

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to close a loophole in the existing law that allows large out-of-state firms to certify as local business enterprises.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Local Business Enterprise Clarification Emergency Declaration Resolution of 2022”.

Sec. 2. (a) The goal of the Department of Small and Local Business Development is to stimulate and foster the economic growth and development of businesses based in the District of Columbia. Due to a loophole, many large, out-of-District businesses have been able to legally certify as local business enterprises.

(b) The Council has enacted emergency and temporary legislation to close this loophole. The most recent legislation, the Local Business Clarification Temporary Amendment Act of 2021, effective September 22, 2021 (D.C. Law 24-35; 68 DCR 7989), expires on May 5, 2022 (“temporary legislation”).

(c) It is important to keep the provisions of the temporary legislation effective law until permanent legislation is enacted so that local businesses continue to have a fair shot in the District’s contracting and procurement process.

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35 Sec. 3. The Council of the District of Columbia determines that the circumstances
36 enumerated in section 2 constitute emergency circumstances making it necessary that the Local
37 Business Clarification Emergency Amendment Act of 2022 be adopted after a single reading.

38 Sec. 4. This resolution shall take effect immediately.