

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an temporary basis, 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.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Net Zero Modification and Preservation Temporary Amendment Act of 2026”.

Sec. 2. The Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 6-1451.01) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

“(1) “Addition” shall have the meaning ascribed to it in the Building Codes.”.

(2) A new paragraph (2A-1) is added to read as follows:

“(2A-1) “Aquatic center” means a structure intended for swimming or recreational bathing that contains water over twenty-four inches deep. The term “aquatic center” includes the pool,

34 decks, and surrounding structure, locker rooms, electrical and mechanical rooms, and IT controls that
35 support the pool.”.

36 (3) A new paragraph (3A) is added to read as follows:

37 “(3A) “Building Codes” means the portions of the Construction Codes designated as
38 the Building Code and the Existing Building Code.”.

39 (4) Paragraphs (6) and (7) are amended to read as follows:

40 “(6) “Construction Codes” has the same meaning as in section 2(2) of the Construction
41 Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C.
42 Official Code § 6-1401(2)).

43 “(7) “Construction documents” shall have the meaning ascribed to it in the Building
44 Codes.”.

45 (5) Paragraph (8) is repealed.

46 (6) Paragraph (14) is amended to read as follows:

47 “(14) “Existing building” shall have the meaning ascribed to it in the Building Codes.”.

48 (7) Paragraph (22) is amended to read as follows:

49 “(22) “Gross floor area” shall have the meaning ascribed to it in the Building Codes.”.

50 (8) A new paragraph (31B) is added to read as follows:

51 “(31B) “Level 3 alteration” shall have the meaning ascribed to it in the Building
52 Codes.”.

53 (9) A new paragraph (32C) is added to read as follows:

54 “(31B) “Natatorium” means a building or complex housing one or more indoor pools
55 featuring HVAC and humidity controls to manage the environment.”.

56 (10) Paragraph (40A) is amended to read as follows:

57 “(40A) “Temporary building” means a:
58 “(A) Trailer; or
59 “(B) Structure that is used or intended for supporting or sheltering any use or
60 occupancy on a non-permanent timeframe for an interim use during construction of a permanent
61 structure.”.

62 (b) Section 3(a) (D.C. Official Code § 6-1451.02(a)) is amended as follows:

63 (1) Paragraph (1) is amended by striking the phrase “substantial improvement” and
64 inserting the phrase “Level 3 alterations”.

65 (2) Paragraph (2) is amended as follows:

66 (A) Subparagraph (C) is amended by striking the phrase “; and” and
67 inserting a semicolon in its place.

68 (B) Subparagraph (D) is amended to read as follows:

69 “(D) Maintain net zero energy compliance unless the project is for the
70 construction of:

71 “(i) A temporary building;

72 “(ii) A project less than 10,000 square feet;

73 “(iii) An addition;

74 “(iv) A police, fire, emergency response, or Office of Unified
75 Communications facility provided, that the facility need not comply with energy conservation and
76 obtainment standards otherwise required by section 2(a)(3)(A) and(B) of the Clean Energy DC
77 Building Code Amendment Act of 2022, effective September 21, 2022 (D.C. Law 24-177; D.C.
78 Official Code § 6-1453.01(a)(3)(A) and(B)) (“Clean Energy DC Building Act”)

79 “(v) A natatorium; provided, that the aquatics center in which the
80 natatorium is located need not comply with energy conservation and obtainment standards otherwise
81 required by section 2(a)(3)(A) and(B) of the Clean Energy DC Building Code Amendment Act of
82 2022, effective September 21, 2022 (D.C. Law 24-177; D.C. Official Code § 6-1453.01(a)(3)(A)
83 and(B)) (“Clean Energy DC Building Act”); or

84 “(vi) A project fully designed before October 1, 2024; and”.

85 (C) A new subparagraph (E) is added to read as follows:

86 “(E) Adhere to the same restrictions on fossil fuel burning appliances as under
87 section 109e of the District Department of the Environment Establishment Act of 2005, effective
88 September 21, 2022 (D.C. Law 24-176; D.C. Official Code § 8-151.09e).”.

89 (3) Paragraph (3) is amended as follows:

90 (A) Strike the phrase “if a residential project includes” and insert the phrase “if
91 a residential project is for new construction and includes” in its place.

92 (B) Subparagraph (A) is amended to read as follows:

93 “(A) Maintain net zero energy compliance; except, that a project need not
94 comply with the renewable energy requirements otherwise required by section 2(a)(3)(A), (B), and
95 (C) of the Clean Energy DC Building Act (D.C. Official Code § 6-1453.01(a)(3)(C) and (D)), until the
96 effective date of the final regulations issued by the Mayor pursuant to section 2(b)(1) of the Clean
97 Energy DC Building Act (D.C. Official Code § 6-1453.01(b)(1)), and such final regulations issued by
98 the Mayor shall thereafter apply; and”.

99 (C) Subparagraph (B) is amended by striking the acronym “DCRA” and
100 inserting the acronym “DOB” in its place.

101 (D) Subparagraph (C) is repealed.

102 Sec. 3. Section 2 of the Clean Energy DC Building Code Amendment Act of 2022, effective
103 September 21, 2022 (D.C. Law 24-177; D.C. Official Code § 6-1453.01), is amended as follows:

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

105 (1) A new paragraph (2A) is added to read as follows:

106 “(2A) “Level 3 alteration” shall have the meaning ascribed to it in the Building
107 Codes.”.

108 (2) Paragraph (3) is amended as follows:

109 (A) Subparagraph (A) is amended by striking the phrase “; and” and inserting a
110 semicolon in its place.

111 (B) Subparagraph (B) is amended to read as follows:

112 “(B) A building obtains energy from renewable energy sources in the amount
113 that would be required by the most recent version of Appendix Z;”.

114 (3) New subparagraphs (C), (D), and (E) are added to read as follows:

115 “(C) Renewable energy shall be generated at the building site wherever
116 feasible; and”.

117 “(E) On-site fuel combustion shall not be permitted for the provision of thermal
118 energy to the building except for backup power generation or when approved by the building code
119 official in accordance with section 104.10 of the District of Columbia Building Code (12-A DCMR §
120 104.10).”.

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

122 (1) Paragraph (1) is amended by striking the phrase “substantial improvements” and
123 inserting the phrase “Level 3 alterations” in its place.

124 (2) Paragraph (2) is amended by striking the phrase “; except, that nothing in this

125 paragraph shall be construed to prohibit the on-site combustion of fossil fuels for backup power
126 generation in buildings that are essential to protecting public health and safety” and inserting a period
127 in its place.

128 (c) Subsection (c)(1) is amended by striking the phrase “newly constructed or substantially
129 improved covered buildings” and inserting the phrase “covered buildings that were newly constructed
130 or underwent Level 3 alterations” in its place.

131 Sec. 4. Repealers.

132 (a) Section 6 of the Housing Production Trust Fund Act of 1988, effective November 24, 2025
133 (D.C. Act 26-207; D.C. Official Code § 42-2805), is repealed.

134 (b) Section 2 of the Green Housing Coordination Temporary Amendment Act of 2025, enacted
135 on December 19, 2025 (D.C. Act 26-215; D.C. Official Code § 42-2805), is repealed.

136 Sec. 3. Fiscal impact statement.

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

140 Sec. 6. Effective date.

141 (a) This act shall take effect following approval by the Mayor (or in the event of veto by the
142 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
143 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,
144 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia
145 Register.

146 (b) This act shall expire after 225 days of its having taken effect.