

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, due to congressional review, the Green Building Act of 2006 to exempt certain District-owned and -funded residential and nonresidential projects from complying with net-zero-energy standards and to modify net-zero-energy standard 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 the net-zero-energy standard and the types of projects to which the net-zero-energy standard applies; and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Net Zero Continuity Congressional Review Emergency 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) The existing paragraph (2A) is redesignated as paragraph (2B).

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

34 “(2A) “Aquatic center” means a structure intended for swimming or recreational
35 bathing that contains water over 24 inches deep and includes the pool, decks, and surrounding
36 structure, locker rooms, electrical and mechanical rooms, and IT controls that support the pool.”.

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

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

40 (5) Paragraphs (6) and (7) are amended to read as follows:

41 “(6) “Construction Codes” shall have the same meaning as in section 2(2) of the
42 Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-
43 216; D.C. Official Code § 6-1401(2)).

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

46 (6) Paragraph (8) is repealed.

47 (7) Paragraph (14) is amended to read as follows:

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

49 (8) Paragraph (22) is amended to read as follows:

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

51 (9) A new paragraph (31B) is added to read as follows:

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

54 (10) A new paragraph (32C) is added to read as follows:

55 “(32C) “Natatorium” means a building or complex housing one or more indoor pools
56 featuring HVAC and humidity controls to manage the environment.”.

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

“(40A) “Temporary building” means a:

“(A) Trailer; or

“(B) Structure that is used or intended for supporting or sheltering any use or occupancy on a non-permanent timeframe for an interim use during construction of a permanent structure.”.

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

(1) The lead-in language of paragraph (1) is amended by striking the phrase “substantial improvement” and inserting the phrase “Level 3 alterations” in its place.

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

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

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

“(D) Be built to comply with the net-zero-energy standard, as defined in section 2(a)(3) of the Clean Energy DC Building Code Amendment Act of 2022, effective September 21, 2022 (D.C. Law 24-177; D.C. Official Code § 6-1453.01(a)(3)) (“Clean Energy DC Building Act”), unless the project is for the construction of:

“(i) A temporary building;

“(ii) An addition less than 10,000 square feet;

“(iii) A police, fire, emergency response, or Office of Unified Communications facility; except, that, that the facility need not comply with energy conservation and obtainment standards otherwise required by section 2(a)(3)(A) and (B) of the Clean Energy DC Building Act (D.C. Official Code § 6-1453.01(a)(3)(A) and (B)), until the effective date of the final

regulations issued by the Mayor pursuant to section 2(b)(1) of the Clean Energy DC Building Act (D.C. Official Code § 6-1453.01(b)(1));

“(iv) A natatorium; except, that, that the aquatic center in which the natatorium is located need not comply with energy conservation and obtainment standards otherwise required by section 2(a)(3)(A) and (B) of the Clean Energy DC Building Code Act (D.C. Official Code § 6-1453.01(a)(3)(A) and (B)), until the effective date of the final regulations issued by the Mayor pursuant to section 2(b)(1) of the Clean Energy DC Building Code Act (D.C. Official Code § 6-1453.01(b)(1)); or

“(v) A project for which all permits necessary to begin construction were submitted before October 1, 2024, and that were not submitted to GBAC before February 1, 2026; and”.

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

“(E) Be built to comply with section 2(a)(3)(D) of the Clean Energy DC Building Code Act (D.C. Official Code § 6-1453.01(a)(3)(D)).”.

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

(A) The lead-in language is amended by striking the phrase “If a residential project includes” and inserting the phrase “If a residential project is for new construction and includes” in its place.

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

“(A) Be built to comply with the net-zero-energy standard; except, that a project need not comply with the renewable energy requirements otherwise required by section 2(a)(3)(A), (B), and (C) of the Clean Energy DC Building Act (D.C. Official Code § 6-1453.01(a)(3)(A), (B), and (C)), until the effective date of the final regulations issued by the Mayor

103 pursuant to section 2(b)(1) of the Clean Energy DC Building Act (D.C. Official Code § 6-
104 1453.01(b)(1)); and”.

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

107 (D) Subparagraph (C) is repealed.

108 (4) Paragraph (6) is amended by striking the phrase “maintain net-zero-energy
109 compliance” and inserting the phrase “shall be built to comply with the net-zero-energy standard” in
110 its place.

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

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

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

115 “(2A) “Level 3 alteration” shall have the same meaning ascribed to it in the
116 Building Codes.”.

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

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

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

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

123 (C) New subparagraphs (C) and (D) are added to read as follows:

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

126 “(D) On-site fuel combustion shall not be permitted for the provision of thermal
127 energy to the building except for backup power generation.”.

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

129 “(b)(1) By December 31, 2027, the Mayor, pursuant to pursuant to Title I of the
130 District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C.
131 Official Code § 2-501 et seq.), shall issue final regulations requiring all new construction or Level 3
132 alterations to covered buildings to be constructed to a net-zero-energy standard.

133 “(2) By December 31, 2026, the Mayor, pursuant to Title I of the District of Columbia
134 Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501
135 et seq.), shall issue final regulations prohibiting the use of on-site fuel combustion for the provision of
136 thermal energy for all new construction of covered buildings and additions greater than 10,000 square
137 feet to covered buildings.

138 “(3) No permit application for new construction of covered buildings or an addition
139 greater than 10,000 square feet to covered buildings submitted after December 31, 2026, shall be
140 approved if the building or addition design provides for the use of on-site fuel combustion for the
141 provision of thermal energy for space heating and water heating.

142 “(4) Notwithstanding any other provision of law, no building permit application for
143 new construction of covered buildings, an addition greater than 10,000 square feet to covered
144 buildings, or Level 3 alteration to covered buildings submitted after December 31, 2026, shall be
145 approved unless the building design is such that the building conserves an amount of energy
146 attributable to building operation that is equal to or greater than the amount that would be conserved if
147 such building complied with the 2024 International Energy Conservation Code.”.

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

151 Sec. 4. Repealers.

152 (a) The Green Housing Coordination Temporary Amendment Act of 2025, effective
153 February 12, 2026 (D.C. Law 26-90; 73 DCR 3), is repealed.

154 (b) The Net Zero Modification and Preservation Temporary Amendment Act of 2026,
155 effective May 21, 2026 (D.C. Law 26-123; 73 DCR 5075), is repealed.

156 Sec. 5. Fiscal impact statement.

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

160 Sec. 6. Effective date.

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