the electronic will, or a part thereof,
3008 with the intention of revoking it, by the testator or a person in the testator’s physical presence
3009 and by the testator’s express direction and consent.

3010 “(3) After it is revoked, an electronic will, or a part thereof, may not be revived
3011 other than by its re-execution, or by a codicil executed as provided in the case of wills or
3012 electronic wills, and then only to the extent to which an intention to revive is shown in the
3013 codicil.

3014 “(d) An electronic will not in compliance with subsection (b)(1) of this section is valid if
3015 executed in compliance with the law of the jurisdiction where the testator is:

3016 “(1) Physically located when the electronic will is signed; or

3017 “(2) Domiciled or resides when the electronic will is signed or when the testator
3018 dies.

3019 “(e) Except as otherwise provided in this section:

3020 “(1) An electronic will is a will for all purposes under the laws of the District of
3021 Columbia; and

3022 “(2) The laws of the District of Columbia applicable to wills and principles of
3023 equity apply to an electronic will.

3024 “(f) This section shall apply to electronic wills made during a period of
3025 time for which the Mayor has declared a public health emergency pursuant to § 7-2304.01.”.

3026 Sec. 810. Administrative hearings deadlines.

3027 Notwithstanding any provision of District law, but subject to applicable federal laws and
3028 regulations, during a period time for which the Mayor has declared a public health emergency
3029 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3030 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), the 90-day time period to
3031 request a hearing shall be tolled:

3032 (1) To review an adverse action by the Mayor concerning any new application for
3033 public assistance or any application or request for a change in the amount, kind or conditions of
3034 public assistance, or a decision by the Mayor to terminate, reduce, or change the amount, kind, or
3035 conditions of public assistance benefits or to take other action adverse to the recipient pursuant to
3036 section 1009 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982
3037 (D.C. Law 4-101; D.C. Official Code § 4–210.09); or

3038 (2) To appeal an adverse decision listed in section 26(b) of the Homeless Services
3039 Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4–
3040 754.41(b)).

3041 Sec. 811. Other boards and commissions.

3042 Notwithstanding any provision of law, during a period time for which the Mayor has
3043 declared a public health emergency pursuant to section 5a of the District of Columbia Public

3044 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3045 2304.01):

3046 (1) Any requirement for a board, commission, or other public body to meet is
3047 waived, unless the Mayor determines that it is necessary or appropriate for the board,
3048 commission, or other public body to meet during the period of the public health emergency, in
3049 which case the Mayor may order the board, commission, or other public body to meet;

3050 (2) Any vacancy that occurs on a board or commission shall not be considered a
3051 vacancy for the purposes of nominating a replacement; and

3052 (3) The review period for nominations transmitted to the Council for approval or
3053 disapproval in accordance with section 2(a) of the Confirmation Act of 1978, effective March 3,
3054 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)), shall be tolled.

3055 **TITLE IX. LEGISLATIVE BRANCH**

3056 Sec. 901. Council Rules.

3057 The Rules of Organization and Procedure for the Council of the District of Columbia,
3058 Council Period 23, Resolution of 2019, effective January 2, 2019 (Res. 23-1; 66 DCR 272), is
3059 amended as follows:

3060 (a) Section 367 of the Rules of Organization and Procedure for the Council of the District
3061 of Columbia, Council Period 23, Resolution of 2019, effective January 2, 2019 (Res. 23-1; 66
3062 DCR 272), is amended by striking the phrase “remote voting or proxy shall” and inserting the
3063 phrase “proxy shall” in its place.

3064 (b) Rule VI(c) of the Council of the District of Columbia, Code of Official Conduct,
3065 Council Period 23 is amended by adding a new paragraph (5) to read as follows:

3066 “(5) Notwithstanding any other rule, during a period of time for which the Mayor
3067 has declared a public health emergency pursuant to section 5a of the District of Columbia Public
3068 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3069 2304.01), a Councilmember may disseminate information about, and connect constituents with,
3070 services and offers, including from for-profit entities, that the Councilmember determines is in
3071 the public interest in light of the public health emergency.”.

3072 (c) Rule X(f)(1)(C) of the Council of the District of Columbia, Code of Official Conduct,
3073 Council Period 23 is amended by striking the phrase “The proposed” and inserting the phrase
3074 “Unless the electronic newsletter exclusively contains information relating to a declared public
3075 health emergency, the proposed” in its place.

3076 Sec. 603. Grant budget modifications.

3077 (a) The Council approves the acceptance, obligation, and expenditure by the Mayor of the
3078 federal, private, and other grants related to the Declaration of Public Emergency (Mayor’s Order
3079 2020-045) and the Declaration of Public Health Emergency (Mayor’s Order 2020-046), both
3080 declared on March 11, 2020, submitted to the Council for approval and accompanied by a report
3081 by the Office of the Chief Financial Officer on or before March 17, 2020 pursuant to section
3082 446B(b)(1) of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat.
3083 2040; D.C. Official Code § 1-204.46b(b)(1)).

3084 (b) For purposes of section 446B(b)(1)(B) of the District of Columbia Home Rule Act,
3085 approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(B)), the
3086 Council shall be deemed to have reviewed and approved the acceptance, obligation, and
3087 expenditure of a grant related to the Declaration of Public Emergency (Mayor’s Order 2020-045)
3088 and the Declaration of Public Health Emergency (Mayor’s Order 2020-046), both declared on

3089 March 11, 2020, all or a portion of which is accepted, obligated, and expended for the purpose of
3090 addressing a public emergency, if:

3091 (1) No written notice of disapproval is filed with the Secretary to the Council
3092 within 2 business days of the receipt of the report from the Chief Financial Officer under section
3093 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120
3094 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)); or

3095 (2) Such a notice of disapproval is filed within such deadline, the Council does
3096 not by resolution disapprove the acceptance, obligation, or expenditure of the grant within 5
3097 calendar days of the initial receipt of the report from the Chief Financial Officer under section
3098 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120
3099 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)).

3100 Sec. 902. Budget submission requirements.

3101 The Fiscal Year 2021 Budget Submission Requirements Resolution of 2019, effective
3102 November 22, 2019 (Res. 23-268; 66 DCR 15372), is amended as follows:

3103 (a) Section 2 is amended by striking the phrase “not later than March 19, 2020,” and
3104 inserting the phrase “not later than May 18, 2020, unless another date is set by subsequent
3105 resolution of the Council” in its place.

3106 (b) Section 3(2) is amended as follows:

3107 (1) Subparagraph (A) is amended by striking the phrase “the proposed Fiscal Year
3108 2021 Local Budget Act of 2020,” and inserting the phrase “the proposed Fiscal Year 2021 Local
3109 Budget Act of 2020, the proposed Fiscal Year 2021 Local Budget Emergency Act of 2020, the
3110 proposed Fiscal Year 2021 Local Budget Temporary Act of 2020,” in its place.

3111 (2) Subparagraph (C) is amended by striking the phrase “produced from
3112 PeopleSoft on March 19, 2020” and inserting the phrase “produced from PeopleSoft on May 19,
3113 2020” in its place.

3114 Sec. 903. Tolling of matters transmitted to the Council.

3115 (a) Section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142;
3116 D.C. Official Code § 1-523.01), is amended as follows:

3117 (1) Subsection (c) is amended by striking the phrase “180 days,” and inserting the
3118 phrase “180 days, excluding days occurring during a period of time for which the Mayor has
3119 declared a public health emergency pursuant to section 5a of the District of Columbia Public
3120 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3121 2304.01),” in its place

3122 (2) Subsection (e) is amended by striking the phrase “excluding days of Council
3123 recess” and inserting the phrase “excluding days of Council recess and days occurring during a
3124 period of time for which the Mayor has declared a public health emergency pursuant to section
3125 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3126 Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3127 (3) Subsection (f) is amended by striking the phrase “Council shall have an
3128 additional 45 days, excluding days of Council recess,” and inserting the phrase “Council shall
3129 have an additional 45 days, excluding days of Council recess and days occurring during a period
3130 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
3131 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
3132 194; D.C. Official Code § 7-2304.01),” in its place.

3133 (b) Notwithstanding any provision of law, during a period time for which the Mayor has
3134 declared a public health emergency pursuant to section 5a of the District of Columbia Public
3135 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3136 2304.01), the review period for any matter transmitted to the Council for approval or
3137 disapproval, other than nominations transmitted in accordance with section 2 of the Confirmation
3138 Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), contract
3139 approvals, or reprogrammings transmitted in accordance with section 4 of the Reprogramming
3140 Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Official Code § 47-
3141 363), shall be tolled if not inconsistent with the District of Columbia Home Rule Act, approved
3142 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3143 Sec. 904. Advisory Neighborhood Commissions.

3144 The Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C.
3145 Law 1-58; D.C. Official Code § 1-309.01 *et seq.*), is amended as follows:

3146 (a) Section 6(b) (D.C. Official Code § 1-309.05(b)) is amended as follows:

3147 (1) Paragraph (1) is amended by striking the phrase “Candidates for” and inserting
3148 the phrase “Except as provided in paragraph (3) of this subsection, candidates for” in its place.

3149 (2) A new paragraph (3) is added to read as follows:

3150 “(3) For the November 3, 2020, general election:

3151 “(A) Candidates for member of an Advisory Neighborhood Commission
3152 shall be nominated by a petition signed by not fewer than 10 registered qualified electors who are
3153 residents of the single-member district from which the candidate seeks election;

3154 “(B) The petitions of a candidate in subparagraph (A) of this paragraph
3155 may be electronically:

3156 “(i) Made available by the candidate to a qualified petition
3157 circulator; and

3158 “(ii) Returned by a qualified petition circulator to the candidate;
3159 and

3160 “(C) Signatures on a candidate’s petitions shall not be invalidated
3161 because the signer was also the circulator of the same petition on which the signature appears.”.

3162 (b) Section 8(d) (D.C. Official Code § 1-309.06(d)) is amended as follows:

3163 (1) Paragraph (1) is amended by striking the phrase “prior to a general election”
3164 both times it appears and inserting the phrase “prior to a general election or during a period of
3165 time for which a public health emergency has been declared by the Mayor pursuant to section 5a
3166 of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3167 Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3168 (2) Paragraph (6) is amended as follows:

3169 (A) Subparagraph (A) is amended by striking the phrase “and legal
3170 holidays” and inserting the phrase “legal holidays, and days during a period of time for which a
3171 public health emergency has been declared by the Mayor pursuant to section 5a of the District of
3172 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
3173 Official Code § 7-2304.01)” in its place.

3174 (B) Subparagraph (C) is amended by striking the phrase “petitions
3175 available,” and inserting the phrase “petitions available, not including days during a period of
3176 time for which a public health emergency has been declared by the Mayor pursuant to section 5a
3177 of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3178 Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3179 (C) Subparagraph (E) is amended by striking the phrase “or special
3180 meeting” and inserting the phrase “or special meeting, not to include a remote meeting held
3181 during a period of time for which a public health emergency has been declared by the Mayor
3182 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3183 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3184 (c) Section 13 (D.C. Official Code § 1-309.10) is amended by adding a new subsection
3185 (q) to read as follows:

3186 “(q) During a period of time for which a public health emergency has been declared by
3187 the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
3188 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01):

3189 “(1) The 30-day written notice requirement set forth in subsection (b) of this
3190 section shall be a 51-day written notice requirement; and

3191 “(2) The 45-calendar-day notice requirement set forth in subsection (c)(2)(A) of
3192 this section shall be a 66-calendar-day notice requirement.”

3193 (d) Section 14(b) of the Advisory Neighborhood Commissions Act of 1975, effective
3194 March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.11(b)), is amended as follows:

3195 (1) Paragraph (1) is amended by striking the phrase “by the Commission.” and
3196 inserting the phrase “by the Commission; provided, that no meetings shall be required to be held
3197 during a period for which a public health emergency has been declared by the Mayor pursuant to
3198 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
3199 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and the number of meetings required to be
3200 held in a given year shall be reduced by one for every 30 days that a public health emergency is
3201 in effect during the year.”

3202 (2) A new paragraph (1B) is added to read as follows:

3203 “(1B) Notwithstanding any other provision of law, during a period for which a
3204 public health emergency has been declared by the Mayor pursuant to section 5a of the District of
3205 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
3206 Official Code § 7-2304.01), an Advisory Neighborhood Commissioner may call a meeting and
3207 remotely participate in that meeting and vote on matters before the Commission without being
3208 physically present through a teleconference or through digital means identified by the
3209 Commission for this purpose. Members physically or re motely present shall be counted for
3210 determination of a quorum.”.

3211 (e) Section 16 is amended as follows:

3212 (1) Subsection (j)(3) (D.C. Official Code § 1-309.13(j)(3)) is amended by adding
3213 a new subparagraph (C) to read as follows:

3214 “(C) Sub-subparagraph (i) of subparagraph (A) of this paragraph shall not
3215 apply to the failure to file quarterly reports due during a period of time for which a public health
3216 emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia
3217 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
3218 Code § 7-2304.01).”.

3219 (2) Subsection (m)(1) (D.C. Official Code § 1-309.13(m)(1)) is amended by
3220 striking the phrase “District government” and inserting the phrase “District government; except,
3221 that notwithstanding any provision of District law, during a period for which a public health
3222 emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia
3223 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
3224 Code § 7-2304.01), a Commission may approve grants to organizations for the purpose of

3225 providing humanitarian relief, including food or supplies, during the public health emergency, or
3226 otherwise assisting in the response to the public health emergency anywhere in the District, even
3227 if those services are duplicative of services also performed by the District government” in its
3228 place.

3229

3230 **TITLE X. BORROWING AUTHORITY**

3231 **SUBTITLE A. GENERAL OBLIGATION NOTES**

3232 Sec. 1001. Short title.

3233 This subtitle may be cited as the “Fiscal Year 2020 General Obligation Notes Emergency
3234 Act of 2020”.

3235 Sec. 1002. Definitions.

3236 For the purposes of this subtitle, the term:

3237 (1) “Additional Notes” means District general obligation notes described in
3238 section 609 that may be issued pursuant to section 471 of the Home Rule Act (D.C. Official
3239 Code § 1-204.71), and that will mature on or before September 30, 2021, on a parity with the
3240 notes.

3241 (2) “Authorized delegate” means the City Administrator, the Chief Financial
3242 Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor’s functions under
3243 this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

3244 (3) “Available funds” means District funds required to be deposited with the
3245 Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

3246 (4) “Bond Counsel” means a firm or firms of attorneys designated
3247 as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

3248 (5) “Chief Financial Officer” means the Chief Financial Officer established
3249 pursuant to section 424(a)(1) of the Home Rule Act (D.C. Official Code § 1-204.24a(a)).

3250 (6) “City Administrator” means the City Administrator established pursuant to
3251 section 422(7) of the Home Rule Act (D.C. Official Code § 1-204.22(7)).

3252 (7) “Council” means the Council of the District of Columbia.

3253 (8) “District” means the District of Columbia.

3254 (9) “Escrow Agent” means any bank, trust company, or national banking
3255 association with requisite trust powers designated to serve in this capacity by the Chief Financial
3256 Officer.

3257 (10) “Escrow Agreement” means the escrow agreement between the District and
3258 the Escrow Agent authorized in section 607.

3259 (11) “Home Rule Act” means the District of Columbia Home Rule Act, approved
3260 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3261 (12) “Mayor” means the Mayor of the District of Columbia.

3262 (13) “Notes” means one or more series of District general obligation notes
3263 authorized to be issued pursuant to this subtitle.

3264 (14) “Receipts” means all funds received by the District from any source,
3265 including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys
3266 advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds
3267 that are pledged to debt or other obligations according to section 609 or that are restricted by law
3268 to uses other than payment of principal of, and interest on, the notes.

3269 (15) “Secretary” means the Secretary of the District of Columbia.

3270 (16) “Treasurer” means the District of Columbia Treasurer established pursuant to
3271 section 424(a)(3)(E) of the Home Rule Act (D.C. Official Code § 1-204.24a(c)(5)).

3272 Sec. 1003. Findings.

3273 The Council finds that:

3274 (1) Under section 471 of the Home Rule Act (D.C. Official Code § 1-204.71),
3275 the Council may authorize, by act, the issuance of general obligation notes for a fiscal year to
3276 meet appropriations for that fiscal year.

3277 (2) Under section 482 of the Home Rule Act (D.C. Official Code § 1-204.82),
3278 the full faith and credit of the District is pledged for the payment of the principal of, and interest
3279 on, any general obligation note.

3280 (3) Under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83),
3281 the Council is required to provide in the annual budget sufficient funds to pay the principal of,
3282 and interest on, all general obligation notes becoming due and payable during that fiscal year,
3283 and the Mayor is required to ensure that the principal of, and interest on, all general obligation
3284 notes is paid when due, including by paying the principal and interest from funds not otherwise
3285 legally committed.

3286 (4) The issuance of general obligation notes in a sum not to exceed
3287 \$300,000,000 is in the public interest.

3288 Sec. 1004. Note authorization.

3289 (a) The District is authorized to incur indebtedness, for operating or capital expenses, by
3290 issuing the notes pursuant to sections 471 and 482 of the Home Rule Act (D.C. Official Code §§
3291 1-204.71 and 1-204.82), in one or more series, in a sum not to exceed \$300,000,000, to meet
3292 appropriations for the fiscal year ending September 30, 2020.

3293 (b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the
3294 costs and expenses of issuing and delivering the notes, including, but not limited to,
3295 underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement,
3296 marketing and selling the notes, interest or credit fees, and printing costs and expenses.

3297 Sec. 1005. Note details.

3298 (a) The notes shall be known as “District of Columbia Fiscal Year 2020 General
3299 Obligation Notes” and shall be due and payable, as to both principal and interest, on or before
3300 September 30, 2021.

3301 (b) The Chief Financial Officer is authorized to take any action necessary or appropriate
3302 in accordance with this subtitle in connection with the preparation, execution, issuance, sale,
3303 delivery, security for, and payment of the notes, including, but not limited to, determinations of:

3304 (1) The final form, content, designation, and terms of the notes, including
3305 any redemptions applicable thereto and a determination that the notes may be issued in book-
3306 entry form;

3307 (2) Provisions for the transfer and exchange of the notes;

3308 (3) The principal amount of the notes to be issued;

3309 (4) The rate or rates of interest or the method of determining the rate or rates of
3310 interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall
3311 not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days
3312 elapsed); provided, further, that if the notes are not paid at maturity, the notes may provide for an
3313 interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the
3314 basis of a 365-day year (actual days elapsed);

3315 (5) The date or dates of issuance, sale, and delivery of the notes;

3316 (6) The place or places of payment of principal of, and interest on, the notes;

3317 (7) The designation of a registrar, if appropriate, for any series of the notes, and

3318 the execution and delivery of any necessary agreements relating to the designation;

3319 (8) The designation of paying agent(s) or escrow agent(s) for any series of the

3320 notes, and the execution and delivery of any necessary agreements relating to such designations;

3321 and

3322 (9) Provisions concerning the replacement of mutilated, lost, stolen, or destroyed

3323 notes.

3324 (c) The notes shall be executed in the name of the District and on its behalf by the

3325 signature, manual or facsimile, of the Mayor or an authorized delegate. The official seal of the

3326 District or a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a

3327 registrar is designated, the registrar shall authenticate each note by manual signature and

3328 maintain the books of registration for the payment of the principal of and interest on the notes

3329 and perform other ministerial responsibilities as specifically provided in its designation as

3330 registrar.

3331 (d) The notes may be issued at any time or from time to time in one or more

3332 issues and in one or more series.

3333 Sec. 1006. Sale of the notes.

3334 (a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract

3335 or at competitive sale pursuant to a bid form. The purchase contract or bid form shall contain the

3336 terms that the Chief Financial Officer considers necessary or appropriate to carry out the

3337 purposes of this subtitle. The Chief Financial Officer's execution and delivery of the purchase

3338 contract or bid form shall constitute conclusive evidence of the Chief Financial Officer's

3339 approval, on behalf of the District, of the final form and content of the notes. The Chief
3340 Financial Officer shall deliver the notes, on behalf of the District, to the purchasers upon
3341 receiving the purchase price provided in the purchase contract or bid form.

3342 (b) The Chief Financial Officer may execute, in connection with each sale of the notes,
3343 an offering document on behalf of the District, and may authorize the document's distribution in
3344 relation to the notes being sold.

3345 (c) The Chief Financial Officer shall take actions and execute and deliver agreements,
3346 documents, and instruments (including any amendment of or supplement to any such agreement,
3347 document, or instrument) in connection with any series of notes as required by or incidental to:

3348 (1) The issuance of the notes;

3349 (2) The establishment or preservation of the exclusion from gross income for
3350 federal income tax purposes of interest on the notes, if issued tax-exempt, and the exemption
3351 from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

3352 (3) The performance of any covenant contained in this subtitle, in any
3353 purchase contract for the notes, or in any escrow or other agreement for the security thereof;

3354 (4) The provision for securing the repayment of the notes by a letter or line of
3355 credit or other form of credit enhancement, and the repayment of advances under any such credit
3356 enhancement, including the evidencing of such a repayment obligation with a negotiable
3357 instrument with such terms as the Chief Financial Officer shall determine; or

3358 (5) The execution, delivery, and performance of the Escrow Agreement, a
3359 purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement
3360 relating to credit enhancement, if any, including any amendments of any of these agreements,
3361 documents, or instruments.

3362 (d) The notes shall not be issued until the Chief Financial Officer receives an approving
3363 opinion of Bond Counsel as to the validity of the notes and the exemption from the District
3364 income taxation of the interest on the notes (except estate, inheritance and gift taxes) and, if
3365 issued tax-exempt, the establishment or preservation of the exclusion from gross income for
3366 federal income tax purposes of the interest on the notes. .

3367 (e) The Chief Financial Officer shall execute a note issuance certificate evidencing the
3368 determinations and other actions taken by the Chief Financial Officer for each issue or series of
3369 the notes issued and shall designate in the note issuance certificate the date of the notes, the
3370 series designation, the aggregate principal amount to be issued, the authorized denominations of
3371 the notes, the sale price, and the interest rate or rates on the notes. The certificate shall be
3372 delivered at the time of delivery of the notes and shall be conclusive evidence of the actions
3373 taken as stated in the certificate. A copy of the certificates shall be filed with the Secretary to the
3374 Council not more than 3 days after the delivery of the notes covered by the certificate.

3375 Sec. 1007. Payment and security.

3376 (a) The full faith and credit of the District is pledged for the payment of the principal of,
3377 and interest on, the notes as they become due and payable through required sinking fund
3378 payments, redemptions, or otherwise.

3379 (b) The Council shall, in the full exercise of the authority granted in section 483 of the
3380 Home Rule Act (D.C. Official Code § 1-204.83) and under any other law, provide in each annual
3381 budget for a fiscal year of the District sufficient funds to pay the principal of, and interest on, the
3382 notes becoming due and payable for any reason during that fiscal year.

3383 (c) The Mayor shall, in the full exercise of the authority granted to the Mayor under the
3384 Home Rule Act and under any other law, take such actions as may be necessary or appropriate to

3385 ensure that the principal of, and interest on, the notes are paid when due for any reason, including
3386 the payment of principal and interest from any funds or accounts of the District not otherwise
3387 legally committed.

3388 (d) The notes shall evidence continuing obligations of the District until paid in
3389 accordance with their terms.

3390 (e) The funds for the payment of the notes as described in this subtitle shall be
3391 irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds
3392 shall be used for the payment of the principal of, and interest on, the notes when due, and shall
3393 not be used for other purposes so long as the notes are outstanding and unpaid.

3394 (f) The Chief Financial Officer may, without regard to any act or resolution of the
3395 Council now existing or adopted after the effective date of this subtitle, designate an Escrow
3396 Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the
3397 Escrow Agreement, on behalf of the District and in the Chief Financial Officer's official
3398 capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate
3399 to carry out the purposes of this subtitle. A special account entitled "Special Escrow for
3400 Payment of District of Columbia Fiscal Year 2020 General Obligation Notes" is created and
3401 shall be maintained by the Escrow Agent for the benefit of the owners of the notes as stated in
3402 the Escrow Agreement. Funds on deposit, including investment income, under the Escrow
3403 Agreement shall not be used for any purposes except for payment of the notes or, to the extent
3404 permitted by the Home Rule Act, to service any contract or other arrangement permitted under
3405 subsections (k) or (l) of this section, and may be invested only as provided in the Escrow
3406 Agreement.

3407 (g) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with
3408 the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued
3409 interest and premium, if any, received upon the sale of the notes.

3410 (h) The Chief Financial Officer shall set aside and deposit with the Escrow Agent funds
3411 in accordance with the Escrow Agreement at the time and in the amount as provided in the
3412 Escrow Agreement.

3413 (i) There are provided and approved for expenditure sums as may be necessary
3414 for making payments of the principal of, and interest on, the notes, and the provisions of the
3415 Fiscal Year 2020 Local Budget Act and Fiscal Year 2021 Local Budget Act, if enacted prior to
3416 the effective date of this subtitle, relating to borrowings are amended and supplemented
3417 accordingly by this section, as contemplated in section 483 of the Home Rule Act (D.C. Official
3418 Code § 1-204.83).

3419 (j) The notes shall be payable, as to both principal and interest, in lawful money of the
3420 United States of America in immediately available or same day funds at a bank or trust company
3421 acting as paying agent, and at not more than 2 co-paying agents that may be located outside the
3422 District. All of the paying agents shall be qualified to act as paying agents under the laws of the
3423 United States of America, of the District, or of the state in which they are located, and shall be
3424 designated by the Chief Financial Officer without regard to any other act or resolution of the
3425 Council now existing or adopted after the effective date of this subtitle.

3426 (k) In addition to the security available for the holders of the notes, the Chief Financial
3427 Officer is hereby authorized to enter into agreements, including any agreement calling for
3428 payments in excess of \$1,000,000 during Fiscal Year 2020, with a bank or other financial
3429 institution to provide a letter of credit, line of credit, or other form of credit enhancement to

3430 secure repayment of the notes when due. The obligation of the District to reimburse the bank or
3431 financial institution for any advances made under any such credit enhancement shall be a general
3432 obligation of the District until repaid and shall accrue interest at the rate of interest established by
3433 the Chief Financial Officer not in excess of 20% per year until paid.

3434 (l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
3435 371; D.C. Official Code § 2-351.01 *et seq.*), and subchapter III-A of Chapter 3 of Title 47 of the
3436 D.C. Official Code, shall not apply to any contract that the Chief Financial Officer may from
3437 time to time determine to be necessary or appropriate to place, in whole or in part, including:

3438 (1) An investment or obligation of the District as represented by the notes;

3439 (2) An investment or obligation or program of investment; or

3440 (3) A contract or contracts based on the interest rate, currency, cash flow, or other

3441 basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap

3442 agreements; currency swap agreements; insurance agreements; forward payment conversion

3443 agreements; futures; contracts providing for payments based on levels of, or changes in, interest

3444 rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a

3445 series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure,

3446 including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts

3447 or other arrangements also may be entered into by the District in connection with, or incidental

3448 to, entering into or maintaining any agreement that secures the notes. The contracts or other

3449 arrangements shall contain whatever payment, security, terms, and conditions as the Chief

3450 Financial Officer may consider appropriate and shall be entered into with whatever party or

3451 parties the Chief Financial Officer may select, after giving due consideration, where applicable,

3452 to the creditworthiness of the counterparty or counterparties including any rating by a nationally

3453 recognized rating agency or any other criteria as may be appropriate. In connection with, or
3454 incidental to, the issuance or holding of the notes, or entering into any contract or other
3455 arrangement referred to in this section, the District may enter into credit enhancement or
3456 liquidity agreements, with payment, interest rate, termination date, currency, security, default,
3457 remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds
3458 of the notes and any money set aside for payment of the notes or of any contract or other
3459 arrangement entered into pursuant to this section may be used to service any contract or other
3460 arrangement entered into pursuant to this section.

3461 Sec. 1008. Defeasance.

3462 (a) The notes shall no longer be considered outstanding and unpaid for the purpose of this
3463 subtitle and the Escrow Agreement, and the requirements of this subtitle and the Escrow
3464 Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

3465 (1) Deposits with an Escrow Agent, herein referred to as the “defeasance escrow
3466 agent,” in a separate defeasance escrow account, established and maintained by the Escrow
3467 Agent solely at the expense of the District and held in trust for the note owners, sufficient
3468 moneys or direct obligations of the United States, the principal of and interest on which, when
3469 due and payable, will provide sufficient moneys to pay when due the principal of, and interest
3470 payable at maturity on, all the notes; and

3471 (2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to
3472 apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

3473 (b) The defeasance escrow agent shall not invest the defeasance escrow account in any
3474 investment callable at the option of its issuer if the call could result in less-than-sufficient
3475 moneys being available for the purposes required by this section.

3476 (c) The moneys and direct obligations referred to in subsection (a)(1) of this section may
3477 include moneys or direct obligations of the United States of America held under the Escrow
3478 Agreement and transferred, at the written direction of the Chief Financial Officer, to the
3479 defeasance escrow account.

3480 (d) The defeasance escrow account specified in subsection (a) of this section may be
3481 established and maintained without regard to any limitations placed on these accounts by any act
3482 or resolution of the Council now existing or adopted after this subtitle becomes effective, except
3483 for this subtitle.

3484 Sec. 1009. Additional debt and other obligations.

3485 (a) The District reserves the right at any time to: borrow money or enter into
3486 other obligations to the full extent permitted by law; secure the borrowings or obligations by the
3487 pledge of its full faith and credit; secure the borrowings or obligations by any other security and
3488 pledges of funds as may be authorized by law; and issue bonds, notes, including Additional
3489 Notes, or other instruments to evidence the borrowings or obligations.

3490 (b)(1) The District may issue Additional Notes pursuant to section 471 of the Home Rule
3491 Act (D.C. Official Code § 1-204.71) that shall mature on or before September 30, 2021, and the
3492 District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other
3493 available funds for payment of the principal of, and the interest on, the Additional Notes issued
3494 pursuant to section 471 of the Home Rule Act (D.C. Official Code § 1-204.71) on a parity basis
3495 with the notes.

3496 (2) The receipts and available funds referred to in subsection (a) of this section
3497 shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home

3498 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
3499 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

3500 (3) Any covenants relating to any Additional Notes shall have equal standing and
3501 be on a parity with the covenants made for payment of the principal of, and the interest on, the
3502 notes.

3503 (4) If Additional Notes are issued pursuant to section 471 of the Home Rule Act
3504 (D.C. Official Code § 1-204.71), the provisions of section 607 shall apply to both the notes and
3505 the Additional Notes and increase the amounts required to be set aside and deposited with the
3506 Escrow Agent.

3507 (5) As a condition precedent to the issuance of any Additional Notes, the Chief
3508 Financial Officer shall deliver a signed certificate certifying that the District is in full compliance
3509 with all covenants and obligations under this subtitle and the Escrow Agreement.

3510 Sec. 1010. Tax matters.

3511 At the full discretion of the Chief Financial Officer, the notes authorized by this subtitle
3512 may be issued as federally taxable or tax-exempt. If issued as tax-exempt, the Chief Financial
3513 Officer shall take all actions necessary to be taken so that the interest on the notes will not be
3514 includable in gross income for federal income tax purposes.

3515 Sec. 1011. Contract.

3516 This subtitle shall constitute a contract between the District and the owners of the notes
3517 authorized by this subtitle. To the extent that any acts or resolutions of the Council may be in
3518 conflict with this subtitle, this subtitle shall be controlling.

3519 Sec. 1012. District officials.

3520 (a) The elected or appointed officials, officers, employees, or agents of the District shall
3521 not be liable personally for the payment of the notes or be subject to any personal liability by
3522 reason of the issuance of the notes.

3523 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
3524 any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding
3525 the fact that the official ceases to be that official before delivery of the notes.

3526 Sec. 1013. Authorized delegation of authority.

3527 To the extent permitted by the District and federal laws, the Mayor may delegate to the
3528 City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act
3529 authorized to be performed by the Mayor under this subtitle.

3530 Sec. 1014. Maintenance of documents.

3531 Copies of the notes and related documents shall be filed in the Office of the Secretary.

3532

3533 **SUBTITLE B. TRANs NOTES**

3534 Sec. 1021. Short title.

3535 This subtitle may be cited as the “Fiscal Year 2020 Tax Revenue Anticipation Notes
3536 Emergency Act of 2020”.

3537 Sec. 1022. Definitions.

3538 For the purposes of this subtitle, the term:

3539 (1) “Additional Notes” means District general obligation revenue anticipation
3540 notes described in section 629 that may be issued pursuant to section 472 of the Home Rule Act

3541 (D.C. Official Code § 1-204.72) and that will mature on or before September 30, 2020, on a
3542 parity with the notes.

3543 (2) “Authorized delegate” means the City Administrator, the Chief Financial
3544 Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor’s functions under
3545 this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

3546 (3) “Available funds” means District funds required to be deposited with the
3547 Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

3548 (4) “Bond Counsel” means a firm or firms of attorneys designated
3549 as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

3550 (5) “Chief Financial Officer” means the Chief Financial Officer established
3551 pursuant to section 424(a)(1) of the Home Rule Act (D.C. Official Code § 1-204.24a(a)).

3552 (6) “City Administrator” means the City Administrator established pursuant to
3553 section 422(7) of the Home Rule Act (D.C. Official Code § 1-204.22(7)).

3554 (7) “Council” means the Council of the District of Columbia.

3555 (8) “District” means the District of Columbia.

3556 (9) “Escrow Agent” means any bank, trust company, or national banking
3557 association with requisite trust powers designated to serve in this capacity by the Chief Financial
3558 Officer.

3559 (10) “Escrow Agreement” means the escrow agreement between the District and
3560 the Escrow Agent authorized in section 627.

3561 (11) “Home Rule Act” means the District of Columbia Home Rule Act, approved
3562 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*)

3563 (12) “Mayor” means the Mayor of the District of Columbia.

3564 (13) “Notes” means one or more series of District general obligation
3565 revenue anticipation notes authorized to be issued pursuant to this subtitle.

3566 (14) “Receipts” means all funds received by the District from any source,
3567 including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys
3568 advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds
3569 that are pledged to debt or other obligations according to section 629 or that are restricted by law
3570 to uses other than payment of principal of, and interest on, the notes.

3571 (15) “Secretary” means the Secretary of the District of Columbia.

3572 (16) “Treasurer” means the District of Columbia Treasurer established pursuant to
3573 section 424(a)(3)(E) of the Home Rule Act (D.C. Official Code § 1-204.24a(c)(5)).

3574 Sec. 1023. Findings.

3575 The Council finds that:

3576 (1) Under section 472 of the Home Rule Act (D.C. Official Code § 1-204.72), the
3577 Council may authorize, by act, the issuance of general obligation revenue anticipation notes for a
3578 fiscal year in anticipation of the collection or receipt of revenues for that fiscal year. Section 472
3579 of the Home Rule Act (D.C. Official Code § 1-204.72) provides further that the total amount of
3580 general obligation revenue anticipation notes issued and outstanding at any time during a fiscal
3581 year shall not exceed 20% of the total anticipated revenue of the District for that fiscal year, as
3582 certified by the Mayor pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-
3583 204.72), as of a date not more than 15 days before each original issuance of the notes.

3584 (2) Under section 482 of the Home Rule Act (D.C. Official Code § 1-204.82), the
3585 full faith and credit of the District is pledged for the payment of the principal of, and interest on,
3586 any general obligation revenue anticipation note.

3587 (3) Under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83), the
3588 Council is required to provide in the annual budget sufficient funds to pay the principal of, and
3589 interest on, all general obligation revenue anticipation notes becoming due and payable during
3590 that fiscal year, and the Mayor is required to ensure that the principal of, and
3591 interest on, all general obligation revenue anticipation notes is paid when due, including by
3592 paying the principal and interest from funds not otherwise legally committed.

3593 (4) The Chief Financial Officer has advised the Council that, based upon the
3594 Chief Financial Officer’s projections of anticipated receipts and disbursements during the fiscal
3595 year ending September 30, 2020, it may be necessary for the District to borrow to a sum not to
3596 exceed \$200,000,000, an amount that does not exceed 20% of the total anticipated revenue of the
3597 District for such fiscal year, and to accomplish the borrowing by issuing general obligation
3598 revenue anticipation notes in one or more series.

3599 (5) The issuance of general obligation revenue anticipation notes in a sum not to
3600 exceed \$200,000,000 is in the public interest.

3601 Sec. 1024. Note authorization.

3602 (a) The District is authorized to incur indebtedness by issuing the notes pursuant to
3603 sections 472 and 482 of the Home Rule Act (D.C. Official Code §§ 1-204.72 and 1-204.82), in
3604 one or more series, in a sum not to exceed \$200,000,000, to finance its general governmental
3605 expenses, including operating or capital expenses, in anticipation of the collection or receipt of
3606 revenues for the fiscal year ending September 30, 2020.

3607 (b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the
3608 costs and expenses of issuing and delivering the notes, including, but not limited to,

3609 underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement,
3610 marketing and selling the notes, interest or credit fees, and printing costs and expenses.

3611 Sec. 1025. Note details.

3612 (a) The notes shall be known as “District of Columbia Fiscal Year 2020 General
3613 Obligation Tax Revenue Anticipation Notes” and shall be due and payable, as to both principal
3614 and interest, on or before September 30, 2020.

3615 (b) The Chief Financial Officer is authorized to take any action necessary or appropriate
3616 in accordance with this subtitle in connection with the preparation, execution, issuance, sale,
3617 delivery, security for, and payment of the notes, including, but not limited to, determinations of:

3618 (1) The final form, content, designation, and terms of the notes, including
3619 any redemptions applicable thereto and a determination that the notes may be issued in book-
3620 entry form;

3621 (2) Provisions for the transfer and exchange of the notes;

3622 (3) The principal amount of the notes to be issued;

3623 (4) The rate or rates of interest or the method of determining the rate or rates of
3624 interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall
3625 not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days
3626 elapsed); provided further, that if the notes are not paid at maturity, the notes may provide for an
3627 interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the
3628 basis of a 365-day year (actual days elapsed);

3629 (5) The date or dates of issuance, sale, and delivery of the notes;

3630 (6) The place or places of payment of principal of, and interest on, the notes;

3631 (7) The designation of a registrar, if appropriate, for any series of the notes, and
3632 the execution and delivery of any necessary agreements relating to the designation;

3633 (8) The designation of paying agent(s) or escrow agent(s) for any series of the
3634 notes, and the execution and delivery of any necessary agreements relating to such designations;
3635 and

3636 (9) Provisions concerning the replacement of mutilated, lost, stolen, or destroyed
3637 notes.

3638 (c) The notes shall be executed in the name of the District and on its behalf by the manual
3639 or facsimile signature of the Mayor or an authorized delegate. The official seal of the District or
3640 a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a registrar
3641 is designated, the registrar shall authenticate each note by manual signature and maintain the
3642 books of registration for the payment of the principal of and interest on the notes and perform
3643 other ministerial responsibilities as specifically provided in its designation as registrar.

3644 (d) The notes may be issued at any time or from time to time in one or more
3645 issues and in one or more series.

3646 Sec. 1026. Sale of the notes.

3647 (a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract
3648 or at competitive sale pursuant to a bid form. The notes shall be sold at a price not less than par
3649 plus accrued interest from the date of the notes to the date of delivery thereof. The purchase
3650 contract or bid form shall contain the terms that the Chief Financial Officer considers necessary
3651 or appropriate to carry out the purposes of this subtitle. The Chief Financial Officer's execution
3652 and delivery of the purchase contract or bid form shall constitute conclusive evidence of the
3653 Chief Financial Officer's approval, on behalf of the District, of the final form and content of the

3654 notes. The Chief Financial Officer shall deliver the notes, on behalf of the District, to the
3655 purchasers upon receiving the purchase price provided in the purchase contract or bid form.

3656 (b) The Chief Financial Officer may execute, in connection with each sale of the notes,
3657 an offering document on behalf of the District, and may authorize the document's distribution in
3658 relation to the notes being sold.

3659 (c) The Chief Financial Officer shall take actions and execute and deliver agreements,
3660 documents, and instruments (including any amendment of or supplement to any such agreement,
3661 document, or instrument) in connection with any series of notes as required by or incidental to:

3662 (1) The issuance of the notes;

3663 (2) The establishment or preservation of the exclusion from gross income for
3664 federal income tax purposes of interest on the notes, if issued tax-exempt, and the exemption
3665 from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

3666 (3) The performance of any covenant contained in this subtitle, in any
3667 purchase contract for the notes, or in any escrow or other agreement for the security thereof;

3668 (4) The provision for securing the repayment of the notes by a letter or line of
3669 credit or other form of credit enhancement, and the repayment of advances under any such credit
3670 enhancement, including the evidencing of such a repayment obligation with a negotiable
3671 instrument with such terms as the Chief Financial Officer shall determine; or

3672 (5) The execution, delivery, and performance of the Escrow Agreement, a
3673 purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement
3674 relating to credit enhancement, if any, including any amendments of any of these agreements,
3675 documents, or instruments.

3676 (d) The notes shall not be issued until the Chief Financial Officer receives an approving
3677 opinion of Bond Counsel as to the validity of the notes and the exemption from the District
3678 income taxation of the interest on the notes (except estate, inheritance and gift taxes) and, if
3679 issued tax-exempt, the establishment or preservation of the exclusion from gross income for
3680 federal income tax purposes of the interest on the notes.

3681 (e) The Chief Financial Officer shall execute a note issuance certificate evidencing the
3682 determinations and other actions taken by the Chief Financial Officer for each issue or series of
3683 the notes issued and shall designate in the note issuance certificate the date of the notes, the
3684 series designation, the aggregate principal amount to be issued, the authorized denominations of
3685 the notes, the sale price, and the interest rate or rates on the notes. The Mayor shall certify in a
3686 separate certificate, not more than 15 days before each original issuance of a series, the total
3687 anticipated revenue of the District for the fiscal year ending September 30, 2020, and that the
3688 total amount of all general obligation revenue anticipation notes issued and outstanding at any
3689 time during the fiscal year will not exceed 20% of the total anticipated revenue of the District for
3690 the fiscal year. These certificates shall be delivered at the time of delivery of the notes and shall
3691 be conclusive evidence of the actions taken as stated in the certificates. A copy of each of the
3692 certificates shall be filed with the Secretary to the Council not more than 3 days after the delivery
3693 of the notes covered by the certificates.

3694 Sec. 1027. Payment and security.

3695 (a) The full faith and credit of the District is pledged for the payment of the principal of,
3696 and interest on, the notes when due.

3697 (b) The funds for the payment of the notes as described in this subtitle shall be
3698 irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds

3699 shall be used for the payment of the principal of, and interest on, the notes when due, and shall
3700 not be used for other purposes so long as the notes are outstanding and unpaid.

3701 (c) The notes shall be payable from available funds of the District, including, but not
3702 limited to, any moneys advanced, loaned, or otherwise provided to the District by the United
3703 States Treasury, and shall evidence continuing obligations of the District until paid in accordance
3704 with their terms.

3705 (d) The Chief Financial Officer may, without regard to any act or resolution of the
3706 Council now existing or adopted after the effective date of this subtitle, designate an Escrow
3707 Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the
3708 Escrow Agreement, on behalf of the District and in the Chief Financial Officer's official
3709 capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate
3710 to carry out the purposes of this subtitle. A special account entitled "Special Escrow for
3711 Payment of District of Columbia Fiscal Year 2020 General Obligation Tax Revenue Anticipation
3712 Notes" is created and shall be maintained by the Escrow Agent for the benefit of the owners of
3713 the notes as stated in the Escrow Agreement. Funds on deposit, including investment income,
3714 under the Escrow Agreement shall not be used for any purposes except for payment of the notes
3715 or, to the extent permitted by the Home Rule Act, to service any contract or other arrangement
3716 permitted under subsections (k) or (l) of this section, and may be invested only as provided in the
3717 Escrow Agreement.

3718 (e) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with
3719 the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued
3720 interest and premium, if any, received upon the sale of the notes.

3721 (f)(1) The Chief Financial Officer shall set aside and deposit with the Escrow Agent
3722 funds in accordance with the Escrow Agreement at the time and in the amount as provided in the
3723 Escrow Agreement.

3724 (2) If Additional Notes are issued pursuant to section 629(b), and if on the date set
3725 forth in the Escrow Agreement, the aggregate amount of principal and interest payable at
3726 maturity on the outstanding notes, including any Additional Notes, less all amounts on deposit,
3727 including investment income, under the Escrow Agreement exceeds 90% of the actual receipts of
3728 District taxes (other than special taxes or charges levied pursuant to section 481(a) of the Home
3729 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
3730 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90)), for the period
3731 August 15, 2020, until September 30, 2020, beginning on the date set forth in the Escrow
3732 Agreement, the Chief Financial Officer shall promptly, upon receipt by the District, set aside and
3733 deposit with the Escrow Agent the receipts received by the District after the date set forth in the
3734 Escrow Agreement, until the aggregate amount of principal and interest payable at maturity on
3735 the outstanding notes, including any Additional Notes as described above, is less than 90% of
3736 actual receipts of District taxes (other than special taxes or charges levied pursuant to section
3737 481(a) of the Home Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to
3738 particular purposes pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-
3739 204.90)).

3740 (3) The District covenants that it shall levy, maintain, or enact taxes due and
3741 payable during August 1, 2020, through September 30, 2020, to provide for payment in full of
3742 the principal of, and interest on, the notes when due. The taxes referred to in this paragraph shall
3743 be separate from special taxes or charges levied pursuant to section 481(a) of the Home Rule Act

3744 (D.C. Official Code § 1-204.81(a)), or taxes, if any, dedicated to particular purposes pursuant to
3745 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

3746 (g) Before the 16th day of each month, beginning in August 2020, the Chief Financial
3747 Officer shall review the current monthly cash flow projections of the District, and if the Chief
3748 Financial Officer determines that the aggregate amount of principal and interest payable at
3749 maturity on the notes then outstanding, less any amounts and investment income on deposit
3750 under the Escrow Agreement, equals or exceeds 85% of the receipts estimated by the Chief
3751 Financial Officer to be received after such date by the District but before the maturity of the
3752 notes, then the Chief Financial Officer shall promptly, upon receipt by the District, set aside and
3753 deposit with the Escrow Agent the receipts received by the District on and after that date until
3754 the aggregate amount, including investment income, on deposit with the Escrow Agent equals or
3755 exceeds 100% of the aggregate amount of principal of and interest on the notes payable at their
3756 maturity.

3757 (h) The Chief Financial Officer shall, in the full exercise of the authority granted the
3758 Chief Financial Officer under the Home Rule Act and under any other law, take actions as may
3759 be necessary or appropriate to ensure that the principal of and interest on the notes are paid when
3760 due, including, but not limited to, seeking an advance or loan of moneys from the United States
3761 Treasury if available under then current law. This action shall include, without limitation, the
3762 deposit of available funds with the Escrow Agent as may be required under section 483 of the
3763 Home Rule Act (D.C. Official Code § 1-204.83), this subtitle, and the Escrow Agreement.
3764 Without limiting any obligations under this subtitle or the Escrow Agreement, the Chief
3765 Financial Officer reserves the right to deposit available funds with the Escrow Agent at his or her
3766 discretion.

3767 (i) There are provided and approved for expenditure sums as may be necessary
3768 for making payments of the principal of, and interest on, the notes, and the provisions of the
3769 Fiscal Year 2020 Local Budget Act relating to borrowings are amended and supplemented
3770 accordingly by this section, as contemplated in section 483 of the Home Rule Act (D.C. Official
3771 Code § 1-204.83)).

3772 (j) The notes shall be payable, as to both principal and interest, in lawful money of the
3773 United States of America in immediately available or same day funds at a bank or trust company
3774 acting as paying agent, and at not more than 2 co-paying agents that may be located outside the
3775 District. All of the paying agents shall be qualified to act as paying agents under the laws of the
3776 United States of America, of the District, or of the state in which they are located, and shall be
3777 designated by the Chief Financial Officer without regard to any other act or resolution of the
3778 Council now existing or adopted after the effective date of this subtitle.

3779 (k) In addition to the security available for the holders of the notes, the Chief Financial
3780 Officer is hereby authorized to enter into agreements, including any agreement calling for
3781 payments in excess of \$1,000,000 during Fiscal Year 2020, with a bank or other financial
3782 institution to provide a letter of credit, line of credit, or other form of credit enhancement to
3783 secure repayment of the notes when due. The obligation of the District to reimburse the bank or
3784 financial institution for any advances made under any such credit enhancement shall be a general
3785 obligation of the District until repaid and shall accrue interest at the rate of interest established by
3786 the Chief Financial Officer not in excess of 15% per year until paid.

3787 (l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
3788 371; D.C. Official Code § 2-351.01 *et seq.*), and subchapter III-A of Chapter 3 of Title 47 of the

3789 D.C. Official Code, shall not apply to any contract that the Chief Financial Officer may from
3790 time to time determine to be necessary or appropriate to place, in whole or in part, including:

3791 (1) An investment or obligation of the District as represented by the notes;

3792 (2) An investment or obligation or program of investment; or

3793 (3) A contract or contracts based on the interest rate, currency, cash flow, or other
3794 basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap
3795 agreements; currency swap agreements; insurance agreements; forward payment conversion
3796 agreements; futures; contracts providing for payments based on levels of, or changes in, interest
3797 rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a
3798 series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure,
3799 including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts
3800 or other arrangements also may be entered into by the District in connection with, or incidental
3801 to, entering into or maintaining any agreement that secures the notes. The contracts or other
3802 arrangements shall contain whatever payment, security, terms, and conditions as the Chief
3803 Financial Officer may consider appropriate and shall be entered into with whatever party or
3804 parties the Chief Financial Officer may select, after giving due consideration, where applicable,
3805 to the creditworthiness of the counterparty or counterparties including any rating by a nationally
3806 recognized rating agency or any other criteria as may be appropriate. In connection with, or
3807 incidental to, the issuance or holding of the notes, or entering into any contract or other
3808 arrangement referred to in this section, the District may enter into credit enhancement or
3809 liquidity agreements, with payment, interest rate, termination date, currency, security, default,
3810 remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds
3811 of the notes and any money set aside for payment of the notes or of any contract or other

3812 arrangement entered into pursuant to this section may be used to service any contract or other
3813 arrangement entered into pursuant to this section.

3814 Sec. 1028. Defeasance.

3815 (a) The notes shall no longer be considered outstanding and unpaid for the purpose of this
3816 subtitle and the Escrow Agreement, and the requirements of this subtitle and the Escrow
3817 Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

3818 (1) Deposits with an Escrow Agent, herein referred to as the “defeasance escrow
3819 agent,” in a separate defeasance escrow account, established and maintained by the Escrow
3820 Agent solely at the expense of the District and held in trust for the note owners, sufficient
3821 moneys or direct obligations of the United States, the principal of and interest on which, when
3822 due and payable, will provide sufficient moneys to pay when due the principal of, and interest
3823 payable at maturity on, all the notes; and

3824 (2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to
3825 apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

3826 (b) The defeasance escrow agent shall not invest the defeasance escrow account in any
3827 investment callable at the option of its issuer if the call could result in less than sufficient moneys
3828 being available for the purposes required by this section.

3829 (c) The moneys and direct obligations referred to in subsection (a)(1) of this section may
3830 include moneys or direct obligations of the United States of America held under the Escrow
3831 Agreement and transferred, at the written direction of the Chief Financial Officer, to the
3832 defeasance escrow account.

3833 (d) The defeasance escrow account specified in subsection (a) of this section may be
3834 established and maintained without regard to any limitations placed on these accounts by any act

3835 or resolution of the Council now existing or adopted after this subtitle becomes effective, except
3836 for this subtitle.

3837 Sec. 1029. Additional debt and other obligations.

3838 (a) The District reserves the right at any time to: borrow money or enter into
3839 other obligations to the full extent permitted by law; secure the borrowings or obligations by the
3840 pledge of its full faith and credit; secure the borrowings or obligations by any other security and
3841 pledges of funds as may be authorized by law; and issue bonds, notes, including Additional
3842 Notes, or other instruments to evidence the borrowings or obligations.

3843 (b)(1) The District may issue Additional Notes pursuant to section 472 of the Home Rule
3844 Act (D.C. Official Code § 1-204.72) that shall mature on or before September 30, 2020, and the
3845 District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other
3846 available funds for payment of the principal of, and the interest on, the Additional Notes issued
3847 pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-204.72) on a parity basis
3848 with the notes.

3849 (2) The receipts and available funds referred to in subsection (a) of this section
3850 shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home
3851 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
3852 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

3853 (3) Any covenants relating to any Additional Notes shall have equal standing and
3854 be on a parity with the covenants made for payment of the principal of, and the interest on, the
3855 notes.

3856 (4) If Additional Notes are issued pursuant to section 472 of the Home Rule Act
3857 (D.C. Official Code § 1-204.72), the provisions of section 627 shall apply to both the notes and

3858 the Additional Notes and increase the amounts required to be set aside and deposited with the
3859 Escrow Agent.

3860 (5) As a condition precedent to the issuance of any Additional Notes, the Chief
3861 Financial Officer shall deliver a signed certificate certifying that the District is in full compliance
3862 with all covenants and obligations under this subtitle and the Escrow Agreement, that no set-
3863 aside and deposit of receipts pursuant to section 627(g) applied as of the date of issuance is
3864 required, and that no set-aside and deposit will be required under section 627(g) applied
3865 immediately after the issuance.

3866 Sec. 1030. Tax matters.

3867 At the full discretion of the Chief Financial Officer, the notes authorized by this subtitle
3868 may be issued as federally taxable or tax-exempt. If issued as tax-exempt, the Chief Financial
3869 Officer shall take all actions necessary to be taken so that the interest on the notes will not be
3870 includable in gross income for federal income tax purposes.

3871 Sec. 1031. Contract.

3872 This subtitle shall constitute a contract between the District and the owners of the notes
3873 authorized by this subtitle. To the extent that any acts or resolutions of the Council may be in
3874 conflict with this subtitle, this subtitle shall be controlling.

3875 Sec. 1032. District officials.

3876 (a) The elected or appointed officials, officers, employees, or agents of the District shall
3877 not be liable personally for the payment of the notes or be subject to any personal liability by
3878 reason of the issuance of the notes.

3879 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
3880 any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding
3881 the fact that the official ceases to be that official before delivery of the notes.

3882 Sec. 1033. Authorized delegation of authority.

3883 To the extent permitted by the District and federal laws, the Mayor may delegate to the
3884 City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act
3885 authorized to be performed by the Mayor under this subtitle.

3886 Sec. 1034. Maintenance of documents.

3887 Copies of the notes and related documents shall be filed in the Office of the Secretary.

3888

3889 **TITLE XI. REVENUE BONDS**

3890 **SUBTITLE A. STUDIO THEATER, INC.**

3891 Sec. 1101. Short title.

3892 This subtitle may be cited as the “The Studio Theatre, Inc. Revenue Bonds Emergency
3893 Act of 2020”.

3894 Sec. 1102. Definitions.

3895 For the purposes of this subtitle the term:

3896 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
3897 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
3898 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
3899 the Mayor’s functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C.
3900 Official Code § 422(6)).

3901 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
3902 counsel from time to time by the Mayor.

3903 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
3904 obligations (including refunding bonds, notes, and other obligations), in one or more series,
3905 authorized to be issued pursuant to this subtitle.

3906 (4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed
3907 with proceeds from the Bonds, which shall be The Studio Theatre, Inc., a non-profit corporation
3908 organized under the laws of the District of Columbia, which is exempt from federal income taxes
3909 under section 501(a) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A
3910 Stat. 163; 26 U.S.C. § 501(a)), as an organization described in section 501(c)(3) of the Internal
3911 Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)), and
3912 which is liable for the repayment of the Bonds.

3913 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

3914 (6) “Closing Documents” means all documents and agreements, other than
3915 Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the
3916 Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms,
3917 receipts, and other similar instruments.

3918 (7) “District” means the District of Columbia.

3919 (8) “Financing Documents” means the documents, other than Closing Documents,
3920 that relate to the financing, refinancing or reimbursement of transactions to be effected through
3921 the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering
3922 document, and any required supplements to any such documents.

3923 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
3924 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3925 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
3926 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
3927 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
3928 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
3929 with the development and implementation of the Financing Documents, the Closing Documents,
3930 and those other documents necessary or appropriate in connection with the authorization,
3931 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
3932 Loan, together with financing fees, costs, and expenses, including program fees and
3933 administrative fees charged by the District, fees paid to financial institutions and insurance
3934 companies, initial letter of credit fees (if any), and compensation to financial advisors and other
3935 persons (other than full-time employees of the District) and entities performing services on
3936 behalf of or as agents for the District.

3937 (11) “Loan” means the District’s lending of proceeds from the sale, in one or
3938 more series, of the Bonds to the Borrower.

3939 (12) “Project” means the financing, refinancing, or reimbursing of all or a portion
3940 of the Borrower’s costs of:

3941 (A) Renovating and expanding by approximately 2,780 gross square feet
3942 the Borrower’s mixed-use theater complex located at 1501 14th Street, N.W., in Washington,
3943 D.C. (Square 241, Lot 0128), currently comprising approximately 53,532 gross square feet of
3944 above grade improvements (“Theater Facility”);

3945 (B) Renovating certain residential facilities in Washington, D.C., owned
3946 by the Borrower and used as artist housing, located at 1630 Corcoran Street, N.W. (Square 0179,
3947 Lot 0094), 1736 Corcoran Street, N.W. (Square 0155, Lot 0208), 1437 Clifton Street, N.W.
3948 (Square 2664, Lot 0058); and Condominium Units 317, 409, 419 and 820 at 1718 P Street, N.W.
3949 (Square 0157, Lots 2061, 2073, 2083 and 2164) (collectively, “Ancillary Facilities” and together
3950 with the Theater Facility, “Facilities”);

3951 (C) Purchasing certain equipment and furnishings, together with other
3952 property, real and personal, functionally related and subordinate to the Facilities;

3953 (D) Funding certain expenditures associated with the financing of the
3954 Facilities, to the extent permissible, including, credit enhancement costs, liquidity costs, debt
3955 service reserve fund or working capital; and

3956 (E) Paying costs of issuance and other related costs, to the extent
3957 permissible.

3958 Sec. 1103. Findings.

3959 The Council finds that:

3960 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
3961 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
3962 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
3963 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the
3964 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
3965 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
3966 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
3967 the purchase, lease, or sale of any property.

3968 (2) The Borrower has requested the District to issue, sell, and deliver revenue
3969 bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not
3970 to exceed \$12,500,000, and to make the Loan for the purpose of financing, refinancing, or
3971 reimbursing costs of the Project.

3972 (3) The Facilities are located in the District and will contribute to the health,
3973 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
3974 District, or to economic development of the District.

3975 (4) The Project is an undertaking in the area of capital projects in the form of
3976 facilities used for the Borrower's operations and, in part, as a venue to produce contemporary
3977 theater and serve the community through artistic innovation, engagement, education and
3978 professional development (and property used in connection with or supplementing the
3979 foregoing), within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-
3980 204.90).

3981 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
3982 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
3983 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.
3984 Sec. 1104. Bond authorization.

3985 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
3986 financing, refinancing, or reimbursing the costs of the Project by:

3987 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
3988 aggregate principal amount not to exceed \$12,500,000; and

3989 (2) The making of the Loan.

3990 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
3991 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
3992 respect to the Bonds as required by the Financing Documents.

3993 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
3994 an amount sufficient to cover costs and expenses incurred by the District in connection with the
3995 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
3996 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
3997 with the District, and maintaining official records of each bond transaction, and assisting in the
3998 redemption, repurchase, and remarketing of the Bonds.

3999 Sec. 1105. Bond details.

4000 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
4001 necessary or appropriate in accordance with this subtitle in connection with the preparation,
4002 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
4003 including, but not limited to, determinations of:

4004 (1) The final form, content, designation, and terms of the Bonds, including a
4005 determination that the Bonds may be issued in certificated or book-entry form;

4006 (2) The principal amount of the Bonds to be issued and denominations of the
4007 Bonds;

4008 (3) The rate or rates of interest or the method for determining the rate or rates of
4009 interest on the Bonds;

4010 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
4011 on, the Bonds, and the maturity date or dates of the Bonds;

4012 (5) The terms under which the Bonds may be paid, optionally or mandatorily
4013 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
4014 their respective stated maturities;

4015 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
4016 replacement of mutilated, lost, stolen, or destroyed Bonds;

4017 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
4018 the Bonds;

4019 (8) The time and place of payment of the Bonds;

4020 (9) Procedures for monitoring the use of the proceeds received from the sale of
4021 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
4022 the purposes of the Home Rule Act and this subtitle;

4023 (10) Actions necessary to qualify the Bonds under blue sky laws of any
4024 jurisdiction where the Bonds are marketed; and

4025 (11) The terms and types of credit enhancement under which the Bonds may be
4026 secured.

4027 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
4028 obligations of the District, are without recourse to the District, are not a pledge of, and do not
4029 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
4030 District, and do not constitute lending of the public credit for private undertakings as prohibited
4031 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4032 (c) The Bonds shall be executed in the name of the District and on its behalf by the
4033 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
4034 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The

4035 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
4036 approval, on behalf of the District, of the final form and content of the Bonds.

4037 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
4038 otherwise reproduced on the Bonds.

4039 (e) The Bonds of any series may be issued in accordance with the terms of a trust
4040 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
4041 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
4042 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
4043 204.90(a)(4)).

4044 (f) The Bonds may be issued at any time or from time to time in one or more issues and
4045 in one or more series.

4046 Sec. 1106. Sale of the Bonds.

4047 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
4048 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
4049 the best interest of the District.

4050 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
4051 the Bonds, offering documents on behalf of the District, may deem final any such offering
4052 document on behalf of the District for purposes of compliance with federal laws and regulations
4053 governing such matters and may authorize the distribution of the documents in connection with
4054 the sale of the Bonds.

4055 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
4056 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
4057 the original purchasers of the Bonds upon payment of the purchase price.

4058 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
4059 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
4060 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
4061 for purposes of federal income taxation.

4062 Sec. 1107. Payment and security.

4063 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4064 from proceeds received from the sale of the Bonds, income realized from the temporary
4065 investment of those proceeds, receipts and revenues realized by the District from the Loan,
4066 income realized from the temporary investment of those receipts and revenues prior to payment
4067 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
4068 available to the District for the payment of the Bonds, and other sources of payment (other than
4069 from the District), all as provided for in the Financing Documents.

4070 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
4071 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
4072 the Financing Documents and Closing Documents, including a security interest in certain
4073 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

4074 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
4075 the sale of the Bonds pursuant to the Financing Documents.

4076 Sec. 1108. Financing and Closing Documents.

4077 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4078 Documents and all Closing Documents to which the District is a party that may be necessary or
4079 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of

4080 the Financing Documents and each of the Closing Documents to which the District is not a party
4081 shall be approved, as to form and content, by the Mayor.

4082 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4083 Financing Documents and any Closing Documents to which the District is a party by the
4084 Mayor's manual or facsimile signature.

4085 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4086 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4087 which the District is a party.

4088 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4089 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
4090 approval, on behalf of the District, of the final form and content of the executed Financing
4091 Documents and the executed Closing Documents.

4092 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4093 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4094 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4095 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4096 Sec. 1109. Authorized delegation of authority.

4097 To the extent permitted by District and federal laws, the Mayor may delegate to any
4098 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4099 under this subtitle.

4100 Sec. 1110. Limited liability.

4101 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
4102 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a

4103 pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a
4104 debt of the District, and shall not constitute lending of the public credit for private undertakings
4105 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4106 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
4107 shall have no obligation with respect to the purchase of the Bonds.

4108 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
4109 Documents shall create an obligation on the part of the District to make payments with respect to
4110 the Bonds from sources other than those listed for that purpose in section 707.

4111 (d) The District shall have no liability for the payment of any Issuance Costs or for any
4112 transaction or event to be effected by the Financing Documents.

4113 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
4114 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
4115 Documents to which the District is a party, shall be considered to be the covenants, obligations,
4116 and agreements of the District to the fullest extent authorized by law, and each of those
4117 covenants, obligations, and agreements shall be binding upon the District, subject to the
4118 limitations set forth in this subtitle.

4119 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
4120 any claims against the District or any of its elected or appointed officials, officers, employees, or
4121 agents for monetary damages suffered as a result of the failure of the District or any of its elected
4122 or appointed officials, officers, employees or agents to either perform any covenant, undertaking,
4123 or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing
4124 Documents, or as a result of the incorrectness of any representation in or omission from the

4125 Financing Documents or the Closing Documents, unless the District or its elected or appointed
4126 officials, officers, employees, or agents have acted in a willful and fraudulent manner.

4127 Sec. 1111. District officials.

4128 (a) Except as otherwise provided in section 710(f), the elected or appointed officials,
4129 officers, employees, or agents of the District shall not be liable personally for the payment of the
4130 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
4131 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
4132 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
4133 Documents.

4134 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
4135 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
4136 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
4137 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
4138 Documents.

4139 Sec. 1112. Maintenance of documents.

4140 Copies of the specimen Bonds and of the final Financing Documents and Closing
4141 Documents shall be filed in the Office of the Secretary of the District of Columbia.

4142 Sec. 1113. Information reporting.

4143 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
4144 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
4145 Council.

4146 Sec. 1114. Disclaimer.

4147 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
4148 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
4149 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
4150 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
4151 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
4152 against the District, its elected or appointed officials, officers, employees, or agents as a
4153 consequence of any failure to issue any Bonds for the benefit of the Borrower.

4154 (b) The District reserves the right to issue the Bonds in the order or priority it determines
4155 in its sole and absolute discretion. The District gives no assurance and makes no representations
4156 that any portion of any limited amount of bonds or other obligations, the interest on which is
4157 excludable from gross income for federal income tax purposes, will be reserved or will be
4158 available at the time of the proposed issuance of the Bonds.

4159 (c) The District, by enacting this subtitle or by taking any other action in connection with
4160 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
4161 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
4162 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
4163 Bonds, nor any other person shall rely upon the District with respect to these matters.

4164 Sec. 1115. Expiration.

4165 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
4166 the effective date of this act, the authorization provided in this subtitle with respect to the
4167 issuance, sale, and delivery of the Bonds shall expire.

4168 Sec. 1116. Severability.

4169 If any particular provision of this subtitle or the application thereof to any person or
4170 circumstance is held invalid, the remainder of this subtitle and the application of such provision
4171 to other persons or circumstances shall not be affected thereby. If any action or inaction
4172 contemplated under this subtitle is determined to be contrary to the requirements of applicable
4173 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
4174 the validity of the Bonds shall not be adversely affected.

4175 **SUBTITLE B. DC SCHOLARS PUBLIC CHARTER SCHOOL, INC.**

4176 Sec. 1121. Short title.

4177 This subtitle may be cited as the “DC Scholars Public Charter School, Inc. Revenue
4178 Bonds Emergency Act of 2020”.

4179 Sec. 1122. Definitions.

4180 For the purpose of this subtitle, the term:

4181 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
4182 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
4183 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
4184 the Mayor’s functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C.
4185 Official Code § 1-204.22(6)).

4186 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
4187 counsel from time to time by the Mayor.

4188 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
4189 obligations (including refunding bonds, notes, and other obligations), in one or more series,
4190 authorized to be issued pursuant to this subtitle.

4191 (4) “Borrower” means the owner, operator, manager and user of the assets
4192 financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be DC Scholars
4193 Public Charter School, Inc., a corporation organized under the laws of the District of Columbia,
4194 and exempt from federal income taxes under section 501(a) of the Internal Revenue Code of
4195 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C § 501(a)), as an organization
4196 described in section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954
4197 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).

4198 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

4199 (6) “Closing Documents” means all documents and agreements other than
4200 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
4201 and to make the Loan contemplated thereby, and includes agreements, certificates, letters,
4202 opinions, forms, receipts, and other similar instruments.

4203 (7) “District” means the District of Columbia.

4204 (8) “Financing Documents” means the documents other than Closing Documents
4205 that relate to the financing or refinancing of transactions to be effected through the issuance, sale,
4206 and delivery of the Bonds and the making of the Loan, including any offering document, and any
4207 required supplements to any such documents.

4208 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
4209 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

4210 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
4211 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
4212 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
4213 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection

4214 with the development and implementation of the Financing Documents, the Closing Documents,
4215 and those other documents necessary or appropriate in connection with the authorization,
4216 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
4217 Loan contemplated thereby, together with financing fees, costs, and expenses, including program
4218 fees and administrative fees charged by the District, fees paid to financial institutions and
4219 insurance companies, initial letter of credit fees (if any), compensation to financial advisors and
4220 other persons (other than full-time employees of the District) and entities performing services on
4221 behalf of or as agents for the District.

4222 (11) "Loan" means the District's lending of proceeds from the sale, in one or
4223 more series, of the Bonds to the Borrower.

4224 (12) "Project" means the financing, refinancing, or reimbursing of all or a portion
4225 of the Borrower's costs of:

4226 (A) Financing the acquisition of a leasehold interest in an existing
4227 school facility located at 5601 East Capitol Street, S.E., Washington, D.C. 20019 (the
4228 "Facility"), which Facility will be operated by the Borrower;

4229 (B) Refinancing the outstanding amount of existing taxable loans
4230 and related expenses, the proceeds of which were used to finance improvements to the Facility;

4231 (C) Funding a debt service reserve fund with respect to the Bonds,
4232 if deemed necessary in connection with the sale of the Bonds;

4233 (D) Paying capitalized interest with respect to the Bonds, if
4234 deemed necessary in connection with the sale of the Bonds; and

4235 (E) Paying allowable Issuance Costs.

4236 Sec. 1123. Findings.

4237 The Council finds that:

4238 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
4239 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
4240 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
4241 refinance, or reimburse, and to assist in the financing, refinancing, or reimbursing of
4242 undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90), and may
4243 effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any
4244 individual or legal entity, by the purchase of any mortgage, note, or other security, or by the
4245 purchase, lease, or sale of any property.

4246 (2) The Borrower has requested the District to issue, sell, and deliver revenue
4247 bonds, in one or more series, in the aggregate principal amount not to exceed \$16,000,000, and
4248 to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

4249 (3) The Project is located in the District and will contribute to the health,
4250 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
4251 District, or to economic development of the District.

4252 (4) The Project is an undertaking in the area of elementary, secondary, and
4253 college and university facilities within the meaning of section 490 of the Home Rule Act (D.C.
4254 Official Code § 1-204.90).

4255 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
4256 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
4257 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

4258 Sec. 1124. Bond authorization.

4259 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
4260 financing, refinancing, or reimbursing the costs of the Project by:

4261 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in the
4262 aggregate principal amount not to exceed \$16,000,000; and

4263 (2) The making of the Loan.

4264 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
4265 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
4266 respect to the Bonds as required by the Financing Documents.

4267 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
4268 an amount sufficient to cover costs and expenses incurred by the District in connection with the
4269 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
4270 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
4271 with the District, and maintaining official records of each bond transaction and assisting in the
4272 redemption, repurchase, and remarketing of the Bonds.

4273 Sec. 1125. Bond details.

4274 (a) The Mayor is authorized to take any action reasonably necessary or appropriate in
4275 accordance with this subtitle in connection with the preparation, execution, issuance, sale,
4276 delivery, security for, and payment of the Bonds of each series, including, but not limited to,
4277 determinations of:

4278 (1) The final form, content, designation, and terms of the Bonds, including a
4279 determination that the Bonds may be issued in certificated or book-entry form;

4280 (2) The principal amount of the Bonds to be issued and denominations of the
4281 Bonds;

4282 (3) The rate or rates of interest or the method for determining the rate or rates of
4283 interest on the Bonds;

4284 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
4285 on the Bonds, and the maturity date or dates of the Bonds;

4286 (5) The terms under which the Bonds may be paid, optionally or mandatorily
4287 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
4288 their respective stated maturities;

4289 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
4290 replacement of mutilated, lost, stolen, or destroyed Bonds;

4291 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
4292 the Bonds;

4293 (8) The time and place of payment of the Bonds;

4294 (9) Procedures for monitoring the use of the proceeds received from the sale of
4295 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
4296 the purposes of the Home Rule Act and this subtitle;

4297 (10) Actions necessary to qualify the Bonds under blue sky laws of any
4298 jurisdiction where the Bonds are marketed; and

4299 (11) The terms and types of credit enhancement under which the Bonds may be
4300 secured.

4301 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
4302 obligations of the District, are without recourse to the District, are not a pledge of, and do not

4303 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
4304 District, and do not constitute lending of the public credit for private undertakings as prohibited
4305 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4306 (c) The Bonds shall be executed in the name of the District and on its behalf by the
4307 manual or facsimile signature of the Mayor and attested by the Secretary of the District of
4308 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
4309 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
4310 approval, on behalf of the District, of the final form and content of the Bonds.

4311 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
4312 otherwise reproduced on the Bonds.

4313 (e) The Bonds of any series may be issued in accordance with the terms of a trust
4314 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
4315 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
4316 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
4317 204.90(a)(4)).

4318 (f) The Bonds may be issued at any time or from time to time in one or more issues and
4319 in one or more series.

4320 Sec. 1126. Sale of the Bonds.

4321 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
4322 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
4323 the best interest of the District.

4324 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
4325 the Bonds, offering documents on behalf of the District, may deem final any such offering

4326 document on behalf of the District for purposes of compliance with federal laws and regulations
4327 governing such matters, and may authorize the distribution of the documents in connection with
4328 the sale of the Bonds.

4329 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
4330 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
4331 the original purchasers of the Bonds upon payment of the purchase price.

4332 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
4333 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
4334 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
4335 for purposes of federal income taxation.

4336 Sec. 1127. Payment and security.

4337 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4338 from proceeds received from the sale of the Bonds, income realized from the temporary
4339 investment of those proceeds, receipts and revenues realized by the District from the Loan,
4340 income realized from the temporary investment of those receipts and revenues prior to payment
4341 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
4342 available to the District for the payment of the Bonds, and other sources of payment (other than
4343 from the District), all as provided for in the Financing Documents.

4344 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
4345 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
4346 the Financing Documents and Closing Documents, including a security interest in certain
4347 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

4348 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
4349 the sale of the Bonds pursuant to the Financing Documents.

4350 Sec. 1128. Financing and Closing Documents.

4351 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4352 Documents and all Closing Documents that may be necessary or appropriate to issue, sell, and
4353 deliver the Bonds and to make the Loan to the Borrower.

4354 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4355 Financing Documents and any Closing Documents to which the District is a party by the
4356 Mayor's manual or facsimile signature.

4357 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4358 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4359 which the District is a party.

4360 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4361 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
4362 approval, on behalf of the District, of the final form and content of the executed Financing
4363 Documents and the executed Closing Documents.

4364 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4365 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4366 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4367 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4368 Sec. 1129. Authorized delegation of authority.

4369 To the extent permitted by District and federal laws, the Mayor may delegate to any
4370 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4371 under this subtitle.

4372 Sec. 1130. Limited liability.

4373 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
4374 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
4375 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
4376 debt of the District, and shall not constitute lending of the public credit for private undertakings
4377 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4378 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
4379 shall have no obligation with respect to the purchase of the Bonds.

4380 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
4381 Documents shall create an obligation on the part of the District to make payments with respect to
4382 the Bonds from sources other than those listed for that purpose in section 727.

4383 (d) The District shall have no liability for the payment of any Issuance Costs or for any
4384 transaction or event to be effected by the Financing Documents.

4385 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
4386 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
4387 Documents to which the District is a party, shall be considered to be the covenants, obligations,
4388 and agreements of the District to the fullest extent authorized by law, and each of those
4389 covenants, obligations, and agreements shall be binding upon the District, subject to the
4390 limitations set forth in this subtitle.

4391 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
4392 any claims against the District or any of its elected or appointed officials, officers, employees, or
4393 agents for monetary damages suffered as a result of the failure of the District or any of its elected
4394 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
4395 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,
4396 nor as a result of the incorrectness of any representation in, or omission from, the Financing
4397 Documents or the Closing Documents, unless the District or its elected or appointed officials,
4398 officers, employees, or agents have acted in a willful and fraudulent manner.

4399 Sec. 1131. District officials.

4400 (a) Except as otherwise provided in section 730(f), the elected or appointed officials,
4401 officers, employees, or agents of the District shall not be liable personally for the payment of the
4402 Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the
4403 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
4404 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
4405 Documents.

4406 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
4407 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
4408 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
4409 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
4410 Documents.

4411 Sec. 1132. Maintenance of documents.

4412 Copies of the specimen Bonds and of the final Financing Documents and Closing
4413 Documents shall be filed in the Office of the Secretary of the District of Columbia.

4414 Sec. 1133. Information reporting.

4415 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
4416 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
4417 Council.

4418 Sec. 1134. Disclaimer.

4419 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
4420 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
4421 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in, or
4422 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
4423 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
4424 against the District, its elected or appointed officials, officers, employees, or agents as a
4425 consequence of any failure to issue any Bonds for the benefit of the Borrower.

4426 (b) The District reserves the right to issue the Bonds in the order or priority it determines
4427 in its sole and absolute discretion. The District gives no assurance and makes no representations
4428 that any portion of any limited amount of bonds or other obligations, the interest on which is
4429 excludable from gross income for federal income tax purposes, will be reserved or will be
4430 available at the time of the proposed issuance of the Bonds.

4431 (c) The District, by enacting this subtitle or by taking any other action in connection with
4432 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
4433 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
4434 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
4435 Bonds, nor any other person shall rely upon the District with respect to these matters.

4436 Sec. 1135. Expiration.

4437 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
4438 the effective date of this act, the authorization provided in this subtitle with respect to the
4439 issuance, sale, and delivery of the Bonds shall expire.

4440 Sec. 1136. Severability.

4441 If any particular provision of this subtitle, or the application thereof to any person or
4442 circumstance is held invalid, the remainder of this subtitle and the application of such provision
4443 to other persons or circumstances shall not be affected thereby. If any action or inaction
4444 contemplated under this subtitle is determined to be contrary to the requirements of applicable
4445 law, such action or inaction shall not be necessary for the purpose of issuing the Bonds, and the
4446 validity of the Bonds shall not be adversely affected.

4447

4448 **SUBTITLE C. WASHINGTON HOUSING CONSERVANCY.**

4449 Sec. 1141. Short title.

4450 This subtitle may be cited as the “Washington Housing Conservancy/WHC Park Pleasant
4451 LLC Revenue Bonds Emergency Act of 2020”.

4452 Sec. 1142. Definitions.

4453 For the purposes of this subtitle, the term:

4454 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
4455 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
4456 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
4457 the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act
4458 (D.C. Official Code § 1-204.22(6)).

4459 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
4460 counsel from time to time by the Mayor.

4461 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
4462 obligations (including refunding bonds, notes, and other obligations), in one or more series,
4463 authorized to be issued pursuant to this resolution.

4464 (4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed
4465 with proceeds from the Bonds, which shall be, individually or collectively, Washington Housing
4466 Conservancy, a non-profit corporation organized under the laws of the District of Columbia,
4467 and/or WHC Park Pleasant LLC, a District of Columbia limited liability company, the sole
4468 member of which is the Washington Housing Conservancy, both of which are exempt from
4469 federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved
4470 August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as organizations described in section
4471 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26
4472 U.S.C. § 501(c)(3)), and which are, individually or collectively, as the case may be, liable for the
4473 repayment of the Bonds.

4474 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

4475 (6) “Closing Documents” means all documents and agreements, other than
4476 Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the
4477 Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms,
4478 receipts, and other similar instruments.

4479 (7) “District” means the District of Columbia.

4480 (8) “Financing Documents” means the documents, other than Closing Documents,
4481 that relate to the financing, refinancing or reimbursement of transactions to be effected through

4482 the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering
4483 document, and any required supplements to any such documents.

4484 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
4485 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

4486 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
4487 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
4488 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
4489 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
4490 with the development and implementation of the Financing Documents, the Closing Documents,
4491 and those other documents necessary or appropriate in connection with the authorization,
4492 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
4493 Loan, together with financing fees, costs, and expenses, including program fees and
4494 administrative fees charged by the District, fees paid to financial institutions and insurance
4495 companies, initial letter of credit fees (if any), and compensation to financial advisors and other
4496 persons (other than full-time employees of the District) and entities performing services on
4497 behalf of or as agents for the District.

4498 (11) “Loan” means the District’s lending of proceeds from the sale, in one or
4499 more series, of the Bonds to the Borrower.

4500 (12) “Project” means the financing, refinancing, or reimbursing of all or a portion
4501 of the Borrower’s costs of:

4502 (A) Acquiring and renovating real property, including a parcel of land
4503 comprising approximately 2.042 acres improved with approximately 69,910 square feet of
4504 residential rental property comprising 126 rental housing units and associated parking facilities

4505 located in Washington, D.C., commonly known as Park Pleasant Apartments with street
4506 addresses at 3339 Mt. Pleasant Street, N.W., 3360 Mt. Pleasant Street, N.W., 3354 Mt. Pleasant
4507 Street, N.W., 3348 Mt. Pleasant Street, N.W., 3342 Mt. Pleasant Street, N.W., 3336 Mt. Pleasant
4508 Street, N.W., 3351 Mt. Pleasant Street, N.W., 3331 Mt. Pleasant Street, N.W., 3327 Mt. Pleasant
4509 Street, N.W., 3323 Mt. Pleasant Street, N.W., and 1712 Newton Street, N.W. (collectively,
4510 “Facility”);

4511 (B) Purchasing certain equipment and furnishings, together with other
4512 property, real and personal, functionally related and subordinate to the Facility;

4513 (C) Funding certain expenditures associated with the financing of the
4514 Facility, to the extent permissible, including, credit enhancement costs, liquidity costs, debt
4515 service reserve fund or working capital; and

4516 (D) Paying costs of issuance and other related costs, to the extent
4517 permissible.

4518 Sec. 1143. Findings.

4519 The Council finds that:

4520 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
4521 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
4522 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
4523 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the
4524 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
4525 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
4526 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
4527 the purchase, lease, or sale of any property.

4528 (2) The Borrower has requested the District to issue, sell, and deliver revenue
4529 bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not
4530 to exceed \$28,000,000, and to make the Loan for the purpose of financing, refinancing, or
4531 reimbursing costs of the Project.

4532 (3) The Facility is located in the District and will contribute to the health,
4533 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
4534 District, or to economic development of the District.

4535 (4) The Project is an undertaking in the area of housing, within the meaning of
4536 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

4537 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
4538 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
4539 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.
4540 Sec. 1144. Bond authorization.

4541 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
4542 financing, refinancing, or reimbursing the costs of the Project by:

4543 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
4544 aggregate principal amount not to exceed \$28,000,000; and

4545 (2) The making of the Loan.

4546 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
4547 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
4548 respect to the Bonds as required by the Financing Documents.

4549 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
4550 an amount sufficient to cover costs and expenses incurred by the District in connection with the

4551 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
4552 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
4553 with the District, and maintaining official records of each bond transaction, and assisting in the
4554 redemption, repurchase, and remarketing of the Bonds.

4555 Sec. 1145. Bond details.

4556 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
4557 necessary or appropriate in accordance with this subtitle in connection with the preparation,
4558 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
4559 including, but not limited to, determinations of:

4560 (1) The final form, content, designation, and terms of the Bonds, including a
4561 determination that the Bonds may be issued in certificated or book-entry form;

4562 (2) The principal amount of the Bonds to be issued and denominations of the
4563 Bonds;

4564 (3) The rate or rates of interest or the method for determining the rate or rates of
4565 interest on the Bonds;

4566 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
4567 on, the Bonds, and the maturity date or dates of the Bonds;

4568 (5) The terms under which the Bonds may be paid, optionally or mandatorily
4569 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
4570 their respective stated maturities;

4571 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
4572 replacement of mutilated, lost, stolen, or destroyed Bonds;

4573 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
4574 the Bonds;

4575 (8) The time and place of payment of the Bonds;

4576 (9) Procedures for monitoring the use of the proceeds received from the sale of
4577 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
4578 the purposes of the Home Rule Act and this subtitle;

4579 (10) Actions necessary to qualify the Bonds under blue sky laws of any
4580 jurisdiction where the Bonds are marketed; and

4581 (11) The terms and types of credit enhancement under which the Bonds may be
4582 secured.

4583 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
4584 obligations of the District, are without recourse to the District, are not a pledge of, and do not
4585 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
4586 District, and do not constitute lending of the public credit for private undertakings as prohibited
4587 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4588 (c) The Bonds shall be executed in the name of the District and on its behalf by the
4589 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
4590 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
4591 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
4592 approval, on behalf of the District, of the final form and content of the Bonds.

4593 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
4594 otherwise reproduced on the Bonds.

4595 (e) The Bonds of any series may be issued in accordance with the terms of a trust
4596 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
4597 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
4598 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
4599 204.90(a)(4)).

4600 (f) The Bonds may be issued at any time or from time to time in one or more issues and
4601 in one or more series.

4602 Sec. 1146. Sale of the Bonds.

4603 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
4604 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
4605 the best interest of the District.

4606 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
4607 the Bonds, offering documents on behalf of the District, may deem final any such offering
4608 document on behalf of the District for purposes of compliance with federal laws and regulations
4609 governing such matters and may authorize the distribution of the documents in connection with
4610 the sale of the Bonds.

4611 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
4612 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
4613 the original purchasers of the Bonds upon payment of the purchase price.

4614 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
4615 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
4616 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
4617 for purposes of federal income taxation.

4618 Sec. 1147. Payment and security.

4619 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4620 from proceeds received from the sale of the Bonds, income realized from the temporary
4621 investment of those proceeds, receipts and revenues realized by the District from the Loan,
4622 income realized from the temporary investment of those receipts and revenues prior to payment
4623 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
4624 available to the District for the payment of the Bonds, and other sources of payment (other than
4625 from the District), all as provided for in the Financing Documents.

4626 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
4627 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
4628 the Financing Documents and Closing Documents, including a security interest in certain
4629 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

4630 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
4631 the sale of the Bonds pursuant to the Financing Documents.

4632 Sec. 1148. Financing and Closing Documents.

4633 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4634 Documents and all Closing Documents to which the District is a party that may be necessary or
4635 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
4636 the Financing Documents and each of the Closing Documents to which the District is not a party
4637 shall be approved, as to form and content, by the Mayor.

4638 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4639 Financing Documents and any Closing Documents to which the District is a party by the
4640 Mayor's manual or facsimile signature.

4641 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4642 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4643 which the District is a party.

4644 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4645 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
4646 approval, on behalf of the District, of the final form and content of the executed Financing
4647 Documents and the executed Closing Documents.

4648 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4649 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4650 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4651 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4652 Sec. 1149. Authorized delegation of authority.

4653 To the extent permitted by District and federal laws, the Mayor may delegate to any
4654 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4655 under this subtitle.

4656 Sec. 1150. Limited liability.

4657 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
4658 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
4659 pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a
4660 debt of the District, and shall not constitute lending of the public credit for private undertakings
4661 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4662 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
4663 shall have no obligation with respect to the purchase of the Bonds.

4664 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
4665 Documents shall create an obligation on the part of the District to make payments with respect to
4666 the Bonds from sources other than those listed for that purpose in section 747.

4667 (d) The District shall have no liability for the payment of any Issuance Costs or for any
4668 transaction or event to be effected by the Financing Documents.

4669 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
4670 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
4671 Documents to which the District is a party, shall be considered to be the covenants, obligations,
4672 and agreements of the District to the fullest extent authorized by law, and each of those
4673 covenants, obligations, and agreements shall be binding upon the District, subject to the
4674 limitations set forth in this subtitle.

4675 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
4676 any claims against the District or any of its elected or appointed officials, officers, employees, or
4677 agents for monetary damages suffered as a result of the failure of the District or any of its elected
4678 or appointed officials, officers, employees or agents to either perform any covenant, undertaking,
4679 or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing
4680 Documents, or as a result of the incorrectness of any representation in or omission from the
4681 Financing Documents or the Closing Documents, unless the District or its elected or appointed
4682 officials, officers, employees, or agents have acted in a willful and fraudulent manner.

4683 Sec. 1151. District officials.

4684 (a) Except as otherwise provided in section 750(f), the elected or appointed officials,
4685 officers, employees, or agents of the District shall not be liable personally for the payment of the
4686 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the

4687 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
4688 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
4689 Documents.

4690 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
4691 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
4692 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
4693 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
4694 Documents.

4695 Sec. 1152. Maintenance of documents.

4696 Copies of the specimen Bonds and of the final Financing Documents and Closing
4697 Documents shall be filed in the Office of the Secretary of the District of Columbia.

4698 Sec. 1153. Information reporting.

4699 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
4700 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
4701 Council.

4702 Sec. 1154. Disclaimer.

4703 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
4704 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
4705 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
4706 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
4707 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
4708 against the District, its elected or appointed officials, officers, employees, or agents as a
4709 consequence of any failure to issue any Bonds for the benefit of the Borrower.

4710 (b) The District reserves the right to issue the Bonds in the order or priority it determines
4711 in its sole and absolute discretion. The District gives no assurance and makes no representations
4712 that any portion of any limited amount of bonds or other obligations, the interest on which is
4713 excludable from gross income for federal income tax purposes, will be reserved or will be
4714 available at the time of the proposed issuance of the Bonds.

4715 (c) The District, by enacting this subtitle or by taking any other action in connection with
4716 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
4717 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
4718 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
4719 Bonds, nor any other person shall rely upon the District with respect to these matters.

4720 Sec. 1155. Expiration.

4721 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
4722 the effective date of this act, the authorization provided in this subtitle with respect to the
4723 issuance, sale, and delivery of the Bonds shall expire.

4724 Sec. 1156. Severability.

4725 If any particular provision of this subtitle or the application thereof to any person or
4726 circumstance is held invalid, the remainder of this subtitle and the application of such provision
4727 to other persons or circumstances shall not be affected thereby. If any action or inaction
4728 contemplated under this subtitle is determined to be contrary to the requirements of applicable
4729 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
4730 the validity of the Bonds shall not be adversely affected.

4731 **SUBTITLE D. NATIONAL PUBLIC RADIO, INC.**

4732 Sec. 1161. Short title.

4733 This subtitle may be cited as the “National Public Radio, Inc., Refunding Revenue Bonds
4734 Emergency Act of 2020”.

4735 Sec. 1162. Definitions.

4736 For the purpose of this subtitle, the term:

4737 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
4738 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
4739 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
4740 the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act
4741 (D.C. Official Code § 1-204.22(6)).

4742 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
4743 counsel from time to time by the Mayor.

4744 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
4745 obligations (including refunding bonds, notes, and other obligations), in one or more series,
4746 authorized to be issued pursuant to this resolution.

4747 (4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed
4748 with proceeds from the Bonds, which shall be National Public Radio, Inc., a non-profit
4749 corporation organized and existing under the laws of the District of Columbia, and exempt from
4750 federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved
4751 August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as an organization described in section
4752 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26
4753 U.S.C. § 501(c)(3)).

4754 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

4755 (6) “Closing Documents” means all documents and agreements other than
4756 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
4757 and to make the Loan contemplated thereby, and includes agreements, certificates, letters,
4758 opinions, forms, receipts, and other similar instruments.

4759 (7) “District” means the District of Columbia.

4760 (8) “Financing Documents” means the documents, other than Closing Documents,
4761 that relate to the financing or refinancing of transactions to be effected through the issuance, sale,
4762 and delivery of the Bonds and the making of the Loan, including any offering document and any
4763 required supplements to any such documents.

4764 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
4765 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

4766 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
4767 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
4768 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
4769 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
4770 with the development and implementation of the Financing Documents, the Closing Documents,
4771 and those other documents necessary or appropriate in connection with the authorization,
4772 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
4773 Loan contemplated thereby, together with financing fees, costs, and expenses, including program
4774 fees and administrative fees charged by the District, fees paid to financial institutions and
4775 insurance companies, letter of credit fees (if any), compensation to financial advisors and other

4776 persons (other than full-time employees of the District) and entities performing services on
4777 behalf of or as agents for the District.

4778 (11) “Loan” means the District’s lending of proceeds from the sale, in one or
4779 more series, of the Bonds to the Borrower.

4780 (12) “Project” means the financing, refinancing, or reimbursing of all or a portion
4781 of the Borrower’s costs (including payments of principal of, and interest on, the bonds being
4782 refunded) to:

4783 (A) Refund all or a portion of the outstanding District of Columbia
4784 Refunding Revenue Bonds (National Public Radio, Inc., Issue) Series 2013, the proceeds of
4785 which were used to advance refund a portion of the District of Columbia Revenue Bonds
4786 (National Public Radio, Inc. Issue) Series 2010 (the “Series 2010 Bonds”) and to pay Issuance
4787 Costs, which Series 2010 Bonds were used to finance, refinance or reimburse all or a portion of
4788 the costs incurred by the Borrower to acquire, develop, renovate, furnish and equip a new office,
4789 production and distribution center located at 1111 North Capitol Street, N.E., Washington, D.C.
4790 20002-7502 (Square 673, Lot 36), and to pay Issuance Costs; and

4791 (B) Refund all or a portion of the outstanding District of Columbia
4792 Refunding Revenue Bonds (National Public Radio, Inc., Issue) Series 2016, the proceeds of
4793 which were also used to advance refund a portion of the Series 2010 Bonds and to pay Issuance
4794 Costs.

4795 Sec. 1163. Findings.

4796 The Council finds that:

4797 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
4798 that the Council may by act authorize the issuance of District revenue bonds, notes, or other

4799 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
4800 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the
4801 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
4802 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
4803 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
4804 the purchase, lease, or sale of any property.

4805 (2) The Borrower has requested the District to issue, sell, and deliver revenue
4806 bonds, in one or more series, in the aggregate principal amount not to exceed \$210,000,000 and
4807 to make the Loan for the purpose of financing, refinancing or reimbursing costs of the Project.

4808 (3) The Project is located in the District and will contribute to the health,
4809 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
4810 District, or to economic development of the District.

4811 (4) The Project is an undertaking in the area of education and contributes to the
4812 health, education, safety, or welfare of residents of the District within the meaning of section 490
4813 of the Home Rule Act (D.C. Official Code § 1-204.90).

4814 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
4815 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
4816 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

4817 Sec. 1164. Bond authorization.

4818 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
4819 financing, refinancing, or reimbursing the costs of the Project by:

4820 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in the
4821 aggregate principal amount not to exceed \$210,000,000; and

4822 (2) The making of the Loan.

4823 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
4824 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
4825 respect to the Bonds as required by the Financing Documents.

4826 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
4827 an amount sufficient to cover costs and expenses incurred by the District in connection with the
4828 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
4829 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
4830 with the District, and maintaining official records of each bond transaction and assisting in the
4831 redemption, repurchase, and remarketing of the Bonds.

4832 Sec. 1165. Bond details.

4833 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
4834 necessary or appropriate in accordance with this subtitle in connection with the preparation,
4835 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
4836 including, but not limited to, determinations of:

4837 (1) The final form, content, designation, and terms of the Bonds, including a
4838 determination that the Bonds may be issued in certificated or book-entry form;

4839 (2) The principal amount of the Bonds to be issued and denominations of the
4840 Bonds;

4841 (3) The rate or rates of interest or the method for determining the rate or rates of
4842 interest on the Bonds;

4843 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
4844 on the Bonds, and the maturity date or dates of the Bonds;

4845 (5) The terms under which the Bonds may be paid, optionally or mandatorily
4846 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
4847 their respective stated maturities;

4848 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
4849 replacement of mutilated, lost, stolen, or destroyed Bonds;

4850 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
4851 the Bonds;

4852 (8) The time and place of payment of the Bonds;

4853 (9) Procedures for monitoring the use of the proceeds received from the sale of
4854 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
4855 the purposes of the Home Rule Act and this subtitle;

4856 (10) Actions necessary to qualify the Bonds under blue sky laws of any
4857 jurisdiction where the Bonds are marketed; and

4858 (11) The terms and types of credit enhancement under which the Bonds may be
4859 secured.

4860 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
4861 obligations of the District, are without recourse to the District, are not a pledge of, and do not
4862 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
4863 District, and do not constitute lending of the public credit for private undertakings as prohibited
4864 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4865 (c) The Bonds shall be executed in the name of the District and on its behalf by the
4866 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
4867 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The

4868 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
4869 approval, on behalf of the District, of the final form and content of the Bonds.

4870 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
4871 otherwise reproduced on the Bonds.

4872 (e) The Bonds of any series may be issued in accordance with the terms of a trust
4873 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
4874 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
4875 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
4876 204.90(a)(4)).

4877 (f) The Bonds may be issued at any time or from time to time in one or more issues and
4878 in one or more series.

4879 Sec. 1166. Sale of the Bonds.

4880 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
4881 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
4882 the best interest of the District.

4883 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
4884 the Bonds, offering documents on behalf of the District, may deem final any such offering
4885 document on behalf of the District for purposes of compliance with federal laws and regulations
4886 governing such matters and may authorize the distribution of the documents in connection with
4887 the sale of the Bonds.

4888 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
4889 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
4890 the original purchasers of the Bonds upon payment of the purchase price.

4891 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
4892 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
4893 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
4894 for purposes of federal income taxation.

4895 Sec. 1167. Payment and security.

4896 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4897 from proceeds received from the sale of the Bonds, income realized from the temporary
4898 investment of those proceeds, receipts and revenues realized by the District from the Loan,
4899 income realized from the temporary investment of those receipts and revenues prior to payment
4900 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
4901 available to the District for the payment of the Bonds, and other sources of payment (other than
4902 from the District), all as provided for in the Financing Documents.

4903 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
4904 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
4905 the Financing Documents and Closing Documents, including a security interest in certain
4906 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

4907 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
4908 the sale of the Bonds pursuant to the Financing Documents.

4909 Sec. 1168. Financing and Closing Documents.

4910 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4911 Documents and all Closing Documents to which the District is a party that may be necessary or
4912 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of

4913 the Financing Documents and each of the Closing Documents to which the District is not a party
4914 shall be approved, as to form and content, by the Mayor.

4915 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4916 Financing Documents and any Closing Documents to which the District is a party by the
4917 Mayor's manual or facsimile signature.

4918 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4919 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4920 which the District is a party.

4921 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4922 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
4923 approval, on behalf of the District, of the final form and content of said executed Financing
4924 Documents and said executed Closing Documents.

4925 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4926 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4927 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4928 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4929 Sec. 1169. Authorized delegation of authority.

4930 To the extent permitted by District and federal laws, the Mayor may delegate to any
4931 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4932 under this subtitle.

4933 Sec. 1170. Limited liability.

4934 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
4935 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a

4936 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
4937 debt of the District, and shall not constitute lending of the public credit for private undertakings
4938 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4939 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
4940 shall have no obligation with respect to the purchase of the Bonds.

4941 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
4942 Documents shall create an obligation on the part of the District to make payments with respect to
4943 the Bonds from sources other than those listed for that purpose in section 767.

4944 (d) The District shall have no liability for the payment of any Issuance Costs or for any
4945 transaction or event to be effected by the Financing Documents.

4946 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
4947 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
4948 Documents to which the District is a party, shall be considered to be the covenants, obligations,
4949 and agreements of the District to the fullest extent authorized by law, and each of those
4950 covenants, obligations, and agreements shall be binding upon the District, subject to the
4951 limitations set forth in this subtitle.

4952 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
4953 any claims against the District or any of its elected or appointed officials, officers, employees, or
4954 agents for monetary damages suffered as a result of the failure of the District or any of its elected
4955 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
4956 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,
4957 nor as a result of the incorrectness of any representation in or omission from the Financing

4958 Documents or the Closing Documents, unless the District or its elected or appointed officials,
4959 officers, employees, or agents have acted in a willful and fraudulent manner.

4960 Sec. 1171. District officials.

4961 (a) Except as otherwise provided in section 770(f), the elected or appointed officials,
4962 officers, employees, or agents of the District shall not be liable personally for the payment of the
4963 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
4964 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
4965 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
4966 Documents.

4967 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
4968 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
4969 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
4970 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
4971 Documents.

4972 Sec. 1172. Maintenance of documents.

4973 Copies of the specimen Bonds and of the final Financing Documents and Closing
4974 Documents shall be filed in the Office of the Secretary of the District of Columbia.

4975 Sec. 1173. Information reporting.

4976 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
4977 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
4978 Council.

4979 Sec. 1174. Disclaimer.

4980 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
4981 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
4982 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
4983 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
4984 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
4985 against the District, its elected or appointed officials, officers, employees, or agents as a
4986 consequence of any failure to issue any Bonds for the benefit of the Borrower.

4987 (b) The District reserves the right to issue the Bonds in the order or priority it determines
4988 in its sole and absolute discretion. The District gives no assurance and makes no representations
4989 that any portion of any limited amount of bonds or other obligations, the interest on which is
4990 excludable from gross income for federal income tax purposes, will be reserved or will be
4991 available at the time of the proposed issuance of the Bonds.

4992 (c) The District, by enacting this subtitle or by taking any other action in connection with
4993 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
4994 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
4995 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
4996 Bonds, nor any other person shall rely upon the District with respect to these matters.

4997 Sec. 1175. Expiration.

4998 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
4999 the effective date of this act, the authorization provided in this subtitle with respect to the
5000 issuance, sale, and delivery of the Bonds shall expire.

5001 Sec. 1176. Severability.

5002 If any particular provision of this subtitle or the application thereof to any person or
5003 circumstance is held invalid, the remainder of this subtitle and the application of such provision
5004 to other persons or circumstances shall not be affected thereby. If any action or inaction
5005 contemplated under this subtitle is determined to be contrary to the requirements of applicable
5006 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
5007 the validity of the Bonds shall not be adversely affected.

5008

5009 **SUBTITLE E. PUBLIC WELFARE FOUNDATION, INC.**

5010 Sec. 1181. Short title.

5011 This subtitle may be cited as the “Public Welfare Foundation, Inc., Revenue Bonds
5012 Emergency Act of 2020”.

5013 Sec. 1182. Definitions.

5014 For the purpose of this subtitle, the term:

5015 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
5016 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
5017 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
5018 the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act
5019 (D.C. Official Code § 1-204.22(6)).

5020 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
5021 counsel from time to time by the Mayor.

5022 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
5023 obligations (including refunding bonds, notes, and other obligations), in one or more series,
5024 authorized to be issued pursuant to this resolution.

5025 (4) “Borrower” means the owner of the assets financed or refinanced with
5026 proceeds from the Bonds, which shall be Public Welfare Foundation, Inc., a non-profit
5027 corporation organized and existing under the laws of the State of Delaware, duly authorized to
5028 transact business as a foreign corporation in the District of Columbia, and exempt from federal
5029 income taxes as an organization described in section 501(c)(3) of the Internal Revenue Code of
5030 1986, approved August 16, 1954 (68A Stat. 163; 26. U.S.C. § 501(c)(3)).

5031 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

5032 (6) “Closing Documents” means all documents and agreements, other than
5033 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
5034 and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts,
5035 and other similar instruments.

5036 (7) “District” means the District of Columbia.

5037 (8) “Financing Documents” means, the documents, other than Closing
5038 Documents, that relate to the financing, refinancing or reimbursement of transactions to be
5039 effected through the issuance, sale, and delivery of the Bonds and the making of the Loan,
5040 including any offering document and any required supplements to any such documents.

5041 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
5042 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

5043 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
5044 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
5045 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
5046 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
5047 with the development and implementation of the Financing Documents, the Closing Documents,
5048 and those other documents necessary or appropriate in connection with the authorization,
5049 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
5050 Loan, together with financing fees, costs, and expenses, including program fees and
5051 administrative fees charged by the District, fees paid to financial institutions and insurance
5052 companies, initial letter of credit fees (if any), compensation to financial advisors and other
5053 persons (other than full-time employees of the District) and entities performing services on
5054 behalf of or as agents for the District.

5055 (11) “Loan” means the District’s lending to the Borrower of the proceeds from the
5056 sale, in one or more series, of the Bonds.

5057 (12) “Project” means the financing, refinancing or reimbursing of the Borrower,
5058 on a tax exempt or taxable basis, for all or a portion of the Borrower’s costs incurred in
5059 connection with the renovation of certain facilities of the Borrower located at 1200 U Street,
5060 N.W., Washington, D.C. (the “Building”) in one or more phases and comprised of the following:

5061 (A) Replacement of nearly all exterior windows of the Building and the
5062 repair of certain sheet metal and masonry;

5063 (B) Soft costs, including architectural, engineering, and permitting fees, in
5064 connection therewith;

5065 (C) Purchase of certain equipment and furnishings, together with other
5066 property, real and personal, functionally related and subordinate thereto;

5067 (D) Refinancing, in whole or in part, of existing indebtedness; and

5068 (E) Certain expenditures associated therewith to the extent financeable,
5069 including, without limitation, Issuance Costs, credit costs, and working capital.

5070 Sec. 1183. Findings.

5071 The Council finds that:

5072 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
5073 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
5074 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
5075 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the
5076 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
5077 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
5078 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
5079 the purchase, lease, or sale of any property.

5080 (2) The Borrower has requested the District to issue, sell, and deliver revenue and
5081 refunding bonds, in one or more series, in an aggregate principal amount not to exceed
5082 \$13,000,000 and to make the Loan for the purpose of financing, refinancing or reimbursing costs
5083 of the Project.

5084 (3) The Project is located in the District and will contribute to the health,
5085 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
5086 District, or to economic development of the District.

5087 (4) The Project is an undertaking in the area of a capital project as facilities used
5088 to house and equip operations related to the study, development, application, or production of
5089 social services within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-
5090 204.90).

5091 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
5092 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
5093 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.
5094 Sec. 1184. Bond authorization.

5095 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
5096 financing, refinancing, or reimbursing the costs of the Project by:

5097 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
5098 aggregate principal amount not to exceed \$13,000,000; and

5099 (2) The making of the Loan.

5100 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
5101 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
5102 respect to the Bonds as required by the Financing Documents.

5103 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
5104 an amount sufficient to cover costs and expenses incurred by the District in connection with the
5105 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
5106 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
5107 with the District, and maintaining official records of each bond transaction and assisting in the
5108 redemption, repurchase, and remarketing of the Bonds.

5109 Sec. 1185. Bond details.

5110 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
5111 necessary or appropriate in accordance with this subtitle in connection with the preparation,
5112 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
5113 including, but not limited to, determinations of:

5114 (1) The final form, content, designation, and terms of the Bonds, including a
5115 determination that the Bonds may be issued in certificated or book-entry form;

5116 (2) The principal amount of the Bonds to be issued and denominations of the
5117 Bonds;

5118 (3) The rate or rates of interest or the method for determining the rate or rates of
5119 interest on the Bonds;

5120 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
5121 on the Bonds, and the maturity date or dates of the Bonds;

5122 (5) The terms under which the Bonds may be paid, optionally or mandatorily
5123 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
5124 their respective stated maturities;

5125 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
5126 replacement of mutilated, lost, stolen, or destroyed Bonds;

5127 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
5128 the Bonds;

5129 (8) The time and place of payment of the Bonds;

5130 (9) Procedures for monitoring the use of the proceeds received from the sale of
5131 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
5132 the purposes of the Home Rule Act and this subtitle;

5133 (10) Actions necessary to qualify the Bonds under blue sky laws of any
5134 jurisdiction where the Bonds are marketed; and

5135 (11) The terms and types of credit enhancement under which the Bonds may be
5136 secured.

5137 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
5138 obligations of the District, are without recourse to the District, are not a pledge of, and do not
5139 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
5140 District, and do not constitute lending of the public credit for private undertakings as prohibited
5141 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

5142 (c) The Bonds shall be executed in the name of the District and on its behalf by the
5143 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
5144 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
5145 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
5146 approval, on behalf of the District, of the final form and content of the Bonds.

5147 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
5148 otherwise reproduced on the Bonds.

5149 (e) The Bonds of any series may be issued in accordance with the terms of a trust
5150 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
5151 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered

5152 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
5153 204.90(a)(4)).

5154 (f) The Bonds may be issued at any time or from time to time in one or more issues and
5155 in one or more series.

5156 Sec. 1186. Sale of the Bonds.

5157 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
5158 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
5159 the best interest of the District.

5160 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
5161 the Bonds, offering documents on behalf of the District, may deem final any such offering
5162 document on behalf of the District for purposes of compliance with federal laws and regulations
5163 governing such matters and may authorize the distribution of the documents in connection with
5164 the sale of the Bonds.

5165 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
5166 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
5167 the original purchasers of the Bonds upon payment of the purchase price.

5168 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
5169 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
5170 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
5171 for purposes of federal income taxation.

5172 Sec. 1187. Payment and security.

5173 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
5174 from proceeds received from the sale of the Bonds, income realized from the temporary

5175 investment of those proceeds, receipts and revenues realized by the District from the Loan,
5176 income realized from the temporary investment of those receipts and revenues prior to payment
5177 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
5178 available to the District for the payment of the Bonds, and other sources of payment (other than
5179 from the District), all as provided for in the Financing Documents.

5180 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
5181 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
5182 the Financing Documents and Closing Documents, including a security interest in certain
5183 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

5184 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
5185 the sale of the Bonds pursuant to the Financing Documents.

5186 Sec. 1188. Financing and Closing Documents.

5187 (a) The Mayor is authorized to prescribe the final form and content of all Financing
5188 Documents and all Closing Documents to which the District is a party that may be necessary or
5189 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
5190 the Financing Documents and each of the Closing Documents to which the District is not a party
5191 shall be approved, as to form and content, by the Mayor.

5192 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
5193 Financing Documents and any Closing Documents to which the District is a party by the
5194 Mayor's manual or facsimile signature.

5195 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
5196 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
5197 which the District is a party.

5198 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
5199 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
5200 approval, on behalf of the District, of the final form and content of said executed Financing
5201 Documents and said executed Closing Documents.

5202 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
5203 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
5204 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
5205 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

5206 Sec. 1189. Authorized delegation of authority.

5207 To the extent permitted by District and federal laws, the Mayor may delegate to any
5208 Authorized Delegate the performance of any function authorized to be performed by the Mayor
5209 under this subtitle.

5210 Sec. 1190. Limited liability.

5211 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
5212 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
5213 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
5214 debt of the District, and shall not constitute lending of the public credit for private undertakings
5215 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

5216 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
5217 shall have no obligation with respect to the purchase of the Bonds.

5218 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
5219 Documents shall create an obligation on the part of the District to make payments with respect to
5220 the Bonds from sources other than those listed for that purpose in section 787.

5221 (d) The District shall have no liability for the payment of any Issuance Costs or for any
5222 transaction or event to be effected by the Financing Documents.

5223 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
5224 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
5225 Documents to which the District is a party, shall be considered to be the covenants, obligations,
5226 and agreements of the District to the fullest extent authorized by law, and each of those
5227 covenants, obligations, and agreements shall be binding upon the District, subject to the
5228 limitations set forth in this subtitle.

5229 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
5230 any claims against the District or any of its elected or appointed officials, officers, employees, or
5231 agents for monetary damages suffered as a result of the failure of the District or any of its elected
5232 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
5233 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,
5234 or as a result of the incorrectness of any representation in or omission from the Financing
5235 Documents or the Closing Documents, unless the District or its elected or appointed officials,
5236 officers, employees, or agents have acted in a willful and fraudulent manner.

5237 Sec. 1191. District officials.

5238 (a) Except as otherwise provided in section 790(f), the elected or appointed officials,
5239 officers, employees, or agents of the District shall not be liable personally for the payment of the
5240 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
5241 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
5242 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
5243 Documents.

5244 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
5245 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
5246 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
5247 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
5248 Documents.

5249 Sec. 1192. Maintenance of documents.

5250 Copies of the specimen Bonds and of the final Financing Documents and Closing
5251 Documents shall be filed in the Office of the Secretary of the District of Columbia.

5252 Sec. 1193. Information reporting.

5253 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
5254 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
5255 Council.

5256 Sec. 1194. Disclaimer.

5257 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
5258 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
5259 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
5260 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
5261 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
5262 against the District, its elected or appointed officials, officers, employees, or agents as a
5263 consequence of any failure to issue any Bonds for the benefit of the Borrower.

5264 (b) The District reserves the right to issue the Bonds in the order or priority it determines
5265 in its sole and absolute discretion. The District gives no assurance and makes no representations
5266 that any portion of any limited amount of bonds or other obligations, the interest on which is

5267 excludable from gross income for federal income tax purposes, will be reserved or will be
5268 available at the time of the proposed issuance of the Bonds.

5269 (c) The District, by enacting this subtitle or by taking any other action in connection with
5270 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
5271 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
5272 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
5273 Bonds, nor any other person shall rely upon the District with respect to these matters.

5274 Sec. 1195. Expiration.

5275 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
5276 the effective date of this act, the authorization provided in this subtitle with respect to the
5277 issuance, sale, and delivery of the Bonds shall expire.

5278 Sec. 1196. Severability.

5279 If any particular provision of this subtitle or the application thereof to any person or
5280 circumstance is held invalid, the remainder of this subtitle and the application of such provision
5281 to other persons or circumstances shall not be affected thereby. If any action or inaction
5282 contemplated under this subtitle is determined to be contrary to the requirements of applicable
5283 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
5284 the validity of the Bonds shall not be adversely affected.

5285 **TITLE XII. REPEALS; APPLICABILITY; FISCAL IMPACT STATEMENT;**

5286 **EFFECTIVE DATE**

5287 Sec. 1201. Repeals.

5288 (a) The COVID-19 Response Emergency Amendment Act of 2020, effective March 17,
5289 2020 (D.C. Act 23-247; 67 DCR 3093) is repealed.

5290 (b) The COVID-19 Response Supplemental Emergency Amendment Act of 2020,
5291 effective April 10, 2020 (D.C. Act 23-286; 67 DCR 4178) is repealed.

5292 (c) The COVID-19 Supplemental Corrections Emergency Amendment Act of 2020,
5293 effective May 4, 2020 (D.C. Act 23-299; 67 DCR XXXX) is repealed.

5294 (d) The Coronavirus Omnibus Emergency Amendment Act of 2020, passed on
5295 emergency basis on May 5, 2020 (D.C. Act 23-XXX, DCR XXXX) is repealed.

5296 (e) The Foreclosure Moratorium Emergency Amendment Act of 2020, passed on
5297 emergency basis on May 5, 2020 (D.C. Act 23-XXX, DCR XXXX) is repealed.

5298 (f) The COVID-19 Response Supplemental Temporary Amendment Act of 2020, enacted
5299 May X, 2020 (D.C. Act 23-XXX; 67 DCR XXXX) is repealed.

5300 Sec. 1202. Applicability.

5301 (a) Titles I through XI of this act shall apply as of May 20, 2020.

5302 Sec. 1203. Fiscal impact statement.

5303 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
5304 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
5305 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

5306 Sec. 1204. Effective date.

5307 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
5308 the Mayor, action by the Council to override the veto), a 60-day period of congressional review
5309 as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December
5310 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of
5311 Columbia Register.