

1
2 Councilmember Trayon White, Sr.

Councilmember Brooke Pinto

3
4
5 Councilmember Christina Henderson

6
7
8
9 A BILL

10
11
12 _____
13
14
15 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
16
17 _____
18
19

20 To amend, on an emergency basis, the District of Columbia Public Emergency Act of 1980 to
21 clarify the types of circumstances that may constitute a public emergency and to
22 authorize the Mayor to extend the duration of public emergencies related to the opioid
23 crisis and juvenile crime, to authorize the Mayor to waive the requirements of Title IV of
24 the Procurement Practices Reform Act of 2010 in exercising her authority under the
25 public emergencies related to the opioid crisis and juvenile crime, and to require the
26 Mayor to provide written notice to the Council before engaging in conduct that would
27 require the waiver of Title IV of the Procurement Practices Reform Act of 2010.
28

29 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
30 act may be cited as the “Opioid Crisis and Juvenile Crime Public Emergencies Extension
31 Authorization Emergency Amendment Act of 2024”.

32 Sec. 2. The District of Columbia Public Emergency Act of 1980, effective March 5, 1981
33 (D.C. Law 3-149; D.C. Official Code § 7-2301 *et seq.*), is amended as follows:

34 (a) Section 2(3)(I) (D.C. Official Code § 7-2301(3)(I)) is amended by striking the phrase
35 “communicable disease” and inserting the phrase “communicable disease, or significant existence
36 of a deadly or otherwise dangerous disease, disorder, condition, or activity,” in its place.

37 (b) Section 7 (D.C. Official Code § 7-2306) is amended by adding a new subsection (c-2)
38 to read as follows:

39 “(c-2)(1) Notwithstanding subsections (b) and (c) of this section, the Mayor may extend
40 the 15-day February 27, 2024, emergency executive order declaring a public emergency in
41 response to the opioid crisis (Mayor’s Order 2024-035) and the 15-day February 27, 2024,
42 emergency executive order declaring a public emergency in response to juvenile crime (Mayor’s
43 Order 2024-035) during the effectiveness of the Opioid Crisis and Juvenile Crime Public
44 Emergencies Extension Authorization Emergency Amendment Act of 2024. After the extensions
45 authorized by this subsection, the Mayor may extend the emergency orders for additional 15-day
46 periods pursuant to subsection (b) or subsection (c) of this section.

47 “(2) Notwithstanding section 5(b) (D.C. Official Code § 7-2304(b)), the Mayor shall
48 comply with all District laws when exercising her authority pursuant to Mayor’s Order 2024-035,
49 including those laws stated in Mayor’s Order 2024-035 to be subject to waiver, suspension, or
50 modification; except, that the Mayor may waive the requirements of Title IV of the Procurement
51 Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-
52 354.01 *et seq.*).

53 “(3) The Mayor shall, prior to any exercise of the authority granted by this subsection,
54 provide written notice to the Council. Such notice shall include, at a minimum:

55 “(A) Citations to the law or laws being waived; and

56 “(B) In any instance where the Mayor is waiving procurement laws, a
57 summary of each proposed procurement, which summary shall include:

58 “(i) A description of the specific goods or services to be procured;

59 “(ii) The source selection method, including whether the
60 procurement was competitively sourced;

61 “(iii) The contract amount and the source of funds, whether federal
62 or local;

63 “(iv) The name and certified business enterprise status of the
64 proposed awardee; and

65 “(v) An explanation regarding why expedited procurement
66 procedures are necessary to meet the specific need identified.

67 “(4) The Mayor shall publish any grants awarded or contracts entered into using
68 the authority granted by this paragraph no later than 15 days after awarding the grant or entering
69 the contract.”.

70 Sec. 3. Section 2(a) of the Opioid Crisis and Juvenile Crime Public Emergencies Extension
71 Authorization Temporary Amendment Act of 2023, effective February 22, 2024 (D.C. Law 25-
72 126; 71 DCR 645), is repealed.

73 Sec. 4. Fiscal impact statement.

74 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
75 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
76 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

77 Sec. 5. Effective date.

78 This act shall take effect following approval by the Mayor (or in the event of veto by the
79 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
80 90 days, as provided for emergency acts of the Council of the District of Columbia in section
81 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
82 D.C. Official Code § 1-204.12(a)).