

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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

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

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

247 Sec. 101. Wage replacement.

248 (a) Notwithstanding any provision of District law, but subject to applicable federal laws
249 and regulations, during a period of time for which the Mayor has declared a public health
250 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,

251 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an affected
252 employee shall be eligible for unemployment insurance in accordance with subsection (b) of this
253 section.

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

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

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

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

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

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

270 (d) For the purposes of this section, the term “affected employee” means an employee
271 who, except as provided in subsection (g) of this section, is otherwise eligible for UI pursuant to
272 section 9 of the District of Columbia Unemployment Compensation Act, approved August 28,
273 1935 (49 Stat. 950; D.C. Official Code § 51-109), and who is determined by the Mayor to have

274 become unemployed or partially unemployed as a result of the circumstances giving rise to the
275 public health emergency. The term “affected employee” includes an employee who has been
276 quarantined or isolated by the Department of Health or any other applicable District or federal
277 agency, an employee who has self-quarantined or self-isolated in a manner consistent with the
278 recommendations or guidance of the Department of Health, any other applicable District or
279 federal agency, or a medical professional, or an employee of an employer that ceased or reduced
280 operations due to an order or guidance from the Mayor or the Department of Health or a
281 reduction in business revenue resulting from the circumstances giving rise to the public health
282 emergency, as determined by the Mayor, all as demonstrated by reasonable documentation
283 required by the Mayor or the Mayor’s designee.

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

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

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

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

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

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

301 (g) Notwithstanding any provision of District law, but subject to applicable federal laws
302 and regulations, during a period of time for which the Mayor has declared a public health
303 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
304 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the
305 requirements of section 9(a)(4)(B) and (5) of the District of Columbia Unemployment
306 Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Official Code § 51-
307 109(a)(4)(B) and (5)), shall not apply.

308 Sec. 102. Unemployment insurance clarification.

309 The District of Columbia Unemployment Compensation Act, effective August 28, 1935
310 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

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

313 “(A-i) During a period of time for which the Mayor has declared a public
314 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
315 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and in
316 conformity with federal law, the Director may determine that the term “employment” as defined
317 in paragraph (2)(A) of this section may include individuals who are self-employed, seeking part-
318 time employment, do not have sufficient work history, or otherwise would not qualify for regular

319 unemployment or extended benefits under District or federal law or pandemic emergency
320 unemployment compensation.”.

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

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

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

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

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

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

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

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

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

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

342 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), the Director shall have
343 broad discretion to waive any eligibility requirements set forth in this act, other than the physical
344 ability and availability requirement, when the Director considers such waiver to be in the public
345 interest.”.

346 Sec. 103. Shared work compensation program clarification.

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

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

350 (1) Paragraph (4) is repealed.

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

352 “(4A) “Health and retirement benefits” means employer-provided health benefits,
353 and retirement benefits under a defined benefit plan, as defined in section 414(j) of the Internal
354 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(j)), or
355 contributions under a defined contribution plan, as defined in section 414(i) of the Internal
356 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(i)), which
357 are incidents of employment in addition to the cash remuneration earned.

358 “(4B) “Participating employee” means an employee who voluntarily agrees to
359 participate in an employer’s shared work plan.”.

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

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

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

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

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

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

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

374 “Sec. 4. Employer participation in the shared work unemployment compensation
375 program.

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

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

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

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

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

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

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

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

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

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

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

405 “(4) If the employer provides health and retirement benefits to any participating
406 employee whose usual weekly hours of work are reduced under the plan, certify that such
407 benefits will continue to be provided to participating employees under the same terms and
408 conditions as though the usual weekly hours of work of such participating employee had not
409 been reduced or to the same extent as employees not participating in the shared work plan. For

410 defined benefit retirement plans, the hours that are reduced under the shared work plan shall be
411 credited for purposes of participation, vesting, and accrual of benefits as though the participating
412 employee’s usual weekly hours of work had not been reduced. The dollar amount of employer
413 contributions to a defined contribution plan that are based on a percentage of compensation may
414 be reduced due to the reduction in the participating employee’s compensation. A reduction in
415 health and retirement benefits scheduled to occur during the duration of a shared work plan that
416 is equally applicable to employees who are not participating in the plan and to participating
417 employees does not violate a certification made pursuant to this paragraph;

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

422 “(6) Agree to:

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

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

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

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

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

434 “(8) State the duration of the proposed shared work plan, which shall not exceed
435 365 days from the effective date established pursuant to section 6;

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

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

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

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

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

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

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

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

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

455 “(2) Has filed all reports required to be filed under the employment security law

456 for all past and current periods and:

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

458 “(B) If the employer is a reimbursing employer, has made all payments in

459 lieu of contributions due for all past and current periods.

460 “(c) Except as provided in subsection (d) of this section, the Director may not approve a

461 shared work plan:

462 “(1) To provide payments to an employee if the employee is employed by the

463 participating employer on a seasonal, temporary, or intermittent basis;

464 “(2) If the employer's unemployment insurance account has a negative

465 unemployment experience rating;

466 “(3) If the employer's unemployment insurance account is taxed at the maximum

467 tax rate in effect for the calendar year;

468 “(4) For employers who have not qualified to have a tax rate assigned based on

469 actual experience; or

470 “(5) For employees who are receiving or who will receive supplemental

471 unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue

472 Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during any

473 period a shared work plan is in effect.

474 “(d) During the effective period of a shared work plan entered into during a public health

475 emergency, subsection (c) of this section shall not apply. During a public health emergency, the

476 Director may not approve a shared work plan:

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

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

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

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

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

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

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

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

496 “(c) An employer may terminate a shared work plan at any time upon written notice to
497 the Director, participating employees, and a collective bargaining representative for the
498 participating employees. After receipt of such notice from the employer, the Director shall issue
499 to the employer, the appropriate collective bargaining representative, and participating

500 employees an Acknowledgment of Voluntary Termination, which shall state the date the shared
501 work plan terminated.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

575 “(e) A participating employee who has received all of the shared work benefits or
576 combined unemployment compensation and shared work benefits available in a benefit year shall
577 be considered an exhaustee, as defined in section 7(g)(1)(H) of the District of Columbia
578 Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code
579 § 51–107(g)(1)(H)) (“Act”), for purposes of eligibility to receive extended benefits pursuant to
580 section 7(g) of the Act (D.C. Official Code § 51–107(g)), and, if otherwise eligible under that
581 section, shall be eligible to receive extended benefits.

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

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

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

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

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

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

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

605 “(C) If an individual worked the reduced percentage of the usual weekly
606 hours of work for the shared work employer and is available for all the participating employee’s
607 usual hours of work with the shared work employer, and the participating employee did not work
608 any hours for the other employer, either because of the lack of work with that employer or
609 because the participating employee is excused from work with the other employer, the
610 participating employee shall be eligible for the full value of the shared work benefit for that
611 week.”.

612 (2) Subsection (b) is repealed

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

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

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

623 Sec. 104. Family and medical leave.

624 The District of Columbia Family and Medical Leave Act of 1990, effective October 3,
625 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*), is amended as follows:

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

627 “(1) “Employee” means:

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

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

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

636 “Sec. 3a. COVID-19 leave.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

691 Sec. 105. Paid public health emergency leave.

692 (a) The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-
693 152; D.C. Official Code § 32-531.01 *et seq.*), is amended as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

789 “(b-1)(1) Notwithstanding subsections (b) and (f) of this section, during the COVID-19
790 emergency, no more than \$500,000 of the money in the Fund may be used for activities related

791 to enforcement of the paid public health emergency leave requirement contained in section 3a of
792 the Accrued Sick and Safe Leave Act of 2008, passed on 2nd reading on June 9, 2020 (Enrolled
793 version of Bill 23-758).

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

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

799 Sec. 201. Small business microgrants.

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

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

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

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

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

808 “(a)(1) Upon the Mayor’s declaration of a public health emergency pursuant to section 5a
809 of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
810 Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may, notwithstanding the Grant
811 Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code
812 § 1-328.11 *et seq.*), and in the Mayor’s sole discretion, issue a grant or loan to an eligible small
813 business; provided, that the eligible small business:

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

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

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

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

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

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

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

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

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

834 “(d) The Mayor, and any third-party entity chosen pursuant to subsection (b) of this
835 section, shall maintain a list of all grants awarded pursuant to this section, identifying for each
836 award the grant recipient, the date of award, intended use of the award, and the award amount.

837 The Mayor shall publish the list online no later than June 1, 2020, or 5 days following the end of
838 the COVID-19 emergency, whichever is earlier.

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

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

844 “(2) “Eligible small business” means a business enterprise eligible for
845 certification under section 2332, a nonprofit entity, or an independent contractor or self-
846 employed individual determined ineligible for unemployment insurance by the Director of the
847 Department of Employment Services, unless the independent contractor or self-employed
848 individual is eligible for and receiving unemployment insurance benefits unrelated to their self-
849 employment or independent contractor work and is otherwise eligible for a grant pursuant to this
850 subsection.”.

851 Sec. 202. Contractor advance payment.

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

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

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

858 “(a-1) During a period of time for which the Mayor has declared a public health
859 emergency (“PHE”) pursuant to section 5a of the District of Columbia Public Emergency Act of

860 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an agency
861 may make advance payments to a certified contractor for purchases related to the PHE when the
862 payments are necessary to achieve the purposes of this subtitle and may provide an advance of
863 more than 10% of the total value of the contract.”.

864 Sec. 203. Certified Business Enterprise assistance.

865 (a) Notwithstanding the Small and Certified Business Enterprise Development and
866 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-
867 218.01 *et. seq.*) (“CBE Act”), or any other provision of District law or regulation, during the
868 period of the COVID-19 emergency, any contract for a government-assisted project in excess of
869 \$250,000 that is unrelated to the District’s response to the COVID-19 emergency but entered
870 into during the COVID-19 emergency, absent a waiver pursuant to section 2351 of the CBE Act,
871 shall provide that:

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

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

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

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

883 (3) For every dollar expended by a beneficiary that uses a company designated as
884 both a disadvantaged business enterprise under section 2333 of the CBE Act and as a resident-
885 owned business under section 2302(15) of the CBE Act, the beneficiary shall receive a credit for
886 \$1.30 against the CBE minimum expenditure.

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

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

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

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

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

898 (5) “Government-assisted project” has the same meaning as set forth in section
899 2302(9A) of the CBE Act (D.C. Official Code § 2-218.02(9A)).

900 (6) “Longtime resident business” has the same meaning as set forth in section
901 2302(13) of the CBE Act (D.C. Official Code § 2-218.02(13)).

902 (7) “Resident-owned business” has the same meaning as set forth in section
903 2302(15) of the CBE Act (D.C. Official Code § 2-218.02(15)).

904 (8) “Small Business Enterprises” has the same meaning as set forth in section
905 2332 of the CBE Act (D.C. Official Code § 2-218.32).

906 (d) Contracts entered into on an emergency basis or that are made in furtherance of, or that
907 are related to, the District’s response to the COVID-19 emergency shall not be subject to the
908 requirements of the CBE Act or the First Source Employment Agreement Act of 1984, effective June
909 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*).

910 Sec. 204. Alcoholic beverage regulation.

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

912 (a) Chapter 1 is amended as follows:

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

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

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

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

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

926 “(C)(i) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H,
927 D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that registers with
928 the Board may sell beer, wine, or spirits in closed containers to individuals for carry out to their
929 home, or deliver beer, wine, or spirits in closed containers to the homes of District residents;

930 provided, that each such carry out or delivery order is accompanied by one or more prepared
931 food items.

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

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

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

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

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

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

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

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

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

983 “(VI) Prohibit patrons from bringing their own alcoholic
984 beverages;

985 “(VII) Prohibit self-service buffets;

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

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

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

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

1041 “(viii) The Board may fine, suspend, cancel, or revoke an on-
1042 premises retailer’s license, and shall revoke its registration to offer beer, wine, or spirits for
1043 carryout or delivery or on-premises alcohol sales and consumption of the indoor location at the
1044 additional location if the licensee fails to comply with sub-subparagraphs (i) through (vi) of this
1045 subparagraph.

1046 “(ix) Notwithstanding sub-subparagraph (iii) of this subparagraph,
1047 if an on-premises retailer’s license, class C or D, has a settlement agreement governing its
1048 operations, the Board shall interpret the settlement agreement language that restricts the indoor
1049 sale, service, and consumption of beer, wine, or spirits on-premises as applying only to indoor
1050 sales, service, or consumption of beer, wine, or spirits at the licensed premises and not the
1051 additional location on a temporary basis because prior to the Coronavirus pandemic this new
1052 registration process was not available to eligible licensees.”.

1053 “(B) A new paragraph (6) is added to read as follows:

1054 “(6)(A) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H,
1055 D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, or a
1056 manufacturer’s licensee, class A or B, with an on-site sales and consumption permit, or a
1057 Convention Center food and alcohol business may register with the Board at no cost to sell,
1058 serve, and permit the consumption of beer, wine, or spirits on new or expanded temporary
1059 ground floor or street level outdoor public or private space not listed on its existing license.
1060 Board approval shall not be required to register; provided, that the licensee:

1061 “(i) Registers with the Board and receives written authorization
1062 from ABRA prior to selling, serving, or permitting the consumption of beer, wine, or spirits on
1063 the proposed outdoor public or private space;

1064 “(ii) Registers with DDOT prior to operating on any proposed
1065 outdoor public space or receives written approval from the property owner prior to utilizing any
1066 proposed outdoor private space; and

1067 “(iii) Agrees to follow all applicable District laws, regulations,
1068 guidance documents, administrative orders, including Mayor’s Orders, and permit requirements
1069 or conditions, which may contain requirements that supersede provisions contained in this
1070 section.

1071 “(B) An on-premises retailer’s license, class C or D, or a manufacturer’s
1072 license, class A or B, with an on-site sales and consumption permit, or a Convention Center food
1073 and alcohol business that has registered with the Board to sell, serve, and permit the consumption
1074 of beer, wine, and spirits to seated patrons on outdoor public or private space not listed on its
1075 existing license in accordance with subparagraph (A) of this paragraph shall:

1076 “(i) Place tables on outdoor public or private space so that patrons
1077 are at least 6 feet apart from one another;

1078 “(ii) Ensure that all outdoor dining customers are seated and place
1079 orders and are served food or alcoholic beverages at tables;

1080 “(iii) Prohibit events and activities that would require patrons to
1081 cluster or be in close contact with one another, including dancing, playing darts, video games, or
1082 other outdoor games;

1083 “(iv) Prohibit patrons from bringing their own alcoholic beverages;

1084 “(v) Prohibit self-service buffets;

1085 “(vi) Have a menu in use containing a minimum of 3 prepared food
1086 items available for purchase by patrons;

1087 “(vii) Require the purchase of one or more prepared food items per
1088 table;

1089 “(viii) Ensure that prepared food items offered for sale or served to
1090 patrons are prepared on the licensed premises or off-premises at another licensed entity that has
1091 been approved to sell and serve food by the DC Health;

1092 “(ix) Ensure that the proposed outdoor public or private space is
1093 located in a commercial or mixed-use zone as defined in the District’s zoning regulations;

1094 “(x) Restrict its operations, excluding carry-out and delivery, and
1095 the sale, service, or the consumption of alcoholic beverages outdoors for on-premises
1096 consumption to the hours between 8:00 a.m. and midnight, Sunday through Saturday;

1097 “(xi) Not have more than 6 individuals seated at a table;

1098 “(xii) Require patrons to wait outside at least 6 ft. apart until they
1099 are ready to be seated or make an on-site reservation;

1100 “(xiii) Not provide live music or entertainment, except for
1101 background or recorded music played at a conversational level that is not heard in the homes of
1102 District residents;

1103 “(xiv) Not serve alcoholic beverages or food to standing patrons;

1104 “(xv) Prohibit standing at outdoor bars and only permit seating at
1105 outdoor bars that are not being staffed or utilized by a bartender;

1106 “(xvi) Abide by the terms of their public space permit with regard
1107 to the allowable placement of alcohol advertising, if any, in outdoor public space;

1108 “(xvii) Provide and require that wait staff wear masks;

1109 “(xviii) Require that patrons wear masks or face coverings while
1110 waiting in line outside of the restaurant or while traveling to use the restroom or until they are
1111 seated and eating or drinking;

1112 “(xix) Implement a reservation system by phone, on-line, or on-site
1113 and consider keeping customer logs to facilitate contact tracing by DC Health;

1114 “(xx) Implement sanitization and disinfection protocols including
1115 the provision of single use condiment packages; and

1116 “(xxi) Have its own clearly delineated outdoor space and not share
1117 tables and chairs with another business.

1118 “(C) Registration under subparagraph (A) of this paragraph shall be valid
1119 until October 25, 2020.

1120 “(D) The Board may fine, suspend, or revoke an on-premises retailer’s
1121 licensee, class C or D, or a manufacturer’s licensee, class A or B, with an on-site sales and
1122 consumption permit, and shall revoke the registration to sell, serve, or permit the consumption of
1123 beer, wine, or spirits on outdoor public or private space not listed on the license, if the licensee
1124 fails to comply with subparagraph (A) or (B) of this paragraph.

1125 “(E)(i) Notwithstanding subparagraph (B) of this paragraph, the Board
1126 shall interpret settlement agreement language that restricts sidewalk cafés or summer gardens as
1127 applying only to those outdoor spaces that are currently licensed by the Board as sidewalk cafés
1128 or summer gardens.

1129 “(ii) The Board shall not interpret settlement agreement language
1130 that restricts or prohibits sidewalk cafés or summer gardens to apply to new or extended outdoor
1131 space, the use of which is now permitted under this paragraph.

1132 “(iii) The Board shall not interpret settlement agreement language
1133 that restricts or prohibits the operation of permanent outdoor space to mean prohibiting the
1134 temporary operation of sidewalk cafés or summer gardens.

1135 “(iv) The Board shall require all on-premises retailer licenses, class
1136 C or D, or manufacturer licenses, class A or B, with an on-site sales and consumption permit, to
1137 delineate or mark currently licensed outdoor space from new or extended outdoor space
1138 authorized by the DDOT or the property owner.

1139 “(v) With regard to existing outdoor public or private space, parties
1140 to a settlement agreement shall be permitted to waive provisions of settlement agreements that
1141 address currently licensed outdoor space for a period not to exceed 180 days.

1142 “(E) For purposes of this paragraph, ground floor or street level sidewalk
1143 cafés or summer gardens enclosed by awnings or tents having no more than one side shall be
1144 considered outdoor space. Areas enclosed by retractable glass walls and other forms of operable
1145 walls shall not be considered outdoor dining. Temporary unlicensed rooftops and summer
1146 gardens not located on the ground floor or street level are not eligible for registration under
1147 subparagraph (A) of this paragraph.

1148 “(F) A manufacturer’s licensee, class A or B, with an on-site sales and
1149 consumption permit or a retailer’s licensee class C/T, D/T, C/N, D/N, C/X, or D/X, may partner
1150 with a food vendor during its operating hours to satisfy the requirement of subparagraph (B)(vi)
1151 of this paragraph; provided, that patrons are seated when ordering and ordered food is delivered
1152 by the licensee or the food vendor to the seated patron.”.

1153 “(3) Section 25-113a is amended by adding a new subsection (c-1) to read as
1154 follows:

1155 “(c-1) Notwithstanding subsection (c) of this section, an on-premises retailer’s licensee,
1156 class C or D, or manufacturer’s licensee, class A or B, with an on-site sales and consumption
1157 permit may conduct business on ground floor or street level outdoor public or private space,
1158 including the sale, service, and consumption alcoholic beverages; provided, that the licensee
1159 complies with § 25-113(a)(6).” (b) Chapter 4 is amended as follows:

1160 (1) Section 25-401(c) is amended by striking the phrase “shall sign a notarized
1161 statement certifying” and inserting the phrase “shall sign a statement with an original signature,
1162 which may be a signature by wet ink, an electronic signature, or a signed copy thereof,
1163 certifying” in its place.

1164 (2) Section 25-403(a) is amended by striking the phrase “verify, by affidavit,” and
1165 inserting the word “self-certify” in its place.

1166 (3) Section 25-421(e) is amended by striking the phrase “by first-class mail,
1167 postmarked not more than 7 days after the date of submission” and inserting the phrase “by
1168 electronic mail on or before the first day of the 66-day public comment period” in its place.

1169 (4) Section 25-423 is amended as follows:

1170 (A) Subsection (e) is amended as follows:

1171 (i) Strike the phrase “45-day protest period” and insert the phrase
1172 “66-day protest period” in its place.

1173 (ii) Strike the phrase “45 days” and insert the phrase “66 days” in
1174 its place.

1175 (B) Subsection (h) is amended by striking the phrase “45-day public
1176 comment period” and inserting the phrase “66-day public comment period” in its place.

1177 (5) Section 25-431 is amended as follows:

1178 (A) Subsection (f) is amended by striking the phrase “45-day protest period”
1179 and inserting the phrase “66-day protest period” in its place.

1180 (B) Subsection (g) is amended by striking the phrase “45 days” and inserting
1181 the phrase “66 days” in its place.

1182 (c) Section 25-791(a)(1) is amended by striking the phrase “21 or more calendar days,”
1183 and inserting the phrase “21 or more calendar days, excluding each day during a period of time
1184 for which the Mayor has declared a public health emergency pursuant to § 7-2304.01,” in its
1185 place.

1186 Sec. 205. Third-party food delivery commissions.

1187 (a) During a period of time for which the Mayor has declared a public health emergency
1188 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1189 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) (“public health
1190 emergency”), a person, corporation, partnership, or association operating a third-party food
1191 platform within the District shall register with the Department of Consumer and Regulatory
1192 Affairs.

1193 (b) Notwithstanding any provision of District law, during a public health emergency, it
1194 shall be unlawful for a person to cause a third-party food delivery platform to charge a restaurant
1195 a commission fee for the use of the platform’s services for delivery or pick-up that totals more
1196 than 15% of the purchase price per online order.

1197 (c) It shall be unlawful for a person to cause a third-party food delivery platform to
1198 reduce the compensation rate paid to a delivery service driver or garnish gratuities in order to
1199 comply with subsection (b) of this section.

1200 (d) During a public health emergency, at the time a final price is disclosed to a customer
1201 for the intended purchase and delivery of food from a restaurant through a third-party food
1202 delivery platform and before that transaction is completed by the customer, the third-party food
1203 delivery platform shall disclose to the customer, in plain language and in a conspicuous manner,
1204 any commission, fee, or any other monetary payment charged to the customer by the third-party
1205 food delivery platform.

1206 (e)(1) A person who violates this section shall be subject to a fine of not less than \$250
1207 and not more than \$1,000 for each such violation.

1208 (2) A violation of this section shall be a civil infraction for purposes of the
1209 Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October
1210 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

1211 (f) For purposes of this section, the term:

1212 (1) “Online order” means an order placed by a customer through a platform
1213 provided by the third-party food delivery service for delivery or pickup within the District.

1214 (2) “Purchase price” means the menu price of an online order, excluding taxes,
1215 gratuities, or any other fees that may make up the total cost to the customer of an online order.

1216 (3) “Restaurant” shall have the same meaning as provided in D.C. Official Code §
1217 25-101(43).

1218 (4) “Third-party food delivery platform” means any website, mobile application,
1219 or other internet service that offers or arranges for the sale of food and beverages prepared by,
1220 and the same-day delivery or same-day pickup of food and beverages from, restaurants.

1221 (g) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure
1222 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue
1223 rules to implement the provisions of this section.

1224 (h) Nothing in this section limits or otherwise impacts the requirement of a third-party
1225 food delivery platform to collect and remit sales tax imposed under Chapter 20 of Title 47 of the
1226 District of Columbia Official Code.

1227 Sec. 206. Corporate filing extension.

1228 Section 29-102.12 of the District of Columbia Official Code is amended by adding a new
1229 subsection (e) to read as follows:

1230 “(e) There shall be no late fee for delivering the biennial report for 2020 required by
1231 § 29-102.11(c); provided, that the biennial report for 2020 be delivered to the Mayor for filing by
1232 June 1, 2020.”.

1233 Sec. 207. Taxes and trade name renewals.

1234 Title 47 of the District of Columbia Official Code is amended as follows:

1235 (a) Section 47-811(b) is amended by striking the phrase “tax year beginning July 1, 1989,
1236 and ending June 30, 1990, the amount of the first and second installments shall reflect and be
1237 consistent with the tax rates applicable to that tax year, as provided in § 47-812(b) and (c)” and
1238 inserting the phrase “tax year 2020 first installment owing for a real property that is
1239 commercially improved and occupied and is a hotel or motel, the Chief Financial Officer may
1240 waive any penalties and abate interest if the owner pays such installment by June 30, 2020;
1241 provided, that the Chief Financial Officer, through the Office of Tax and Revenue, shall issue
1242 administrative guidance on the definition of a hotel or motel” in its place.

1243 (b) Section 47-1803.02(a)(2) is amended by adding new subparagraphs (GG), (HH), and
1244 (II) to read as follows:

1245 “(GG) Small business loans awarded and subsequently forgiven under
1246 section 1106 of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27,
1247 2020 (Pub. L. No. 116-136; 134 Stat. 281).

1248 “(HH) Public health emergency small business grants awarded pursuant to
1249 section 2316 of the Small and Certified Business Enterprise Development and Assistance Act of
1250 2005, passed on 2nd reading on June 9, 2020 (Enrolled version of Bill 23-758).

1251 “(II) Public health emergency grants authorized pursuant to section 16(m)(1)
1252 of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law
1253 1-58; D.C. Official Code § 1-309.13(m)(1)).”.

1254 (c) Section 47-1803.03(a)(14) is amended by adding a new subparagraph (H) to read as
1255 follows:

1256 “(H) For tax years beginning after December 31, 2017, corporations,
1257 unincorporated businesses, or financial institutions shall be allowed an 80% deduction for
1258 apportioned District of Columbia net operating loss carryover to be deducted from the net
1259 income after apportionment.”.

1260 (d) Section 47-4221 is amended by adding a new subsection (d) to read as follows:

1261 “(d)(1) Except as provided in paragraph (2) of this subsection and notwithstanding any
1262 other provision of this title, the Chief Financial Officer may waive any penalty and abate interest
1263 that may be imposed for failure to timely pay any taxes due pursuant to Chapters 20 and 22 of
1264 this title for periods ending on February 29, 2020, or March 31, 2020; provided, that all taxes for
1265 such periods are paid in full on or before July 20, 2020.

1266 “(2) This subsection shall not apply to hotels or motels permitted to defer real
1267 property tax under § 47-811(b).”.

1268 (e) Section 47-2855.04 is amended by adding a new subsection (c) to read as follows:

1269 “(c) There shall be no late fee for trade name renewal applications required by rules
1270 promulgated under subsection (a) of this section to be filed by April 1, 2020; provided, that the
1271 trade name renewal application be filed by June 1, 2020.”.

1272 Sec. 208. 8th and O disposition extension.

1273 Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia
1274 no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official
1275 Code § 10-801), is amended as follows:

1276 (a) Subsection (b-3) is amended by adding a new paragraph (8) to read as follows:

1277 “(8)(A) Notwithstanding paragraph (2) of this subsection, for the disposition of
1278 the District-owned real property located at 1336 8th Street, N.W., 50% of the affordable units
1279 shall be for housing for which a low-income household will pay no more than 30% of its income
1280 toward housing costs, and 50% of the units shall be housing for which a moderate-income
1281 household will pay no more than 30% of its income toward housing costs, whether or not the
1282 units to be constructed are rental units or ownership units.

1283 “(B) The Land Disposition and Development Agreement in the form
1284 approved by Council pursuant to the 8th & O Streets, N.W., Disposition Approval Resolution of
1285 2016, effective February 2, 2016 (Res. 21-374; 63 DCR 1498), remains in full force and effect,
1286 including, without limitation, the Affordable Housing Covenant attached as an exhibit thereto,
1287 which shall be recorded against the property at closing.

1288 (b) Subsection (d-7) is amended by striking the date “February 2, 2020” and inserting the
1289 date “September 15, 2020” in its place.

1290 **TITLE III. CONSUMER PROTECTION AND REGULATION**

1291 Sec. 301. Opportunity accounts expanded use.

1292 The Opportunity Accounts Act of 2000, effective April 3, 2001 (D.C. Law 13-266; D.C.
1293 Official Code § 1-307.61 *et seq.*), is amended as follows:

1294 (a) Section 2 (D.C. Official Code § 1-307.61) is amended by adding a new paragraph
1295 (2A) to read as follows:

1296 “(2A) “Commissioner” means the Commissioner of the Department of Insurance,
1297 Securities, and Banking.”.

1298 (b) Section 8 (D.C. Official Code § 1-307.67) is amended as follows:

1299 (1) Subsection (a) is amended by striking the figure “\$2” and inserting the figure
1300 “\$1” in its place.

1301 (2) Subsection (b) is amended as follows:

1302 (A) The lead-in language is amended by striking the figure “\$2” and
1303 inserting the figure “\$3” in its place.

1304 (B) Paragraph (1) is amended as follows:

1305 (i) Strike the phrase “in at least the same amount” and insert the
1306 phrase “consistent with subsection (a) of this section” in its place.

1307 (ii) Strike the phrase “; and” and insert a semicolon in its place.

1308 (C) Paragraph (2) is amended as follows:

1309 (i) Strike the phrase “than \$3,000” and insert the phrase “than
1310 \$6,000” in its place;

1311 (ii) Strike the period and insert the phrase “; and” in its place.

1312 (D) A new paragraph (3) is added to read as follows:

1313 “(3) The Commissioner may waive the requirement of subsection (a) of this
1314 section and provide to an administering organization matching funds of up to \$4 for every dollar
1315 the account holder deposits into the opportunity account when adequate federal or private
1316 matching funds are not available.”.

1317 (c) Section 9(a) (D.C. Official Code § 1-307.68(a)) is amended as follows:

1318 (1) Paragraph (6) is repealed.

1319 (2) Paragraph (8) is amended by striking the period at the end and inserting the
1320 phrase “; and” in its place.

1321 (3) A new paragraph (9) is added to read as follows:

1322 “(9) To pay for any cost, expense, or item authorized by the Commissioner by
1323 rule issued pursuant to section 14, or by order during a declared public health emergency.”.

1324 (d) Section 10 (D.C. Official Code § 1-307.69) is amended as follows:

1325 (1) Subsection (b) is amended as follows:

1326 (A) Paragraph (2) is amended by striking the phrase “; or” and inserting a
1327 semicolon in its place.

1328 (B) Paragraph (3) is amended by striking the period at the end and
1329 inserting the phrase “; and” in its place.

1330 (C) A new paragraph (4) is added to read as follows:

1331 “(4) Making payments necessary to enable the account holder to meet necessary
1332 living expenses in the event of a sudden, unexpected loss of income.”.

1333 (2) Subsection (c) is amended by striking the phrase “An account holder” and
1334 inserting the phrase “Except during a period of time for which the Mayor has declared a public
1335 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
1336 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an
1337 account holder” in its place.

1338 (3) New subsections (c-1), (c-2), and (c-3) are added to read as follows:

1339 “(c-1) If an account holder makes an emergency withdrawal for the purposes set forth at
1340 subsection (b)(2) or (3) of this section, the account holder shall withdraw only funds deposited
1341 by the account holder and shall not withdraw matching funds.

1342 “(c-2) If an account holder makes an emergency withdrawal for the purposes set forth at
1343 subsection (b)(1) of this section, the account holder shall withdraw only funds deposited by the
1344 account holder and shall not withdraw matching funds, unless the withdrawal is for a medical
1345 emergency.

1346 “(c-3) If an account holder makes an emergency withdrawal for the purposes set forth at
1347 subsection (b)(4) of this section, the account holder may withdraw funds deposited by the
1348 account holder and matching funds.”.

1349 (4) The lead-in language of subsection (e) is amended to read as follows:

1350 “An account holder shall not be required to repay funds withdrawn from the opportunity
1351 account for an emergency withdrawal but shall be required to resume making deposits into the
1352 opportunity account no later than 90 days after the emergency withdrawal. If the account holder
1353 fails to make a deposit no later than 90 days after the emergency withdrawal:”.

1354 Sec. 302. Funeral services consumer protection.

1355 (a) The District of Columbia Funeral Services Regulatory Act of 1984, effective May 22,
1356 1984 (D.C. Law 5-84; D.C. Official Code § 3-401 *et seq.*), is amended by adding a new section
1357 4a to read as follows:

1358 “Sec. 4a. Funeral Bill of Rights.

1359 For a period of time for which the Mayor has declared a public health emergency
1360 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1361 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), there shall be established
1362 a Funeral Bill of Rights designed to inform consumers of required pricing disclosures and other
1363 available consumer rights. The Department of Consumer and Regulatory Affairs, in consultation
1364 with the Board of Funeral Directors and the Attorney General for the District of Columbia
1365 (“Attorney General”), shall write the Funeral Bill of Rights, which shall be published in the
1366 District of Columbia Register no later than May 8, 2020. If the foregoing does not occur on or
1367 before May 1, 2020, the Attorney General may write the Funeral Bill of Rights and shall have it
1368 published in the District of Columbia Register no later than May 15, 2020.”.

1369 (b) Section 28-3904 of the District of Columbia Official Code is amended as follows:

1370 (1) Subsection (jj) is amended by striking the phrase “; or” and inserting a
1371 semicolon in its place.

1372 (2) Subsection (kk) is amended by striking the period at the end and inserting the
1373 phrase “; or” in its place.

1374 (3) New subsections (ll) and (mm) are added to read as follows:

1375 “(ll) violate any provision of 17 DCMR § 3013; or”

1376 “(mm) violate any provision of 17 DCMR § 3117.”.

1377 (c) Title 17 of the District of Columbia Municipal Regulations (17 DCMR § 100 *et seq.*)

1378 is amended as follows:

1379 (1) Section 3013.2(l) (17 DCMR § 3013.2(l)) is amended as follows:

1380 (A) The lead-in language of subparagraph (8) is amended by striking the
1381 phrase “customer, or failing to passing” and inserting the phrase “customer, failing to provide to
1382 the customer any receipts for amounts advanced, paid, or owed to third parties on behalf of the
1383 customer, or failing to pass” in its place.

1384 (B) Subparagraph (24) is amended by striking the phrase “; or” and
1385 inserting a semicolon in its place.

1386 (C) Subparagraph (25) is amended by striking the period at the end and
1387 inserting a semicolon in its place.

1388 (D) New subparagraphs (26), (27), (28), and (29) are added to read as
1389 follows:

1390 “(26) Failing to clearly and conspicuously post a General Price List, a Casket
1391 Price List, or an Outer Burial Container Price List that meets the requirements of the Funeral
1392 Industry Practices Rules of the Federal Trade Commission (16 C.F.R. § 453 *et seq.*) on any
1393 website maintained by the applicant or licensee;

1394 “(27) Failing to provide to any customer a General Price List, a Casket Price List,
1395 or an Outer Burial Container Price List that meets the requirements of the Funeral Industry
1396 Practices Rules of the Federal Trade Commission (16 C.F.R. § 453 *et seq.*);

1397 “(28) Failing to clearly and conspicuously post the Funeral Bill of Rights, as
1398 specified in section 4a of the District of Columbia Funeral Services Regulatory Act of 1984,

1399 passed on 2nd reading on June 9, 2020 (Enrolled version of Bill 23-758), on any website
1400 maintained by the applicant or licensee; or

1401 “(29) Failing to provide to any customer the Funeral Bill of Rights, as specified in
1402 section 4a of the District of Columbia Funeral Services Regulatory Act of 1984, passed on 2nd
1403 reading on June 9, 2020 (Enrolled version of Bill 23-758), during an initial meeting to discuss or
1404 make arrangements for the purchase of funeral goods or services.”.

1405 (2) Section 3110 (17 DCMR § 3110) is amended by adding a new subsection
1406 3110.9 to read as follows:

1407 “3110.9 A funeral services establishment shall keep and retain records documenting any
1408 required disclosures to consumers, including disclosure of its General Price List, Casket Price
1409 List, and Outer Burial Container Price List, and the Funeral Bill of Rights signed by the
1410 consumer, as specified in section 4a of the District of Columbia Funeral Services Regulatory Act
1411 of 1984, passed on 2nd reading on June 9, 2020 (Enrolled version of Bill 23-758), after the
1412 completion or termination of a funeral contract.”.

1413 Sec. 303. Debt collection.

1414 Section 28-3814 of the District of Columbia Official Code is amended as follows:

1415 (a) Subsection (b) is amended as follows:

1416 (1) New paragraphs (1A) and (1B) are added to read as follows:

1417 “(1A) “collection lawsuit” means any legal proceeding, including
1418 civil actions, statements of small claims, and supplementary process actions, commenced in any
1419 court for the purpose of collecting any debt or other past due balance owed or alleged to be
1420 owed.

1421 “(1B) “debt” means money or its equivalent which is, or is alleged to be, more
1422 than 30 days past due and owing, unless a different period is agreed to by the debtor, under a
1423 single account as a result of a purchase, lease, or loan of goods, services, or real or personal
1424 property for personal, family, or household purposes or as a result of a loan of money that was
1425 obtained for personal, family, or household purposes whether or not the obligation has been
1426 reduced to judgment.”.

1427 (2) A new paragraph (4) is added to read as follows:

1428 “(4) “public health emergency” means a period of time for which the Mayor has
1429 declared a public health emergency pursuant to § 7-2304.01, or a state of emergency pursuant to
1430 § 28-4102.”.

1431 (b) New subsections (l), (m), and (n) are added to read as follows:

1432 “(l)(1) Notwithstanding subsection (a) of this section, subsections (l) and (m) of this
1433 section shall apply to any debt, including loans directly secured on motor vehicles or direct
1434 motor vehicle installment loans covered by Chapter 36 of Title 28.

1435 “(2) During a public health emergency and for 60 days after its conclusion, no
1436 creditor or debt collector shall, with respect to any debt:

1437 “(A) Initiate, file, or threaten to file any new collection lawsuit;

1438 “(B) Initiate, threaten to initiate, or act upon any statutory remedy for the
1439 garnishment, seizure, attachment, or withholding of wages, earnings, property, or funds for the
1440 payment of a debt to a creditor;

1441 “(C) Initiate, threaten to initiate, or act upon any statutory remedy for the
1442 repossession of any vehicle; except, that creditors or debt collectors may accept collateral that is
1443 voluntarily surrendered;

1444 “(D) Visit or threaten to visit the household of a debtor at any time for the
1445 purpose of collecting a debt;

1446 “(E) Visit or threaten to visit the place of employment of a debtor at any
1447 time; or

1448 “(F) Confront or communicate in person with a debtor regarding the
1449 collection of a debt in any public place at any time, unless initiated by the debtor.

1450 “(3) This subsection shall not apply to collecting or attempting to collect a debt
1451 that is, or is alleged to be, owed on a loan secured by a mortgage on real property or owed for
1452 common expenses pursuant to § 42-1903.12.

1453 “(4) Any statute of limitations on any collection lawsuit is tolled during the
1454 duration of the public health emergency and for 60 days thereafter.

1455 “(m)(1) During a public health emergency and for 60 days after its conclusion, no debt
1456 collector shall initiate any communication with a debtor via any written or electronic
1457 communication, including email, text message, or telephone. A debt collector shall not be
1458 deemed to have initiated a communication with a debtor if the communication by the debt
1459 collector is in response to a request made by the debtor for the communication or is the mailing
1460 of monthly statements related to an existing payment plan or payment receipts related to an
1461 existing payment plan.

1462 “(2) This subsection shall not apply to:

1463 “(A) Communications initiated solely for the purpose of informing a
1464 debtor of a rescheduled court appearance date or discussing a mutually convenient date for a
1465 rescheduled court appearance;

1466 “(B) Original creditors collecting or attempting to collect their own debt;

1467 “(C) Collecting or attempting to collect a debt which is, or is alleged to be,
1468 owed on a loan secured by a mortgage on real property or owed for common expenses pursuant
1469 to § 42-1903.12; or

1470 “(D) Receiving and depositing payments the debtor chooses to make
1471 during a public health emergency.

1472 “(n) Subsections (l) and (m) of this section shall not be construed to:

1473 “(1) Exempt any person from complying with existing laws or rules of
1474 professional conduct with respect to debt collection practices;

1475 “(2) Supersede or in any way limit the rights and protections available to
1476 consumers under applicable local, state, or federal foreclosure laws; or

1477 “(3) Supersede any obligation under the District of Columbia Rules of
1478 Professional Conduct, to the extent of any inconsistency.”.

1479 Sec. 304. Emergency credit alerts.

1480 Title 28 of the District of Columbia Official Code is amended as follows:

1481 (a) The table of contents for Chapter 38 is amended by adding a new subchapter
1482 designation to read as follows:

1483 “Subchapter IV. COVID-19 Emergency Credit Alert.

1484 “28-3871. COVID-19 Emergency credit alert.

1485 (b) A new section 28-3871 is added to read as follows:

1486 “§ 28-3871. COVID-19 Emergency credit alert.

1487 “(a) If a consumer reports in good faith that he or she has experienced financial hardship
1488 resulting directly or indirectly from the public health emergency declared pursuant to § 7-
1489 2304.01, a credit reporting agency maintaining a file on the consumer shall accept and include in

1490 that file a personal statement, if furnished by the consumer, indicating that the consumer has
1491 been financially impacted by the COVID-19 emergency and shall provide that personal
1492 statement along with or accompanying any credit report provided by the agency, beginning on
1493 the date of such request, unless the consumer requests that the personal statement be removed.

1494 “(b) This section shall not apply to a federal credit union, as defined 12 U.S.C. § 1752(1)
1495 a national bank, as defined by 12 U.S.C. § 25b(a)(1), or a federal savings association, as defined
1496 by 12 U.S.C. § 1462(3); except, that an exception granted by this subsection shall not apply to
1497 any entity to which the savings clause at 12 U.S.C. § 25b(b)(2) applies.

1498 “(c) No user of a credit report shall consider adverse information in a report that was the
1499 result of an action or inaction by a consumer that occurred during, and was directly or indirectly
1500 the result of, a public health emergency declared pursuant to § 7-2304.01 if the credit report
1501 includes a personal statement pursuant to subsection (a) of this section.”

1502 “(d) When a District resident requests a copy of a credit report pursuant to 15 U.S.C. §
1503 1681j, the entity providing the credit report must notify the resident of his or her right to request
1504 a personal statement to accompany the credit report.

1505 “(e) If a credit reporting agency violates this section, the affected consumer may bring a
1506 civil action consistent with 15 U.S.C. § 1681n.

1507 “(f)(1) The Attorney General may petition the Superior Court of the District of Columbia
1508 for temporary or permanent injunctive relief for, and for an award of damages for property loss
1509 or harm suffered by a consumer as a consequence of, a violation of this section, or fraudulent or
1510 deceptive conduct in violation of this section that harms a District resident.

1511 “(2) In an action under this section, the Attorney General may recover:

1512 “(A) A civil penalty not to exceed \$1,000 for each violation; and

1513 “(B) Reasonable attorney’s fees and costs of the action.

1514 “(g) The following terms shall have the same meaning as defined in § 28-3861:

1515 “(1) “Consumer;”

1516 “(2) “Credit report;” and

1517 “(3) “Credit reporting agency.

1518 “(h) This section shall not be construed in a manner inconsistent with the Fair Credit

1519 Reporting Act, (15 U.S.C. § 1681 *et seq.*), or any other federal law or regulation.

1520 “(i) This section shall not be enforced until July 1, 2020.”.

1521 Sec. 305. Enhanced penalties for unlawful trade practices.

1522 Section 28-3903(a)(17) of the District of Columbia Official Code is amended by striking

1523 the phrase “by the Department.” and inserting the phrase “by the Department; except, that

1524 notwithstanding any other provision of District law or regulation, during a period of time for

1525 which the Mayor has declared a public health emergency pursuant to § 7-2304.01, a violation of

1526 this chapter or of any rule issued under the authority of this chapter shall be a Class 1 infraction

1527 within the meaning of 16 DCMR § 3200.1(a).”.

1528 Sec. 306. Price gouging and stockpiling.

1529 Title 28 of the District of Columbia Official Code is amended as follows:

1530 (a) The table of contents is amended by adding a new section designation to read as

1531 follows:

1532 “28-4102.01. Stockpiling.”.

1533 (b) Section 28-4102(a) is amended to read as follows:

1534 “(a) It shall be unlawful for any person to charge more than the normal average retail

1535 price for any merchandise or service sold during a public health emergency declared pursuant to

1536 § 7-2304.01, or during an emergency resulting from a natural disaster declared pursuant to
1537 subsection (b) of this section.”.

1538 (c) A new section 28-4102.01 is added to read as follows:

1539 “§ 28-4102.01. Stockpiling.

1540 “It shall be unlawful for any person to purchase, in quantities greater than those specified
1541 by the Mayor, the Department of Health (“DOH”), the Homeland Security and Emergency
1542 Management Agency (“HSEMA”), or the federal government goods that the Mayor, DOH,
1543 HSEMA, or the federal government have declared:

1544 “(1) Necessary for first responders or others following a natural disaster or a
1545 declaration of a public health emergency pursuant to § 7-2304.01 (“public health emergency”);

1546 “(2) Necessary to maintain supply chains of commerce during a natural disaster or
1547 a public health emergency; or

1548 “(3) Subject to rationing.”.

1549 (d) Section 28-4103 is amended as follows:

1550 (1) Strike the phrase “§ 28-4102(a)” wherever it appears and insert the phrase “§
1551 28-4102(a) or § 28-4102.01” in its place.

1552 (2) A new subsection (c) is added to read as follows:

1553 “(c) When the Office of the Attorney General brings a civil action for any violation of §
1554 28-4102(a) or § 28-4102.01 under the authority granted in § 28-3909, the maximum penalty
1555 authorized by § 28-3909 shall be assessed for each such violation.”.

1556 Sec. 307. Utility shutoff.

1557 (a) Section 113a(c) of the District Department of the Environment Establishment Act of
1558 2005, effective September 11, 2019 (D.C. Law 23-16, D.C. Official Code § 8-151.13a(c)), is
1559 amended as follows:

1560 (1) The existing text is designated paragraph (1).

1561 (2) A new paragraph (2) is added to read as follows:

1562 “(2) Notwithstanding paragraph (1) of this subsection, during a period of time for
1563 which the Mayor has declared a public health emergency (“PHE”) pursuant to section 5a of the
1564 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1565 194; D.C. Official Code § 7-2304.01), and for 105 calendar days thereafter, money in the Fund
1566 may be used to assist low-income residential customers located in the District of Columbia with
1567 the payment of an outstanding water bill balance; except, that not less than \$1.26 million of
1568 funding allocated in the fiscal year in which the PHE occurs shall be reserved to assist nonprofit
1569 organizations located in the District with the payment of impervious area charges, pursuant to
1570 section 216b(a) of the Water and Sewer Authority Establishment and Department of Public
1571 Works Reorganization Act of 1996, effective October 30, 2018 (D.C. Law 22-168; D.C. Official
1572 Code § 34-2202.16b(a)), and not less than \$360,000 of funding allocated in the fiscal year in
1573 which the PHE occurs shall be reserved to assist residential customers with the payment of
1574 impervious area charges, pursuant to section 216b(b).”.

1575 (b)(1) A cable operator, as that term is defined by section 103(6) of the Cable Television
1576 Communications Act of 1981, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code
1577 § 34-1251.03(6)), shall not disconnect, suspend, or degrade basic cable service or other basic
1578 cable operator services for non-payment of a bill, any fees for service or equipment, or any other

1579 charges, or for noncompliance with a deferred payment agreement during a period of time for
1580 which the Mayor has declared a public health emergency pursuant to section 5a of the District of
1581 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
1582 Official Code § 7-2304.01), or for 15 calendar days thereafter.

1583 “(2) For purposes of this subsection, the term “other basic cable operator
1584 services” includes only basic broadband internet service and Voice over Internet Protocol service
1585 (known as VOIP service) .”.

1586 (c) The Retail Electric Competition and Consumer Protection Act of 1999, effective May
1587 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq.*), is amended by adding a new
1588 section 106b to read as follows:

1589 “Sec. 106b. Disconnection of service during a public health emergency prohibited.

1590 “(a) For the purposes of this section, the term “public health emergency” means a period
1591 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1592 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1593 194; D.C. Official Code § 7-2304.01).

1594 “(b) An electric company shall not disconnect electric service for non-payment of a bill
1595 or fees during a public health emergency or for 15 calendar days thereafter.”.

1596 (d) The Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004,
1597 effective March 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.01 *et seq.*), is
1598 amended by adding a new section 7b to read as follows:

1599 “Sec. 7b. Disconnection of service during a public health emergency prohibited.

1600 “(a) For the purposes of this section, the term “public health emergency” means a period
1601 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the

1602 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1603 194; D.C. Official Code § 7-2304.01).

1604 “(b) A gas company shall not disconnect gas service for non-payment of a bill or fees
1605 during a public health emergency or for 15 calendar days thereafter.”.

1606 (e) Section 103 of the District of Columbia Public Works Act of 1954, approved May 18,
1607 1954 (68 Stat. 102; D.C. Code § 34-2407.01), is amended by adding a new subsection (c) to read
1608 as follows:

1609 “(c)(1) For the purposes of this subsection, the term “public health emergency” means a
1610 period of time for which the Mayor has declared a public health emergency pursuant to section
1611 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1612 Law 14-194; D.C. Official Code § 7-2304.01).

1613 “(2) During a public health emergency, or for 15 calendar days thereafter,
1614 notwithstanding any other provision of this act, the water supply to any property shall not be shut
1615 off for non-payment of a bill or fees.”.

1616 (f) The Telecommunications Competition Act of 1996, effective September 9, 1996 (D.C.
1617 Law 11-154; D.C. Official Code § 34-2002.01 *et. seq.*), is amended by adding a new section 3a
1618 to read as follows:

1619 “Section 3a. Disconnection of telecommunications service during a public health
1620 emergency prohibited.

1621 “(a) For the purposes of this section, the term “public health emergency” means a period
1622 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1623 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1624 194; D.C. Official Code § 7-2304.01).

1625 “(b) A telecommunications service provider shall not disconnect, suspend, or degrade
1626 basic telecommunications service for non-payment of a bill, any fees for service or equipment, or
1627 other charges, or for noncompliance with a deferred payment agreement during a public health
1628 emergency or for 15 calendar days thereafter.”.

1629 (g) Notwithstanding any District law, the Attorney General for the District of Columbia
1630 may use the enforcement authority set forth at D.C. Official Code § 28-3909 against any
1631 merchant, including a utility provider, that violates any provision of this act.

1632 Sec. 308. Utility payment plans.

1633 (a) During a program period, a utility provider shall offer a utility-payment-plan program
1634 (“program”) for eligible customers. Under its program, a utility provider shall:

1635 (1) Make a payment plan (“payment plan”) available to an eligible customer for
1636 the payment of amounts that come due during the program period, with a minimum term length
1637 of one year, unless a shorter time period is requested by the eligible customer;

1638 (2) Waive any fee, interest, or penalty that arises out of the eligible customer
1639 entering into a payment plan;

1640 (3) Not report to a credit reporting agency as delinquent the amounts subject to
1641 the payment plan; and

1642 (4) Notify all customers of the availability, terms, and application process for its
1643 program.

1644 (b)(1) Customers entering into a payment plan shall be required to make payments in
1645 equal monthly installments for the duration of the payment plan unless a shorter payment
1646 schedule is requested by the customer.

1647 (2) A utility provider shall permit a customer that has entered into a payment plan
1648 to pay an amount greater than the monthly amount provided for in the payment plan.

1649 (3) A utility provider shall not require or request a customer provide a lump-sum
1650 payment under a payment plan.

1651 (4) A utility provider shall provide confirmation in writing to the customer of the
1652 payment plan entered into, including the terms of a payment plan.

1653 (c) A utility provider shall utilize existing procedures or, if necessary, establish new
1654 procedures to provide a process by which a customer may apply for a payment plan, which may
1655 include requiring the customer to submit supporting documentation. A utility provider shall
1656 permit application for a payment plan to occur online and by telephone.

1657 (d)(1) A utility provider shall approve each application for a payment plan submitted
1658 during the covered time period made by an eligible customer.

1659 (2) If the customer is not eligible and the customer's application for a payment
1660 plan is denied, the utility provider shall inform the customer, in writing, of the denial and of the
1661 option to file a written complaint pursuant to subsection (g) of this section.

1662 (e)(1) A utility provider shall not disconnect service for non-payment of a bill or fees
1663 when a customer has entered into a payment plan under this section and has made payments in
1664 accordance with the terms of the payment plan;

1665 (2) When a customer fails to pay in full the amounts due under a payment plan
1666 and the customer and utility provider have not mutually agreed to a modification of the terms of
1667 the payment plan, nothing under this section shall prevent a utility provider from either offering
1668 the customer a new payment plan or disconnecting service.

1669 (3) Notwithstanding any provision in this section, a utility provider is not required
1670 to offer a customer a new payment plan when a customer has defaulted on a previous payment
1671 plan offered pursuant to this section.

1672 (f)(1) A utility provider that receives an application for a payment plan pursuant to this
1673 section shall retain the application, whether approved or denied, for at least 3 years.

1674 (2) Upon request by the customer, a utility provider shall make an application for
1675 a payment plan available to:

1676 (A) For utility providers regulated by the Public Service Commission and
1677 DC Water, the Office of the People’s Counsel;

1678 (B) For a cable operator, the Office of Cable Television, Film, Music and
1679 Entertainment; and

1680 (C) For all other utility providers, the Department of Consumer and
1681 Regulatory Affairs and the Office of the Attorney General.

1682 (g) A customer whose application for a payment plan is denied may file a written
1683 complaint with:

1684 (1) For utility providers regulated by the Public Service Commission, the Public
1685 Service Commission, and the Office of the People’s Counsel;

1686 (2) For a cable operator, the Office of Cable Television, Film, Music and
1687 Entertainment; and

1688 (3) For all other utility providers, the Department of Consumer and Regulatory
1689 Affairs.

1690 (h) During a period of time for which the Mayor has declared a public health emergency,
1691 a utility provider regulated by the Public Service Commission shall reconnect service to

1692 occupied residential property upon an eligible customer’s request and not charge a fee for this
1693 reconnection.

1694 (i) For the purposes of this section, the term:

1695 (1) “Cable operator” shall have the same meaning as provided in section 103(6) of
1696 the Cable Television Communications Act of 1981, effective October 9, 2002 (D.C. Law 14-193;
1697 D.C. Official Code § 34-1251.03(6)).

1698 (2) “DC Water” means the District of Columbia Water and Sewer Authority
1699 established pursuant to section 202(a) of the Water and Sewer Authority Establishment and
1700 Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law
1701 11-111; D.C. Official Code § 34-2202.02(a)).

1702 (3) “Electric company” shall have the same meaning as provided in section 8 of
1703 An Act Making appropriations to provide for the expenses of the government of the District of
1704 Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other
1705 purposes, approved March 4, 1913 (37 Stat. 976; D.C. Official Code § 34-207).

1706 (4) “Eligible Customer” means a customer that:

1707 (A) Has notified the utility provider of an inability to pay all or a portion
1708 of the amount due as a result, directly or indirectly, of the public health emergency; and

1709 (B) Agrees in writing to make payments in accordance with the payment
1710 plan.

1711 (5) “Gas company” shall have the same meaning as provided in section 3(11) of
1712 the Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004, effective
1713 March 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.02(11)).

1714 (6) “Program period” means a period of time for which the Mayor has declared a
1715 public health emergency pursuant to section 5a of the District of Columbia Public Emergency
1716 Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)

1717 and:

1718 (A) For a cable operator, or a telecommunications provider not regulated
1719 by the Public Service Commission, 60 days thereafter; or

1720 (B) For any other utility provider, 6 months thereafter.

1721 (7) “Telecommunications provider” means an entity that provides
1722 telecommunications services, whether through a telecommunications system or universal service,
1723 as those terms are defined, respectively, in section 2(21) and (22) of the Telecommunications
1724 Competition Act of 1996, effective September 9, 1996 (D.C. Law 11-154; D.C. Official Code §
1725 34-2001(21) and (22)), or other telecommunication service, whether such service is regulated by
1726 the Public Service Commission of the District of Columbia or the Federal Communications
1727 Commission, or is currently not regulated by either local or federal law.

1728 (8) “Utility provider” means a cable operator, DC Water, an electric company, a
1729 gas company, or a telecommunications provider.

1730 Sec. 309. Composting virtual training.

1731 Section 112a(f) of the Sustainable Solid Waste Management Amendment Act of 2014,
1732 effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.12a(f)), is amended
1733 by adding a new paragraph (1A) to read as follows:

1734 “(1A) Notwithstanding paragraph (1) of this subsection, during a period of time
1735 for which the Mayor has declared a public health emergency pursuant to section 5a of the
1736 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-

1737 194; D.C. Official Code § 7-2304.01), the Mayor, or a contractor selected by the Mayor, may
1738 provide the training required by paragraph (1) of this subsection remotely through
1739 videoconference.”.

1740 Sec. 310. Emergency Department of Insurance, Securities, and Banking authority.

1741 The Department of Insurance and Securities Regulation Establishment Act of 1996,
1742 effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-101 *et seq.*), is amended by
1743 adding a new section 5a to read as follows:

1744 “Sec. 5a. Emergency authority of the Commissioner during a declared public health
1745 emergency.

1746 “(a) For the duration of a public health emergency declared by the Mayor pursuant to
1747 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
1748 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and to address the circumstances giving rise
1749 to that emergency, the Commissioner may issue emergency rulemaking, orders, or bulletins that:

1750 “(1) Apply to any person or entity regulated by the Commissioner; and

1751 “(2) Address:

1752 “(A) Submission of claims or proof of loss;

1753 “(B) Grace periods for payment of premiums and performance of other
1754 duties by insureds;

1755 “(C) Temporary postponement of:

1756 “(i) Cancellations;

1757 “(ii) Nonrenewals; or

1758 “(iii) Premium increases;

1759 “(D) Modifications to insurance policies;

1760 “(E) Insurer operations;

1761 “(F) Filing requirements;

1762 “(G) Procedures for obtaining nonelective health care services;

1763 “(H) Time restrictions for filling or refilling prescription drugs;

1764 “(I) Time frames applicable to an action by the Commissioner under this

1765 section;

1766 “(J) Temporarily waiving application of laws, rulemaking, or requirements

1767 to ensure that depository services, non-depository services, and securities transactions can

1768 continue to be provided, including allowing for the opening of a temporary service location,

1769 which may be a mobile branch, temporary office space, or other facility; and

1770 “(K) Any other activity related to insurance, securities, and banking and

1771 under the purview of the Commissioner reasonably calculated to protect the health, safety, and

1772 welfare of District residents during the public health emergency.

1773 “(b) The Commissioner may require licensees to answer questions related to, and submit

1774 documentation of, the licensee’s continuity of operations plan.

1775 “(c)(1) To accomplish the purposes of this section, the Commissioner may issue

1776 emergency rulemaking, orders, or bulletins pursuant to this section specifying:

1777 “(A) That the rulemaking, order, or bulletin is effective immediately;

1778 “(B) The line or lines of business or the class or classes of licenses to

1779 which the regulation, order, or bulletin applies;

1780 “(C) The geographic areas to which the regulation, order, or bulletin

1781 applies; and

1782 “(D) The period of time for which the regulation, order, or bulletin
1783 applies.

1784 “(2) A regulation issued under paragraph (1) of this subsection may not apply for
1785 longer than the duration of the effects of a declared public health emergency.”.

1786 Sec. 311. Vacant property designations.

1787 Section 6(b) of An Act To provide for the abatement of nuisances in the District of
1788 Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2001
1789 (D.C. Law 13-281; D.C. Official Code § 42-3131.06(b)), is amended as follows:

1790 (a) Paragraph (8) is amended by striking the phrase “; or” and inserting a semicolon in its
1791 place.

1792 (b) Paragraph (9) is amended by striking the period and inserting the phrase “; or” in its
1793 place.

1794 (c) A new paragraph (10) is added to read as follows:

1795 “(10) A commercial property that houses a business that has closed during a
1796 period of time for which the Mayor has declared a public health emergency pursuant to section
1797 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1798 Law 14-194; D.C. Official Code§ 7-2304.01), as a result of the circumstances giving rise to or
1799 resulting from the public health emergency, and for 60 days thereafter.”.

1800 Sec. 312. Extension of licenses and registrations; waiver of deadlines.

1801 Notwithstanding any provision of law during, or within 45 days after the end of, a period
1802 time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1803 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1804 194; D.C. Official Code § 7-2304.01), the Mayor, may:

1805 (1) Prospectively or retroactively extend the validity of a license, registration,
1806 permit, or authorization, including driver licenses, vehicle registrations, professional licenses,
1807 registrations, and certifications;

1808 (2) Waive the deadlines for filings, and waive fees, fines, and penalties associated
1809 with the failure to timely renew a license, registration, permit, or other authorization or to timely
1810 submit a filing; or

1811 (3) Extend or waive the deadline by which action is required to be taken by the
1812 executive branch of the District government or by which an approval or disapproval is deemed to
1813 have occurred based on inaction by the executive branch of the District government.

1814 **TITLE IV. HOUSING AND TENANT PROTECTIONS**

1815 Sec. 401. Mortgage relief.

1816 (a) In accordance with section 5(b)(15) of the District of Columbia Public Emergency
1817 Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304(b)(15)),
1818 and notwithstanding any provision of the Mortgage Lender and Broker Act of 1996, effective
1819 September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1101 *et seq.*), or any other
1820 provision of District law, during a period of time for which the Mayor has declared a public
1821 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
1822 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) (“Public
1823 Emergency Act”), and for 60 days thereafter, a mortgage lender that makes or holds a residential
1824 mortgage loan or commercial mortgage loan in the District shall develop a deferment program
1825 for borrowers that, at a minimum:

1826 (1) Grants at least a 90-day deferment of the monthly payment of principal and
1827 interest on a mortgage for borrowers;

1828 (2) Waives any late fee, processing fee, or any other fee accrued during the period
1829 of time for which the Mayor has declared a public health emergency pursuant to the Public
1830 Emergency Act; and

1831 (3) Does not report to a credit reporting agency as delinquent the amounts subject
1832 to the deferral.

1833 (b) The mortgage lender shall establish application criteria and procedures for borrowers
1834 to apply for the deferment program. An application or summary of procedures shall be made
1835 available online or by telephone.

1836 (c) The mortgage lender shall approve each application in which a borrower:

1837 (1) Demonstrates to the mortgage lender evidence of a financial hardship resulting
1838 directly or indirectly from the public health emergency, including an existing delinquency or
1839 future inability to make payments; and

1840 (2) Agrees in writing to pay the deferred payments within:

1841 (A) A reasonable time agreed to in writing by the applicant and the
1842 mortgage lender; or

1843 (B) If no reasonable time can be agreed to pursuant to subparagraph (A) of
1844 this paragraph, 3 years from the end of the deferment period, or the end of the original term of
1845 the mortgage loan, whichever is earlier.

1846 (d)(1) A mortgage lender who receives an application for deferment pursuant to this
1847 section shall retain the application, whether approved or denied, for at least 3 years after final
1848 payment is made on the mortgage or the mortgage is sold, whichever occurs first.

1849 (2) Upon request, a mortgage lender shall make an application for deferment
1850 available to the Commissioner.

1851 (3)(A)(i) A mortgage lender who approves an application for deferment pursuant
1852 to this section shall, on or before June 4, 2020, provide to the Commissioner notice of all
1853 approved applications on a form prescribed by the Commissioner.

1854 (ii) After the initial submission prescribed in this paragraph, a
1855 mortgage lender who approves an application for deferment pursuant to this section shall provide
1856 the Commissioner with a list of all new approvals in 15-day intervals for the duration of the
1857 public health emergency and for 60 days thereafter.

1858 (iii) The Commissioner may request information on the number
1859 and nature of approvals between 15-day intervals.

1860 (B) The Commissioner shall maintain a publicly available list of approved
1861 commercial loan deferral applications. The requirement of this subparagraph may be satisfied by
1862 posting to the Department of Insurance, Securities, and Banking website.

1863 (e) A mortgage lender shall be prohibited from requesting or requiring a lump sum
1864 payment from any borrower making payments under a deferred payment program pursuant to
1865 this section, subject to investor guidelines.

1866 (f) A person or business whose application for deferment is denied may file a written
1867 complaint with the Commissioner. The Commissioner is authorized to investigate the complaint
1868 in accordance with section 13 of the Mortgage Lender and Broker Act of 1996, effective
1869 September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1112).

1870 (g) The provisions of this section shall apply to any lender who makes or holds a
1871 commercial mortgage loan in the District, with the exception of national banks and federally
1872 chartered credit unions.

1873 (h) To the extent necessary to conform with the provisions of this section, the provisions
1874 in section 313(c)(1) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89;
1875 D.C. Official Code § 42-1903.13(c)(1)), are waived for the duration of the public health
1876 emergency.

1877 (i) This section shall not apply to a property for which, as of March 11, 2020, a mortgage
1878 lender initiated a foreclosure action or exercised its right to accelerate the balance and maturity
1879 date of the loan on or before March 11, 2020.

1880 (j) This section shall not apply to a mortgage loan that is a Federally backed mortgage
1881 loan, as that term is defined in section 4022(a)(2) of the Coronavirus Aid, Relief, and Economic
1882 Security Act, approved March 27, 2020 (134 Stat. 281; 15 U.S.C. § 9056(a)(2)) (“CARES Act”),
1883 or a Federally backed multifamily mortgage loan, as that term is defined in section 4023(f)(2) of
1884 the CARES Act (15 U.S.C. § 9057(f)(2)).

1885 (k) A mortgage lender that violates the provisions of this section shall be subject to the
1886 penalties prescribed in section 19 of the Mortgage Lender and Broker Act of 1996, effective
1887 September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1118).

1888 (l) For the purposes of this section, the term:

1889 (1) “Commercial mortgage loan” means a loan for the acquisition, construction,
1890 or development of real property, or a loan secured by collateral in such real property, that is
1891 owned or used by a person, business, or entity for the purpose of generating profit, and includes
1892 real property used for single-family housing, multifamily housing, retail, office space, and
1893 commercial space that is made, owned, or serviced by a mortgage lender.

1894 (2) “Commissioner” means the Commissioner of the Department of Insurance,
1895 Securities, and Banking.

1896 (3) “Mortgage lender” means any person that makes a mortgage loan to any
1897 person or that engages in the business of servicing mortgage loans for others or collecting or
1898 otherwise receiving mortgage loan payments directly from borrowers for distribution to any
1899 other person. The term “mortgage lender” does not include the Federal Home Loan Mortgage
1900 Corporation, the Federal National Mortgage Association, or the Government National Mortgage
1901 Association.

1902 Sec. 402. Tenant payment plans.

1903 (a) During a period of time for which the Mayor has declared a public health emergency
1904 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1905 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for one year
1906 thereafter (“program period”), a provider shall offer a rent-payment-plan program (“program”)
1907 for eligible tenants. Under its program, a provider shall:

1908 (1) Make a payment plan available to an eligible tenant for the payment of gross
1909 rent and any other amounts that come due under the lease during the program period and prior to
1910 the cessation of tenancy (“covered time period”), with a minimum term length of one year unless
1911 a shorter payment plan term length is requested by the eligible tenant.

1912 (2) Waive any fee, interest, or penalty that arises out of an eligible tenant entering
1913 into a payment plan;

1914 (3) Not report to a credit reporting agency as delinquent the rent subject to the
1915 payment plan;

1916 (4) Provide that an eligible tenant does not lose any rights under the lease by
1917 entering into the payment plan; and

1918 (5) Notify all tenants of the availability, terms, and application process for its
1919 program.

1920 (b)(1) Tenants entering into a payment plan shall be required to make payments in equal
1921 monthly installments for the duration of the payment plan unless a different payment schedule is
1922 requested by the tenant.

1923 (2) A provider shall permit a tenant that has entered into a payment plan to pay an
1924 amount greater than the monthly amount provided for in the payment plan.

1925 (3) A provider shall not require or request a tenant to provide a lump-sum
1926 payment under a payment plan.

1927 (4) A provider shall agree in writing to the terms of a payment plan.

1928 (c) A provider shall utilize existing procedures or, if necessary, establish new procedures
1929 to provide a process by which an eligible tenant may apply for a payment plan, which may
1930 include requiring the tenant to submit supporting documentation. A provider shall permit an
1931 application for a payment plan to occur online and by telephone.

1932 (d) A provider shall approve each application for a payment plan submitted during a
1933 covered time period in which an eligible tenant:

1934 (1) Demonstrates to the provider evidence of a financial hardship resulting
1935 directly or indirectly from the public health emergency, regardless of an existing delinquency or
1936 a future inability to make rental payments established prior to the start of the public health
1937 emergency; and

1938 (2) Agrees in writing to make payments in accordance with the payment plan.

1939 (e)(1) A provider who receives an application for a payment plan shall retain the
1940 application, whether approved or denied, for at least 3 years.

1941 (2) Upon request of the tenant, a provider shall make an application for a payment
1942 plan available to:

1943 (A) For residential tenants, the Rent Administrator, Office of the Tenant
1944 Advocate; and

1945 (B) For commercial tenants, the Department of Consumer and Regulatory
1946 Affairs.

1947 (f)(1) A residential tenant whose application for a payment plan is denied may file a
1948 written complaint with the Rent Administrator. The Rent Administrator shall forward the
1949 complaint to the Office of Administrative Hearings for adjudication.

1950 (2) A commercial tenant whose application for a payment plan is denied may file
1951 a written complaint with the Department of Consumer and Regulatory Affairs.

1952 (g) During the program period, unless the provider has offered a rent payment plan
1953 pursuant to this section and approved a rent payment plan pursuant to subsection (d) of this
1954 section, that provider shall be prohibited from filing any collection lawsuit or eviction for non-
1955 payment of rent; provided, that the tenant does not default on the terms of the payment plan.

1956 (h) For the purposes of this section, the term:

1957 (1) "Eligible tenant" means a tenant that:

1958 (A) Has notified a provider of an inability to pay all or a portion of the rent
1959 due as a result of the public health emergency; and

1960 (B) Is not a franchisee unless the franchise is owned by a District resident;
1961 and

1962 (C) Has leased from a provider:

1963 (i) A residential property;

1964 (ii) Commercial retail space; or
1965 (iii) Commercial space that is less than 6,500 square feet in size
1966 and that comprises all or part of a commercial building.

1967 (2) “Housing provider” means a person or entity who is a residential landlord,
1968 residential owner, residential lessor, residential sublessor, residential assignee, or the agent of
1969 any of the foregoing or any other person receiving or entitled to receive the rents or benefits for
1970 the use or occupancy of any residential rental unit within a housing accommodation within the
1971 District.

1972 (3) “Non-housing provider” means a person or entity who is a non-residential
1973 landlord, non-residential owner, non-residential lessor, non-residential sublessor, non-residential
1974 assignee, a non-residential agent of a landlord, owner, lessor, sublessor, or assignee, or any other
1975 person receiving or entitled to receive rents or benefits for the use or occupancy of a commercial
1976 unit.

1977 (4) “Provider” means a housing provider or a non-housing provider.

1978

1979 Sec. 403. Residential cleaning.

1980 (a) During a period of time for which a public health emergency has been declared
1981 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1982 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the owner or
1983 representative of the owner of a housing accommodation shall clean common areas of the
1984 housing accommodation on a regular basis, including surfaces that are regularly touched, such as
1985 doors, railings, seating, and the exterior of mailboxes.

1986 (b) For the purposes of this section “housing accommodation” means any structure or
1987 building in the District containing one or more residential units that are not occupied by the
1988 owner of the housing accommodation, including any apartment, efficiency apartment, room,
1989 accessory dwelling unit, cooperative, homeowner association, condominium, multifamily
1990 apartment building, nursing home, assisted living facility, or group home.

1991 (c) The Mayor may, pursuant to Title I of the District of Columbia Administrative
1992 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
1993 promulgate rules to implement this section.

1994 Sec. 404. Eviction prohibition.

1995 (a) Title 16 of the District of Columbia Official Code is amended as follows:

1996 (1) Section 16-1501 is amended as follows:

1997 (A) The existing text is designated as subsection (a).

1998 (B) A new subsection (b) is added to read as follows:

1999 “(b) During a period of time for which the Mayor has declared a public health emergency
2000 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2001 October 17, 2002 (D.C. Law 14-194; D.C. Official Code 7-2304.01), and for 60 days thereafter,
2002 the person aggrieved shall not file a complaint seeking relief pursuant to this section.”

2003 (2) Section 16-1502 is amended by striking the phrase “exclusive of Sundays and
2004 legal holidays” and inserting the phrase “exclusive of Sundays, legal holidays, and a period of
2005 time for which the Mayor has declared a public health emergency pursuant to section 5a of the
2006 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
2007 194; D.C. Official Code § 7-2304.01)” in its place.

2008 (b) Section 501(k) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law
2009 6-10; D.C. Official Code § 42-3505.01(k)), is amended as follows:

2010 (1) Paragraph (1) is amended by striking the phrase “; or” and inserting a
2011 semicolon in its place.

2012 (2) Paragraph (2) is amended by striking the period and inserting the phrase “; or”
2013 in its place.

2014 (3) A new paragraph (3) is added to read as follows:

2015 “(3) During a period of time for which the Mayor has declared a public health
2016 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2017 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

2018 Sec. 405. Residential tenant protections.

2019 (a) The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980
2020 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq.*), is amended by adding a new section
2021 510b to read as follows:

2022 “Sec. 510b. Tolling of tenant deadlines during a public health emergency.

2023 “The running of all time periods for tenants and tenant organizations to exercise rights
2024 under this act shall be tolled from the beginning of the period of a public health emergency
2025 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2026 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), until the end of
2027 the public health emergency, and for 30 days thereafter.”.

2028 (b) The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C.
2029 Official Code § 42-3501.01 *et seq.*), is amended as follows:

2030 (1) Section 202(b)(2) (D.C. Official Code § 42-3502.02(b)(2)) is amended to read
2031 as follows:

2032 “(2)(A) A majority of the Rental Housing Commissioners shall constitute a
2033 quorum to do business, and a single vacancy shall not impair the right of the remaining Rental
2034 Housing Commissioners to exercise all powers of the Rental Housing Commission.

2035 “(B) In the event that a majority of the Rental Housing Commissioners (or
2036 any one Commissioner if there is a vacancy) will be unable to perform their official duties for an
2037 extended period of time due to circumstances related to a declared state of emergency in the
2038 District of Columbia, including quarantine or movement restrictions, illness, or the care of a
2039 close family member, one Commissioner shall constitute a quorum to do business.

2040 “(i) If the Chairperson will be unable to perform his or her duties,
2041 he or she shall designate an acting Chairperson or, if only one Commissioner is available, that
2042 Commissioner shall be automatically designated as acting Chairperson.

2043 “(ii) The Chairperson of the Rental Housing Commission shall
2044 notify the Mayor and the Chairperson of the Council in writing of any temporary vacancy and
2045 whether the Commission is operating as a quorum of one.

2046 “(iii) For such time as the Rental Housing Commission is operating
2047 as a quorum of one, the Commission shall only issue, amend, or rescind rules on an emergency
2048 basis in accordance with section 105(c) of the District of Columbia Administrative Procedure
2049 Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c)).

2050 “(iv) The authority to operate as a quorum of one shall terminate
2051 when at least one Rental Housing Commissioner notifies the Chairperson in writing that he or
2052 she is able to resume his or her duties. The authority may extend beyond the termination of the

2053 original declared state of emergency if Commissioners are personally affected by continuing
2054 circumstances.

2055 (2) Section 208(a)(1) (D.C. Official Code § 42-3502.08(a)(1)) is amended as
2056 follows:

2057 (A) Subparagraph (F) is amended by striking the phrase “; and” and
2058 inserting a semicolon in its place.

2059 (B) Subparagraph (G) is amended by striking the period at the end and
2060 inserting the phrase “; and” in its place.

2061 (C) A new subparagraph (H) is added to read as follows:

2062 “(H) None of the circumstances set forth in section 904(c) applies.”.

2063 (3) Section 211 (D.C. Official Code § 42-3502.11) is amended as follows:

2064 (A) The existing text is designated as subsection (a).

2065 (B) A new subsection (b) is added to read as follows:

2066 “(b) If, during a public health emergency that has been declared pursuant to section 5a of
2067 the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law
2068 14-194; D.C. Official Code § 7-2304.01) (“Public Emergency Act”), and consistent with
2069 applicable law or an order issued by the Mayor pursuant to the Public Emergency Act , a housing
2070 provider temporarily stops providing:

2071 “(1) An amenity that a tenant pays for in addition to the rent charged, then the
2072 housing provider shall refund to the tenant pro rata any fee charged to the tenant for the amenity
2073 during the public health emergency; or

2074 “(2) A service or facility that is lawfully included in the rent charged, then the
2075 housing provider shall not be required to reduce the rent charged pursuant to subsection (a) of
2076 this section.”.

2077 (4) Section 531(c) (D.C. Official Code § 42-3505.31(c)) is amended as follows:

2078 (A) Paragraph (4) is amended by striking the phrase “or;” and inserting a
2079 semicolon in its place.

2080 (B) Paragraph (5) is amended by striking the period and inserting the
2081 phrase “; or” in its place.

2082 (C) A new paragraph (6) is added to read as follows:

2083 “(6) Impose a late fee on a tenant during any month for which a public health
2084 emergency has been declared pursuant to section 5a of the District of Columbia Public
2085 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2086 2304.01).”.

2087 (5) Section 553 (D.C. Official Code § 42-3505.53) is amended as follows:

2088 (A) The existing text is designated subsection (a).

2089 (B) A new subsection (b) is added to read as follows:

2090 “(b) Any notice of intent to vacate that a tenant provided prior to the period for which a
2091 public health emergency has been declared pursuant to section 5a of the District of Columbia
2092 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
2093 Code § 7-2304.01), shall be tolled at the election of the tenant for the period of any such public
2094 health emergency such that the tenant shall have the same number of days to vacate remaining at
2095 the end of the public health emergency as the tenant had remaining upon the effective date of the
2096 public health emergency.”.

2097 (6) Section 554 (D.C. Official Code § 42-3505.54) is amended by adding a new
2098 subsection (c) to read as follows:

2099 “(c) Any notice of intent to vacate that a tenant provided prior to the period for which a
2100 public health emergency has been declared pursuant to section 5a of the District of Columbia
2101 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
2102 Code § 7-2304.01), shall be tolled at the election of the tenant for the period of any such public
2103 health emergency such that the tenant shall have the same number of days to vacate remaining at
2104 the end of the public health emergency as the tenant had remaining upon the effective date of the
2105 public health emergency.”.

2106 (7) Section 904 (D.C. Official Code § 42-3509.04) is amended by adding new
2107 subsections (c) and (d) to read as follows:

2108 “(c) No housing provider may issue a rent increase notice to any residential tenant during
2109 a period for which a public health emergency has been declared pursuant to section 5a of the
2110 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
2111 194; D.C. Official Code § 7-2304.01) (“Public Emergency Act”).

2112 “(d)(1) Any rent increase, whether under this act, the Rental Accommodations Act of
2113 1975, the Rental Housing Act of 1977, the Rental Housing Act of 1980, or any administrative
2114 decisions issued under these acts, shall be null and void and shall be issued anew in accordance
2115 with subsection (b) of this section if:

2116 “(A) The effective date of the rent increase as stated on the notice of rent
2117 increase occurs during a period for which a public health emergency has been declared pursuant
2118 to the Public Emergency Act, and for 30 days thereafter;

2119 “(B) The notice of rent increase was provided to the tenant during a period
2120 for which a public health emergency has been declared; or

2121 “(C) The notice was provided to the tenant prior to, but the rent increase
2122 takes effect following, a public health emergency.

2123 “(2) The Rent Administrator shall review all notices to a tenant of an adjustment
2124 in the rent charged filed by a housing provider with the Rental Accommodations Division of the
2125 Department of Housing and Community Development for consistency with this subsection and
2126 shall inform the housing provider that:

2127 “(A) A rent increase is prohibited during the public health emergency plus
2128 30 days pursuant to this section;

2129 “(B) The housing provider shall withdraw the rent increase notice;

2130 “(C) The housing provider shall inform tenants in writing that any rent
2131 increase notice is null and void pursuant to the Coronavirus Support Temporary Amendment Act
2132 of 2020, passed on 2nd reading on June 9, 2020 (Enrolled version of Bill 23-758);

2133 “(D) The housing provider shall, within 7 calendar days, file a certification
2134 with the Rental Accommodations Division that the notice letter required by subparagraph (C) of
2135 this paragraph was sent to tenants, along with a sample copy of the notice and a list of each
2136 tenant name and corresponding unit numbers; and

2137 “(E) If it is determined that the housing provider knowingly demanded or
2138 received any rent increase prohibited by this act or substantially reduced or eliminated related
2139 services previously provided for a rental unit, the housing provider may be subject to treble
2140 damages and a rollback of the rent, pursuant to section 901(a).”.

2141 (8) A new section 911 is added to read as follows:

2142 “Sec. 911. Tolling of tenant deadlines during a public health emergency.

2143 “The running of all time periods for tenants and tenant organizations to exercise rights
2144 under this act or under chapters 38 through 43 of Title 14 of the District of Columbia Municipal
2145 Regulations (14 DCMR §§ 3800 through 4399) shall be tolled during a period for which a public
2146 health emergency has been declared pursuant to section 5a of the District of Columbia Public
2147 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2148 2304.01), and for 30 days thereafter.”.

2149 Sec. 406. Rent increase prohibition.

2150 (a) Notwithstanding any other provision of law, a rent increase for a residential property
2151 not prohibited by the provisions of section 904(c) of the Rental Housing Act of 1985, effective
2152 July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3509.04(c)), shall be prohibited during a
2153 period for which a public health emergency has been declared pursuant to section 5a of the
2154 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
2155 194; D.C. Official Code § 7-2304.01), and for 30 days thereafter.

2156 (b)(1) Notwithstanding any other provision of law, a rent increase for a commercial
2157 property shall be prohibited during a period for which a public health emergency has been
2158 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2159 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-1875 2304.01), and for 30
2160 days thereafter.

2161 (2) For the purposes of this subsection, the term “commercial property” means:

2162 (A) A commercial retail establishment; or

2163 (B) Leased commercial space that is less than 6,500 square feet in size and
2164 that comprises all or part of a commercial building.

2165 (3) Any increase of rent on a commercial property made by a landlord between
2166 March 11, 2020, and June 9, 2020, shall be null and void and any excess rent paid by a tenant shall
2167 be credited to the tenant.

2168

2169 Sec. 407. Nonprofit corporations and cooperative association remote meetings.

2170 Title 29 of the District of Columbia Official Code is amended as follows:

2171 (a) Section 29-405.01(e) is amended by striking the phrase “The articles of incorporation
2172 or bylaws may provide that an annual” and inserting the phrase “Notwithstanding the articles of
2173 incorporation or bylaws, during a period for which a public health emergency has been declared
2174 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2175 October 17, 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), an annual” in its place.

2176 (b) Section 29-910 is amended by striking the phrase “If authorized by the articles or
2177 bylaws” and inserting the phrase “During a period for which a public health emergency has been
2178 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2179 effective October 17, 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), regardless of
2180 whether remote regular and special meetings of members are authorized by the articles or
2181 bylaws” in its place.

2182 Sec. 408. Foreclosure moratorium.

2183 (a)(1) Notwithstanding any provision of District law, during a period of time for which
2184 the Mayor has declared a public health emergency pursuant to section 5a of the District of
2185 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
2186 Official Code § 7-2304.01), and for 60 days thereafter, no:

2187 (A) Residential foreclosure may be initiated or conducted under section 539
2188 or section 95 of An Act To establish a code of law for the District of Columbia, approved March
2189 3, 1901 (31 Stat. 1274; D.C. Official Code §§ 42-815 and 42-816); or

2190 (B) Sale may be conducted under section 313(c) of the Condominium Act of
2191 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.13(c)).

2192 (2) This subsection shall not apply to a residential property at which neither a
2193 record owner nor a person with an interest in the property as heir or beneficiary of a record
2194 owner, if deceased, has resided for at least 275 total days during the previous 12 months, as of
2195 the first day of the public health emergency.

2196 (b) Section 313(e) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law
2197 1-89; D.C. Official Code § 42-1903.13(e)), is amended by striking the phrase “3 years” and
2198 inserting the phrase “3 years, not including any period of time for which the Mayor has declared
2199 a public health emergency pursuant to section 5a of the District of Columbia Public Emergency
2200 Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01),
2201 and for 60 days thereafter,” in its place.

2202 **TITLE V. HEALTH AND HUMAN SERVICES**

2203 Sec. 501. Prescription drugs.

2204 Section 208 of the District of Columbia Health Occupations Revision Act of 1985,
2205 effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.08), is amended by
2206 adding a new subsection (g-2) to read as follows:

2207 “(g-2)(1) An individual licensed to practice pharmacy pursuant to this act may authorize
2208 and dispense a refill of patient prescription medications prior to the expiration of the waiting
2209 period between refills to allow District residents to maintain an adequate supply of necessary

2210 medication during a period of time for which the Mayor has declared a public health emergency
2211 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2212 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

2213 “(2) This subsection shall not apply to any patient prescription for which a refill
2214 otherwise would be prohibited under District law.”.

2215 Sec. 502. Homeless services.

2216 The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-
2217 35; D.C. Official Code § 4-751.01 *et seq.*), is amended as follows:

2218 (a) Section 8(c-1) (D.C. Official Code § 4-753.02(c-1)) is amended as follows:

2219 (1) Paragraph (1) is amended by striking the phrase “not to exceed 3 days” and
2220 inserting the phrase “not to exceed 3 days; except, that during a public health emergency
2221 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2222 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may
2223 place the family in an interim eligibility placement for a period not to exceed 60 days” in its
2224 place.

2225 (2) Paragraph (2) is amended by striking the phrase “and section 9(a)(20)” and
2226 inserting the phrase “and section 9(a)(20); except, that the Mayor may extend an interim
2227 eligibility placement to coincide with the period of a public health emergency declared pursuant
2228 to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17,
2229 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

2230 (3) Paragraph (3) is amended by striking the phrase “within 12 days of the start of
2231 the interim eligibility placement” and inserting the phrase “within 12 days of the start of the
2232 interim eligibility placement; except, that during a public health emergency declared pursuant to

2233 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
2234 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor shall have 10 business days
2235 following the end of the public health emergency to issue the eligibility determination required
2236 by this paragraph” in its place.

2237 (4) Paragraph (4) is amended by striking the phrase “start of an interim eligibility
2238 placement,” and inserting the phrase “start of an interim eligibility placement, or as otherwise
2239 required by paragraph (3) of this subsection” in its place.

2240 (b) Section 9(a)(14) (D.C. Official Code § 4-754.11(a)(14)) is amended by striking the
2241 phrase “and other professionals” and inserting the phrase “and other professionals; except, that
2242 the Mayor may waive the requirements of this provision for in-person meetings and
2243 communications during a public health emergency declared pursuant to section 5a of the District
2244 of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
2245 Official Code § 7-2304.01)” in its place.

2246 (c) Section 10(1) (D.C. Official Code § 4-754.12(1)) is amended by striking the phrase
2247 “established pursuant to section 18” and inserting the phrase “established pursuant to section 18;
2248 except, that the Mayor may waive this provision during a public health emergency declared
2249 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2250 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

2251 (d) Section 19(c-2) (D.C. Official Code § 4-754.33(c-2)) is amended by striking the
2252 phrase “served on the client.” and inserting the phrase “served on the client; except, that during a
2253 public health emergency declared pursuant to section 5a of the District of Columbia Public
2254 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2255 2304.01), the Mayor may serve written notice via electronic transmission.” in its place.

2256 (e) Section 24(f) (D.C. Official Code § 4-754.38(f)) is amended as follows:

2257 (1) Paragraph (1) is amended as follows:

2258 (A) Subparagraph (A) is amended by striking the phrase “to the unit; or”
2259 and inserting the phrase “to the unit;” in its place.

2260 (B) Subparagraph (B) is amended by striking the phrase “at the location”
2261 and inserting the phrase “at the location; or” in its place.

2262 (C) A new subparagraph (C) is added to read as follows:

2263 “(C) During a period of time for which a public health emergency has
2264 been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2265 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), to prevent or
2266 mitigate the spread of contagious disease, as determined by the Department or provider.” in its
2267 place.

2268 (2) Paragraph (2) is amended by striking the phrase “to paragraph (1)(B)” and
2269 inserting the phrase “to paragraph (1)(B) or (C)” in its place.

2270 Sec. 503. Extension of care and custody for aged-out youth.

2271 (a) Section 303(a-1) of the Prevention of Child Abuse and Neglect Act of 1977, effective
2272 September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1303.03(a-1)), is amended as
2273 follows:

2274 (1) Paragraph (12) is amended by striking the phrase “; and” and inserting a
2275 semicolon in its place.

2276 (2) Paragraph (13) is amended by striking the period and inserting the phrase “;
2277 and” in its place.

2278 (3) A new paragraph (14) is added to read as follows:

2279 “(14) To retain custody of a youth committed to the Agency who becomes 21
2280 years of age during a period of time for which the Mayor has declared a public health emergency
2281 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2282 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), for a period not
2283 exceeding 90 days after the end of the public health emergency; provided, that the youth
2284 consents to the Agency’s continued custody.”.

2285 (b) Chapter 23 of Title 16 of the District of Columbia Official Code is amended as
2286 follows:

2287 (1) Section 16-2303 is amended as follows:

2288 (A) The existing text is designated as subsection (a).

2289 (B) A new subsection (b) is added to read as follows:

2290 “(b) The Division shall retain jurisdiction of a minor in the legal custody of a public
2291 agency pursuant to § 16-2320(a)(1)(3)(A) who becomes 21 years of age during a period of time
2292 for which the Mayor has declared a public health emergency pursuant to § 7-2304.01, for a
2293 period not exceeding 90 days after the end of the public health emergency; provided, that the
2294 minor consents to the Division’s retention of jurisdiction.”.

2295 (2) Section 16-2322(f)(1) is amended by striking the phrase “twenty-one years of
2296 age” and inserting the phrase “21 years of age, not including orders extended pursuant to § 16-
2297 2303(b)” in its place.

2298 Sec. 504. Standby guardianship.

2299 Section 16-4802 of the District of Columbia Official Code is amended as follows:

2300 (a) A new paragraph (5A) is added to read as follows:

2301 “(5A) “COVID-19” means the disease caused by the novel 2019 coronavirus
2302 SARS-CoV-2.”.

2303 (b) Paragraph (6) is amended to read as follows:

2304 “(6) “Debilitation” means those periods when a person cannot care for that
2305 person’s minor child as a result of:

2306 “(A) A chronic condition caused by physical illness, disease, or injury
2307 from which, to a reasonable degree of probability, the designator may not recover; or

2308 “(B) A serious medical condition caused by COVID-19.”.

2309 (c) Paragraph (10) is amended to read as follows:

2310 “(10) “Incapacity” means:

2311 “(A) A chronic and substantial inability, as a result of a mental or organic
2312 impairment, to understand the nature and consequences of decisions concerning the care of a
2313 minor child, and a consequent inability to care for the minor child; or

2314 “(B) A substantial inability, as a result of COVID-19, to understand the
2315 nature and consequences of decisions concerning the care of a minor child, and a consequent
2316 inability to care for the minor child.”.

2317 (d) Paragraph (13) is amended to read as follows:

2318 “(13) “Triggering event” means any of the following events:

2319 “(A) The designator is subject to an adverse immigration action;

2320 “(B) The designator has been diagnosed, in writing, by a licensed clinician
2321 to suffer from a chronic condition caused by injury, disease, or illness from which, to a
2322 reasonable degree of probability, the designator may not recover and the designator:

2323 “(i) Becomes debilitated, with the designator’s written
2324 acknowledgement of debilitation and consent to commencement of the standby guardianship;
2325 “(ii) Becomes incapacitated as determined by an attending
2326 clinician; or

2327 “(iii) Dies; or

2328 “(C) The designator has been diagnosed, in writing, by a licensed clinician
2329 to suffer from COVID-19 and the designator:

2330 “(i) Becomes debilitated, with the designator’s written
2331 acknowledgement of debilitation and consent to commencement of the standby guardianship;

2332 “(ii) Becomes incapacitated as determined by an attending
2333 clinician; or

2334 “(iii) Dies.”.

2335 Sec. 505. Health status and residence of wards.

2336 Subchapter V of Chapter 20 of Title 21 of the District of Columbia Official Code is
2337 amended as follows:

2338 (a) The table of contents is amended by adding a new section designation to read as
2339 follows:

2340 “§ 21-2047.03. Duty of guardian to inform certain relatives about the health status and
2341 residence of a ward.”

2342 (b) A new section 21-2047.03 is added to read as follows:

2343 § 21-2047.03. Duty of guardian to inform certain relatives about the health status and
2344 residence of a ward.

2345 “(a) During a period for which a public health emergency has been declared pursuant to
2346 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
2347 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), the guardian of a ward shall inform at least
2348 one relative of the ward, if one exists pursuant to subsection (d) of this section, as soon as
2349 practicable but no later than within 48 hours, of the following events:

2350 “(1) The ward dies;

2351 “(2) The ward is admitted to a medical facility;

2352 “(3) The ward is transferred to acute care;

2353 “(4) The ward is placed on a ventilator;

2354 “(5) The residence of the ward or the location where the ward lives has changed;

2355 or

2356 “(6) The ward is staying at a location other than the residence of the ward for a
2357 period that exceeds 7 consecutive days.

2358 “(b) In the case of the death of the ward, the guardian shall inform at least one relative of
2359 the ward, if one exists, pursuant to subsection (d) of this section, of any funeral arrangements and
2360 the location of the final resting place of the ward at least 72 hours before the funeral.

2361 “(c) Nothing in this section shall be construed to exempt a guardian from complying with
2362 federal or District privacy laws to which they are otherwise subject.

2363 “(d) This section shall apply only to the relative of a ward:

2364 “(1) Against whom a protective order is not in effect to protect the ward;

2365 “(2) Who has not been found by a court or other state agency to have abused,
2366 neglected, or exploited the ward; and

2367 “(3) Who has elected in writing to receive a notice about the ward.

2368 “(e) For the purposes of this section the term:

2369 “(1) “Relative” means a spouse, parent, sibling, child, or domestic partner of the
2370 ward.

2371 “(2) “Domestic partner” shall have the same meaning as in section 2(3) of the
2372 Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C.
2373 Official Code § 32–701(3)).”.

2374 Sec. 506. Contact tracing hiring requirements.

2375 An Act to authorize the Commissioners of the District of Columbia to make regulations
2376 to prevent and control the spread of communicable and preventable diseases, approved August
2377 11, 1939 (53 Stat. 1408; D.C. Official Code § 7-131 *et seq.*), is amended by adding a new section
2378 9a to read as follows:

2379 “Sec. 9a. Contact tracing hiring requirements.

2380 “Of the number of persons hired by the Department of Health for positions, whether they
2381 be temporary or permanent, under the Contact Trace Force initiative to contain the spread of the
2382 novel 2019 coronavirus (SARS-CoV-2) in the District, the Director of the Department of Health
2383 shall establish a goal and make the best effort to hire at least 50% District residents, and for the
2384 position of investigator, whether it be a temporary or permanent position, also establish a goal
2385 and make the best effort to hire at least 25% graduates from a workforce development or adult
2386 education program funded or administered by the District of Columbia.”.

2387 Sec. 507. Public health emergency authority.

2388 The District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C.
2389 Law 3-149; D.C. Official Code § 7-2301 *et seq.*), is amended as follows:

2390 (a) Section 5(b) (D.C. Official Code § 7-2304(b)) is amended as follows:

2391 (1) Paragraph (2) is amended by striking the phrase “District of Columbia
2392 government;” and inserting the phrase “District of Columbia government; provided further, that
2393 a summary of each emergency procurement entered into during a period for which a public
2394 health emergency is declared shall be provided to the Council no later than 7 days after the
2395 contract is awarded. The summary shall include:

2396 (A) A description of the goods or services procured;

2397 (B) The source selection method;

2398 (C) The award amount; and

2399 (D) The name of the awardee.”.

2400 (2) Paragraph (13) is amended by striking the phrase “; or” and inserting a
2401 semicolon in its place.

2402 (3) Paragraph (14) is amended by striking the period at the end and inserting a
2403 semicolon in its place.

2404 (4) New paragraphs (15) and (16) are added to read as follows:

2405 “(15) Waive application of any law administered by the Department of Insurance,
2406 Securities, and Banking if doing so is reasonably calculated to protect the health, safety, or
2407 welfare of District residents; and

2408 “(16) Notwithstanding any provision of the District of Columbia Government
2409 Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C.
2410 Official Code § 1-601.01 *et seq.*) (“CMPA”), or the rules issued pursuant to the CMPA, the Jobs
2411 for D.C. Residents Amendment Act of 2007, effective February 6, 2008 (D.C. Law 17-108; D.C.
2412 Official Code § 1-515.01 *et seq.*), or any other personnel law or rules, the Mayor may take the

2413 following personnel actions regarding executive branch subordinate agencies that the Mayor
2414 determines necessary and appropriate to address the emergency:

- 2415 “(A) Redeploying employees within or between agencies;
- 2416 “(B) Modifying employees’ tours of duty;
- 2417 “(C) Modifying employees’ places of duty;
- 2418 “(D) Mandating telework;
- 2419 “(E) Extending shifts and assigning additional shifts;
- 2420 “(F) Providing appropriate meals to employees required to work overtime
2421 or work without meal breaks;
- 2422 “(G) Assigning additional duties to employees;
- 2423 “(H) Extending existing terms of employees;
- 2424 “(I) Hiring new employees into the Career, Education, and Management
2425 Supervisory Services without competition;
- 2426 “(J) Eliminating any annuity offsets established by any law; or
- 2427 “(K) Denying leave or rescinding approval of previously approved leave.”.

2428 (b) Section 5a(d) (D.C. Official Code § 7-2304.01(d)) is amended as follows:

2429 (1) Paragraph (3) is amended by striking the phrase “solely for the duration of the
2430 public health emergency; and” and inserting the phrase “solely for actions taken during the
2431 public health emergency;” in its place.

2432 (2) Paragraph (4) is amended by striking the period at the end and inserting a
2433 semicolon in its place.

2434 (3) New paragraphs (5), (6), and (7) are added to read as follows:

2435 “(5) Waive application in the District of any law administered by the Department
2436 of Insurance, Securities, and Banking if doing so is reasonably calculated to protect the health,
2437 safety, and welfare of District residents;

2438 “(6) Authorize the use of crisis standards of care or modified means of delivery of
2439 health care services in scarce-resource situations; and

2440 “(7) Authorize the Department of Health to coordinate health-care delivery for
2441 first aid within the limits of individual licensure in shelters or facilities as provided in plans and
2442 protocols published by the Department of Health.”.

2443 (c) A new section 5b to read as follows:

2444 “Sec. 5b. Public health emergency response grants.

2445 “(a) Upon the Mayor’s declaration of a public health emergency pursuant to section 5a,
2446 and for a period not exceeding 90 days after the end of the public health emergency, the Mayor
2447 may, notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C.
2448 Law 20-61; D.C. Official Code § 1-328.11 et seq.), and in the Mayor’s sole discretion, issue a
2449 grant or loan to a program or organization to assist the District in responding to the public health
2450 emergency, including a grant or loan for the purpose of:

2451 “(1) Increasing awareness and participation in disease investigation and contact
2452 tracing;

2453 “(2) Purchasing and distributing personal protective equipment;

2454 “(3) Promoting and facilitating social distancing measures;

2455 “(4) Providing public health awareness outreach; or

2456 “(5) Assisting residents with obtaining disease testing, contacting health care
2457 providers, and obtaining medical services.

2458 “(b) The Mayor may issue one or more grants to a third-party grant-managing entity for
2459 the purpose of issuing or administering grants on behalf of the Mayor in accordance with the
2460 requirements of this section.

2461 “(c)(1) The Mayor, and any third-party entity chosen pursuant to subsection (b) of this
2462 section, shall maintain a list of all grants and loans awarded pursuant to this section with respect
2463 to each public health emergency for which grants or loans are issued. The list shall identify, for
2464 each award, the grant or loan recipient, the date of award, the intended use of the award, and the
2465 award amount.

2466 “(2) The Mayor shall publish the list online no later than 60 days after the first
2467 grant or loan is issued under this section with respect to a specific public health emergency and
2468 shall publish an updated list online within 30 days after each additional grant or loan, if any, is
2469 issued with respect to the specific public health emergency.

2470 “(d) The Mayor, pursuant to section 105 of the District of Columbia Administrative
2471 Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505), may
2472 issue rules to implement the provisions of this section.”.

2473 (d) Section 8 (D.C. Official Code § 7-2307) is amended as follows:

2474 (1) The existing text is designated as subsection (a).

2475 (2) New subsections (b) and (c) are added to read as follows:

2476 “(b) The Mayor may revoke, suspend, or limit the license, permit, or certificate of
2477 occupancy of a person or entity that violates an emergency executive order.

2478 “(c) For the purposes of this section a violation of a rule, order, or other issuance issued
2479 under the authority of an emergency executive order shall constitute a violation of the emergency
2480 executive order.”.

2481 Sec. 508. Public benefits clarification and continued access.

2482 (a) The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C.

2483 Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

2484 (1) Section 101 (D.C. Official Code § 4-201.01) is amended by adding a new
2485 paragraph (2A-i) to read as follows:

2486 “(2A-i) “COVID-19 relief” means any benefit in cash or in kind, including
2487 pandemic Supplemental Nutrition Assistance Program benefits, emergency Supplemental
2488 Nutrition Assistance Program benefits, and advance refund of tax credits, that are of a gain or
2489 benefit to a household and were received pursuant to federal or District relief provided in
2490 response to the COVID-19 Public Health Emergency of 2020. The term “COVID-19 relief”
2491 does not include COVID-19 related unemployment insurance benefits.”.

2492 (2) Section 505(4) (D.C. Official Code § 4-205.05(4)) is amended by striking the
2493 phrase “medical assistance” and inserting the phrase “medical assistance; COVID-19 relief;” in
2494 its place.

2495 (3) Section 533(b) (D.C. Official Code § 4-205.33(b)) is amended by adding a
2496 new paragraph (4) to read as follows:

2497 “(4) COVID-19 relief shall not be considered in determining eligibility for TANF
2498 and shall not be treated as a lump-sum payment or settlement under this act.”.

2499 (b) Notwithstanding any provision of District law, the Mayor may extend the eligibility
2500 period for individuals receiving benefits, extend the timeframe for determinations for new
2501 applicants, and take such other actions as the Mayor determines appropriate to support continuity
2502 of, and access to, any public benefit program, including the DC Healthcare Alliance and
2503 Immigrant Children’s program, Temporary Assistance for Needy Families, and Supplemental

2504 Nutritional Assistance Program, until 60 days after the end of a public health emergency
2505 declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act
2506 of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), as
2507 allowable under federal law.

2508 Sec. 509. Notice of modified staffing levels.

2509 Section 504(h-1)(1)(B) of the Health-Care and Community Residence Facility Hospice
2510 and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C.
2511 Official Code § 44-504(h-1)(1)(B)), is amended as follows:

2512 (a) Sub-subparagraph (i) is amended by striking the phrase “; and” and inserting a
2513 semicolon in its place.

2514 (b) Sub-subparagraph (ii) is amended by striking the semicolon and inserting the phrase
2515 “; and” in its place.

2516 (c) A new sub-subparagraph (iii) is added to read as follows:

2517 “(iii) Provide a written report of the staffing level to the Department of Health for
2518 each day that the facility is below the prescribed staffing level as a result of circumstances giving
2519 rise to a public health emergency during a period of time for which the Mayor has declared a
2520 public health emergency pursuant to section 5a of the District of Columbia Public Emergency
2521 Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

2522 Sec. 510. Not-for-Profit Hospital Corporation.

2523 Section 5115(l) of the Not-For-Profit Hospital Corporation Establishment Amendment
2524 Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04(l)),
2525 is amended as follows:

2526 (a) Paragraph (1) is amended by striking the phrase “Subsections (a), (b),” and inserting
2527 the phrase “Except as provided in paragraph (1A) of this subsection, subsections (a), (b),” in its
2528 place.

2529 (b) A new paragraph (1A) is added to read as follows:

2530 “(1A) During the period of time for which the Mayor has declared a public health
2531 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2532 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), subsections (a),
2533 (b), (c), (d), (e), and (f) of this section shall expire if:

2534 “(A) By September 15, 2019, the Board does not adopt a revised budget
2535 for Fiscal Year 2020 that has been certified by the Chief Financial Officer of the District of
2536 Columbia as being balanced with a District operating subsidy of \$22.14 million or less; or

2537 “(B) At any time after September 30, 2020, a District operating subsidy of
2538 more than \$15 million per year is required.”.

2539 Sec. 511. Discharge of Long-Term Care residents

2540 Section 301 of the Nursing Home and Community Residence Facilities Protection Act of
2541 1985, effective April 18, 1986 (D.C. Law 6-108; D.C. Official Code § 44-1003.01), is amended
2542 by adding a new subsection (c) to read as follows:

2543 “(c) During a period of time for which the Mayor has declared a public health emergency
2544 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2545 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), plus an additional 45
2546 days following the end of that period, a facility providing long-term care shall not involuntarily
2547 discharge a resident except because the discharge:

2548 “(1) Results from the completion of the resident’s skilled nursing or medical care;
2549 or
2550 “(2) Is essential to safeguard that resident or one or more other residents from
2551 physical injury.”.

2552 Sec. 512. Long-Term Care Facility reporting of positive cases.

2553 Each long-term care facility located in the District shall report daily to the Department of
2554 Health both the number of novel 2019 coronavirus (SARS-CoV-2) positive cases and the number
2555 of novel 2019 coronavirus (SARS-CoV-2)-related deaths for both employees and residents of the
2556 long-term care facility during the period of time for which the Mayor has declared a public
2557 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
2558 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 60
2559 days thereafter.

2560 Sec. 513. Food access study.

2561 The Food Policy Council and Director Establishment Act of 2014, effective March 10,
2562 2015 (D.C. Law 20-191; D.C. Official Code § 48-311 *et seq.*), is amended by adding a new
2563 section 5a to read as follows:

2564 “Sec. 5a. Food access study.

2565 “(a) By July 15, 2020, the Food Policy Director, in consultation with the Department of
2566 Employment Services, the Department of Human Services, the Homeland Security and
2567 Emergency Management Agency, and, as needed, other District agencies, shall make publicly
2568 available a study that evaluates and makes recommendations regarding food access needs during
2569 and following the COVID-19 public health emergency, including:

2570 “(1) An analysis of current and projected food insecurity rates, based on data
2571 compiled across District agencies; and

2572 “(2) A plan for how to address food needs during and following the public health
2573 emergency.

2574 “(b) For the purposes of this section, the term “COVID-19” means the disease caused by
2575 the novel 2019 coronavirus SARS-CoV-2.”.

2576 Sec. 514. Hospital support funding.

2577 (a) The Mayor may, notwithstanding the Grant Administration Act of 2013, effective
2578 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and in the Mayor’s
2579 sole discretion, issue a grant to an eligible hospital; provided, that the eligible hospital submits a
2580 grant application in the form and with the information required by the Mayor.

2581 (b) The amount of a grant issued to an eligible hospital shall be based on:

2582 (1) An allocation formula based on the number of beds at the eligible hospital; or

2583 (2) Such other method or formula, as established by the Mayor, that addresses the
2584 impacts of COVID-19 on eligible hospitals.

2585 (c) A grant issued pursuant to this section may be expended by the eligible hospital for:

2586 (1) Supplies and equipment related to the COVID-19 emergency, including
2587 personal protective equipment, sanitization and cleaning products, medical supplies and
2588 equipment, and testing supplies and equipment;

2589 (2) Personnel costs incurred to respond to the COVID-19 emergency, including
2590 the costs of contract staff; and

2591 (3) Costs of constructing and operating temporary structures to test individuals for
2592 COVID-19 or to treat patients with COVID-19.

2593 (d) The Mayor may issue one or more grants to a third-party grant-managing entity for
2594 the purpose of administering the grant program authorized by this section and making subgrants
2595 on behalf of the Mayor in accordance with the requirements of this section.

2596 (e) The Mayor shall maintain a list of all grants awarded pursuant to this section,
2597 identifying for each award the grant recipient, the date of award, intended use of the award, and
2598 the award amount. The Mayor shall publish the list online no later than July 1, 2020, or 30 days
2599 after the end of the COVID-19 emergency, whichever is earlier.

2600 (f) The Mayor, pursuant to section 105 of the District of Columbia Administrative
2601 Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505), may
2602 issue rules to implement the provisions of this section.

2603 (g) For the purposes of this section, the term:

2604 (1) “COVID-19” means the disease caused by the novel 2019 coronavirus SARS-
2605 CoV-2.

2606 (2) “COVID-19 emergency” means the emergencies declared in the Declaration
2607 of Public Emergency (Mayor’s Order 2020-045) and the Declaration of Public Health
2608 Emergency (Mayor’s Order 2020-046), declared on March 11, 2020, including any extension of
2609 those emergencies.

2610 (3) “Eligible hospital” means a non-profit or for-profit hospital located in the
2611 District.

2612 Sec. 515. Contractor reporting of positive cases.

2613 (a) A District government contractor or subcontractor shall immediately provide written
2614 notice to the District if it or its subcontractor learns, or has reason to believe, that a covered

2615 employee has come into contact with, had a high likelihood of coming into contact with, or has
2616 worked in close physical proximity to a covered individual.

2617 (b) Notices under subsection (a) of this section shall be made to the District government's
2618 contracting officer and contract administrator, or, if a covered individual is in care or custody of
2619 the District, to the District agency authorized to receive personally identifiable information. The
2620 notices shall contain the following information:

2621 (1) The name, job title, and contact information of the covered employee;

2622 (2) The date on, and location at, which the covered employee was exposed, or
2623 suspected to have been exposed, to SARS-CoV-2, if known;

2624 (3) All of the covered employee's tour-of-duty locations or jobsite addresses and
2625 the employee's dates at such locations and addresses;

2626 (4) The names of all covered individuals whom the covered employee is known to
2627 have come into contact with, had a high likelihood of coming into contact with, or was in close
2628 physical proximity to, while the covered employee performed any duty under the contract with
2629 the District; and

2630 (5) Any other information related to the covered employee that will enable the
2631 District to protect the health or safety of District residents, employees, or the general public.

2632 (c) A District government contractor or subcontractor shall immediately cease the on-site
2633 performance of a covered employee until such time as the covered employee no longer poses a
2634 health risk as determined in writing by a licensed health care provider. The District government
2635 contractor shall provide a written copy of the determination to the contract administrator and the
2636 contracting officer before the covered employee returns to his or her tour-of-duty location or
2637 jobsite address.

2638 (d) The District shall privately and securely maintain all personally identifiable
2639 information of covered employees and covered individuals and shall not disclose such
2640 information to a third party except as authorized or required by law. District contractors and
2641 subcontractors may submit notices pursuant to subsection (a) of this section and otherwise
2642 transmit personally identifiable information electronically; provided, that all personally
2643 identifiable information be transmitted via a secure or otherwise encrypted data method.

2644 (e) For purposes of this section, the term:

2645 (1) "Covered employee" means an employee, volunteer, subcontractor, or agent
2646 of a District government contractor or subcontractor that has provided any service under a
2647 District contract or subcontract and has:

2648 (A) Tested positive for the novel 2019 coronavirus (SARS-CoV-2);

2649 (B) Is in quarantine or isolation due to exposure or suspected exposure to the
2650 novel 2019 coronavirus (SARS-CoV-2); or

2651 (C) Is exhibiting symptoms of COVID-19.

2652 (2) "Covered individual" means:

2653 (A) A District government employee, volunteer, or agent;

2654 (B) An individual in the care of the District, the contractor, or the

2655 subcontractor; or

2656 (C) A member of the public who interacted with, or was in close proximity

2657 to, a covered employee while the covered employee carried out performance under a District

2658 government contract or subcontract and while the covered employee was at a District

2659 government facility or a facility maintained or served by the contractor or subcontractor under a

2660 District government contract or subcontract.

2661 (3) “COVID-19” means the disease caused by the novel 2019 coronavirus
2662 (SARS-CoV-2).

2663 (4) “District government facility” means a building or any part of a building that
2664 is owned, leased, or otherwise controlled by the District government.

2665 (5) “SARS-CoV-2” means the novel 2019 coronavirus.

2666 (f) This section shall apply to all District government contracts and subcontracts that
2667 were in effect on, or awarded after March 11, 2020, and shall remain in effect during the period
2668 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
2669 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
2670 194; D.C. Official Code § 7- 2304.01), and for 30 days thereafter.

2671 **TITLE VI. EDUCATION**

2672 Sec. 601. Graduation requirements.

2673 Chapter 22 of Title 5-A of the District of Columbia Municipal Regulations (5-A DCMR §
2674 2201 *et seq.*) is amended as follows:

2675 (a) Section 2203.3(f) (5-A DCMR § 2203.3(f)) is amended by striking the phrase “shall
2676 be satisfactorily completed” and inserting the phrase “shall be satisfactorily completed; except,
2677 that this requirement shall be waived for a senior who otherwise would be eligible to graduate
2678 from high school in the District of Columbia in the 2019-20 school year” in its place.

2679 (b) Section 2299.1 (5-A DCMR § 2299.1) is amended by striking the phrase “one
2680 hundred and twenty (120) hours of classroom instruction over the course of an academic year”
2681 and inserting the phrase “one hundred and twenty (120) hours of classroom instruction over the
2682 course of an academic year; except, that following the Superintendent’s approval to grant an
2683 exception to the one hundred eighty (180) day instructional day requirement pursuant to 5A

2684 DCMR § 2100.3 for school year 2019-20, a Carnegie Unit may consist of fewer than one
2685 hundred and twenty (120) hours of classroom instruction over the course of the 2019-2020
2686 academic year for any course in which a student in grades 9-12 is enrolled” in its place.

2687 Sec. 602. Out of school time report waiver.

2688 Section 8 of the Office of Out of School Time Grants and Youth Outcomes Establishment
2689 Act of 2016, effective April 7, 2017 (D.C. Law 21-261; D.C. Official Code § 2-1555.07), is
2690 amended by adding a new subsection (c) to read as follows:

2691 “(c) During a period of time for which the Mayor has declared a public health emergency
2692 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2693 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Office may waive the
2694 requirement to conduct an annual, community-wide needs assessment pursuant to subsection
2695 (a)(1) of this section.”.

2696 Sec. 603. Summer school attendance.

2697 Section 206 of the Student Promotion Act of 2013, effective February 22, 2014 (D.C.
2698 Law 20-84; D.C. Official Code § 38-781.05), is amended by adding a new subsection (c) to read
2699 as follows:

2700 “(c) The Chancellor shall have the authority to waive the requirements of subsection (a)
2701 of this section for any student who fails to meet the promotion criteria specified in the DCMR
2702 during a school year that includes a period of time for which the Mayor has declared a public
2703 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
2704 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

2705 Sec. 604. Education research practice partnership review panel.

2706 Section 104(d)(2) of the District of Columbia Education Research Practice Partnership
2707 Establishment and Audit Act of 2018, effective March 28, 2019 (D.C. Law 22-268; D.C. Official
2708 Code § 38-785.03(d)(2)), is amended by striking the phrase “timely manner” and inserting the
2709 phrase “timely manner; except, that upon the declaration of a public health emergency pursuant
2710 to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17,
2711 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the meeting of the review panel shall
2712 be postponed until 7 business days following the end of the period of time for which the public
2713 health emergency was declared” in its place.

2714 Sec. 605. UDC Board of Trustees terms.

2715 Section 201 of the District of Columbia Public Postsecondary Education Reorganization
2716 Act, approved October 26, 1974 (88 Stat. 1424; D.C. Official Code § 38-1202.01), is amended as
2717 follows:

2718 (a) Subsections (d), (e), and (f) are amended to read as follows:

2719 “(d) All terms on the Board of Trustees shall begin on May 15 and shall end one or 5
2720 years thereafter on May 14. The student member elected pursuant to subsection (c)(2) of this
2721 section shall serve for a term of one year. All other members shall serve for a term of 5 years.
2722 Depending on the date of the individual’s election or appointment, a member of the Board of
2723 Trustees may not actually serve a full term.

2724 “(e) A member of the Board of Trustees who is elected as a holder of a degree pursuant to
2725 subsection (c)(3) of this section may be re-elected to serve one additional term, after which he or
2726 she may not again be elected pursuant to subsection (c)(3) of this section until at least 5 years
2727 have passed following his or her last day of service on the Board.”.

2728 “(f) A member of the Board of Trustees who is appointed pursuant to subsection (c)(1) of
2729 this section may serve 3 full or partial terms consecutively. No member shall serve for more
2730 than 15 consecutive years, regardless of whether elected or appointed, and shall not serve
2731 thereafter until 5 years have passed following his or her last day of service on the Board.”.

2732 Sec. 606. UDC fundraising match.

2733 Section 4082(a) of the University of the District of Columbia Fundraising Match Act of
2734 2019, effective September 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is amended by striking the
2735 phrase “for every \$2 that UDC raises from private donations by April 1” and inserting the phrase
2736 “to match dollar-for-dollar the amount UDC raises from private donations by May 1” in its place.

2737 **TITLE VII. PUBLIC SAFETY AND JUSTICE**

2738 Sec. 701. Jail reporting.

2739 Section 3022(c) of the Office of the Deputy Mayor for Public Safety and Justice
2740 Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code §
2741 1-301.191(c)), is amended as follows:

2742 (a) Paragraph (5)(B) is amended by striking the phrase “; and” and inserting a semicolon
2743 in its place.

2744 (b) Paragraph (6)(G)(viii) is amended by striking the period and inserting the phrase “;
2745 and” in its place.

2746 (c) A new paragraph (7) is added to read as follows:

2747 “(7) During a period of time for which the Mayor has declared a public health
2748 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2749 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), provide to the

2750 Council Committee with jurisdiction over the Office a weekly written update containing the
2751 following information:

2752 “(A) Unless otherwise distributed to the Chairperson of the Council
2753 Committee with jurisdiction over the Office by the Criminal Justice Coordinating Council, a
2754 daily census for that week of individuals detained in the Central Detention Facility and
2755 Correctional Treatment Facility, categorized by legal status;

2756 “(B) Any District of Columbia Government response to either the United
2757 States District Court for the District of Columbia or the Court-appointed inspectors regarding the
2758 implementation of the Court’s orders and resolution of the inspectors’ findings in the matter of
2759 *Banks v. Booth* (Civil Action No. 20-849), redacted for personally identifiable information; and

2760 “(C) A description of:

2761 “(i) All actions taken by the District Government to improve
2762 conditions of confinement in the Central Detention Facility and Correctional Treatment Facility,
2763 including by the Director of the Department of Youth and Rehabilitation Services or Director’s
2764 designee; and

2765 “(ii) Without reference to personally identifiable information,
2766 COVID-19 testing of individuals detained in the Central Detention Facility and Correctional
2767 Treatment Facility, including whether and under what conditions the District is testing
2768 asymptomatic individuals.”.

2769 Sec. 702. Civil rights enforcement.

2770 The Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C.
2771 Official Code § 2-1401.01 *et seq.*), is amended by adding a new section 316a to read as follows:

2772 “Sec. 316a. Civil actions by the Attorney General.

2773 “During a period of time for which the Mayor has declared a public health emergency
2774 (“PHE”) pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2775 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), in a civil action
2776 initiated by the Attorney General for the District of Columbia (“Attorney General”) for
2777 violations of this act, or a civil action arising in connection with the PHE, other than an action
2778 brought pursuant to section 307:

2779 “(1) The Attorney General may obtain:

2780 “(A) Injunctive relief, as described in section 307;

2781 “(B) Civil penalties, up to the amounts described in section 313(a)(1)(E-
2782 1), for each action or practice in violation of this act, and, in the context of a discriminatory
2783 advertisement, for each day the advertisement was posted; and

2784 “(C) Any other form of relief described in section 313(a)(1); and

2785 “(2) The Attorney General may seek subpoenas for the production of documents
2786 and materials or for the attendance and testimony of witnesses under oath, or both, which shall
2787 contain the information described in section 110a(b) of the Attorney General for the District of
2788 Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015
2789 (D.C. Law 21-36; D.C. Official Code § 1-301.88d(b)) (“Act”), and shall follow the procedures
2790 described in section 110a(c), (d), and (e) of the Act (D.C. Official Code § 1-301.88d(c), (d), and
2791 (e)); provided, that the subpoenas are not directed to a District government official or entity.”.

2792 Sec. 703. FEMS reassignments.

2793 Section 212 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law
2794 2-38; D.C. Official Code § 2-1402.12), is amended by adding a new subsection (c) to read as
2795 follows:

2796 “(c) It shall not be an unlawful discriminatory practice for the Mayor to reassign
2797 personnel of the Fire and Emergency Medical Services Department from firefighting and
2798 emergency medical services operations during a period of time for which a public health
2799 emergency has been declared pursuant to section 5a of the District of Columbia Public
2800 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2801 2304.01), based upon the inability of the personnel to wear personal protective equipment in a
2802 manner consistent with medical and health guidelines.”.

2803 Sec. 704. Police Complaints Board investigation extension.

2804 Section 5(d-3) of the Office of Citizen Complaint Review Establishment Act of 1998,
2805 effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104(d-3)), is amended
2806 as follows:

2807 (a) Paragraph (1) is amended by striking the phrase “January 1, 2017, through December
2808 31, 2019” and inserting the phrase “August 1, 2019, through January 31, 2020” in its place.

2809 (b) Paragraph (2) is amended by striking the date “April 30, 2021” and inserting the date
2810 “September 30, 2021” in its place.

2811 Sec. 705. Extension of time for non-custodial arrestees to report.

2812 Section 23-501(4) of the District of Columbia Official Code is amended by striking the
2813 period and inserting the phrase “, or within 90 days, if the non-custodial arrest was conducted
2814 during a period of time for which the Mayor has declared a public health emergency pursuant to
2815 § 7-2304.01.” in its place.

2816 Sec. 706. Good time credits and compassionate release.

2817 (a) Section 3c(c) of the District of Columbia Good Time Credits Act of 1986, effective
2818 May 17, 2011 (D.C. Law 18-732; D.C. Official Code § 24-221.01c(c)), is amended by striking

2819 the phrase “this section combined” and inserting the phrase “this section combined; except, that
2820 during a period for which a public health emergency has been declared pursuant to section 5a of
2821 the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law
2822 14-194; D.C. Official Code § 7-2304.01), the Department of Corrections shall have discretion to
2823 award additional credits beyond the limits described in this subsection to effectuate the
2824 immediate release of persons sentenced for misdemeanors, including pursuant to section 3 and
2825 this section, consistent with public safety.”.

2826 (b) An Act To establish a Board of Indeterminate Sentence and Parole for the District of
2827 Columbia and to determine its functions, and for other purposes, approved July 15, 1932 (47
2828 Stat. 696; D.C. Official Code § 24-403 *et seq.*), is amended as follows:

2829 (1) A new section 3a-1 is added to read as follows:

2830 “Sec. 3a-1. Good time credit for felony offenses committed before August 5, 2000.

2831 “(a)(1) Notwithstanding any other provision of law, a defendant who is serving a term of
2832 imprisonment for an offense committed between June 22, 1994, and August 4, 2000, shall be
2833 retroactively awarded good time credit toward the service of the defendant’s sentence of up to 54
2834 days for each year of the defendant’s sentence imposed by the court, subject to determination by
2835 the Bureau of Prisons that during those years the defendant has met the conditions provided in 18
2836 U.S.C. § 3624(b).

2837 “(2) An award of good time credit pursuant to paragraph (1) of this subsection
2838 shall apply to the minimum and maximum term of incarceration, including the mandatory
2839 minimum; provided, that in the event of a maximum term of life, only the minimum term shall
2840 receive good time.

2841 “(b)(1) Notwithstanding any other provision of law, a defendant who is serving a term of
2842 imprisonment for an offense committed before June 22, 1994, shall be retroactively awarded
2843 good time credit toward the service of the defendant’s sentence of up to 54 days for each year of
2844 the defendant’s sentence imposed by the court, subject to determination by the Bureau of Prisons
2845 that during those years the defendant has met the conditions provided in 18 U.S.C. § 3624(b).

2846 “(2) An award of good time credit pursuant to paragraph (1) of this subsection:

2847 “(A) Shall apply to any mandatory minimum term of incarceration; and

2848 “(B) Is not intended to modify how the defendant is awarded good time
2849 credit toward any portion of the sentence other than the mandatory minimum.”.

2850 (2) A new section 3d is added to read as follows:

2851 “Sec. 3d. Motions for compassionate release for individuals convicted of felony offenses.

2852 “(a) Notwithstanding any other provision of law, the court may modify a term of
2853 imprisonment imposed upon a defendant if it determines the defendant is not a danger to the
2854 safety of any other person or the community, pursuant to the factors to be considered in 18
2855 U.S.C. §§ 3142(g) and 3553(a) and evidence of the defendant's rehabilitation while incarcerated,
2856 and:

2857 “(1) The defendant has a terminal illness, which means a disease or condition with
2858 an end-of-life trajectory;

2859 “(2) The defendant is 60 years of age or older and has served at least 25 years in
2860 prison; or

2861 “(3) Other extraordinary and compelling reasons warrant such a modification,
2862 including:

2863 “(A) A debilitating medical condition involving an incurable, progressive
2864 illness, or a debilitating injury from which the defendant will not recover;

2865 “(B) Elderly age, defined as a defendant who:

2866 “(i) Is 60 years of age or older;

2867 “(ii) Has served at least 20 years in prison or has served the greater
2868 of 10 years or 75% of his or her sentence; and

2869 “(iii) Suffers from a chronic or serious medical condition related to
2870 the aging process or that causes an acute vulnerability to severe medical complications or death
2871 as a result of COVID-19;

2872 “(C) Death or incapacitation of the family member caregiver of the
2873 defendant’s children; or

2874 “(D) Incapacitation of a spouse or a domestic partner when the defendant
2875 would be the only available caregiver for the spouse or domestic partner.

2876 “(b) Motions brought pursuant to this section may be brought by the United States
2877 Attorney’s Office for the District of Columbia, the Bureau of Prisons, the United States Parole
2878 Commission, or the defendant.

2879 “(c) Although a hearing is not required, to provide for timely review of a motion made
2880 pursuant to this section and at the request of counsel for the defendant, the court may waive the
2881 appearance of a defendant currently held in the custody of the Bureau of Prisons.

2882 “(d) For the purposes of this section, the term “COVID-19” means the disease caused by
2883 the novel 2019 coronavirus SARS-CoV-2.

2884 Sec. 707. Healthcare provider liability.

2885 (a) Notwithstanding any provision of District law:

2886 (1) A healthcare provider, first responder, or volunteer who renders care or
2887 treatment to a potential, suspected, or diagnosed individual with COVID-19 shall be exempt
2888 from liability in a civil action for damages resulting from such care or treatment of COVID-19,
2889 or from any act or failure to act in providing or arranging medical treatment for COVID-19;

2890 (2) A donor of time, professional services, equipment, or supplies for the benefit
2891 of persons or entities providing care or treatment for COVID-19 to a suspected or diagnosed
2892 individual with COVID-19, or care for the family members of such individuals for damages
2893 resulting from such donation shall be exempt from liability in a civil action; and

2894 (3) A contractor or subcontractor on a District government contract that has been
2895 contracted to provide either health care services or human care services, consistent with section
2896 104(37) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
2897 371; D.C. Official Code § 2-351.04(37)), related to the District government’s COVID-19
2898 response shall be exempt from liability in a civil action.

2899 (b) The limitations on liability provided for by subsection (a) of this section shall apply to
2900 any healthcare provider, first responder, volunteer, donor, or District government contractor or
2901 subcontractor of a District government contractor (“provider”), including a party involved in the
2902 healthcare process at the request of a health-care facility or the District government and acting
2903 within the scope of the provider’s employment or organization’s purpose, contractual or
2904 voluntary service, or donation, even if outside the provider’s professional scope of practice, state
2905 of licensure, or with an expired license, who:

2906 (1) Prescribes or dispenses medicines for off-label use to attempt to combat the
2907 COVID-19 virus, in accordance with the Trickett Wendler, Frank Mongiello, Jordan McLinn,

2908 and Matthew Bellina Right to Try Act of 2017, approved May 30, 2018 (Pub. L. No. 115-176;
2909 132 Stat. 1372).

2910 (2) Provides direct or ancillary health-care services or health care products,
2911 including direct patient care, testing, equipment or supplies, consultations, triage services,
2912 resource teams, nutrition services, or physical, mental, and behavioral therapies; or

2913 (3) Utilizes equipment or supplies outside of the product’s normal use for medical
2914 practice and the provision of health-care services to combat the COVID-19 virus;

2915 (c) The limitations on civil liability provided for by subsection (a) of this section shall not
2916 extend to:

2917 (1) Acts or omissions that constitute actual fraud, actual malice, recklessness,
2918 breach of contract, gross negligence, or willful misconduct; or

2919 (2) Acts or omissions unrelated to direct patient care; provided, that a contractor
2920 or subcontractor shall not be liable for damages for any act or omission alleged to have caused an
2921 individual to contract COVID-19.

2922 (d) The limitations on liability provided for by subsection (a) of this section extend to
2923 acts, omissions, and donations performed or made during a period of time for which the Mayor
2924 has declared a public health emergency pursuant to section 5a of the District of Columbia Public
2925 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2926 2304.01), and to damages that ensue at any time from acts, omissions, and donations made
2927 during the public health emergency.

2928 (e) A healthcare provider, first responder, or volunteer who renders care or treatment to a
2929 potential, suspected, or diagnosed individual with COVID-19 shall be exempt from criminal

2930 prosecution for any act or failure to act in providing or arranging medical treatment for COVID-
2931 19 during a public health emergency, if such action is made in good faith.

2932 (f) The limitations on liability provided for by this section do not limit the applicability of
2933 other limitations on liability, including qualified and absolute immunity, that may otherwise
2934 apply to a person covered by this section.

2935 (g) For the purposes of this section, the term “COVID-19” means the disease caused by
2936 the novel 2019 coronavirus SARS-CoV-2.

2937 **TITLE VIII. GOVERNMENT OPERATIONS**

2938 Sec. 801. Board of Elections stipends.

2939 Section 1108(c-1)(10) of the District of Columbia Government Comprehensive Merit
2940 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
2941 611.08(c-1)(10)), is amended by striking the phrase “Chairperson per year” and inserting the
2942 phrase “Chairperson per year; except, that for the remainder of 2020 following April 10, 2020,
2943 District of Columbia Board of Elections members shall be entitled to compensation at the hourly
2944 rate of \$40 while actually in the service of the board, not to exceed \$25,000 for each member per
2945 year and \$53,000 for the Chairperson per year” in its place.

2946 Sec. 802. Retirement Board Financial disclosure extension of time.

2947 Section 161(a)(1) of the District of Columbia Retirement Reform Act, approved
2948 November 17, 1979 (93 Stat. 884; D.C. Official Code § 1-731(a)(1)), is amended by striking the
2949 phrase “April 30th” and inserting the phrase “July 30th” in its place.

2950 Sec. 803. Ethics and campaign finance.

2951 (a) The Government Ethics Act of 2011, effective April 27, 2012 (D.C. Law 19-124;
2952 D.C. Official Code § 1-1162.01 *et seq.*), is amended as follows:

2953 (1) Section 224 (D.C. Official Code § 1-1162.24) is amended by adding a new
2954 subsection (c-2) to read as follows:

2955 “(c-2) Notwithstanding any other provision of this section, in calendar year 2020, the
2956 Board may change the dates by which:

2957 “(1) Reports required by this section are to be filed; and

2958 “(2) The names of public officials are to be published pursuant to subsection (c-1)
2959 of this section.”.

2960 (2) Section 225 (D.C. Official Code § 1-1162.25) is amended by adding a new
2961 subsection (b-1) to read as follows:

2962 “(b-1) Notwithstanding any other provision of this section, in calendar year 2020, the
2963 Board may change the dates by which:

2964 “(1) Reports required by subsection (a) of this section are to be filed; and

2965 “(2) Reports filed pursuant to subsection (a) of this section shall be reviewed
2966 pursuant to subsection (b) of this section.”.

2967 (3) Section 230 (D.C. Official Code § 1-1162.30) is amended by adding a new
2968 subsection (a-1) to read as follows:

2969 “(a-1) Notwithstanding any other provision of this section, in calendar year 2020, the
2970 Board may change the dates by which reports required by subsection (a) of this section shall be
2971 filed.”.

2972 (b) The Campaign Finance Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C.
2973 Official Code § 1-1163.01 *et seq.*), is amended as follows:

2974 (1) Section 304(7A)(A) (D.C. Official Code § 1-1163.04(7A)(A)) is amended by
2975 striking the phrase “in person, although online materials may be used to supplement the training”
2976 and inserting the phrase “in person or online” in its place.

2977 (2) Section 332d (D.C. Official Code § 1-1163.32d) is amended by striking the
2978 phrase “5 days after” wherever it appears and inserting the phrase “5 business days after” in its
2979 place.

2980 (3) Section 332e(e) (D.C. Official Code § 1-1163.32e(e)) is amended by striking
2981 the phrase “Within 5 days after” and inserting the phrase “Within 5 business days after” in its
2982 place.

2983 Sec. 804. Election preparations.

2984 The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat.
2985 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

2986 (a) Section 2 (D.C. Official Code § 1-1001.02) is amended by adding a new paragraph
2987 (31) to read as follows:

2988 “(31) For the June 2, 2020, Primary Election and the June 16, 2020, Ward 2
2989 Special Election, the term “polling place” shall include Vote Centers operated by the Board
2990 throughout the District.”.

2991 (b) Section 5(a) (D.C. Official Code § 1-1001.05(a)) is amended as follows:

2992 (1) A new paragraph (9A) is added to read as follows:

2993 “(9A) For the June 2, 2020, Primary Election, mail every registered qualified
2994 elector an absentee ballot application and a postage-paid return envelope;”.

2995 (2) Paragraph (10A) is amended by striking the phrase “7th day after the election”
2996 and inserting the phrase “7th day after the election; provided, that for elections held in calendar

2997 year 2020, the Board shall accept absentee ballots postmarked or otherwise proven to have been
2998 sent on or before the day of the election, and received by the Board no later than the 10th day
2999 after the election” in its place.

3000 (c) Section 7 (D.C. Official Code § 1-1001.07) is amended as follows:

3001 (1) Subsection (d)(2) is amended as follows:

3002 (A) Subparagraph (C) is amended by striking the phrase “; and” and
3003 inserting a semicolon in its place.

3004 (B) Subparagraph (D) is amended by striking the period and inserting the
3005 phrase “; and” in its place.

3006 (C) A new subparagraph (E) is added to read as follows:

3007 “(E) For the June 2, 2020, Primary Election and the June 16, 2020, Ward 2
3008 Special Election, regularly promote the Board’s revised plans for those elections on the voter
3009 registration agencies’ social media platforms, including by providing information about how to
3010 register to vote and vote by mail.”.

3011 (2) Subsection (h) is amended by adding a new paragraph (4) to read as follows:

3012 “(4) The provisions of this subsection shall not apply to the June 2, 2020, Primary
3013 Election and the June 16, 2020, Ward 2 Special Election.”.

3014 (d) Section 8 (D.C. Official Code § 1-1001.08) is amended as follows:

3015 (1) Subsection (b) is amended by adding a new paragraph (3A) to read as follows:

3016 “(3A) For the November 3, 2020, general election:

3017 “(A) Petition sheets circulated in support of a candidate for elected office
3018 pursuant to this act may be electronically:

3019 “(i) Made available by the candidate to qualified petition
3020 circulators; and

3021 “(ii) Returned by qualified petition circulators to the candidate; and
3022 “(B) Signatures on such petition sheets shall not be invalidated because
3023 the signer was also the circulator of the same petition sheet on which the signature appears.”.

3024 (2) Subsection (j) is amended as follows:

3025 (A) Paragraph (1) is amended by striking the phrase “A duly” and
3026 inserting the phrase “Except as provided in paragraph (4) of this subsection, a duly” in its place.

3027 (B) A new paragraph (4) is added to read as follows:

3028 “(4) A duly qualified candidate for the following offices for the November 3,
3029 2020, general election may be nominated directly for election to such office by a petition that is
3030 filed with the Board not fewer than 90 days before the date of such General Election and signed
3031 by the number of voters duly registered under section 7 as follows:

3032 “(A) For Delegate or at-large member of the Council, 250 voters; and

3033 “(B) For member of the Council elected by ward, 150 voters who are
3034 registered in the ward from which the candidate seeks election.”.

3035 (3) Subsection (n) is amended as follows:

3036 (A) The existing text is designated as paragraph (1).

3037 (B) The newly designated paragraph (1) is amended by striking the phrase
3038 “Each candidate” and inserting the phrase “Except as provided in paragraph (2) of this
3039 subsection, each candidate” in its place.

3040 (C) A new paragraph (2) is added to read as follows:

3041 “(2) A duly qualified candidate for the following offices for the November 3,
3042 2020, general election may be nominated directly for election to such office by a petition that is
3043 filed with the Board not fewer than 90 days before the date of such general election and signed
3044 by the number of voters duly registered under section 7 as follows:

3045 “(A) For member of the State Board of Education elected at-large, 150
3046 voters; and

3047 “(B) For member of the State Board of Education elected by ward, 50
3048 voters who are registered in the ward from which the candidate seeks election.”.

3049 (e) Section 16 (D.C. Official Code § 1-1001.16) is amended as follows:

3050 (1) Subsection (g) is amended by striking the phrase “white paper of good writing
3051 quality of the same size as the original or shall utilize the mobile application made available
3052 under section 5(a)(19). Each initiative or referendum petition sheet shall consist of one double-
3053 sided sheet providing numbered lines for 20 printed” and inserting the phrase “paper of good
3054 writing quality or shall utilize the mobile application made available under section 5(a)(19).
3055 Each initiative or referendum petition sheet shall consist of one sheet providing numbered lines
3056 for printed” in its place.

3057 (2) A new subsection (g-1) is added to read as follows:

3058 “(g-1) In calendar year 2020:

3059 “(1) Petition sheets of proposers may be electronically:

3060 “(A) Made available by the proposers to qualified petition circulators; and

3061 “(B) Returned by qualified petition circulators to the proposers; and

3062 “(2) Signatures on petition sheets of proposers shall not be invalidated because the
3063 signer was also the circulator of the same petition sheet on which the signature appears.”.

3064 Sec. 805. Absentee ballot request signature waiver.

3065 Section 720.7(h) of Title 3 of the District of Columbia Municipal Regulations (3 DCMR
3066 § 720.7(h)) is amended by striking the phrase “Voter’s signature” and inserting the phrase
3067 “Except for a request for an absentee ballot for the June 2, 2020, Primary Election or the June 16,
3068 2020, Ward 2 Special Election, voter’s signature” in its place.

3069 Sec. 806. Overseas ballot extension.

3070 Section 110 of the Uniform Military and Overseas Voters Act of 2012, effective June 5,
3071 2012 (D.C. Law 19-137; D.C. Official Code § 1-1061.10), is amended by striking the phrase
3072 “after the election;” and inserting the phrase “after the election; provided, that for elections held
3073 in calendar year 2020, the Board shall accept a military-overseas ballot postmarked or otherwise
3074 proven to have been sent on or before the day of the election, and received by the Board no later
3075 than the 10th day after the election;” in its place.

3076 Sec. 807. Remote notarizations.

3077 The Revised Uniform Law on Notarial Acts Act of 2018, effective December 4, 2018
3078 (D.C. Law 22-189; D.C. Official Code § 1-1231.01 *et seq.*), is amended as follows:

3079 (a) Section 2 (D.C. Official Code § 1-1231.01) is amended by adding a new paragraph
3080 (1A) to read as follows:

3081 “(1A) “Audio-video communication” means an electronic device or process that:

3082 “(A) Enables a notary public to view, in real time, an individual and to
3083 compare for consistency the information and photos on that individual’s government-issued
3084 identification; and

3085 “(B) Is specifically designed to facilitate remote notarizations.”.

3086 (b) Section 6 (D.C. Official Code § 1-1231.05) is amended as follows:

3087 (1) The existing text is designated as subsection (a).

3088 (2) A new subsection (b) is added to read as follows:

3089 “(b) Notwithstanding any provision of District law, during a period of time for which the
3090 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia
3091 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
3092 Code § 7-2304.01), the Mayor may authorize, without the personal appearance of the individual
3093 making the statement or executing the signature, notarial acts required or permitted under
3094 District law if:

3095 “(1) The notary public and the individual communicate with each other
3096 simultaneously by sight and sound using audio-video communication; and

3097 “(2) The notary public:

3098 “(A) Has notified the Mayor of the intention to perform notarial acts using
3099 audio-video communication and the identity of the audio-video communication the notary public
3100 intends to use;

3101 “(B) Has satisfactory evidence of the identity of the individual by means
3102 of:

3103 “(i) Personal knowledge or by the individual’s presentation of a
3104 current government-issued identification that contains the signature or photograph of the
3105 individual to the notary public during the video conference; or

3106 “(ii) A verification on oath or affirmation of a credible witness
3107 personally appearing before the officer and known to the officer or whom the officer can identify
3108 based on a current passport, driver’s license, or government-issued nondriver identification card;

3109 “(C) Confirms that the individual made a statement or executed a
3110 signature on a document;
3111 “(D) Receives by electronic means a legible copy of the signed document
3112 directly from the individual immediately after it was signed;
3113 “(E) Upon receiving the signed document, immediately completes the
3114 notarization;
3115 “(F) Upon completing the notarization, immediately transmits by
3116 electronic means the notarized document to the individual;
3117 “(G) Creates, or directs another person to create, and retains an audio-
3118 visual recording of the performance of the notarial act; and
3119 “(H) Indicates on a certificate of the notarial act and in a journal that the
3120 individual was not in the physical presence of the notary public and that the notarial act was
3121 performed using audio-visual communication.”.

3122 (c) Section 10 (D.C. Official Code § 1-1231.09) is amended by adding a new subsection
3123 (d) to read as follows:

3124 “(d) Notwithstanding any provision of District law, during a period of time for which the
3125 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia
3126 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
3127 Code § 7-2304.01), a notarial act shall be deemed to be performed in the District.”.

3128 Sec. 808. Freedom of Information Act.

3129 The Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96;
3130 D.C. Official Code § 2-531 *et seq.*), is amended as follows:

3131 (a) Section 202 (D.C. Official Code § 2-532) is amended as follows:

3132 (1) Subsection (c) is amended as follows:

3133 (A) Paragraph (1) is amended by striking the phrase “Sundays, and” and
3134 inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

3135 (B) Paragraph (2)(A) is amended by striking the phrase “Sundays, and”
3136 and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

3137 (2) Subsection (d)(1) is amended by striking the phrase “Sundays, and” both times
3138 it appears and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

3139 (b) Section 207(a) (D.C. Official Code § 2-537(a)) is amended by striking the phrase
3140 “Sundays, and” and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its
3141 place.

3142 (c) Section 209 (D.C. Official Code § 2-539) is amended by adding a new subsection (c)
3143 to read as follows:

3144 “(c) For the purposes of this title, the term “COVID-19 closure” means:

3145 “(1) A period of time for which the Mayor has declared a public health emergency
3146 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3147 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01); or

3148 “(2) A period of time during which a public body is closed due to the COVID-19
3149 coronavirus disease, as determined by the personnel authority of the public body.”.

3150 Sec. 809. Open meetings.

3151 The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code
3152 § 2-571 *et seq.*), is amended as follows:

3153 (a) Section 405(a) (D.C. Official Code § 2-575(a)) is amended as follows:

3154 (1) Paragraph (2) is amended by striking the phrase “; or” and inserting a
3155 semicolon in its place.

3156 (2) Paragraph (3) is amended by striking the period and inserting the phrase “; or”
3157 in its place.

3158 (3) A new paragraph (4) is added to read as follows:

3159 “(4) During a period for which a public health emergency has been declared
3160 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3161 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the public body takes
3162 steps reasonably calculated to allow the public to view or hear the meeting while the meeting is
3163 taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably
3164 practicable.”.

3165 (b) Section 406 (D.C. Official Code § 2-576) is amended by adding a new paragraph (6)
3166 to read as follows:

3167 “(6) The public posting requirements of paragraph (2)(A) of this section shall not
3168 apply during a period for which a public health emergency has been declared pursuant to section
3169 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3170 Law 14-194; D.C. Official Code § 7-2304.01).”.

3171 (c) Section 407(a)(1) (D.C. Official Code § 2-577(a)(1)) is amended by striking the
3172 phrase “attend the meeting;” and inserting the phrase “attend the meeting, or in the case of a
3173 meeting held during a period for which a public health emergency has been declared pursuant to
3174 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
3175 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), steps are taken that are reasonably

3176 calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if
3177 doing so is not technologically feasible, as soon thereafter as reasonably practicable.”.

3178 (d) Section 408(b) (D.C. Official Code § 2-578(b)) is amended by adding a new
3179 paragraph (3) to read as follows:

3180 “(3) The schedule provided in paragraphs (1) and (2) of this subsection shall be
3181 tolled during a period for which a public health emergency has been declared pursuant to section
3182 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3183 Law 14-194; D.C. Official Code § 7-2304.01).”.

3184 Sec. 810. Electronic witnessing.

3185 (a) Title 16 of the District of Columbia Official Code is amended as follows:

3186 (1) Section 16-4802 is amended as follows:

3187 (A) New paragraphs (9A) and (9B) are added to read as follows:

3188 “(9A) “Electronic” means relating to technology having electrical, digital,
3189 magnetic, wireless, optical, electromagnetic, or similar capabilities.

3190 “(9B) “Electronic presence” means when one or more witnesses are in a different
3191 physical location than the designator but can observe and communicate with the designator and
3192 one another to the same extent as if the witnesses and designator were physically present with
3193 one another.”.

3194 (B) New paragraphs (11A) and (11B) are added to read as follows:

3195 “(11A) “Record” means information that is inscribed on a tangible medium or that
3196 is stored in an electronic medium and is retrievable in perceivable form.

3197 “(11B) “Sign” means with present intent to authenticate or adopt a record to:

3198 “(A) Execute or adopt a tangible symbol; or

3199 “(B) Affix to or associate with the record an electronic signature.”.

3200 (2) Section 16-4803 is amended as follows:

3201 (A) Subsection (c) is amended by striking the phrase “the adult signs the
3202 designation in the presence of the designator” and inserting the phrase “the adult signs the
3203 designation in the presence or, during a period of time for which the Mayor has declared a public
3204 health emergency pursuant to § 7-2304.01, the electronic presence of the designator” in its place.

3205 (B) Subsection (d) is amended by striking the phrase “in the presence of 2
3206 witnesses” and inserting the phrase “in the presence or, during a period of time for which the
3207 Mayor has declared a public health emergency pursuant to § 7-2304.01, the electronic presence
3208 of 2 witnesses” in its place.

3209 (b) Title 21 of the District of Columbia Official Code is amended as follows:

3210 (1) Section 21-2011 is amended as follows:

3211 (A) New paragraphs (5B-i) and (5B-ii) are added to read as follows:

3212 “(5B-i) “Electronic” means relating to technology having electrical, digital,
3213 magnetic, wireless, optical, electromagnetic, or similar capabilities.

3214 “(5B-ii) “Electronic presence” means when one or more witnesses are in a
3215 different physical location than the signatory but can observe and communicate with the
3216 signatory and one another to the same extent as if the witnesses and signatory were physically
3217 present with one another.”.

3218 (B) New paragraphs (23A) and (23B) are added to read as follows:

3219 “(23A) “Record” means information that is inscribed on a tangible medium or that
3220 is stored in an electronic medium and is retrievable in perceivable form.

3221 “(23B) “Sign” means with present intent to authenticate or adopt a record to:

3222 “(A) Execute or adopt a tangible symbol; or
3223 “(B) Affix to or associate with the record an electronic signature.”.

3224 (2) Section 21-2043 is amended by adding a new subsection (c-1) to read as
3225 follows:

3226 “(c-1) With respect to witnesses referred to in subsection (c) of this section, witnesses
3227 must be in the presence or, during a period of time for which the Mayor has declared a public
3228 health emergency pursuant to § 7-2304.01, the electronic presence of the signatory.”.

3229 (3) Section 21-2202 is amended as follows:

3230 (A) New paragraphs (3A) and (3B) are added to read as follows:

3231 “(3A) “Electronic” means relating to technology having electrical, digital,
3232 magnetic, wireless, optical, electromagnetic, or similar capabilities.

3233 “(3B) “Electronic presence” means when one or more witnesses are in a different
3234 physical location than the principal but can observe and communicate with the principal and one
3235 another to the same extent as if the witnesses and principal were physically present with one
3236 another.”.

3237 (B) A new paragraph (6B) is added to read as follows:

3238 “(6B) “Record” means information that is inscribed on a tangible medium or that
3239 is stored in an electronic medium and is retrievable in perceivable form.”.

3240 (C) A new paragraph (8) is added to read as follows:

3241 “(8) “Sign” means with present intent to authenticate or adopt a record to:

3242 “(A) Execute or adopt a tangible symbol; or
3243 “(B) Affix to or associate with the record an electronic signature.”.

3244 (4) Section 21-2205(c) is amended by striking the phrase “2 adult witnesses who
3245 affirm that the principal was of sound mind” and inserting the phrase “2 adult witnesses who, in
3246 the presence or, during a period of time for which the Mayor has declared a public health
3247 emergency pursuant to § 7-2304.01, the electronic presence of the principal, affirm that the
3248 principal was of sound mind” in its place.

3249 (5) Section 21-2210(c) is amended is amended by striking the phrase “There
3250 shall be at least 1 witness present” and inserting the phrase “There shall be at least one witness
3251 present or, during a period of time for which the Mayor has declared a public health emergency
3252 pursuant to § 7-2304.01, electronically present” in its place.

3253 (c) Title III of the Disability Services Reform Amendment Act of 2018, effective May 5,
3254 2018 (D.C. Law 22-93; D.C. Official Code § 7-2131 *et seq.*), is amended as follows:

3255 (1) Section 301 (D.C. Official Code § 7-2131) is amended as follows:

3256 (A) New paragraphs (6A) and (6B) are added to read as follows:

3257 “(6A) “Electronic” means relating to technology having electrical, digital,
3258 magnetic, wireless, optical, electromagnetic, or similar capabilities.

3259 “(6B) “Electronic presence” means when one or more witnesses are in a different
3260 physical location than the signatory but can observe and communicate with the signatory and one
3261 another to the same extent as if the witnesses and signatory were physically present with one
3262 another.”.

3263 (B) New paragraphs (9A) and (9B) are added to read as follows:

3264 “(9A) “Record” means information that is inscribed on a tangible medium or that
3265 is stored in an electronic medium and is retrievable in perceivable form.

3266 “(9B) “Sign” means with present intent to authenticate or adopt a record to:

3267 “(A) Execute or adopt a tangible symbol; or
3268 “(B) Affix to or associate with the record an electronic signature.”.

3269 (2) Section 302 (D.C. Official Code § 7-2132) is amended by adding a
3270 new subsection (c-1) to read as follows:

3271 “(c-1) With respect to witnesses referred to in subsection (c) of this section, witnesses
3272 must be in the presence or, during a period of time for which the Mayor has declared a public
3273 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
3274 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the
3275 electronic presence of the signatory.”.

3276 Sec. 811. Electronic wills.

3277 Chapter 1 of Title 18 of the District of Columbia Official Code is amended as follows:

3278 (a) The table of contents is amended by adding a new section designation to read as
3279 follows:

3280 “18-813. Electronic wills.”.

3281 (b) Section 18-103(2) is amended by striking the phrase “in the presence of the testator”
3282 and inserting the phrase “in the presence or, during a period of time for which the Mayor has
3283 declared a public health emergency pursuant to § 7-2304.01, the electronic presence, as defined
3284 in § 18-813(a)(2), of the testator” in its place.

3285 (c) A new section 18-813 is added to read as follows:

3286 “§ 18-813. Electronic wills.

3287 “(a) For the purposes of this section, the term:

3288 “(1) “Electronic” means relating to technology having electrical, digital,
3289 magnetic, wireless, optical, electromagnetic, or similar capabilities.

3290 “(2) “Electronic presence” means when one or more witnesses are in a different
3291 physical location than the testator but can observe and communicate with the testator and one
3292 another to the same extent as if the witnesses and testator were physically present with one
3293 another.

3294 “(3) “Electronic will” means a will or codicil executed by electronic means.

3295 “(4) “Record” means information that is inscribed on a tangible medium or that is
3296 stored in an electronic medium and is retrievable in perceivable form.

3297 “(5) “Sign” means, with present intent to authenticate or adopt a record, to:

3298 “(A) Execute or adopt a tangible symbol; or

3299 “(B) Affix to or associate with the record an electronic signature.

3300 “(b)(1) A validly executed electronic will shall be a record that is:

3301 “(A) Readable as text at the time of signing pursuant to subparagraph (B)
3302 of this paragraph; and

3303 “(B) Signed:

3304 “(i) By the testator, or by another person in the testator’s physical
3305 presence and by the testator’s express direction; and

3306 “(ii) In the physical or electronic presence of the testator by at least
3307 2 credible witnesses, each of whom is physically located in the United States at the time of
3308 signing.

3309 “(2) In order for the electronic will to be admitted to the Probate Court, the
3310 testator, a witness to the will, or an attorney admitted to practice in the District of Columbia who
3311 supervised the execution of the electronic will shall certify a paper copy of the electronic will by
3312 affirming under penalty of perjury that:

3313 “(A) The paper copy of the electronic will is a complete, true, and accurate
3314 copy of the electronic will; and

3315 “(B) The conditions in paragraph (1) of this subsection were satisfied at
3316 the time the electronic will was signed.

3317 “(3) Except as provided in subsection (c) of this section, a certified paper copy of
3318 an electronic will shall be deemed to be the electronic will of the testator for all purposes under
3319 this title.

3320 “(c)(1) An electronic will may revoke all or part of a previous will or electronic will.

3321 “(2) An electronic will, or a part thereof, is revoked by:

3322 “(A) A subsequent will or electronic will that revokes the electronic will,
3323 or a part thereof, expressly or by inconsistency; or

3324 “(B) A direct physical act cancelling the electronic will, or a part thereof,
3325 with the intention of revoking it, by the testator or a person in the testator’s physical presence
3326 and by the testator’s express direction and consent.

3327 “(3) After it is revoked, an electronic will, or a part thereof, may not be revived
3328 other than by its re-execution, or by a codicil executed as provided in the case of wills or
3329 electronic wills, and then only to the extent to which an intention to revive is shown in the
3330 codicil.

3331 “(d) An electronic will not in compliance with subsection (b)(1) of this section is valid if
3332 executed in compliance with the law of the jurisdiction where the testator is:

3333 “(1) Physically located when the electronic will is signed; or

3334 “(2) Domiciled or resides when the electronic will is signed or when the testator
3335 dies.

3336 “(e) Except as otherwise provided in this section:

3337 “(1) An electronic will is a will for all purposes under the laws of the District of
3338 Columbia; and

3339 “(2) The laws of the District of Columbia applicable to wills and principles of
3340 equity apply to an electronic will.

3341 “(f) This section shall apply to electronic wills made during a period of time for which
3342 the Mayor has declared a public health emergency pursuant to § 7-2304.01.”.

3343 Sec. 812. Administrative hearings deadlines.

3344 Notwithstanding any provision of District law, but subject to applicable federal laws and
3345 regulations, during a period time for which the Mayor has declared a public health emergency
3346 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3347 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the 90-day time period to
3348 request a hearing shall be tolled:

3349 (1) To review an adverse action by the Mayor concerning any new application for
3350 public assistance or any application or request for a change in the amount, kind or conditions of
3351 public assistance, or a decision by the Mayor to terminate, reduce, or change the amount, kind, or
3352 conditions of public assistance benefits or to take other action adverse to the recipient pursuant to
3353 section 1009 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982
3354 (D.C. Law 4-101; D.C. Official Code § 4-210.09); or

3355 (2) To appeal an adverse decision listed in section 26(b) of the Homeless Services
3356 Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-
3357 754.41(b)).

3358 Sec. 813. Other boards and commissions.

3359 Notwithstanding any provision of law, during a period time for which the Mayor has
3360 declared a public health emergency pursuant to section 5a of the District of Columbia Public
3361 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3362 2304.01):

3363 (1) Any requirement for a board, commission, or other public body to meet is
3364 waived, unless the Mayor determines that it is necessary or appropriate for the board,
3365 commission, or other public body to meet during the period of the public health emergency, in
3366 which case the Mayor may order the board, commission, or other public body to meet;

3367 (2) Any vacancy that occurs on a board or commission shall not be considered a
3368 vacancy for the purposes of nominating a replacement; and

3369 (3) The review period for nominations transmitted to the Council for approval or
3370 disapproval in accordance with section 2(a) of the Confirmation Act of 1978, effective March 3,
3371 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)), shall be tolled.

3372 Sec. 814. Living will declaration.

3373 The Natural Death Act of 1981, effective February 25, 1982 (D.C. Law 4-69; D.C. Official
3374 Code § 7-621 *et seq.*), is amended as follows:

3375 (a) Section 2 (D.C. Official Code § 7-621) is amended as follows:

3376 (1) A new paragraph (2B) is added to read as follows:

3377 “(2B) “Electronic presence” means when one or more witnesses are in a different
3378 physical location than the declarant but can observe and communicate with the declarant and one
3379 another by using technology having electrical, digital, magnetic, wireless, optical, electromagnetic,

3380 or similar capabilities to the same extent as if the witnesses and declarant were physically present
3381 with one another.

3382 (2) A new paragraph (5A) is added to read as follows:

3383 “(5A) “Sign” means with present intent to authenticate or adopt a record to:

3384 “(A) Execute or adopt a tangible symbol; or

3385 “(B) Affix to or associate with the record an electronic signature.”.

3386 (b) Section 3 (D.C. Official Code § 7–622) is amended as follows:

3387 (1) Subsection (a)(4) is amended by striking the phrase “Signed in the presence”
3388 and inserting the phrase “Signed in the presence or, during a period of time for which the Mayor
3389 has declared a public health emergency pursuant to section 5a of the District of Columbia Public
3390 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3391 2304.01), the electronic presence” in its place.

3392 (2) A new subsection (d) is added to read as follows:

3393 “(d) During a period of time for which the Mayor has declared a public health emergency
3394 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3395 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), any signature required by
3396 this act may be an electronic signature.”.

3397 (c) Section 5(a)(3) (D.C. Official Code § 7–624(a)(3)) is amended by striking the phrase
3398 “in the presence of a witness” and inserting the phrase “in the presence or, during a period of
3399 time for which the Mayor has declared a public health emergency pursuant to section 5a of the
3400 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
3401 194; D.C. Official Code § 7-2304.01), electronic presence of a witness” in its place.

3402 **TITLE IX. LEGISLATIVE BRANCH**

3403 Sec. 901. Council Rules.

3404 The Rules of Organization and Procedure for the Council of the District of Columbia,
3405 Council Period 23, Resolution of 2019, effective January 2, 2019 (Res. 23-1; 66 DCR 272), is
3406 amended as follows:

3407 (a) Section 101(31) is amended by striking the phrase “in 2020.” and inserting the phrase
3408 “in 2020. For 2020, the summer recess shall be August 1st through September 7th.” in its place

3409 (b) Section 367 is amended by striking the phrase “remote voting or proxy shall” and
3410 inserting the phrase “proxy shall” in its place.

3411 (c) Rule VI(c) of the Council of the District of Columbia, Code of Official Conduct,
3412 Council Period 23, is amended by adding a new paragraph (5) to read as follows:

3413 “(5) Notwithstanding any other rule, during a period of time for which the Mayor
3414 has declared a public health emergency pursuant to section 5a of the District of Columbia Public
3415 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3416 2304.01), a Councilmember may disseminate information about, and connect constituents with,
3417 services and offers, including from for-profit entities, that the Councilmember determines is in
3418 the public interest in light of the public health emergency.”.

3419 (d) Rule X(f)(1)(C) of the Council of the District of Columbia, Code of Official Conduct,
3420 Council Period 23, is amended by striking the phrase “The proposed” and inserting the phrase
3421 “Unless the electronic newsletter exclusively contains information relating to a declared public
3422 health emergency, the proposed” in its place.

3423

3424 Sec. 902. Grant budget modifications.

3425 (a) The Council approves the acceptance, obligation, and expenditure by the Mayor of the
3426 federal, private, and other grants related to the Declaration of Public Emergency (Mayor's Order
3427 2020-045) and the Declaration of Public Health Emergency (Mayor's Order 2020-046), both
3428 declared on March 11, 2020, submitted to the Council for approval and accompanied by a report
3429 by the Office of the Chief Financial Officer on or before March 17, 2020 pursuant to section
3430 446B(b)(1) of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat.
3431 2040; D.C. Official Code § 1-204.46b(b)(1)).

3432 (b) For purposes of section 446B(b)(1)(B) of the District of Columbia Home Rule Act,
3433 approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(B)), the
3434 Council shall be deemed to have reviewed and approved the acceptance, obligation, and
3435 expenditure of a grant related to the Declaration of Public Emergency (Mayor's Order 2020-045)
3436 and the Declaration of Public Health Emergency (Mayor's Order 2020-046), both declared on
3437 March 11, 2020, all or a portion of which is accepted, obligated, and expended for the purpose of
3438 addressing a public emergency, if:

3439 (1) No written notice of disapproval is filed with the Secretary to the Council
3440 within 2 business days of the receipt of the report from the Chief Financial Officer under section
3441 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120
3442 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)); or

3443 (2) Such a notice of disapproval is filed within such deadline, the Council does
3444 not by resolution disapprove the acceptance, obligation, or expenditure of the grant within 5
3445 calendar days of the initial receipt of the report from the Chief Financial Officer under section

3446 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120
3447 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)).

3448 Sec. 903. Budget submission requirements.

3449 The Fiscal Year 2021 Budget Submission Requirements Resolution of 2019, effective
3450 November 22, 2019 (Res. 23-268; 66 DCR 15372), is amended as follows:

3451 (a) Section 2 is amended by striking the phrase “not later than March 19, 2020,” and
3452 inserting the phrase “not later than May 18, 2020, unless another date is set by subsequent
3453 resolution of the Council” in its place.

3454 (b) Section 3(2) is amended as follows:

3455 (1) Subparagraph (A) is amended by striking the phrase “the proposed Fiscal Year
3456 2021 Local Budget Act of 2020,” and inserting the phrase “the proposed Fiscal Year 2021 Local
3457 Budget Act of 2020, the proposed Fiscal Year 2021 Local Budget Emergency Act of 2020, the
3458 proposed Fiscal Year 2021 Local Budget Temporary Act of 2020,” in its place.

3459 (2) Subparagraph (C) is amended by striking the phrase “produced from
3460 PeopleSoft on March 19, 2020” and inserting the phrase “produced from PeopleSoft on May 18,
3461 2020” in its place.

3462 Sec. 904. Tolling of matters transmitted to the Council.

3463 (a) Section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142;
3464 D.C. Official Code § 1-523.01), is amended as follows:

3465 (1) Subsection (c) is amended by striking the phrase “180 days,” and inserting the
3466 phrase “180 days, excluding days occurring during a period of time for which the Mayor has
3467 declared a public health emergency pursuant to section 5a of the District of Columbia Public

3468 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3469 2304.01),” in its place

3470 (2) Subsection (e) is amended by striking the phrase “excluding days of Council
3471 recess” and inserting the phrase “excluding days of Council recess and days occurring during a
3472 period of time for which the Mayor has declared a public health emergency pursuant to section
3473 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3474 Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3475 (3) Subsection (f) is amended by striking the phrase “Council shall have an
3476 additional 45 days, excluding days of Council recess,” and inserting the phrase “Council shall
3477 have an additional 45 days, excluding days of Council recess and days occurring during a period
3478 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
3479 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
3480 194; D.C. Official Code § 7-2304.01),” in its place.

3481 (b) Notwithstanding any provision of law, during a period time for which the Mayor has
3482 declared a public health emergency pursuant to section 5a of the District of Columbia Public
3483 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3484 2304.01), the review period for any matter transmitted to the Council for approval or
3485 disapproval, other than nominations transmitted in accordance with section 2 of the Confirmation
3486 Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), contract
3487 approvals, or reprogrammings transmitted in accordance with section 4 of the Reprogramming
3488 Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Official Code § 47-
3489 363), shall be tolled if not inconsistent with the District of Columbia Home Rule Act, approved
3490 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3491 Sec. 905. Advisory Neighborhood Commissions.

3492 The Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C.

3493 Law 1-58; D.C. Official Code § 1-309.01 *et seq.*), is amended as follows:

3494 (a) Section 6(b) (D.C. Official Code § 1-309.05(b)) is amended as follows:

3495 (1) Paragraph (1) is amended by striking the phrase “Candidates for” and inserting

3496 the phrase “Except as provided in paragraph (3) of this subsection, candidates for” in its place.

3497 (2) A new paragraph (3) is added to read as follows:

3498 “(3) For the November 3, 2020, general election:

3499 “(A) Candidates for member of an Advisory Neighborhood Commission

3500 shall be nominated by a petition signed by not fewer than 10 registered qualified electors who are

3501 residents of the single-member district from which the candidate seeks election;

3502 “(B) The petitions of a candidate in subparagraph (A) of this paragraph

3503 may be electronically:

3504 “(i) Made available by the candidate to a qualified petition

3505 circulator; and

3506 “(ii) Returned by a qualified petition circulator to the candidate;

3507 and

3508 “(C) Signatures on a candidate’s petitions shall not be invalidated because

3509 the signer was also the circulator of the same petition on which the signature appears.”.

3510 (b) Section 8(d) (D.C. Official Code § 1-309.06(d)) is amended as follows:

3511 (1) Paragraph (1) is amended by striking the phrase “prior to a general election”

3512 both times it appears and inserting the phrase “prior to a general election or during a period of

3513 time for which a public health emergency has been declared by the Mayor pursuant to section 5a

3514 of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3515 Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3516 (2) Paragraph (6) is amended as follows:

3517 (A) Subparagraph (A) is amended by striking the phrase “and legal
3518 holidays” and inserting the phrase “legal holidays, and days during a period of time for which a
3519 public health emergency has been declared by the Mayor pursuant to section 5a of the District of
3520 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
3521 Official Code § 7-2304.01)” in its place.

3522 (B) Subparagraph (C) is amended by striking the phrase “petitions
3523 available,” and inserting the phrase “petitions available, not including days during a period of
3524 time for which a public health emergency has been declared by the Mayor pursuant to section 5a
3525 of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3526 Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3527 (C) Subparagraph (E) is amended by striking the phrase “or special
3528 meeting” and inserting the phrase “or special meeting, not to include a remote meeting held
3529 during a period of time for which a public health emergency has been declared by the Mayor
3530 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3531 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3532 (c) Section 13 (D.C. Official Code § 1-309.10) is amended by adding a new subsection
3533 (q) to read as follows:

3534 “(q) During a period of time for which a public health emergency has been declared by
3535 the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
3536 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01):

3537 “(1) The 30-day written notice requirement set forth in subsection (b) of this
3538 section shall be a 51-day written notice requirement; and

3539 “(2) The 45-calendar-day notice requirement set forth in subsection (c)(2)(A) of
3540 this section shall be a 66-calendar-day notice requirement.”.

3541 (d) Section 14(b) (D.C. Official Code § 1-309.11(b)), is amended as follows:

3542 (1) Paragraph (1) is amended by striking the phrase “by the Commission.” and
3543 inserting the phrase “by the Commission; provided, that no meetings shall be required to be held
3544 during a period for which a public health emergency has been declared by the Mayor pursuant to
3545 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
3546 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and the number of meetings required to be
3547 held in a given year shall be reduced by one for every 30 days that a public health emergency is
3548 in effect during the year.”.

3549 (2) A new paragraph (1B) is added to read as follows:

3550 “(1B) Notwithstanding any other provision of law, during a period for which a
3551 public health emergency has been declared by the Mayor pursuant to section 5a of the District of
3552 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
3553 Official Code § 7-2304.01), an Advisory Neighborhood Commissioner may call a meeting and
3554 remotely participate in that meeting and vote on matters before the Commission without being
3555 physically present through a teleconference or through digital means identified by the
3556 Commission for this purpose. Members physically or remotely present shall be counted for
3557 determination of a quorum.”.

3558 (e) Section 16 (D.C. Official Code § 1-309.13) is amended as follows:

3559 (1) Subsection (j)(3) is amended by adding a new subparagraph (C) to read as
3560 follows:

3561 “(C) Subparagraph (A)(i) of this paragraph shall not apply to the failure to
3562 file quarterly reports due during a period of time for which a public health emergency has been
3563 declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act
3564 of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

3565 (2) Subsection (m)(1) is amended by striking the phrase “District government”
3566 and inserting the phrase “District government; except, that notwithstanding any provision of
3567 District law, during a period for which a public health emergency has been declared by the
3568 Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
3569 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), a Commission
3570 may approve grants to organizations for the purpose of providing humanitarian relief, including
3571 food or supplies, during the public health emergency, or otherwise assisting in the response to
3572 the public health emergency anywhere in the District, even if those services are duplicative of
3573 services also performed by the District government” in its place.

3574 **TITLE X. BORROWING AUTHORITY**

3575 **SUBTITLE A. GENERAL OBLIGATION NOTES**

3576 Sec. 1001. Short title.

3577 This subtitle may be cited as the “Fiscal Year 2020 General Obligation Notes Temporary
3578 Act of 2020”.

3579 Sec. 1002. Definitions.

3580 For the purposes of this subtitle, the term:

3581 (1) “Additional Notes” means District general obligation notes described in
3582 section 1009 that may be issued pursuant to section 471 of the Home Rule Act (D.C. Official
3583 Code § 1-204.71), and that will mature on or before September 30, 2021, on a parity with the
3584 notes.

3585 (2) “Authorized delegate” means the City Administrator, the Chief Financial
3586 Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor’s functions under
3587 this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

3588 (3) “Available funds” means District funds required to be deposited with the
3589 Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

3590 (4) “Bond Counsel” means a firm or firms of attorneys designated
3591 as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

3592 (5) “Chief Financial Officer” means the Chief Financial Officer established
3593 pursuant to section 424(a)(1) of the Home Rule Act (D.C. Official Code § 1-204.24a(a)).

3594 (6) “City Administrator” means the City Administrator established pursuant to
3595 section 422(7) of the Home Rule Act (D.C. Official Code § 1-204.22(7)).

3596 (7) “Council” means the Council of the District of Columbia.

3597 (8) “District” means the District of Columbia.

3598 (9) “Escrow Agent” means any bank, trust company, or national banking
3599 association with requisite trust powers designated to serve in this capacity by the Chief Financial
3600 Officer.

3601 (10) “Escrow Agreement” means the escrow agreement between the District and
3602 the Escrow Agent authorized in section 1007.

3603 (11) “Home Rule Act” means the District of Columbia Home Rule Act, approved
3604 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3605 (12) “Mayor” means the Mayor of the District of Columbia.

3606 (13) “Notes” means one or more series of District general obligation notes
3607 authorized to be issued pursuant to this subtitle.

3608 (14) “Receipts” means all funds received by the District from any source,
3609 including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys
3610 advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds
3611 that are pledged to debt or other obligations according to section 1009 or that are restricted by
3612 law to uses other than payment of principal of, and interest on, the notes.

3613 (15) “Secretary” means the Secretary of the District of Columbia.

3614 (16) “Treasurer” means the District of Columbia Treasurer established pursuant to
3615 section 424(a)(3)(E) of the Home Rule Act (D.C. Official Code § 1-204.24a(c)(5)).

3616 Sec. 1003. Findings.

3617 The Council finds that:

3618 (1) Under section 471 of the Home Rule Act (D.C. Official Code § 1-204.71),
3619 the Council may authorize, by act, the issuance of general obligation notes for a fiscal year to
3620 meet appropriations for that fiscal year.

3621 (2) Under section 482 of the Home Rule Act (D.C. Official Code § 1-204.82),
3622 the full faith and credit of the District is pledged for the payment of the principal of, and interest
3623 on, any general obligation note.

3624 (3) Under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83),
3625 the Council is required to provide in the annual budget sufficient funds to pay the principal of,

3626 and interest on, all general obligation notes becoming due and payable during that fiscal year,
3627 and the Mayor is required to ensure that the principal of, and interest on, all general obligation
3628 notes is paid when due, including by paying the principal and interest from funds not otherwise
3629 legally committed.

3630 (4) The issuance of general obligation notes in a sum not to exceed
3631 \$300,000,000 is in the public interest.

3632 Sec. 1004. Note authorization.

3633 (a) The District is authorized to incur indebtedness, for operating or capital expenses, by
3634 issuing the notes pursuant to sections 471 and 482 of the Home Rule Act (D.C. Official Code §§
3635 1-204.71 and 1-204.82), in one or more series, in a sum not to exceed \$300,000,000, to meet
3636 appropriations for the fiscal year ending September 30, 2020.

3637 (b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the
3638 costs and expenses of issuing and delivering the notes, including, but not limited to,
3639 underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement,
3640 marketing and selling the notes, interest or credit fees, and printing costs and expenses.

3641 Sec. 1005. Note details.

3642 (a) The notes shall be known as “District of Columbia Fiscal Year 2020 General
3643 Obligation Notes” and shall be due and payable, as to both principal and interest, on or before
3644 September 30, 2021.

3645 (b) The Chief Financial Officer is authorized to take any action necessary or appropriate
3646 in accordance with this subtitle in connection with the preparation, execution, issuance, sale,
3647 delivery, security for, and payment of the notes, including, but not limited to, determinations of:

3648 (1) The final form, content, designation, and terms of the notes, including

3649 any redemptions applicable thereto and a determination that the notes may be issued in book-
3650 entry form;

3651 (2) Provisions for the transfer and exchange of the notes;

3652 (3) The principal amount of the notes to be issued;

3653 (4) The rate or rates of interest or the method of determining the rate or rates of
3654 interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall
3655 not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days
3656 elapsed); provided, further, that if the notes are not paid at maturity, the notes may provide for an
3657 interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the
3658 basis of a 365-day year (actual days elapsed);

3659 (5) The date or dates of issuance, sale, and delivery of the notes;

3660 (6) The place or places of payment of principal of, and interest on, the notes;

3661 (7) The designation of a registrar, if appropriate, for any series of the notes, and
3662 the execution and delivery of any necessary agreements relating to the designation;

3663 (8) The designation of paying agent(s) or escrow agent(s) for any series of the
3664 notes, and the execution and delivery of any necessary agreements relating to such designations;

3665 and

3666 (9) Provisions concerning the replacement of mutilated, lost, stolen, or destroyed
3667 notes.

3668 (c) The notes shall be executed in the name of the District and on its behalf by the
3669 signature, manual or facsimile, of the Mayor or an authorized delegate. The official seal of the
3670 District or a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a
3671 registrar is designated, the registrar shall authenticate each note by manual signature and

3672 maintain the books of registration for the payment of the principal of and interest on the notes
3673 and perform other ministerial responsibilities as specifically provided in its designation as
3674 registrar.

3675 (d) The notes may be issued at any time or from time to time in one or more
3676 issues and in one or more series.

3677 Sec. 1006. Sale of the notes.

3678 (a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract
3679 or at competitive sale pursuant to a bid form. The purchase contract or bid form shall contain the
3680 terms that the Chief Financial Officer considers necessary or appropriate to carry out the
3681 purposes of this subtitle. The Chief Financial Officer's execution and delivery of the purchase
3682 contract or bid form shall constitute conclusive evidence of the Chief Financial Officer's
3683 approval, on behalf of the District, of the final form and content of the notes. The Chief
3684 Financial Officer shall deliver the notes, on behalf of the District, to the purchasers upon
3685 receiving the purchase price provided in the purchase contract or bid form.

3686 (b) The Chief Financial Officer may execute, in connection with each sale of the notes,
3687 an offering document on behalf of the District, and may authorize the document's distribution in
3688 relation to the notes being sold.

3689 (c) The Chief Financial Officer shall take actions and execute and deliver agreements,
3690 documents, and instruments (including any amendment of or supplement to any such agreement,
3691 document, or instrument) in connection with any series of notes as required by or incidental to:

3692 (1) The issuance of the notes;

3693 (2) The establishment or preservation of the exclusion from gross income for
3694 federal income tax purposes of interest on the notes, if issued tax-exempt, and the exemption
3695 from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

3696 (3) The performance of any covenant contained in this subtitle, in any
3697 purchase contract for the notes, or in any escrow or other agreement for the security thereof;

3698 (4) The provision for securing the repayment of the notes by a letter or line of
3699 credit or other form of credit enhancement, and the repayment of advances under any such credit
3700 enhancement, including the evidencing of such a repayment obligation with a negotiable
3701 instrument with such terms as the Chief Financial Officer shall determine; or

3702 (5) The execution, delivery, and performance of the Escrow Agreement, a
3703 purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement
3704 relating to credit enhancement, if any, including any amendments of any of these agreements,
3705 documents, or instruments.

3706 (d) The notes shall not be issued until the Chief Financial Officer receives an approving
3707 opinion of Bond Counsel as to the validity of the notes and the exemption from the District
3708 income taxation of the interest on the notes (except estate, inheritance and gift taxes) and, if
3709 issued tax-exempt, the establishment or preservation of the exclusion from gross income for
3710 federal income tax purposes of the interest on the notes. .

3711 (e) The Chief Financial Officer shall execute a note issuance certificate evidencing the
3712 determinations and other actions taken by the Chief Financial Officer for each issue or series of
3713 the notes issued and shall designate in the note issuance certificate the date of the notes, the
3714 series designation, the aggregate principal amount to be issued, the authorized denominations of
3715 the notes, the sale price, and the interest rate or rates on the notes. The certificate shall be

3716 delivered at the time of delivery of the notes and shall be conclusive evidence of the actions
3717 taken as stated in the certificate. A copy of the certificates shall be filed with the Secretary to the
3718 Council not more than 3 days after the delivery of the notes covered by the certificate.

3719 Sec. 1007. Payment and security.

3720 (a) The full faith and credit of the District is pledged for the payment of the principal of,
3721 and interest on, the notes as they become due and payable through required sinking fund
3722 payments, redemptions, or otherwise.

3723 (b) The Council shall, in the full exercise of the authority granted in section 483 of the
3724 Home Rule Act (D.C. Official Code § 1-204.83) and under any other law, provide in each annual
3725 budget for a fiscal year of the District sufficient funds to pay the principal of, and interest on, the
3726 notes becoming due and payable for any reason during that fiscal year.

3727 (c) The Mayor shall, in the full exercise of the authority granted to the Mayor under the
3728 Home Rule Act and under any other law, take such actions as may be necessary or appropriate to
3729 ensure that the principal of, and interest on, the notes are paid when due for any reason, including
3730 the payment of principal and interest from any funds or accounts of the District not otherwise
3731 legally committed.

3732 (d) The notes shall evidence continuing obligations of the District until paid in
3733 accordance with their terms.

3734 (e) The funds for the payment of the notes as described in this subtitle shall be
3735 irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds
3736 shall be used for the payment of the principal of, and interest on, the notes when due, and shall
3737 not be used for other purposes so long as the notes are outstanding and unpaid.

3738 (f) The Chief Financial Officer may, without regard to any act or resolution of the
3739 Council now existing or adopted after the effective date of this subtitle, designate an Escrow
3740 Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the
3741 Escrow Agreement, on behalf of the District and in the Chief Financial Officer’s official
3742 capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate
3743 to carry out the purposes of this subtitle. A special account entitled “Special Escrow for
3744 Payment of District of Columbia Fiscal Year 2020 General Obligation Notes” is created and
3745 shall be maintained by the Escrow Agent for the benefit of the owners of the notes as stated in
3746 the Escrow Agreement. Funds on deposit, including investment income, under the Escrow
3747 Agreement shall not be used for any purposes except for payment of the notes or, to the extent
3748 permitted by the Home Rule Act, to service any contract or other arrangement permitted under
3749 subsections (k) or (l) of this section, and may be invested only as provided in the Escrow
3750 Agreement.

3751 (g) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with
3752 the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued
3753 interest and premium, if any, received upon the sale of the notes.

3754 (h) The Chief Financial Officer shall set aside and deposit with the Escrow Agent funds
3755 in accordance with the Escrow Agreement at the time and in the amount as provided in the
3756 Escrow Agreement.

3757 (i) There are provided and approved for expenditure sums as may be necessary
3758 for making payments of the principal of, and interest on, the notes, and the provisions of the
3759 Fiscal Year 2020 Local Budget Act and Fiscal Year 2021 Local Budget Act, if enacted prior to
3760 the effective date of this subtitle, relating to borrowings are amended and supplemented

3761 accordingly by this section, as contemplated in section 483 of the Home Rule Act (D.C. Official
3762 Code § 1-204.83).

3763 (j) The notes shall be payable, as to both principal and interest, in lawful money of the
3764 United States of America in immediately available or same day funds at a bank or trust company
3765 acting as paying agent, and at not more than 2 co-paying agents that may be located outside the
3766 District. All of the paying agents shall be qualified to act as paying agents under the laws of the
3767 United States of America, of the District, or of the state in which they are located, and shall be
3768 designated by the Chief Financial Officer without regard to any other act or resolution of the
3769 Council now existing or adopted after the effective date of this subtitle.

3770 (k) In addition to the security available for the holders of the notes, the Chief Financial
3771 Officer is hereby authorized to enter into agreements, including any agreement calling for
3772 payments in excess of \$1,000,000 during Fiscal Year 2020, with a bank or other financial
3773 institution to provide a letter of credit, line of credit, or other form of credit enhancement to
3774 secure repayment of the notes when due. The obligation of the District to reimburse the bank or
3775 financial institution for any advances made under any such credit enhancement shall be a general
3776 obligation of the District until repaid and shall accrue interest at the rate of interest established by
3777 the Chief Financial Officer not in excess of 20% per year until paid.

3778 (l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
3779 371; D.C. Official Code § 2-351.01 *et seq.*), and subchapter III-A of Chapter 3 of Title 47 of the
3780 District of Columbia Official Code, shall not apply to any contract that the Chief Financial
3781 Officer may from time to time determine to be necessary or appropriate to place, in whole or in
3782 part, including:

3783 (1) An investment or obligation of the District as represented by the notes;

3784 (2) An investment or obligation or program of investment; or

3785 (3) A contract or contracts based on the interest rate, currency, cash flow, or other

3786 basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap

3787 agreements; currency swap agreements; insurance agreements; forward payment conversion

3788 agreements; futures; contracts providing for payments based on levels of, or changes in, interest

3789 rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a

3790 series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure,

3791 including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts

3792 or other arrangements also may be entered into by the District in connection with, or incidental

3793 to, entering into or maintaining any agreement that secures the notes. The contracts or other

3794 arrangements shall contain whatever payment, security, terms, and conditions as the Chief

3795 Financial Officer may consider appropriate and shall be entered into with whatever party or

3796 parties the Chief Financial Officer may select, after giving due consideration, where applicable,

3797 to the creditworthiness of the counterparty or counterparties including any rating by a nationally

3798 recognized rating agency or any other criteria as may be appropriate. In connection with, or

3799 incidental to, the issuance or holding of the notes, or entering into any contract or other

3800 arrangement referred to in this section, the District may enter into credit enhancement or

3801 liquidity agreements, with payment, interest rate, termination date, currency, security, default,

3802 remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds

3803 of the notes and any money set aside for payment of the notes or of any contract or other

3804 arrangement entered into pursuant to this section may be used to service any contract or other

3805 arrangement entered into pursuant to this section.

3806 Sec. 1008. Defeasance.

3807 (a) The notes shall no longer be considered outstanding and unpaid for the purpose of this
3808 subtitle and the Escrow Agreement, and the requirements of this subtitle and the Escrow
3809 Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

3810 (1) Deposits with an Escrow Agent, herein referred to as the “defeasance escrow
3811 agent,” in a separate defeasance escrow account, established and maintained by the Escrow
3812 Agent solely at the expense of the District and held in trust for the note owners, sufficient
3813 moneys or direct obligations of the United States, the principal of and interest on which, when
3814 due and payable, will provide sufficient moneys to pay when due the principal of, and interest
3815 payable at maturity on, all the notes; and

3816 (2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to
3817 apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

3818 (b) The defeasance escrow agent shall not invest the defeasance escrow account in any
3819 investment callable at the option of its issuer if the call could result in less-than-sufficient
3820 moneys being available for the purposes required by this section.

3821 (c) The moneys and direct obligations referred to in subsection (a)(1) of this section may
3822 include moneys or direct obligations of the United States of America held under the Escrow
3823 Agreement and transferred, at the written direction of the Chief Financial Officer, to the
3824 defeasance escrow account.

3825 (d) The defeasance escrow account specified in subsection (a) of this section may be
3826 established and maintained without regard to any limitations placed on these accounts by any act
3827 or resolution of the Council now existing or adopted after this subtitle becomes effective, except
3828 for this subtitle.

3829 Sec. 1009. Additional debt and other obligations.

3830 (a) The District reserves the right at any time to: borrow money or enter into
3831 other obligations to the full extent permitted by law; secure the borrowings or obligations by the
3832 pledge of its full faith and credit; secure the borrowings or obligations by any other security and
3833 pledges of funds as may be authorized by law; and issue bonds, notes, including Additional
3834 Notes, or other instruments to evidence the borrowings or obligations.

3835 (b)(1) The District may issue Additional Notes pursuant to section 471 of the Home Rule
3836 Act (D.C. Official Code § 1-204.71) that shall mature on or before September 30, 2021, and the
3837 District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other
3838 available funds for payment of the principal of, and the interest on, the Additional Notes issued
3839 pursuant to section 471 of the Home Rule Act (D.C. Official Code § 1-204.71) on a parity basis
3840 with the notes.

3841 (2) The receipts and available funds referred to in subsection (a) of this section
3842 shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home
3843 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
3844 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

3845 (3) Any covenants relating to any Additional Notes shall have equal standing and
3846 be on a parity with the covenants made for payment of the principal of, and the interest on, the
3847 notes.

3848 (4) If Additional Notes are issued pursuant to section 471 of the Home Rule Act
3849 (D.C. Official Code § 1-204.71), the provisions of section 1007 shall apply to both the notes and
3850 the Additional Notes and increase the amounts required to be set aside and deposited with the
3851 Escrow Agent.

3852 (5) As a condition precedent to the issuance of any Additional Notes, the Chief
3853 Financial Officer shall deliver a signed certificate certifying that the District is in full compliance
3854 with all covenants and obligations under this subtitle and the Escrow Agreement.

3855 Sec. 1010. Tax matters.

3856 At the full discretion of the Chief Financial Officer, the notes authorized by this subtitle
3857 may be issued as federally taxable or tax-exempt. If issued as tax-exempt, the Chief Financial
3858 Officer shall take all actions necessary to be taken so that the interest on the notes will not be
3859 includable in gross income for federal income tax purposes.

3860 Sec. 1011. Contract.

3861 This subtitle shall constitute a contract between the District and the owners of the notes
3862 authorized by this subtitle. To the extent that any acts or resolutions of the Council may be in
3863 conflict with this subtitle, this subtitle shall be controlling.

3864 Sec. 1012. District officials.

3865 (a) The elected or appointed officials, officers, employees, or agents of the District shall
3866 not be liable personally for the payment of the notes or be subject to any personal liability by
3867 reason of the issuance of the notes.

3868 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
3869 any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding
3870 the fact that the official ceases to be that official before delivery of the notes.

3871 Sec. 1013. Authorized delegation of authority.

3872 To the extent permitted by the District and federal laws, the Mayor may delegate to the
3873 City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act
3874 authorized to be performed by the Mayor under this subtitle.

3875 Sec. 1014. Maintenance of documents.
3876 Copies of the notes and related documents shall be filed in the Office of the Secretary.

3877 **SUBTITLE B. TRANs NOTES**

3878 Sec. 1021. Short title.

3879 This subtitle may be cited as the “Fiscal Year 2020 Tax Revenue Anticipation Notes
3880 Temporary Act of 2020”.

3881 Sec. 1022. Definitions.

3882 For the purposes of this subtitle, the term:

3883 (1) “Additional Notes” means District general obligation revenue anticipation
3884 notes described in section 1029 that may be issued pursuant to section 472 of the Home Rule Act
3885 (D.C. Official Code § 1-204.72) and that will mature on or before September 30, 2020, on a
3886 parity with the notes.

3887 (2) “Authorized delegate” means the City Administrator, the Chief Financial
3888 Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor’s functions under
3889 this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

3890 (3) “Available funds” means District funds required to be deposited with the
3891 Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

3892 (4) “Bond Counsel” means a firm or firms of attorneys designated
3893 as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

3894 (5) “Chief Financial Officer” means the Chief Financial Officer established
3895 pursuant to section 424(a)(1) of the Home Rule Act (D.C. Official Code § 1-204.24a(a)).

3896 (6) “City Administrator” means the City Administrator established pursuant to
3897 section 422(7) of the Home Rule Act (D.C. Official Code § 1-204.22(7)).

3898 (7) “Council” means the Council of the District of Columbia.

3899 (8) “District” means the District of Columbia.

3900 (9) “Escrow Agent” means any bank, trust company, or national banking
3901 association with requisite trust powers designated to serve in this capacity by the Chief Financial
3902 Officer.

3903 (10) “Escrow Agreement” means the escrow agreement between the District and
3904 the Escrow Agent authorized in section 1027.

3905 (11) “Home Rule Act” means the District of Columbia Home Rule Act, approved
3906 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*)

3907 (12) “Mayor” means the Mayor of the District of Columbia.

3908 (13) “Notes” means one or more series of District general obligation
3909 revenue anticipation notes authorized to be issued pursuant to this subtitle.

3910 (14) “Receipts” means all funds received by the District from any source,
3911 including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys
3912 advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds
3913 that are pledged to debt or other obligations according to section 1029 or that are restricted by
3914 law to uses other than payment of principal of, and interest on, the notes.

3915 (15) “Secretary” means the Secretary of the District of Columbia.

3916 (16) “Treasurer” means the District of Columbia Treasurer established pursuant to
3917 section 424(a)(3)(E) of the Home Rule Act (D.C. Official Code § 1-204.24a(c)(5)).

3918 Sec. 1023. Findings.

3919 The Council finds that:

3920 (1) Under section 472 of the Home Rule Act (D.C. Official Code § 1-204.72), the
3921 Council may authorize, by act, the issuance of general obligation revenue anticipation notes for a
3922 fiscal year in anticipation of the collection or receipt of revenues for that fiscal year. Section 472
3923 of the Home Rule Act (D.C. Official Code § 1-204.72) provides further that the total amount of
3924 general obligation revenue anticipation notes issued and outstanding at any time during a fiscal
3925 year shall not exceed 20% of the total anticipated revenue of the District for that fiscal year, as
3926 certified by the Mayor pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-
3927 204.72), as of a date not more than 15 days before each original issuance of the notes.

3928 (2) Under section 482 of the Home Rule Act (D.C. Official Code § 1-204.82), the
3929 full faith and credit of the District is pledged for the payment of the principal of, and interest on,
3930 any general obligation revenue anticipation note.

3931 (3) Under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83), the
3932 Council is required to provide in the annual budget sufficient funds to pay the principal of, and
3933 interest on, all general obligation revenue anticipation notes becoming due and payable during
3934 that fiscal year, and the Mayor is required to ensure that the principal of, and
3935 interest on, all general obligation revenue anticipation notes is paid when due, including by
3936 paying the principal and interest from funds not otherwise legally committed.

3937 (4) The Chief Financial Officer has advised the Council that, based upon the
3938 Chief Financial Officer's projections of anticipated receipts and disbursements during the fiscal
3939 year ending September 30, 2020, it may be necessary for the District to borrow to a sum not to
3940 exceed \$200,000,000, an amount that does not exceed 20% of the total anticipated revenue of the
3941 District for such fiscal year, and to accomplish the borrowing by issuing general obligation
3942 revenue anticipation notes in one or more series.

3943 (5) The issuance of general obligation revenue anticipation notes in a sum not to
3944 exceed \$200,000,000 is in the public interest.

3945 Sec. 1024. Note authorization.

3946 (a) The District is authorized to incur indebtedness by issuing the notes pursuant to
3947 sections 472 and 482 of the Home Rule Act (D.C. Official Code §§ 1-204.72 and 1-204.82), in
3948 one or more series, in a sum not to exceed \$200,000,000, to finance its general governmental
3949 expenses, including operating or capital expenses, in anticipation of the collection or receipt of
3950 revenues for the fiscal year ending September 30, 2020.

3951 (b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the
3952 costs and expenses of issuing and delivering the notes, including, but not limited to,
3953 underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement,
3954 marketing and selling the notes, interest or credit fees, and printing costs and expenses.

3955

3956 Sec. 1025. Note details.

3957 (a) The notes shall be known as “District of Columbia Fiscal Year 2020 General
3958 Obligation Tax Revenue Anticipation Notes” and shall be due and payable, as to both principal
3959 and interest, on or before September 30, 2020.

3960 (b) The Chief Financial Officer is authorized to take any action necessary or appropriate
3961 in accordance with this subtitle in connection with the preparation, execution, issuance, sale,
3962 delivery, security for, and payment of the notes, including, but not limited to, determinations of:

3963 (1) The final form, content, designation, and terms of the notes, including
3964 any redemptions applicable thereto and a determination that the notes may be issued in book-
3965 entry form;

3966 (2) Provisions for the transfer and exchange of the notes;
3967 (3) The principal amount of the notes to be issued;
3968 (4) The rate or rates of interest or the method of determining the rate or rates of
3969 interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall
3970 not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days
3971 elapsed); provided further, that if the notes are not paid at maturity, the notes may provide for an
3972 interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the
3973 basis of a 365-day year (actual days elapsed);
3974 (5) The date or dates of issuance, sale, and delivery of the notes;
3975 (6) The place or places of payment of principal of, and interest on, the notes;
3976 (7) The designation of a registrar, if appropriate, for any series of the notes, and
3977 the execution and delivery of any necessary agreements relating to the designation;
3978 (8) The designation of paying agent(s) or escrow agent(s) for any series of the
3979 notes, and the execution and delivery of any necessary agreements relating to such designations;
3980 and
3981 (9) Provisions concerning the replacement of mutilated, lost, stolen, or destroyed
3982 notes.

3983 (c) The notes shall be executed in the name of the District and on its behalf by the manual
3984 or facsimile signature of the Mayor or an authorized delegate. The official seal of the District or
3985 a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a registrar
3986 is designated, the registrar shall authenticate each note by manual signature and maintain the
3987 books of registration for the payment of the principal of and interest on the notes and perform
3988 other ministerial responsibilities as specifically provided in its designation as registrar.

3989 (d) The notes may be issued at any time or from time to time in one or more
3990 issues and in one or more series.

3991 Sec. 1026. Sale of the notes.

3992 (a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract
3993 or at competitive sale pursuant to a bid form. The notes shall be sold at a price not less than par
3994 plus accrued interest from the date of the notes to the date of delivery thereof. The purchase
3995 contract or bid form shall contain the terms that the Chief Financial Officer considers necessary
3996 or appropriate to carry out the purposes of this subtitle. The Chief Financial Officer's execution
3997 and delivery of the purchase contract or bid form shall constitute conclusive evidence of the
3998 Chief Financial Officer's approval, on behalf of the District, of the final form and content of the
3999 notes. The Chief Financial Officer shall deliver the notes, on behalf of the District, to the
4000 purchasers upon receiving the purchase price provided in the purchase contract or bid form.

4001 (b) The Chief Financial Officer may execute, in connection with each sale of the notes,
4002 an offering document on behalf of the District, and may authorize the document's distribution in
4003 relation to the notes being sold.

4004 (c) The Chief Financial Officer shall take actions and execute and deliver agreements,
4005 documents, and instruments (including any amendment of or supplement to any such agreement,
4006 document, or instrument) in connection with any series of notes as required by or incidental to:

4007 (1) The issuance of the notes;

4008 (2) The establishment or preservation of the exclusion from gross income for
4009 federal income tax purposes of interest on the notes, if issued tax-exempt, and the exemption
4010 from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

4011 (3) The performance of any covenant contained in this subtitle, in any

4012 purchase contract for the notes, or in any escrow or other agreement for the security thereof;

4013 (4) The provision for securing the repayment of the notes by a letter or line of
4014 credit or other form of credit enhancement, and the repayment of advances under any such credit
4015 enhancement, including the evidencing of such a repayment obligation with a negotiable
4016 instrument with such terms as the Chief Financial Officer shall determine; or

4017 (5) The execution, delivery, and performance of the Escrow Agreement, a
4018 purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement
4019 relating to credit enhancement, if any, including any amendments of any of these agreements,
4020 documents, or instruments.

4021 (d) The notes shall not be issued until the Chief Financial Officer receives an approving
4022 opinion of Bond Counsel as to the validity of the notes and the exemption from the District
4023 income taxation of the interest on the notes (except estate, inheritance and gift taxes) and, if
4024 issued tax-exempt, the establishment or preservation of the exclusion from gross income for
4025 federal income tax purposes of the interest on the notes.

4026 (e) The Chief Financial Officer shall execute a note issuance certificate evidencing the
4027 determinations and other actions taken by the Chief Financial Officer for each issue or series of
4028 the notes issued and shall designate in the note issuance certificate the date of the notes, the
4029 series designation, the aggregate principal amount to be issued, the authorized denominations of
4030 the notes, the sale price, and the interest rate or rates on the notes. The Mayor shall certify in a
4031 separate certificate, not more than 15 days before each original issuance of a series, the total
4032 anticipated revenue of the District for the fiscal year ending September 30, 2020, and that the
4033 total amount of all general obligation revenue anticipation notes issued and outstanding at any
4034 time during the fiscal year will not exceed 20% of the total anticipated revenue of the District for

4035 the fiscal year. These certificates shall be delivered at the time of delivery of the notes and shall
4036 be conclusive evidence of the actions taken as stated in the certificates. A copy of each of the
4037 certificates shall be filed with the Secretary to the Council not more than 3 days after the delivery
4038 of the notes covered by the certificates.

4039 Sec. 1027. Payment and security.

4040 (a) The full faith and credit of the District is pledged for the payment of the principal of,
4041 and interest on, the notes when due.

4042 (b) The funds for the payment of the notes as described in this subtitle shall be
4043 irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds
4044 shall be used for the payment of the principal of, and interest on, the notes when due, and shall
4045 not be used for other purposes so long as the notes are outstanding and unpaid.

4046 (c) The notes shall be payable from available funds of the District, including, but not
4047 limited to, any moneys advanced, loaned, or otherwise provided to the District by the United
4048 States Treasury, and shall evidence continuing obligations of the District until paid in accordance
4049 with their terms.

4050 (d) The Chief Financial Officer may, without regard to any act or resolution of the
4051 Council now existing or adopted after the effective date of this subtitle, designate an Escrow
4052 Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the
4053 Escrow Agreement, on behalf of the District and in the Chief Financial Officer's official
4054 capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate
4055 to carry out the purposes of this subtitle. A special account entitled "Special Escrow for
4056 Payment of District of Columbia Fiscal Year 2020 General Obligation Tax Revenue Anticipation
4057 Notes" is created and shall be maintained by the Escrow Agent for the benefit of the owners of

4058 the notes as stated in the Escrow Agreement. Funds on deposit, including investment income,
4059 under the Escrow Agreement shall not be used for any purposes except for payment of the notes
4060 or, to the extent permitted by the Home Rule Act, to service any contract or other arrangement
4061 permitted under subsections (k) or (l) of this section, and may be invested only as provided in the
4062 Escrow Agreement.

4063 (e) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with
4064 the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued
4065 interest and premium, if any, received upon the sale of the notes.

4066 (f)(1) The Chief Financial Officer shall set aside and deposit with the Escrow Agent
4067 funds in accordance with the Escrow Agreement at the time and in the amount as provided in the
4068 Escrow Agreement.

4069 (2) If Additional Notes are issued pursuant to section 1029(b), and if on the date
4070 set forth in the Escrow Agreement, the aggregate amount of principal and interest payable at
4071 maturity on the outstanding notes, including any Additional Notes, less all amounts on deposit,
4072 including investment income, under the Escrow Agreement exceeds 90% of the actual receipts of
4073 District taxes (other than special taxes or charges levied pursuant to section 481(a) of the Home
4074 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
4075 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90)), for the period
4076 August 15, 2020, until September 30, 2020, beginning on the date set forth in the Escrow
4077 Agreement, the Chief Financial Officer shall promptly, upon receipt by the District, set aside and
4078 deposit with the Escrow Agent the receipts received by the District after the date set forth in the
4079 Escrow Agreement, until the aggregate amount of principal and interest payable at maturity on
4080 the outstanding notes, including any Additional Notes as described above, is less than 90% of

4081 actual receipts of District taxes (other than special taxes or charges levied pursuant to section
4082 481(a) of the Home Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to
4083 particular purposes pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-
4084 204.90)).

4085 (3) The District covenants that it shall levy, maintain, or enact taxes due and
4086 payable during August 1, 2020, through September 30, 2020, to provide for payment in full of
4087 the principal of, and interest on, the notes when due. The taxes referred to in this paragraph shall
4088 be separate from special taxes or charges levied pursuant to section 481(a) of the Home Rule Act
4089 (D.C. Official Code § 1-204.81(a)), or taxes, if any, dedicated to particular purposes pursuant to
4090 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

4091 (g) Before the 16th day of each month, beginning in August 2020, the Chief Financial
4092 Officer shall review the current monthly cash flow projections of the District, and if the Chief
4093 Financial Officer determines that the aggregate amount of principal and interest payable at
4094 maturity on the notes then outstanding, less any amounts and investment income on deposit
4095 under the Escrow Agreement, equals or exceeds 85% of the receipts estimated by the Chief
4096 Financial Officer to be received after such date by the District but before the maturity of the
4097 notes, then the Chief Financial Officer shall promptly, upon receipt by the District, set aside and
4098 deposit with the Escrow Agent the receipts received by the District on and after that date until
4099 the aggregate amount, including investment income, on deposit with the Escrow Agent equals or
4100 exceeds 100% of the aggregate amount of principal of and interest on the notes payable at their
4101 maturity.

4102 (h) The Chief Financial Officer shall, in the full exercise of the authority granted the
4103 Chief Financial Officer under the Home Rule Act and under any other law, take actions as may

4104 be necessary or appropriate to ensure that the principal of and interest on the notes are paid when
4105 due, including, but not limited to, seeking an advance or loan of moneys from the United States
4106 Treasury if available under then current law. This action shall include, without limitation, the
4107 deposit of available funds with the Escrow Agent as may be required under section 483 of the
4108 Home Rule Act (D.C. Official Code § 1-204.83), this subtitle, and the Escrow Agreement.
4109 Without limiting any obligations under this subtitle or the Escrow Agreement, the Chief
4110 Financial Officer reserves the right to deposit available funds with the Escrow Agent at his or her
4111 discretion.

4112 (i) There are provided and approved for expenditure sums as may be necessary
4113 for making payments of the principal of, and interest on, the notes, and the provisions of the
4114 Fiscal Year 2020 Local Budget Act relating to borrowings are amended and supplemented
4115 accordingly by this section, as contemplated in section 483 of the Home Rule Act (D.C. Official
4116 Code § 1-204.83)).

4117 (j) The notes shall be payable, as to both principal and interest, in lawful money of the
4118 United States of America in immediately available or same day funds at a bank or trust company
4119 acting as paying agent, and at not more than 2 co-paying agents that may be located outside the
4120 District. All of the paying agents shall be qualified to act as paying agents under the laws of the
4121 United States of America, of the District, or of the state in which they are located, and shall be
4122 designated by the Chief Financial Officer without regard to any other act or resolution of the
4123 Council now existing or adopted after the effective date of this subtitle.

4124 (k) In addition to the security available for the holders of the notes, the Chief Financial
4125 Officer is hereby authorized to enter into agreements, including any agreement calling for
4126 payments in excess of \$1,000,000 during Fiscal Year 2020, with a bank or other financial

4127 institution to provide a letter of credit, line of credit, or other form of credit enhancement to
4128 secure repayment of the notes when due. The obligation of the District to reimburse the bank or
4129 financial institution for any advances made under any such credit enhancement shall be a general
4130 obligation of the District until repaid and shall accrue interest at the rate of interest established by
4131 the Chief Financial Officer not in excess of 15% per year until paid.

4132 (1) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
4133 371; D.C. Official Code § 2-351.01 *et seq.*), and subchapter III-A of Chapter 3 of Title 47 of the
4134 District of Columbia Official Code, shall not apply to any contract that the Chief Financial
4135 Officer may from time to time determine to be necessary or appropriate to place, in whole or in
4136 part, including:

4137 (1) An investment or obligation of the District as represented by the notes;

4138 (2) An investment or obligation or program of investment; or

4139 (3) A contract or contracts based on the interest rate, currency, cash flow, or other
4140 basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap
4141 agreements; currency swap agreements; insurance agreements; forward payment conversion
4142 agreements; futures; contracts providing for payments based on levels of, or changes in, interest
4143 rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a
4144 series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure,
4145 including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts
4146 or other arrangements also may be entered into by the District in connection with, or incidental
4147 to, entering into or maintaining any agreement that secures the notes. The contracts or other
4148 arrangements shall contain whatever payment, security, terms, and conditions as the Chief
4149 Financial Officer may consider appropriate and shall be entered into with whatever party or

4150 parties the Chief Financial Officer may select, after giving due consideration, where applicable,
4151 to the creditworthiness of the counterparty or counterparties including any rating by a nationally
4152 recognized rating agency or any other criteria as may be appropriate. In connection with, or
4153 incidental to, the issuance or holding of the notes, or entering into any contract or other
4154 arrangement referred to in this section, the District may enter into credit enhancement or
4155 liquidity agreements, with payment, interest rate, termination date, currency, security, default,
4156 remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds
4157 of the notes and any money set aside for payment of the notes or of any contract or other
4158 arrangement entered into pursuant to this section may be used to service any contract or other
4159 arrangement entered into pursuant to this section.

4160 Sec. 1028. Defeasance.

4161 (a) The notes shall no longer be considered outstanding and unpaid for the purpose of this
4162 subtitle and the Escrow Agreement, and the requirements of this subtitle and the Escrow
4163 Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

4164 (1) Deposits with an Escrow Agent, herein referred to as the “defeasance escrow
4165 agent,” in a separate defeasance escrow account, established and maintained by the Escrow
4166 Agent solely at the expense of the District and held in trust for the note owners, sufficient
4167 moneys or direct obligations of the United States, the principal of and interest on which, when
4168 due and payable, will provide sufficient moneys to pay when due the principal of, and interest
4169 payable at maturity on, all the notes; and

4170 (2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to
4171 apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

4172 (b) The defeasance escrow agent shall not invest the defeasance escrow account in any
4173 investment callable at the option of its issuer if the call could result in less than sufficient moneys
4174 being available for the purposes required by this section.

4175 (c) The moneys and direct obligations referred to in subsection (a)(1) of this section may
4176 include moneys or direct obligations of the United States of America held under the Escrow
4177 Agreement and transferred, at the written direction of the Chief Financial Officer, to the
4178 defeasance escrow account.

4179 (d) The defeasance escrow account specified in subsection (a) of this section may be
4180 established and maintained without regard to any limitations placed on these accounts by any act
4181 or resolution of the Council now existing or adopted after this subtitle becomes effective, except
4182 for this subtitle.

4183 Sec. 1029. Additional debt and other obligations.

4184 (a) The District reserves the right at any time to: borrow money or enter into
4185 other obligations to the full extent permitted by law; secure the borrowings or obligations by the
4186 pledge of its full faith and credit; secure the borrowings or obligations by any other security and
4187 pledges of funds as may be authorized by law; and issue bonds, notes, including Additional
4188 Notes, or other instruments to evidence the borrowings or obligations.

4189 (b)(1) The District may issue Additional Notes pursuant to section 472 of the Home Rule
4190 Act (D.C. Official Code § 1-204.72) that shall mature on or before September 30, 2020, and the
4191 District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other
4192 available funds for payment of the principal of, and the interest on, the Additional Notes issued
4193 pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-204.72) on a parity basis
4194 with the notes.

4195 (2) The receipts and available funds referred to in subsection (a) of this section
4196 shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home
4197 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
4198 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

4199 (3) Any covenants relating to any Additional Notes shall have equal standing and
4200 be on a parity with the covenants made for payment of the principal of, and the interest on, the
4201 notes.

4202 (4) If Additional Notes are issued pursuant to section 472 of the Home Rule Act
4203 (D.C. Official Code § 1-204.72), the provisions of section 1027 shall apply to both the notes and
4204 the Additional Notes and increase the amounts required to be set aside and deposited with the
4205 Escrow Agent.

4206 (5) As a condition precedent to the issuance of any Additional Notes, the Chief
4207 Financial Officer shall deliver a signed certificate certifying that the District is in full compliance
4208 with all covenants and obligations under this subtitle and the Escrow Agreement, that no set-
4209 aside and deposit of receipts pursuant to section 1027(g) applied as of the date of issuance is
4210 required, and that no set-aside and deposit will be required under section 1027(g) applied
4211 immediately after the issuance.

4212 Sec. 1030. Tax matters.

4213 At the full discretion of the Chief Financial Officer, the notes authorized by this subtitle
4214 may be issued as federally taxable or tax-exempt. If issued as tax-exempt, the Chief Financial
4215 Officer shall take all actions necessary to be taken so that the interest on the notes will not be
4216 includable in gross income for federal income tax purposes.

4217 Sec. 1031. Contract.

4218 This subtitle shall constitute a contract between the District and the owners of the notes
4219 authorized by this subtitle. To the extent that any acts or resolutions of the Council may be in
4220 conflict with this subtitle, this subtitle shall be controlling.

4221 Sec. 1032. District officials.

4222 (a) The elected or appointed officials, officers, employees, or agents of the District shall
4223 not be liable personally for the payment of the notes or be subject to any personal liability by
4224 reason of the issuance of the notes.

4225 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
4226 any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding
4227 the fact that the official ceases to be that official before delivery of the notes.

4228 Sec. 1033. Authorized delegation of authority.

4229 To the extent permitted by the District and federal laws, the Mayor may delegate to the
4230 City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act
4231 authorized to be performed by the Mayor under this subtitle.

4232 Sec. 1034. Maintenance of documents.

4233 Copies of the notes and related documents shall be filed in the Office of the Secretary.

4234 **TITLE XI. REVENUE BONDS**

4235 **SUBTITLE A. STUDIO THEATER, INC.**

4236 Sec. 1101. Short title.

4237 This subtitle may be cited as the “The Studio Theatre, Inc. Revenue Bonds Temporary
4238 Act of 2020”.

4239 Sec. 1102. Definitions.

4240 For the purposes of this subtitle the term:

4241 (1) "Authorized Delegate" means the Mayor or the Deputy Mayor for Planning
4242 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
4243 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
4244 the Mayor's functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C.
4245 Official Code § 422(6)).

4246 (2) "Bond Counsel" means a firm or firms of attorneys designated as bond
4247 counsel from time to time by the Mayor.

4248 (3) "Bonds" means the District of Columbia revenue bonds, notes, or other
4249 obligations (including refunding bonds, notes, and other obligations), in one or more series,
4250 authorized to be issued pursuant to this subtitle.

4251 (4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed
4252 with proceeds from the Bonds, which shall be The Studio Theatre, Inc., a non-profit corporation
4253 organized under the laws of the District of Columbia, which is exempt from federal income taxes
4254 under section 501(a) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A
4255 Stat. 163; 26 U.S.C. § 501(a)), as an organization described in section 501(c)(3) of the Internal
4256 Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)), and
4257 which is liable for the repayment of the Bonds.

4258 (5) "Chairman" means the Chairman of the Council of the District of Columbia.

4259 (6) "Closing Documents" means all documents and agreements, other than
4260 Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the

4261 Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms,
4262 receipts, and other similar instruments.

4263 (7) “District” means the District of Columbia.

4264 (8) “Financing Documents” means the documents, other than Closing Documents,
4265 that relate to the financing, refinancing or reimbursement of transactions to be effected through
4266 the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering
4267 document, and any required supplements to any such documents.

4268 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
4269 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

4270 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
4271 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
4272 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
4273 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
4274 with the development and implementation of the Financing Documents, the Closing Documents,
4275 and those other documents necessary or appropriate in connection with the authorization,
4276 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
4277 Loan, together with financing fees, costs, and expenses, including program fees and
4278 administrative fees charged by the District, fees paid to financial institutions and insurance
4279 companies, initial letter of credit fees (if any), and compensation to financial advisors and other
4280 persons (other than full-time employees of the District) and entities performing services on
4281 behalf of or as agents for the District.

4282 (11) “Loan” means the District’s lending of proceeds from the sale, in one or
4283 more series, of the Bonds to the Borrower.

4284 (12) “Project” means the financing, refinancing, or reimbursing of all or a portion
4285 of the Borrower’s costs of:

4286 (A) Renovating and expanding by approximately 2,780 gross square feet
4287 the Borrower’s mixed-use theater complex located at 1501 14th Street, N.W., in Washington,
4288 D.C. (Square 241, Lot 0128), currently comprising approximately 53,532 gross square feet of
4289 above grade improvements (“Theater Facility”);

4290 (B) Renovating certain residential facilities in Washington, D.C., owned
4291 by the Borrower and used as artist housing, located at 1630 Corcoran Street, N.W. (Square 0179,
4292 Lot 0094), 1736 Corcoran Street, N.W. (Square 0155, Lot 0208), 1437 Clifton Street, N.W.
4293 (Square 2664, Lot 0058); and Condominium Units 317, 409, 419 and 820 at 1718 P Street, N.W.
4294 (Square 0157, Lots 2061, 2073, 2083 and 2164) (collectively, “Ancillary Facilities” and together
4295 with the Theater Facility, “Facilities”);

4296 (C) Purchasing certain equipment and furnishings, together with other
4297 property, real and personal, functionally related and subordinate to the Facilities;

4298 (D) Funding certain expenditures associated with the financing of the
4299 Facilities, to the extent permissible, including, credit enhancement costs, liquidity costs, debt
4300 service reserve fund or working capital; and

4301 (E) Paying costs of issuance and other related costs, to the extent
4302 permissible.

4303 Sec. 1103. Findings.

4304 The Council finds that:

4305 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
4306 that the Council may by act authorize the issuance of District revenue bonds, notes, or other

4307 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
4308 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the
4309 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
4310 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
4311 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
4312 the purchase, lease, or sale of any property.

4313 (2) The Borrower has requested the District to issue, sell, and deliver revenue
4314 bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not
4315 to exceed \$12,500,000, and to make the Loan for the purpose of financing, refinancing, or
4316 reimbursing costs of the Project.

4317 (3) The Facilities are located in the District and will contribute to the health,
4318 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
4319 District, or to economic development of the District.

4320 (4) The Project is an undertaking in the area of capital projects in the form of
4321 facilities used for the Borrower's operations and, in part, as a venue to produce contemporary
4322 theater and serve the community through artistic innovation, engagement, education and
4323 professional development (and property used in connection with or supplementing the
4324 foregoing), within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-
4325 204.90).

4326 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
4327 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
4328 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

4329 Sec. 1104. Bond authorization.

4330 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
4331 financing, refinancing, or reimbursing the costs of the Project by:

4332 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
4333 aggregate principal amount not to exceed \$12,500,000; and

4334 (2) The making of the Loan.

4335 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
4336 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
4337 respect to the Bonds as required by the Financing Documents.

4338 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
4339 an amount sufficient to cover costs and expenses incurred by the District in connection with the
4340 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
4341 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
4342 with the District, and maintaining official records of each bond transaction, and assisting in the
4343 redemption, repurchase, and remarketing of the Bonds.

4344 Sec. 1105. Bond details.

4345 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
4346 necessary or appropriate in accordance with this subtitle in connection with the preparation,
4347 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
4348 including, but not limited to, determinations of:

4349 (1) The final form, content, designation, and terms of the Bonds, including a
4350 determination that the Bonds may be issued in certificated or book-entry form;

- 4351 (2) The principal amount of the Bonds to be issued and denominations of the
4352 Bonds;
- 4353 (3) The rate or rates of interest or the method for determining the rate or rates of
4354 interest on the Bonds;
- 4355 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
4356 on, the Bonds, and the maturity date or dates of the Bonds;
- 4357 (5) The terms under which the Bonds may be paid, optionally or mandatorily
4358 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
4359 their respective stated maturities;
- 4360 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
4361 replacement of mutilated, lost, stolen, or destroyed Bonds;
- 4362 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
4363 the Bonds;
- 4364 (8) The time and place of payment of the Bonds;
- 4365 (9) Procedures for monitoring the use of the proceeds received from the sale of
4366 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
4367 the purposes of the Home Rule Act and this subtitle;
- 4368 (10) Actions necessary to qualify the Bonds under blue sky laws of any
4369 jurisdiction where the Bonds are marketed; and
- 4370 (11) The terms and types of credit enhancement under which the Bonds may be
4371 secured.
- 4372 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
4373 obligations of the District, are without recourse to the District, are not a pledge of, and do not

4374 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
4375 District, and do not constitute lending of the public credit for private undertakings as prohibited
4376 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4377 (c) The Bonds shall be executed in the name of the District and on its behalf by the
4378 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
4379 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
4380 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
4381 approval, on behalf of the District, of the final form and content of the Bonds.

4382 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
4383 otherwise reproduced on the Bonds.

4384 (e) The Bonds of any series may be issued in accordance with the terms of a trust
4385 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
4386 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
4387 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
4388 204.90(a)(4)).

4389 (f) The Bonds may be issued at any time or from time to time in one or more issues and
4390 in one or more series.

4391 Sec. 1106. Sale of the Bonds.

4392 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
4393 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
4394 the best interest of the District.

4395 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
4396 the Bonds, offering documents on behalf of the District, may deem final any such offering

4397 document on behalf of the District for purposes of compliance with federal laws and regulations
4398 governing such matters and may authorize the distribution of the documents in connection with
4399 the sale of the Bonds.

4400 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
4401 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
4402 the original purchasers of the Bonds upon payment of the purchase price.

4403 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
4404 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
4405 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
4406 for purposes of federal income taxation.

4407 Sec. 1107. Payment and security.

4408 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4409 from proceeds received from the sale of the Bonds, income realized from the temporary
4410 investment of those proceeds, receipts and revenues realized by the District from the Loan,
4411 income realized from the temporary investment of those receipts and revenues prior to payment
4412 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
4413 available to the District for the payment of the Bonds, and other sources of payment (other than
4414 from the District), all as provided for in the Financing Documents.

4415 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
4416 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
4417 the Financing Documents and Closing Documents, including a security interest in certain
4418 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

4419 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
4420 the sale of the Bonds pursuant to the Financing Documents.

4421 Sec. 1108. Financing and Closing Documents.

4422 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4423 Documents and all Closing Documents to which the District is a party that may be necessary or
4424 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
4425 the Financing Documents and each of the Closing Documents to which the District is not a party
4426 shall be approved, as to form and content, by the Mayor.

4427 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4428 Financing Documents and any Closing Documents to which the District is a party by the
4429 Mayor's manual or facsimile signature.

4430 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4431 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4432 which the District is a party.

4433 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4434 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
4435 approval, on behalf of the District, of the final form and content of the executed Financing
4436 Documents and the executed Closing Documents.

4437 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4438 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4439 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4440 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4441 Sec. 1109. Authorized delegation of authority.

4442 To the extent permitted by District and federal laws, the Mayor may delegate to any
4443 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4444 under this subtitle.

4445 Sec. 1110. Limited liability.

4446 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
4447 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
4448 pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a
4449 debt of the District, and shall not constitute lending of the public credit for private undertakings
4450 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4451 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
4452 shall have no obligation with respect to the purchase of the Bonds.

4453 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
4454 Documents shall create an obligation on the part of the District to make payments with respect to
4455 the Bonds from sources other than those listed for that purpose in section 1107.

4456 (d) The District shall have no liability for the payment of any Issuance Costs or for any
4457 transaction or event to be effected by the Financing Documents.

4458 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
4459 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
4460 Documents to which the District is a party, shall be considered to be the covenants, obligations,
4461 and agreements of the District to the fullest extent authorized by law, and each of those
4462 covenants, obligations, and agreements shall be binding upon the District, subject to the
4463 limitations set forth in this subtitle.

4464 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
4465 any claims against the District or any of its elected or appointed officials, officers, employees, or
4466 agents for monetary damages suffered as a result of the failure of the District or any of its elected
4467 or appointed officials, officers, employees or agents to either perform any covenant, undertaking,
4468 or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing
4469 Documents, or as a result of the incorrectness of any representation in or omission from the
4470 Financing Documents or the Closing Documents, unless the District or its elected or appointed
4471 officials, officers, employees, or agents have acted in a willful and fraudulent manner.

4472 Sec. 1111. District officials.

4473 (a) Except as otherwise provided in section 1110(f), the elected or appointed officials,
4474 officers, employees, or agents of the District shall not be liable personally for the payment of the
4475 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
4476 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
4477 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
4478 Documents.

4479 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
4480 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
4481 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
4482 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
4483 Documents.

4484 Sec. 1112. Maintenance of documents.

4485 Copies of the specimen Bonds and of the final Financing Documents and Closing
4486 Documents shall be filed in the Office of the Secretary of the District of Columbia.

4487 Sec. 1113. Information reporting.

4488 Within 3 days after the Mayor’s receipt of the transcript of proceedings relating to the
4489 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
4490 Council.

4491 Sec. 1114. Disclaimer.

4492 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
4493 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
4494 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
4495 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
4496 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
4497 against the District, its elected or appointed officials, officers, employees, or agents as a
4498 consequence of any failure to issue any Bonds for the benefit of the Borrower.

4499 (b) The District reserves the right to issue the Bonds in the order or priority it determines
4500 in its sole and absolute discretion. The District gives no assurance and makes no representations
4501 that any portion of any limited amount of bonds or other obligations, the interest on which is
4502 excludable from gross income for federal income tax purposes, will be reserved or will be
4503 available at the time of the proposed issuance of the Bonds.

4504 (c) The District, by enacting this subtitle or by taking any other action in connection with
4505 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
4506 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
4507 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
4508 Bonds, nor any other person shall rely upon the District with respect to these matters.

4509 Sec. 1115. Expiration.

4510 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
4511 the effective date of this act, the authorization provided in this subtitle with respect to the
4512 issuance, sale, and delivery of the Bonds shall expire.

4513 Sec. 1116. Severability.

4514 If any particular provision of this subtitle or the application thereof to any person or
4515 circumstance is held invalid, the remainder of this subtitle and the application of such provision
4516 to other persons or circumstances shall not be affected thereby. If any action or inaction
4517 contemplated under this subtitle is determined to be contrary to the requirements of applicable
4518 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
4519 the validity of the Bonds shall not be adversely affected.

4520 **SUBTITLE B. DC SCHOLARS PUBLIC CHARTER SCHOOL, INC.**

4521 Sec. 1121. Short title.

4522 This subtitle may be cited as the “DC Scholars Public Charter School, Inc. Revenue
4523 Bonds Temporary Act of 2020”.

4524 Sec. 1122. Definitions.

4525 For the purpose of this subtitle, the term:

4526 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
4527 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
4528 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
4529 the Mayor’s functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C.
4530 Official Code § 1-204.22(6)).

4531 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
4532 counsel from time to time by the Mayor.

4533 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
4534 obligations (including refunding bonds, notes, and other obligations), in one or more series,
4535 authorized to be issued pursuant to this subtitle.

4536 (4) “Borrower” means the owner, operator, manager and user of the assets
4537 financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be DC Scholars
4538 Public Charter School, Inc., a corporation organized under the laws of the District of Columbia,
4539 and exempt from federal income taxes under section 501(a) of the Internal Revenue Code of
4540 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C § 501(a)), as an organization
4541 described in section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954
4542 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).

4543 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

4544 (6) “Closing Documents” means all documents and agreements other than
4545 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
4546 and to make the Loan contemplated thereby, and includes agreements, certificates, letters,
4547 opinions, forms, receipts, and other similar instruments.

4548 (7) “District” means the District of Columbia.

4549 (8) “Financing Documents” means the documents other than Closing Documents
4550 that relate to the financing or refinancing of transactions to be effected through the issuance, sale,
4551 and delivery of the Bonds and the making of the Loan, including any offering document, and any
4552 required supplements to any such documents.

4553 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
4554 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

4555 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
4556 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
4557 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
4558 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
4559 with the development and implementation of the Financing Documents, the Closing Documents,
4560 and those other documents necessary or appropriate in connection with the authorization,
4561 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
4562 Loan contemplated thereby, together with financing fees, costs, and expenses, including program
4563 fees and administrative fees charged by the District, fees paid to financial institutions and
4564 insurance companies, initial letter of credit fees (if any), compensation to financial advisors and
4565 other persons (other than full-time employees of the District) and entities performing services on
4566 behalf of or as agents for the District.

4567 (11) “Loan” means the District’s lending of proceeds from the sale, in one or
4568 more series, of the Bonds to the Borrower.

4569 (12) “Project” means the financing, refinancing, or reimbursing of all or a portion
4570 of the Borrower's costs of:

4571 (A) Financing the acquisition of a leasehold interest in an existing
4572 school facility located at 5601 East Capitol Street, S.E., Washington, D.C. 20019 (the
4573 “Facility”), which Facility will be operated by the Borrower;

4574 (B) Refinancing the outstanding amount of existing taxable loans
4575 and related expenses, the proceeds of which were used to finance improvements to the Facility;

4576 (C) Funding a debt service reserve fund with respect to the Bonds,
4577 if deemed necessary in connection with the sale of the Bonds;

4578 (D) Paying capitalized interest with respect to the Bonds, if
4579 deemed necessary in connection with the sale of the Bonds; and

4580 (E) Paying allowable Issuance Costs.

4581 Sec. 1123. Findings.

4582 The Council finds that:

4583 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
4584 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
4585 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
4586 refinance, or reimburse, and to assist in the financing, refinancing, or reimbursing of
4587 undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90), and may
4588 effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any
4589 individual or legal entity, by the purchase of any mortgage, note, or other security, or by the
4590 purchase, lease, or sale of any property.

4591 (2) The Borrower has requested the District to issue, sell, and deliver revenue
4592 bonds, in one or more series, in the aggregate principal amount not to exceed \$16,000,000, and
4593 to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

4594 (3) The Project is located in the District and will contribute to the health,
4595 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
4596 District, or to economic development of the District.

4597 (4) The Project is an undertaking in the area of elementary, secondary, and
4598 college and university facilities within the meaning of section 490 of the Home Rule Act (D.C.
4599 Official Code § 1-204.90).

4600 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
4601 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
4602 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.
4603 Sec. 1124. Bond authorization.

4604 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
4605 financing, refinancing, or reimbursing the costs of the Project by:

4606 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in the
4607 aggregate principal amount not to exceed \$16,000,000; and

4608 (2) The making of the Loan.

4609 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
4610 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
4611 respect to the Bonds as required by the Financing Documents.

4612 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
4613 an amount sufficient to cover costs and expenses incurred by the District in connection with the
4614 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
4615 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
4616 with the District, and maintaining official records of each bond transaction and assisting in the
4617 redemption, repurchase, and remarketing of the Bonds.

4618 Sec. 1125. Bond details.

4619 (a) The Mayor is authorized to take any action reasonably necessary or appropriate in
4620 accordance with this subtitle in connection with the preparation, execution, issuance, sale,
4621 delivery, security for, and payment of the Bonds of each series, including, but not limited to,
4622 determinations of:

4623 (1) The final form, content, designation, and terms of the Bonds, including a
4624 determination that the Bonds may be issued in certificated or book-entry form;

4625 (2) The principal amount of the Bonds to be issued and denominations of the
4626 Bonds;

4627 (3) The rate or rates of interest or the method for determining the rate or rates of
4628 interest on the Bonds;

4629 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
4630 on the Bonds, and the maturity date or dates of the Bonds;

4631 (5) The terms under which the Bonds may be paid, optionally or mandatorily
4632 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
4633 their respective stated maturities;

4634 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
4635 replacement of mutilated, lost, stolen, or destroyed Bonds;

4636 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
4637 the Bonds;

4638 (8) The time and place of payment of the Bonds;

4639 (9) Procedures for monitoring the use of the proceeds received from the sale of
4640 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
4641 the purposes of the Home Rule Act and this subtitle;

4642 (10) Actions necessary to qualify the Bonds under blue sky laws of any
4643 jurisdiction where the Bonds are marketed; and

4644 (11) The terms and types of credit enhancement under which the Bonds may be
4645 secured.

4646 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
4647 obligations of the District, are without recourse to the District, are not a pledge of, and do not
4648 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
4649 District, and do not constitute lending of the public credit for private undertakings as prohibited
4650 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4651 (c) The Bonds shall be executed in the name of the District and on its behalf by the
4652 manual or facsimile signature of the Mayor and attested by the Secretary of the District of
4653 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
4654 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
4655 approval, on behalf of the District, of the final form and content of the Bonds.

4656 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
4657 otherwise reproduced on the Bonds.

4658 (e) The Bonds of any series may be issued in accordance with the terms of a trust
4659 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
4660 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered

4661 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
4662 204.90(a)(4)).

4663 (f) The Bonds may be issued at any time or from time to time in one or more issues and
4664 in one or more series.

4665 Sec. 1126. Sale of the Bonds.

4666 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
4667 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
4668 the best interest of the District.

4669 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
4670 the Bonds, offering documents on behalf of the District, may deem final any such offering
4671 document on behalf of the District for purposes of compliance with federal laws and regulations
4672 governing such matters, and may authorize the distribution of the documents in connection with
4673 the sale of the Bonds.

4674 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
4675 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
4676 the original purchasers of the Bonds upon payment of the purchase price.

4677 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
4678 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
4679 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
4680 for purposes of federal income taxation.

4681 Sec. 1127. Payment and security.

4682 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4683 from proceeds received from the sale of the Bonds, income realized from the temporary

4684 investment of those proceeds, receipts and revenues realized by the District from the Loan,
4685 income realized from the temporary investment of those receipts and revenues prior to payment
4686 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
4687 available to the District for the payment of the Bonds, and other sources of payment (other than
4688 from the District), all as provided for in the Financing Documents.

4689 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
4690 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
4691 the Financing Documents and Closing Documents, including a security interest in certain
4692 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

4693 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
4694 the sale of the Bonds pursuant to the Financing Documents.

4695 Sec. 1128. Financing and Closing Documents.

4696 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4697 Documents and all Closing Documents that may be necessary or appropriate to issue, sell, and
4698 deliver the Bonds and to make the Loan to the Borrower.

4699 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4700 Financing Documents and any Closing Documents to which the District is a party by the
4701 Mayor's manual or facsimile signature.

4702 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4703 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4704 which the District is a party.

4705 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4706 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's

4707 approval, on behalf of the District, of the final form and content of the executed Financing
4708 Documents and the executed Closing Documents.

4709 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4710 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4711 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4712 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4713 Sec. 1129. Authorized delegation of authority.

4714 To the extent permitted by District and federal laws, the Mayor may delegate to any
4715 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4716 under this subtitle.

4717 Sec. 1130. Limited liability.

4718 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
4719 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
4720 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
4721 debt of the District, and shall not constitute lending of the public credit for private undertakings
4722 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4723 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
4724 shall have no obligation with respect to the purchase of the Bonds.

4725 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
4726 Documents shall create an obligation on the part of the District to make payments with respect to
4727 the Bonds from sources other than those listed for that purpose in section 1127.

4728 (d) The District shall have no liability for the payment of any Issuance Costs or for any
4729 transaction or event to be effected by the Financing Documents.

4730 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
4731 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
4732 Documents to which the District is a party, shall be considered to be the covenants, obligations,
4733 and agreements of the District to the fullest extent authorized by law, and each of those
4734 covenants, obligations, and agreements shall be binding upon the District, subject to the
4735 limitations set forth in this subtitle.

4736 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
4737 any claims against the District or any of its elected or appointed officials, officers, employees, or
4738 agents for monetary damages suffered as a result of the failure of the District or any of its elected
4739 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
4740 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,
4741 nor as a result of the incorrectness of any representation in, or omission from, the Financing
4742 Documents or the Closing Documents, unless the District or its elected or appointed officials,
4743 officers, employees, or agents have acted in a willful and fraudulent manner.

4744 Sec. 1131. District officials.

4745 (a) Except as otherwise provided in section 1130(f), the elected or appointed officials,
4746 officers, employees, or agents of the District shall not be liable personally for the payment of the
4747 Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the
4748 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
4749 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
4750 Documents.

4751 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
4752 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall

4753 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
4754 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
4755 Documents.

4756 Sec. 1132. Maintenance of documents.

4757 Copies of the specimen Bonds and of the final Financing Documents and Closing
4758 Documents shall be filed in the Office of the Secretary of the District of Columbia.

4759 Sec. 1133. Information reporting.

4760 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
4761 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
4762 Council.

4763 Sec. 1134. Disclaimer.

4764 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
4765 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
4766 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in, or
4767 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
4768 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
4769 against the District, its elected or appointed officials, officers, employees, or agents as a
4770 consequence of any failure to issue any Bonds for the benefit of the Borrower.

4771 (b) The District reserves the right to issue the Bonds in the order or priority it determines
4772 in its sole and absolute discretion. The District gives no assurance and makes no representations
4773 that any portion of any limited amount of bonds or other obligations, the interest on which is
4774 excludable from gross income for federal income tax purposes, will be reserved or will be
4775 available at the time of the proposed issuance of the Bonds.

4776 (c) The District, by enacting this subtitle or by taking any other action in connection with
4777 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
4778 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
4779 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
4780 Bonds, nor any other person shall rely upon the District with respect to these matters.

4781 Sec. 1135. Expiration.

4782 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
4783 the effective date of this act, the authorization provided in this subtitle with respect to the
4784 issuance, sale, and delivery of the Bonds shall expire.

4785 Sec. 1136. Severability.

4786 If any particular provision of this subtitle, or the application thereof to any person or
4787 circumstance is held invalid, the remainder of this subtitle and the application of such provision
4788 to other persons or circumstances shall not be affected thereby. If any action or inaction
4789 contemplated under this subtitle is determined to be contrary to the requirements of applicable
4790 law, such action or inaction shall not be necessary for the purpose of issuing the Bonds, and the
4791 validity of the Bonds shall not be adversely affected.

4792 **SUBTITLE C. WASHINGTON HOUSING CONSERVANCY.**

4793 Sec. 1141. Short title.

4794 This subtitle may be cited as the “Washington Housing Conservancy/WHC Park Pleasant
4795 LLC Revenue Bonds Temporary Act of 2020”.

4796 Sec. 1142. Definitions.

4797 For the purposes of this subtitle, the term:

4798 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
4799 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
4800 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
4801 the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act
4802 (D.C. Official Code § 1-204.22(6)).

4803 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
4804 counsel from time to time by the Mayor.

4805 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
4806 obligations (including refunding bonds, notes, and other obligations), in one or more series,
4807 authorized to be issued pursuant to this resolution.

4808 (4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed
4809 with proceeds from the Bonds, which shall be, individually or collectively, Washington Housing
4810 Conservancy, a non-profit corporation organized under the laws of the District of Columbia,
4811 and/or WHC Park Pleasant LLC, a District of Columbia limited liability company, the sole
4812 member of which is the Washington Housing Conservancy, both of which are exempt from
4813 federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved
4814 August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as organizations described in section
4815 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26
4816 U.S.C. § 501(c)(3)), and which are, individually or collectively, as the case may be, liable for the
4817 repayment of the Bonds.

4818 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

4819 (6) “Closing Documents” means all documents and agreements, other than
4820 Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the

4821 Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms,
4822 receipts, and other similar instruments.

4823 (7) “District” means the District of Columbia.

4824 (8) “Financing Documents” means the documents, other than Closing Documents,
4825 that relate to the financing, refinancing or reimbursement of transactions to be effected through
4826 the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering
4827 document, and any required supplements to any such documents.

4828 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
4829 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

4830 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
4831 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
4832 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
4833 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
4834 with the development and implementation of the Financing Documents, the Closing Documents,
4835 and those other documents necessary or appropriate in connection with the authorization,
4836 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
4837 Loan, together with financing fees, costs, and expenses, including program fees and
4838 administrative fees charged by the District, fees paid to financial institutions and insurance
4839 companies, initial letter of credit fees (if any), and compensation to financial advisors and other
4840 persons (other than full-time employees of the District) and entities performing services on
4841 behalf of or as agents for the District.

4842 (11) “Loan” means the District’s lending of proceeds from the sale, in one or
4843 more series, of the Bonds to the Borrower.

4844 (12) “Project” means the financing, refinancing, or reimbursing of all or a portion
4845 of the Borrower’s costs of:

4846 (A) Acquiring and renovating real property, including a parcel of land
4847 comprising approximately 2.042 acres improved with approximately 69,910 square feet of
4848 residential rental property comprising 126 rental housing units and associated parking facilities
4849 located in Washington, D.C., commonly known as Park Pleasant Apartments with street
4850 addresses at 3339 Mt. Pleasant Street, N.W., 3360 Mt. Pleasant Street, N.W., 3354 Mt. Pleasant
4851 Street, N.W., 3348 Mt. Pleasant Street, N.W., 3342 Mt. Pleasant Street, N.W., 3336 Mt. Pleasant
4852 Street, N.W., 3351 Mt. Pleasant Street, N.W., 3331 Mt. Pleasant Street, N.W., 3327 Mt. Pleasant
4853 Street, N.W., 3323 Mt. Pleasant Street, N.W., and 1712 Newton Street, N.W. (collectively,
4854 “Facility”);

4855 (B) Purchasing certain equipment and furnishings, together with other
4856 property, real and personal, functionally related and subordinate to the Facility;

4857 (C) Funding certain expenditures associated with the financing of the
4858 Facility, to the extent permissible, including, credit enhancement costs, liquidity costs, debt
4859 service reserve fund or working capital; and

4860 (D) Paying costs of issuance and other related costs, to the extent
4861 permissible.

4862 Sec. 1143. Findings.

4863 The Council finds that:

4864 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
4865 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
4866 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,

4867 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the
4868 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
4869 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
4870 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
4871 the purchase, lease, or sale of any property.

4872 (2) The Borrower has requested the District to issue, sell, and deliver revenue
4873 bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not
4874 to exceed \$28,000,000, and to make the Loan for the purpose of financing, refinancing, or
4875 reimbursing costs of the Project.

4876 (3) The Facility is located in the District and will contribute to the health,
4877 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
4878 District, or to economic development of the District.

4879 (4) The Project is an undertaking in the area of housing, within the meaning of
4880 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

4881 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
4882 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
4883 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

4884 Sec. 1144. Bond authorization.

4885 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
4886 financing, refinancing, or reimbursing the costs of the Project by:

4887 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
4888 aggregate principal amount not to exceed \$28,000,000; and

4889 (2) The making of the Loan.

4890 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
4891 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
4892 respect to the Bonds as required by the Financing Documents.

4893 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
4894 an amount sufficient to cover costs and expenses incurred by the District in connection with the
4895 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
4896 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
4897 with the District, and maintaining official records of each bond transaction, and assisting in the
4898 redemption, repurchase, and remarketing of the Bonds.

4899 Sec. 1145. Bond details.

4900 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
4901 necessary or appropriate in accordance with this subtitle in connection with the preparation,
4902 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
4903 including, but not limited to, determinations of:

4904 (1) The final form, content, designation, and terms of the Bonds, including a
4905 determination that the Bonds may be issued in certificated or book-entry form;

4906 (2) The principal amount of the Bonds to be issued and denominations of the
4907 Bonds;

4908 (3) The rate or rates of interest or the method for determining the rate or rates of
4909 interest on the Bonds;

4910 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
4911 on, the Bonds, and the maturity date or dates of the Bonds;

4912 (5) The terms under which the Bonds may be paid, optionally or mandatorily
4913 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
4914 their respective stated maturities;

4915 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
4916 replacement of mutilated, lost, stolen, or destroyed Bonds;

4917 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
4918 the Bonds;

4919 (8) The time and place of payment of the Bonds;

4920 (9) Procedures for monitoring the use of the proceeds received from the sale of
4921 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
4922 the purposes of the Home Rule Act and this subtitle;

4923 (10) Actions necessary to qualify the Bonds under blue sky laws of any
4924 jurisdiction where the Bonds are marketed; and

4925 (11) The terms and types of credit enhancement under which the Bonds may be
4926 secured.

4927 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
4928 obligations of the District, are without recourse to the District, are not a pledge of, and do not
4929 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
4930 District, and do not constitute lending of the public credit for private undertakings as prohibited
4931 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4932 (c) The Bonds shall be executed in the name of the District and on its behalf by the
4933 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
4934 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The

4935 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
4936 approval, on behalf of the District, of the final form and content of the Bonds.

4937 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
4938 otherwise reproduced on the Bonds.

4939 (e) The Bonds of any series may be issued in accordance with the terms of a trust
4940 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
4941 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
4942 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
4943 204.90(a)(4)).

4944 (f) The Bonds may be issued at any time or from time to time in one or more issues and
4945 in one or more series.

4946 Sec. 1146. Sale of the Bonds.

4947 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
4948 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
4949 the best interest of the District.

4950 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
4951 the Bonds, offering documents on behalf of the District, may deem final any such offering
4952 document on behalf of the District for purposes of compliance with federal laws and regulations
4953 governing such matters and may authorize the distribution of the documents in connection with
4954 the sale of the Bonds.

4955 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
4956 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
4957 the original purchasers of the Bonds upon payment of the purchase price.

4958 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
4959 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
4960 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
4961 for purposes of federal income taxation.

4962 Sec. 1147. Payment and security.

4963 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4964 from proceeds received from the sale of the Bonds, income realized from the temporary
4965 investment of those proceeds, receipts and revenues realized by the District from the Loan,
4966 income realized from the temporary investment of those receipts and revenues prior to payment
4967 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
4968 available to the District for the payment of the Bonds, and other sources of payment (other than
4969 from the District), all as provided for in the Financing Documents.

4970 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
4971 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
4972 the Financing Documents and Closing Documents, including a security interest in certain
4973 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

4974 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
4975 the sale of the Bonds pursuant to the Financing Documents.

4976 Sec. 1148. Financing and Closing Documents.

4977 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4978 Documents and all Closing Documents to which the District is a party that may be necessary or
4979 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of

4980 the Financing Documents and each of the Closing Documents to which the District is not a party
4981 shall be approved, as to form and content, by the Mayor.

4982 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4983 Financing Documents and any Closing Documents to which the District is a party by the
4984 Mayor's manual or facsimile signature.

4985 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4986 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4987 which the District is a party.

4988 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4989 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
4990 approval, on behalf of the District, of the final form and content of the executed Financing
4991 Documents and the executed Closing Documents.

4992 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4993 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4994 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4995 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4996 Sec. 1149. Authorized delegation of authority.

4997 To the extent permitted by District and federal laws, the Mayor may delegate to any
4998 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4999 under this subtitle.

5000 Sec. 1150. Limited liability.

5001 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
5002 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a

5003 pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a
5004 debt of the District, and shall not constitute lending of the public credit for private undertakings
5005 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

5006 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
5007 shall have no obligation with respect to the purchase of the Bonds.

5008 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
5009 Documents shall create an obligation on the part of the District to make payments with respect to
5010 the Bonds from sources other than those listed for that purpose in section 1147.

5011 (d) The District shall have no liability for the payment of any Issuance Costs or for any
5012 transaction or event to be effected by the Financing Documents.

5013 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
5014 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
5015 Documents to which the District is a party, shall be considered to be the covenants, obligations,
5016 and agreements of the District to the fullest extent authorized by law, and each of those
5017 covenants, obligations, and agreements shall be binding upon the District, subject to the
5018 limitations set forth in this subtitle.

5019 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
5020 any claims against the District or any of its elected or appointed officials, officers, employees, or
5021 agents for monetary damages suffered as a result of the failure of the District or any of its elected
5022 or appointed officials, officers, employees or agents to either perform any covenant, undertaking,
5023 or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing
5024 Documents, or as a result of the incorrectness of any representation in or omission from the

5025 Financing Documents or the Closing Documents, unless the District or its elected or appointed
5026 officials, officers, employees, or agents have acted in a willful and fraudulent manner.

5027 Sec. 1151. District officials.

5028 (a) Except as otherwise provided in section 1150(f), the elected or appointed officials,
5029 officers, employees, or agents of the District shall not be liable personally for the payment of the
5030 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
5031 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
5032 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
5033 Documents.

5034 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
5035 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
5036 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
5037 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
5038 Documents.

5039 Sec. 1152. Maintenance of documents.

5040 Copies of the specimen Bonds and of the final Financing Documents and Closing
5041 Documents shall be filed in the Office of the Secretary of the District of Columbia.

5042 Sec. 1153. Information reporting.

5043 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
5044 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
5045 Council.

5046 Sec. 1154. Disclaimer.

5047 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
5048 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
5049 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
5050 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
5051 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
5052 against the District, its elected or appointed officials, officers, employees, or agents as a
5053 consequence of any failure to issue any Bonds for the benefit of the Borrower.

5054 (b) The District reserves the right to issue the Bonds in the order or priority it determines
5055 in its sole and absolute discretion. The District gives no assurance and makes no representations
5056 that any portion of any limited amount of bonds or other obligations, the interest on which is
5057 excludable from gross income for federal income tax purposes, will be reserved or will be
5058 available at the time of the proposed issuance of the Bonds.

5059 (c) The District, by enacting this subtitle or by taking any other action in connection with
5060 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
5061 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
5062 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
5063 Bonds, nor any other person shall rely upon the District with respect to these matters.

5064 Sec. 1155. Expiration.

5065 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
5066 the effective date of this act, the authorization provided in this subtitle with respect to the
5067 issuance, sale, and delivery of the Bonds shall expire.

5068 Sec. 1156. Severability.

5069 If any particular provision of this subtitle or the application thereof to any person or
5070 circumstance is held invalid, the remainder of this subtitle and the application of such provision
5071 to other persons or circumstances shall not be affected thereby. If any action or inaction
5072 contemplated under this subtitle is determined to be contrary to the requirements of applicable
5073 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
5074 the validity of the Bonds shall not be adversely affected.

5075 **SUBTITLE D. NATIONAL PUBLIC RADIO, INC.**

5076 Sec. 1161. Short title.

5077 This subtitle may be cited as the “National Public Radio, Inc., Refunding Revenue Bonds
5078 Temporary Act of 2020”.

5079 Sec. 1162. Definitions.

5080 For the purpose of this subtitle, the term:

5081 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
5082 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
5083 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
5084 the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act
5085 (D.C. Official Code § 1-204.22(6)).

5086 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
5087 counsel from time to time by the Mayor.

5088 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
5089 obligations (including refunding bonds, notes, and other obligations), in one or more series,
5090 authorized to be issued pursuant to this resolution.

5091 (4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed
5092 with proceeds from the Bonds, which shall be National Public Radio, Inc., a non-profit
5093 corporation organized and existing under the laws of the District of Columbia, and exempt from
5094 federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved
5095 August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as an organization described in section
5096 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26
5097 U.S.C. § 501(c)(3)).

5098 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

5099 (6) “Closing Documents” means all documents and agreements other than
5100 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
5101 and to make the Loan contemplated thereby, and includes agreements, certificates, letters,
5102 opinions, forms, receipts, and other similar instruments.

5103 (7) “District” means the District of Columbia.

5104 (8) “Financing Documents” means the documents, other than Closing Documents,
5105 that relate to the financing or refinancing of transactions to be effected through the issuance, sale,
5106 and delivery of the Bonds and the making of the Loan, including any offering document and any
5107 required supplements to any such documents.

5108 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
5109 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

5110 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
5111 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
5112 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
5113 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection

5114 with the development and implementation of the Financing Documents, the Closing Documents,
5115 and those other documents necessary or appropriate in connection with the authorization,
5116 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
5117 Loan contemplated thereby, together with financing fees, costs, and expenses, including program
5118 fees and administrative fees charged by the District, fees paid to financial institutions and
5119 insurance companies, letter of credit fees (if any), compensation to financial advisors and other
5120 persons (other than full-time employees of the District) and entities performing services on
5121 behalf of or as agents for the District.

5122 (11) “Loan” means the District’s lending of proceeds from the sale, in one or
5123 more series, of the Bonds to the Borrower.

5124 (12) “Project” means the financing, refinancing, or reimbursing of all or a portion
5125 of the Borrower’s costs (including payments of principal of, and interest on, the bonds being
5126 refunded) to:

5127 (A) Refund all or a portion of the outstanding District of Columbia
5128 Refunding Revenue Bonds (National Public Radio, Inc., Issue) Series 2013, the proceeds of
5129 which were used to advance refund a portion of the District of Columbia Revenue Bonds
5130 (National Public Radio, Inc. Issue) Series 2010 (the “Series 2010 Bonds”) and to pay Issuance
5131 Costs, which Series 2010 Bonds were used to finance, refinance or reimburse all or a portion of
5132 the costs incurred by the Borrower to acquire, develop, renovate, furnish and equip a new office,
5133 production and distribution center located at 1111 North Capitol Street, N.E., Washington, D.C.
5134 20002-7502 (Square 673, Lot 36), and to pay Issuance Costs; and

5135 (B) Refund all or a portion of the outstanding District of Columbia
5136 Refunding Revenue Bonds (National Public Radio, Inc., Issue) Series 2016, the proceeds of

5137 which were also used to advance refund a portion of the Series 2010 Bonds and to pay Issuance
5138 Costs.

5139 Sec. 1163. Findings.

5140 The Council finds that:

5141 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
5142 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
5143 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
5144 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the
5145 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
5146 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
5147 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
5148 the purchase, lease, or sale of any property.

5149 (2) The Borrower has requested the District to issue, sell, and deliver revenue
5150 bonds, in one or more series, in the aggregate principal amount not to exceed \$210,000,000 and
5151 to make the Loan for the purpose of financing, refinancing or reimbursing costs of the Project.

5152 (3) The Project is located in the District and will contribute to the health,
5153 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
5154 District, or to economic development of the District.

5155 (4) The Project is an undertaking in the area of education and contributes to the
5156 health, education, safety, or welfare of residents of the District within the meaning of section 490
5157 of the Home Rule Act (D.C. Official Code § 1-204.90).

5158 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
5159 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
5160 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

5161 Sec. 1164. Bond authorization.

5162 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
5163 financing, refinancing, or reimbursing the costs of the Project by:

5164 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in the
5165 aggregate principal amount not to exceed \$210,000,000; and

5166 (2) The making of the Loan.

5167 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
5168 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
5169 respect to the Bonds as required by the Financing Documents.

5170 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
5171 an amount sufficient to cover costs and expenses incurred by the District in connection with the
5172 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
5173 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
5174 with the District, and maintaining official records of each bond transaction and assisting in the
5175 redemption, repurchase, and remarketing of the Bonds.

5176 Sec. 1165. Bond details.

5177 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
5178 necessary or appropriate in accordance with this subtitle in connection with the preparation,
5179 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,

5180 including, but not limited to, determinations of:

5181 (1) The final form, content, designation, and terms of the Bonds, including a
5182 determination that the Bonds may be issued in certificated or book-entry form;

5183 (2) The principal amount of the Bonds to be issued and denominations of the
5184 Bonds;

5185 (3) The rate or rates of interest or the method for determining the rate or rates of
5186 interest on the Bonds;

5187 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
5188 on the Bonds, and the maturity date or dates of the Bonds;

5189 (5) The terms under which the Bonds may be paid, optionally or mandatorily
5190 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
5191 their respective stated maturities;

5192 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
5193 replacement of mutilated, lost, stolen, or destroyed Bonds;

5194 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
5195 the Bonds;

5196 (8) The time and place of payment of the Bonds;

5197 (9) Procedures for monitoring the use of the proceeds received from the sale of
5198 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
5199 the purposes of the Home Rule Act and this subtitle;

5200 (10) Actions necessary to qualify the Bonds under blue sky laws of any
5201 jurisdiction where the Bonds are marketed; and

5202 (11) The terms and types of credit enhancement under which the Bonds may be
5203 secured.

5204 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
5205 obligations of the District, are without recourse to the District, are not a pledge of, and do not
5206 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
5207 District, and do not constitute lending of the public credit for private undertakings as prohibited
5208 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

5209 (c) The Bonds shall be executed in the name of the District and on its behalf by the
5210 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
5211 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
5212 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
5213 approval, on behalf of the District, of the final form and content of the Bonds.

5214 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
5215 otherwise reproduced on the Bonds.

5216 (e) The Bonds of any series may be issued in accordance with the terms of a trust
5217 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
5218 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
5219 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
5220 204.90(a)(4)).

5221 (f) The Bonds may be issued at any time or from time to time in one or more issues and
5222 in one or more series.

5223 Sec. 1166. Sale of the Bonds.

5224 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
5225 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
5226 the best interest of the District.

5227 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
5228 the Bonds, offering documents on behalf of the District, may deem final any such offering
5229 document on behalf of the District for purposes of compliance with federal laws and regulations
5230 governing such matters and may authorize the distribution of the documents in connection with
5231 the sale of the Bonds.

5232 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
5233 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
5234 the original purchasers of the Bonds upon payment of the purchase price.

5235 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
5236 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
5237 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
5238 for purposes of federal income taxation.

5239 Sec. 1167. Payment and security.

5240 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
5241 from proceeds received from the sale of the Bonds, income realized from the temporary
5242 investment of those proceeds, receipts and revenues realized by the District from the Loan,
5243 income realized from the temporary investment of those receipts and revenues prior to payment
5244 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made

5245 available to the District for the payment of the Bonds, and other sources of payment (other than
5246 from the District), all as provided for in the Financing Documents.

5247 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
5248 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
5249 the Financing Documents and Closing Documents, including a security interest in certain
5250 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

5251 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
5252 the sale of the Bonds pursuant to the Financing Documents.

5253 Sec. 1168. Financing and Closing Documents.

5254 (a) The Mayor is authorized to prescribe the final form and content of all Financing
5255 Documents and all Closing Documents to which the District is a party that may be necessary or
5256 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
5257 the Financing Documents and each of the Closing Documents to which the District is not a party
5258 shall be approved, as to form and content, by the Mayor.

5259 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
5260 Financing Documents and any Closing Documents to which the District is a party by the
5261 Mayor's manual or facsimile signature.

5262 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
5263 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
5264 which the District is a party.

5265 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
5266 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's

5267 approval, on behalf of the District, of the final form and content of said executed Financing
5268 Documents and said executed Closing Documents.

5269 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
5270 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
5271 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
5272 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

5273 Sec. 1169. Authorized delegation of authority.

5274 To the extent permitted by District and federal laws, the Mayor may delegate to any
5275 Authorized Delegate the performance of any function authorized to be performed by the Mayor
5276 under this subtitle.

5277 Sec. 1170. Limited liability.

5278 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
5279 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
5280 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
5281 debt of the District, and shall not constitute lending of the public credit for private undertakings
5282 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

5283 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
5284 shall have no obligation with respect to the purchase of the Bonds.

5285 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
5286 Documents shall create an obligation on the part of the District to make payments with respect to
5287 the Bonds from sources other than those listed for that purpose in section 1167.

5288 (d) The District shall have no liability for the payment of any Issuance Costs or for any
5289 transaction or event to be effected by the Financing Documents.

5290 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
5291 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
5292 Documents to which the District is a party, shall be considered to be the covenants, obligations,
5293 and agreements of the District to the fullest extent authorized by law, and each of those
5294 covenants, obligations, and agreements shall be binding upon the District, subject to the
5295 limitations set forth in this subtitle.

5296 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
5297 any claims against the District or any of its elected or appointed officials, officers, employees, or
5298 agents for monetary damages suffered as a result of the failure of the District or any of its elected
5299 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
5300 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,
5301 nor as a result of the incorrectness of any representation in or omission from the Financing
5302 Documents or the Closing Documents, unless the District or its elected or appointed officials,
5303 officers, employees, or agents have acted in a willful and fraudulent manner.

5304 Sec. 1171. District officials.

5305 (a) Except as otherwise provided in section 1170(f), the elected or appointed officials,
5306 officers, employees, or agents of the District shall not be liable personally for the payment of the
5307 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
5308 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
5309 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
5310 Documents.

5311 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
5312 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall

5313 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
5314 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
5315 Documents.

5316 Sec. 1172. Maintenance of documents.

5317 Copies of the specimen Bonds and of the final Financing Documents and Closing
5318 Documents shall be filed in the Office of the Secretary of the District of Columbia.

5319 Sec. 1173. Information reporting.

5320 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
5321 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
5322 Council.

5323 Sec. 1174. Disclaimer.

5324 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
5325 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
5326 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
5327 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
5328 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
5329 against the District, its elected or appointed officials, officers, employees, or agents as a
5330 consequence of any failure to issue any Bonds for the benefit of the Borrower.

5331 (b) The District reserves the right to issue the Bonds in the order or priority it determines
5332 in its sole and absolute discretion. The District gives no assurance and makes no representations
5333 that any portion of any limited amount of bonds or other obligations, the interest on which is
5334 excludable from gross income for federal income tax purposes, will be reserved or will be
5335 available at the time of the proposed issuance of the Bonds.

5336 (c) The District, by enacting this subtitle or by taking any other action in connection with
5337 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
5338 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
5339 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
5340 Bonds, nor any other person shall rely upon the District with respect to these matters.

5341 Sec. 1175. Expiration.

5342 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
5343 the effective date of this act, the authorization provided in this subtitle with respect to the
5344 issuance, sale, and delivery of the Bonds shall expire.

5345 Sec. 1176. Severability.

5346 If any particular provision of this subtitle or the application thereof to any person or
5347 circumstance is held invalid, the remainder of this subtitle and the application of such provision
5348 to other persons or circumstances shall not be affected thereby. If any action or inaction
5349 contemplated under this subtitle is determined to be contrary to the requirements of applicable
5350 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
5351 the validity of the Bonds shall not be adversely affected.

5352 **SUBTITLE E. PUBLIC WELFARE FOUNDATION, INC.**

5353 Sec. 1181. Short title.

5354 This subtitle may be cited as the “Public Welfare Foundation, Inc., Revenue Bonds
5355 Temporary Act of 2020”.

5356 Sec. 1182. Definitions.

5357 For the purpose of this subtitle, the term:

5358 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
5359 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
5360 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
5361 the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act
5362 (D.C. Official Code § 1-204.22(6)).

5363 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
5364 counsel from time to time by the Mayor.

5365 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
5366 obligations (including refunding bonds, notes, and other obligations), in one or more series,
5367 authorized to be issued pursuant to this resolution.

5368 (4) “Borrower” means the owner of the assets financed or refinanced with
5369 proceeds from the Bonds, which shall be Public Welfare Foundation, Inc., a non-profit
5370 corporation organized and existing under the laws of the State of Delaware, duly authorized to
5371 transact business as a foreign corporation in the District of Columbia, and exempt from federal
5372 income taxes as an organization described in section 501(c)(3) of the Internal Revenue Code of
5373 1986, approved August 16, 1954 (68A Stat. 163; 26. U.S.C. § 501(c)(3)).

5374 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

5375 (6) “Closing Documents” means all documents and agreements, other than
5376 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
5377 and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts,
5378 and other similar instruments.

5379 (7) “District” means the District of Columbia.

5380 (8) “Financing Documents” means, the documents, other than Closing
5381 Documents, that relate to the financing, refinancing or reimbursement of transactions to be
5382 effected through the issuance, sale, and delivery of the Bonds and the making of the Loan,
5383 including any offering document and any required supplements to any such documents.

5384 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
5385 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

5386 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
5387 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
5388 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
5389 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
5390 with the development and implementation of the Financing Documents, the Closing Documents,
5391 and those other documents necessary or appropriate in connection with the authorization,
5392 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
5393 Loan, together with financing fees, costs, and expenses, including program fees and
5394 administrative fees charged by the District, fees paid to financial institutions and insurance
5395 companies, initial letter of credit fees (if any), compensation to financial advisors and other
5396 persons (other than full-time employees of the District) and entities performing services on
5397 behalf of or as agents for the District.

5398 (11) “Loan” means the District’s lending to the Borrower of the proceeds from the
5399 sale, in one or more series, of the Bonds.

5400 (12) “Project” means the financing, refinancing or reimbursing of the Borrower,
5401 on a tax exempt or taxable basis, for all or a portion of the Borrower’s costs incurred in

5402 connection with the renovation of certain facilities of the Borrower located at 1200 U Street,
5403 N.W., Washington, D.C. (the “Building”) in one or more phases and comprised of the following:

5404 (A) Replacement of nearly all exterior windows of the Building and the
5405 repair of certain sheet metal and masonry;

5406 (B) Soft costs, including architectural, engineering, and permitting fees, in
5407 connection therewith;

5408 (C) Purchase of certain equipment and furnishings, together with other
5409 property, real and personal, functionally related and subordinate thereto;

5410 (D) Refinancing, in whole or in part, of existing indebtedness; and

5411 (E) Certain expenditures associated therewith to the extent financeable,
5412 including, without limitation, Issuance Costs, credit costs, and working capital.

5413 Sec. 1183. Findings.

5414 The Council finds that:

5415 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
5416 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
5417 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
5418 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the
5419 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
5420 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
5421 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
5422 the purchase, lease, or sale of any property.

5423 (2) The Borrower has requested the District to issue, sell, and deliver revenue and
5424 refunding bonds, in one or more series, in an aggregate principal amount not to exceed

5425 \$13,000,000 and to make the Loan for the purpose of financing, refinancing or reimbursing costs
5426 of the Project.

5427 (3) The Project is located in the District and will contribute to the health,
5428 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
5429 District, or to economic development of the District.

5430 (4) The Project is an undertaking in the area of a capital project as facilities used
5431 to house and equip operations related to the study, development, application, or production of
5432 social services within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-
5433 204.90).

5434 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
5435 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
5436 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.
5437 Sec. 1184. Bond authorization.

5438 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
5439 financing, refinancing, or reimbursing the costs of the Project by:

5440 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
5441 aggregate principal amount not to exceed \$13,000,000; and

5442 (2) The making of the Loan.

5443 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
5444 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
5445 respect to the Bonds as required by the Financing Documents.

5446 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
5447 an amount sufficient to cover costs and expenses incurred by the District in connection with the

5448 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
5449 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
5450 with the District, and maintaining official records of each bond transaction and assisting in the
5451 redemption, repurchase, and remarketing of the Bonds.

5452 Sec. 1185. Bond details.

5453 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
5454 necessary or appropriate in accordance with this subtitle in connection with the preparation,
5455 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
5456 including, but not limited to, determinations of:

5457 (1) The final form, content, designation, and terms of the Bonds, including a
5458 determination that the Bonds may be issued in certificated or book-entry form;

5459 (2) The principal amount of the Bonds to be issued and denominations of the
5460 Bonds;

5461 (3) The rate or rates of interest or the method for determining the rate or rates of
5462 interest on the Bonds;

5463 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
5464 on the Bonds, and the maturity date or dates of the Bonds;

5465 (5) The terms under which the Bonds may be paid, optionally or mandatorily
5466 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
5467 their respective stated maturities;

5468 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
5469 replacement of mutilated, lost, stolen, or destroyed Bonds;

- 5470 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
5471 the Bonds;
- 5472 (8) The time and place of payment of the Bonds;
- 5473 (9) Procedures for monitoring the use of the proceeds received from the sale of
5474 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
5475 the purposes of the Home Rule Act and this subtitle;
- 5476 (10) Actions necessary to qualify the Bonds under blue sky laws of any
5477 jurisdiction where the Bonds are marketed; and
- 5478 (11) The terms and types of credit enhancement under which the Bonds may be
5479 secured.

5480 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
5481 obligations of the District, are without recourse to the District, are not a pledge of, and do not
5482 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
5483 District, and do not constitute lending of the public credit for private undertakings as prohibited
5484 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

5485 (c) The Bonds shall be executed in the name of the District and on its behalf by the
5486 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
5487 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
5488 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
5489 approval, on behalf of the District, of the final form and content of the Bonds.

5490 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
5491 otherwise reproduced on the Bonds.

5492 (e) The Bonds of any series may be issued in accordance with the terms of a trust
5493 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
5494 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
5495 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
5496 204.90(a)(4)).

5497 (f) The Bonds may be issued at any time or from time to time in one or more issues and
5498 in one or more series.

5499 Sec. 1186. Sale of the Bonds.

5500 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
5501 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
5502 the best interest of the District.

5503 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
5504 the Bonds, offering documents on behalf of the District, may deem final any such offering
5505 document on behalf of the District for purposes of compliance with federal laws and regulations
5506 governing such matters and may authorize the distribution of the documents in connection with
5507 the sale of the Bonds.

5508 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
5509 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
5510 the original purchasers of the Bonds upon payment of the purchase price.

5511 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
5512 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
5513 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
5514 for purposes of federal income taxation.

5515 Sec. 1187. Payment and security.

5516 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
5517 from proceeds received from the sale of the Bonds, income realized from the temporary
5518 investment of those proceeds, receipts and revenues realized by the District from the Loan,
5519 income realized from the temporary investment of those receipts and revenues prior to payment
5520 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
5521 available to the District for the payment of the Bonds, and other sources of payment (other than
5522 from the District), all as provided for in the Financing Documents.

5523 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
5524 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
5525 the Financing Documents and Closing Documents, including a security interest in certain
5526 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

5527 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
5528 the sale of the Bonds pursuant to the Financing Documents.

5529 Sec. 1188. Financing and Closing Documents.

5530 (a) The Mayor is authorized to prescribe the final form and content of all Financing
5531 Documents and all Closing Documents to which the District is a party that may be necessary or
5532 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
5533 the Financing Documents and each of the Closing Documents to which the District is not a party
5534 shall be approved, as to form and content, by the Mayor.

5535 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
5536 Financing Documents and any Closing Documents to which the District is a party by the
5537 Mayor's manual or facsimile signature.

5538 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
5539 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
5540 which the District is a party.

5541 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
5542 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
5543 approval, on behalf of the District, of the final form and content of said executed Financing
5544 Documents and said executed Closing Documents.

5545 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
5546 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
5547 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
5548 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

5549 Sec. 1189. Authorized delegation of authority.

5550 To the extent permitted by District and federal laws, the Mayor may delegate to any
5551 Authorized Delegate the performance of any function authorized to be performed by the Mayor
5552 under this subtitle.

5553 Sec. 1190. Limited liability.

5554 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
5555 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
5556 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
5557 debt of the District, and shall not constitute lending of the public credit for private undertakings
5558 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

5559 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
5560 shall have no obligation with respect to the purchase of the Bonds.

5561 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
5562 Documents shall create an obligation on the part of the District to make payments with respect to
5563 the Bonds from sources other than those listed for that purpose in section 1187.

5564 (d) The District shall have no liability for the payment of any Issuance Costs or for any
5565 transaction or event to be effected by the Financing Documents.

5566 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
5567 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
5568 Documents to which the District is a party, shall be considered to be the covenants, obligations,
5569 and agreements of the District to the fullest extent authorized by law, and each of those
5570 covenants, obligations, and agreements shall be binding upon the District, subject to the
5571 limitations set forth in this subtitle.

5572 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
5573 any claims against the District or any of its elected or appointed officials, officers, employees, or
5574 agents for monetary damages suffered as a result of the failure of the District or any of its elected
5575 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
5576 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,
5577 or as a result of the incorrectness of any representation in or omission from the Financing
5578 Documents or the Closing Documents, unless the District or its elected or appointed officials,
5579 officers, employees, or agents have acted in a willful and fraudulent manner.

5580 Sec. 1191. District officials.

5581 (a) Except as otherwise provided in section 1190(f), the elected or appointed officials,
5582 officers, employees, or agents of the District shall not be liable personally for the payment of the
5583 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the

5584 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
5585 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
5586 Documents.

5587 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
5588 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
5589 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
5590 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
5591 Documents.

5592 Sec. 1192. Maintenance of documents.

5593 Copies of the specimen Bonds and of the final Financing Documents and Closing
5594 Documents shall be filed in the Office of the Secretary of the District of Columbia.

5595 Sec. 1193. Information reporting.

5596 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
5597 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
5598 Council.

5599 Sec. 1194. Disclaimer.

5600 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
5601 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
5602 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
5603 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
5604 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
5605 against the District, its elected or appointed officials, officers, employees, or agents as a
5606 consequence of any failure to issue any Bonds for the benefit of the Borrower.

5607 (b) The District reserves the right to issue the Bonds in the order or priority it determines
5608 in its sole and absolute discretion. The District gives no assurance and makes no representations
5609 that any portion of any limited amount of bonds or other obligations, the interest on which is
5610 excludable from gross income for federal income tax purposes, will be reserved or will be
5611 available at the time of the proposed issuance of the Bonds.

5612 (c) The District, by enacting this subtitle or by taking any other action in connection with
5613 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
5614 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
5615 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
5616 Bonds, nor any other person shall rely upon the District with respect to these matters.

5617 Sec. 1195. Expiration.

5618 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
5619 the effective date of this act, the authorization provided in this subtitle with respect to the
5620 issuance, sale, and delivery of the Bonds shall expire.

5621 Sec. 1196. Severability.

5622 If any particular provision of this subtitle or the application thereof to any person or
5623 circumstance is held invalid, the remainder of this subtitle and the application of such provision
5624 to other persons or circumstances shall not be affected thereby. If any action or inaction
5625 contemplated under this subtitle is determined to be contrary to the requirements of applicable
5626 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
5627 the validity of the Bonds shall not be adversely affected.

5628 **TITLE XII. REPEALS; APPLICABILITY; FISCAL IMPACT STATEMENT;**
5629 **EFFECTIVE DATE**

5630 Sec. 1201. Repeals.

5631 (a) The COVID-19 Response Emergency Amendment Act of 2020, effective March 17,
5632 2020 (D.C. Act 23-247; 67 DCR 3093), is repealed.

5633 (b) The COVID-19 Response Supplemental Emergency Amendment Act of 2020,
5634 effective April 10, 2020 (D.C. Act 23-286; 67 DCR 4178), is repealed.

5635 (c) The COVID-19 Supplemental Corrections Emergency Amendment Act of 2020,
5636 effective May 4, 2020 (D.C. Act 23-299; 67 DCR 5050), is repealed.

5637 (d) The Coronavirus Omnibus Emergency Amendment Act of 2020, effective May 13,
5638 2020 (D.C. Act 23-317; 67 DCR 5235), is repealed.

5639 (e) The Foreclosure Moratorium Emergency Amendment Act of 2020, effective May 27,
5640 2020 (D.C. Act 23-318; 67 DCR 6591), is repealed.

5641 (f) The COVID-19 Response Supplemental Temporary Amendment Act of 2020, enacted
5642 on May 21, 2020 (D.C. Act 23-323; 67 DCR 6601), is repealed. Sec. 1202.

5643 Applicability.

5644 (a) Titles I through XI of this act shall apply as of June 9, 2020.

5645 Sec. 1203. Fiscal impact statement.

5646 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
5647 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
5648 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

5649 Sec. 1204. Effective date.

5650 This act shall take effect following approval by the Mayor (or in the event of veto by the
5651 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
5652 90 days, as provided for emergency acts of the Council of the District of Columbia in section

- 5653 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
- 5654 D.C. Official Code § 1-204.12(a)).