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Janeese Lewis George

Councilmember Janeese Lewis George

6 A PROPOSED RESOLUTION
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10 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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16 To declare the existence of an emergency with respect to the need to amend the Green Building
17 Act of 2006 to exempt certain residential and nonresidential projects from maintaining
18 net zero energy compliance and to modify net zero energy compliance requirements for
19 nonresidential and residential projects; to amend section 2 of the Clean Energy DC
20 Building Code Amendment Act of 2022 to modify the definition of net-zero-energy
21 standards and the types of projects for which the net-zero-energy standards apply; and to
22 repeal section 6 of the Housing Production Trust Fund Act of 1988 pertaining to
23 additional net zero energy requirements for subsidized projects.
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25 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this

26 resolution may be cited as the “Net Zero Modification and Preservation Emergency Declaration
27 Resolution of 2026”.

28 Sec. 2. (a) On January 12, 2023, Mayor Bowser signed into law the Greener Government
29 Buildings Amendment Act of 2022 effective March 10, 2023 (D.C. Law 24-306; 70 DCR 658)
30 (“GGBA”), which amended the Green Building Act of 2006 to require that construction of new
31 or substantially improved projects owned or financed by the District adhere to a net zero energy
32 standard.

33 (b) In subsequent budgets, funding enhancements have been necessary to ensure
34 compliance with the net zero energy requirements for District-owned projects. In the FY26
35 budget, \$9.8 million was designated for specific net zero projects, including the Congress
36 Heights pool, Fort Davis Recreation Center, and New Community Center at Historic Crummell

37 School; however, some of these enhancements have not and are not planned to be utilized by the
38 Executive for their Council-designated purposes despite legal requirements to do so.

39 (c) In the Mayor's letter for the December 16, 2025 Legislative Meeting, the Mayor
40 stated "To demonstrate the financial and operational impacts of these Council mandates, the
41 Department of General Services will not seek waivers from the Green Building Advisory
42 Council for these types of projects and will build them to the highest environmental standard
43 possible as allowed by the project's current funding". Since this statement, DGS has begun
44 implementing this policy of not sending certain projects to GBAC despite the clear legal
45 requirements to do so. During a Committee on Facilities public hearing on January 16, 2026,
46 DGS again confirmed its intent not to follow the law.

47 (d) Since the passage of the GGBA, the Council has also enacted several pieces of
48 emergency legislation exempting District-financed affordable housing projects from the
49 requirements of the GGBA in order to ensure predictability in project design and development.

50 (e) In consultation with the Executive, the Council has determined that updates to the
51 GGBA are necessary to ensure that the Executive is able to appropriately budget for capital
52 projects in FY27 and to provide affordable housing providers with the certainty needed for
53 upcoming funding rounds.

54 (f) Emergency legislation is therefore necessary to ensure that the Executive may budget
55 capital projects in FY27 based on reasonably modified, yet environmentally robust, standards
56 and to provide affordable housing developers seeking District financing with sufficient time to
57 prepare projects in accordance with the modified standards.

58 Sec. 3. The Council of the District of Columbia determines that the circumstances in
59 section 2 constitute emergency circumstances, making it necessary that the Net Zero

60 Modification and Preservation Emergency Declaration Resolution of 2026 be adopted after a
61 single reading.

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