



Councilmember Kenyan R. McDuffie

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

1 To amend, on an emergency basis, the Small and Certified Business Enterprise Development and
2 Assistance Act of 2005 to revise the percentage of civil penalty that shall be assessed for
3 the failure to comply with the District of Columbia subcontracting requirements.
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5 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
6 act may be cited as “The Certified Business Enterprise Program Protection Penalty Emergency
7 Amendment Act of 2023”.

8 Sec. 2. Section 2363(c)(4) of the Small and Certified Business Enterprise Development
9 and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code §
10 2-218.01(c)(4)), is amended by striking the figure “equal to 10%” and inserting the figure “up to
11 300%” in its place.

12 Sec. 3. Fiscal impact statement.

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

16 Sec. 4. Effective date.

17 This act shall take effect following approval by the Mayor (or in the event of veto by the

18 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
19 90 days, as provided for emergency acts of the Council of the District of Columbia in section
20 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
21 D.C. Official Code § 1-204.12(a)).