

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Housing Authority Act of 1999 to clarify that the District of Columbia Housing Authority is subject to the District’s procurement statutes; and, to amend the Procurement Practices Reform Act of 2010 to make conforming changes.

BE IT ENACTED BY THE COUNCIL DISTRICT OF COLUMBIA, That this act may be cited as the “District of Columbia Housing Authority Procurement Clarification Emergency Amendment Act of 2023”.

Sec. 2. Section 20 of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-219), is amended as follows:

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

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

(1) Strike the phrase, “Within 180 days of the effective date of this act, the” and insert the word “The”.

(2) Strike the phrase “The Procurement Act shall not apply to contracts and contractors of the Authority, except that subchapter IX of the Procurement Act shall apply to contract protests, appeals, and claims arising from procurements of the Housing Authority.”.

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

“(b) Nothing in this subsection shall exempt the Board from compliance with section 451 of

29 the Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51),
30 however, the Board may adopt rules governing procurements involving the expenditure of federal
31 funds that are inconsistent with the Procurement Practices Reform Act of 2010, effective April 8,
32 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*).”.

33 Sec. 3. The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law
34 18-371; D.C. Official Code 2-351.01 *et seq.*), is amended as follows:

35 (a) Section 201(b)(3) (D.C. Official Code 2-352.01(b)(3)) is amended to read as follows:

36 “(3) The District of Columbia Housing Authority, except as otherwise provided in
37 section 20 of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C.
38 Law 13-105; D.C. Official Code 6-219).”.

39 (b) Section 105(c) (D.C. Official Code 2-351.05(c)) is amended by adding a new paragraph
40 (16A) to read as follows:

41 “(16A) Procurements by the District of Columbia Housing Authority involving the
42 expenditure of federal funds as provided for in section 20 of the District of Columbia Housing
43 Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code 6-219).”.

44 Sec. 4. Applicability.

45 This act shall apply as of the effective date of the Procurement Practices Reform Act of
46 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*).

47 Sec. 5. Fiscal impact statement.

48 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
49 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
50 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

51 Sec. 6. Effective date.

52 This act shall take effect following approval by the Mayor (or in the event of veto by the
53 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
54 90 days, as provided for emergency acts of the Council of the District of Columbia in section
55 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
56 D.C. Official Code § 1-204.12(a)).

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