



Councilmember Janeese Lewis George

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Green Building Act of 2006 to exempt certain residential and nonresidential projects from maintaining net zero energy compliance and to modify net zero energy compliance requirements for nonresidential and residential projects; to amend section 2 of the Clean Energy DC Building Code Amendment Act of 2022 to modify the definition of net-zero-energy standards and the types of projects for which the net-zero-energy standards apply; and to repeal section 6 of the Housing Production Trust Fund Act of 1988 pertaining to additional net zero energy requirements for subsidized projects.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Net Zero Modification and Preservation Emergency Declaration Resolution of 2026”.

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

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

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

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

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

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

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

Sec. 3. The Council of the District of Columbia determines that the circumstances in 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.