

A BILL

23-758

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To provide, on a temporary basis, for the health, safety, and welfare of District residents and for support to businesses during the current public health emergency; and for other purposes

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118 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this

119 act may be cited as the “Coronavirus Support Emergency Amendment Act of 2020”.

120 **TITLE I. LABOR AND WORKFORCE DEVELOPMENT**

121 Sec. 101. Wage replacement.

122 (a) Notwithstanding any provision of District law, but subject to applicable federal laws

123 and regulations, during a period of time for which the Mayor has declared a public health

124 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,

125 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an affected

126 employee shall be eligible for unemployment insurance in accordance with subsection (b) of this

127 section.

128 (b)(1) Upon application, an affected employee shall receive unemployment insurance

129 compensation (“UI”), which the Director of the Department of Employment Services shall

130 administer under the Unemployment Compensation Program established pursuant to the District

131 of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C.

132 Official Code § 51-101 *et seq.*).

(2) An affected employee shall be eligible for UI regardless of whether the:

(A) Employer has provided a date certain for the employee's return to

work; or

(B) Employee has a reasonable expectation of continued employment with

the current employer.

(3) For an affected employee, the term "most recent work" shall mean the

employer for whom the individual last performed at least one day of employment as that term is

defined by section 1(2)(B) of the District of Columbia Unemployment Compensation Act,

approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101(2)).

(c) Benefits paid pursuant to this section shall not be charged to the experience rating

accounts of employers.

(d) For the purposes of this section, the term "affected employee" means an employee

who, except as provided in subsection (g) of this section, is otherwise eligible for UI pursuant to

section 9 of the District of Columbia Unemployment Compensation Act, approved August 28,

1935 (49 Stat. 950; D.C. Official Code § 51-109), and who is determined by the Mayor to have

become unemployed or partially unemployed as a result of the circumstances giving rise to the

public health emergency. The term "affected employee" includes an employee who has been

quarantined or isolated by the Department of Health or any other applicable District or federal

agency, an employee who has self-quarantined or self-isolated in a manner consistent with the

recommendations or guidance of the Department of Health, any other applicable District or

federal agency, or a medical professional, or an employee of an employer that ceased or reduced operations due to an order or guidance from the Mayor or the Department of Health or a reduction in business revenue resulting from the circumstances giving rise to the public health emergency, as determined by the Mayor, all as demonstrated by reasonable documentation required by the Mayor or the Mayor's designee.

(e) For the purposes of a public health emergency, "good cause" as set forth in section 10 of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Official Code § 51-110), shall include:

(1) An employer's failure to timely comply with a written directive from the Mayor or the Department of Health in relation to public safety measures necessary to protect its employees or the public during the public health emergency; or

(2) An employer's requirements that an employee be physically present in the workplace despite the employee having:

(A) Been quarantined or isolated by the Department of Health or any other applicable District or federal agency; or

(B) Self-quarantined or self-isolated in a manner consistent with the recommendations or guidance of the Department of Health, any other applicable District or federal agency, or a medical professional.

(f) If the Mayor determines that the payment of UI under this section may not be made from the District Unemployment Fund or from the unemployment fund of another jurisdiction

due to federal law or regulation, payment may be made by the Mayor from any other source of funds that is available.

(g) Notwithstanding any provision of District law, but subject to applicable federal laws and regulations, during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the requirements of section 9(4)(B) and 9(5) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 950; D.C. Official Code § 51-109(4)(B) and (5)), shall not apply.

Sec. 102. Unemployment insurance clarification.

The District of Columbia Unemployment Compensation Act, effective August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

(a) Section 1(2) (D.C. Official Code § 51-101(2)) is amended by adding a new subparagraph (A-i) to read as follows:

“(A-i) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), and in conformity with federal law, the Director may determine that the term “employment” as defined in paragraph (2)(A) of this section may include individuals who are self-employed, seeking part-time employment, do not have sufficient work history, or otherwise would not qualify for regular

unemployment or extended benefits under District or Federal law or pandemic emergency unemployment compensation.”.

(b) Section 3(c)(2) (D.C. Official Code § 51-103(c)(2)) is amended by adding a new subparagraph (G) to read as follows:

“(G) “Federal Pandemic Unemployment Compensation (“FPUC”) benefits paid to an individual filing during a period of national emergency shall not be charged to the experience rating of the eligible claimant’s base period employer’s accounts. Employers electing to become liable for payments in lieu of contributions shall be charged 50% of reimbursements due as a result of FPUC benefits paid to an individual filing during a period of national emergency.”.

(c) Section 8 (D.C. Official Code § 51-108) is amended as follows:

(1) The existing text is designated as subsection (a).

(2) A new subsection (b) is added to read as follows:

“(b) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), and subject to the availability of additional moneys provided by local or federal law, the Director shall have the authority to pay such benefits as are authorized by law.”.

(d) Section 9 (D.C. Official Code § 51-109) is amended as follows:

(1) The existing text is designated as subsection (a).

213 (2) A new subsection (b) is added to read as follows:

214 “(b) During a period of time for which the Mayor has declared a public health emergency
215 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
216 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), the Director shall have
217 broad discretion to waive any eligibility requirements set forth in this act, other than the physical
218 ability and availability requirement, when the Director deems such waiver to be in the public
219 interest.”.

220 Sec. 103. Shared work compensation program clarification.

221 The Keep D.C. Working Act of 2010, effective October 15, 2010 (D.C. Law 18-238;
222 D.C. Official Code § 51-171 *et seq.*), is amended as follows:

223 (a) Section 2 (D.C. Official Code § 51-171) is amended as follows:

224 (1) Paragraph (4) is repealed.

225 (2) New paragraphs (4A) and (4B) are added to read as follows:

226 “(4A) “Health and retirement benefits” means employer-provided health benefits,
227 and retirement benefits under a defined benefit plan, as defined in section 414(j) of the Internal
228 Revenue Code of 1986, approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(j)), or
229 contributions under a defined contribution plan, as defined in the Internal Revenue Code of 1986,
230 approved September 2, 1974 (88 Stat. 925; 26 U.S.C. § 414(i)), which are incidents of
231 employment in addition to the cash remuneration earned.”.

232 “(4B) “Participating employee” means an employee who voluntarily agrees to
233 participate in an employer’s shared work plan.”.

234 (3) Paragraph (5) is amended to read as follows:

235 “(5) “Usual weekly hours of work” means the usual hours of work per week for
236 full-time or part-time employees in the affected unit when that unit is operating on its regular
237 basis, not to exceed 40 hours and not including hours of overtime work.”.

238 (4) Paragraph (7) is amended to read as follows:

239 “(7) “Shared work benefits” means the unemployment benefits payable to a
240 participating employee in an affected unit under a shared work plan, as distinguished from the
241 unemployment benefits otherwise payable under the employment security law.”.

242 (5) Paragraph (8) is amended to read as follows:

243 “(8) “Shared work plan” means a written plan to participate in the shared work
244 unemployment compensation program approved by the Director, under which the employer
245 requests the payment of shared work benefits to participating employees in an affected unit of
246 the employer to avert temporary or permanent layoffs, or both.”.

247 (b) Section 4 (D.C. Official Code § 51-173) is amended to read as follows:

248 “Sec. 4. Employer participation in the shared work unemployment compensation
249 program.

250 “(a) Employer participation in the shared work unemployment compensation program
251 shall be voluntary.

252 “(b) An employer that wishes to participate in the shared work unemployment
253 compensation program shall submit a signed application and proposed shared work plan to the
254 Director for approval.

255 “(c) The Director shall develop an application form consistent with the requirements of
256 this section. The application and shared work plan shall require the employer to:

257 “(1) Identify the affected unit (or units) to be covered by the shared work plan,
258 including:

259 “(A) The number of full-time or part-time employees in such unit;

260 “(B) The percentage of employees in the affected unit covered by the plan;

261 “(C) Identification of each individual employee in the affected unit by
262 name, and social security number;

263 “(D) The employer’s unemployment tax account number, and

264 “(E) Any other information required by the Director to identify
265 participating employees;

266 “(2) Provide a description of how employees in the affected unit will be notified
267 of the employer’s participation in the shared work unemployment compensation program if such
268 application is approved, including how the employer will notify those employees in a collective
269 bargaining unit as well as any employees in the affected unit who are not in a collective
270 bargaining unit. If the employer will not provide advance notice of the shared work plan to

employees in the affected unit, the employer shall explain in a statement in the application why it is not feasible to provide such notice.

“(3) Identify the usual weekly hours of work for employees in the affected unit and the specific percentage by which hours will be reduced during all weeks covered by the plan. A shared work plan may not reduce participating employees’ usual weekly hours of work by less than 10% or more than 60%. If the plan includes any week for which the employer regularly provides no work (due to a holiday or other plant closing), then such week shall be identified in the application;

“(4) If the employer provides health and retirement benefits to any participating employee whose usual weekly hours of work are reduced under the plan, certify that such benefits will continue to be provided to participating employees under the same terms and conditions as though the usual weekly hours of work of such participating employee had not been reduced or to the same extent as employees not participating in the shared work plan. For defined benefit retirement plans, the hours that are reduced under the shared work plan shall be credited for purposes of participation, vesting, and accrual of benefits as though the participating employee’s usual weekly hours of work had not been reduced. The dollar amount of employer contributions to a defined contribution plan that are based on a percentage of compensation may be reduced due to the reduction in the participating employee’s compensation. A reduction in health and retirement benefits scheduled to occur during the duration of a shared work plan, that

is equally applicable to employees who are not participating in the plan and to participating employees, does not violate a certification made pursuant to this paragraph;

“(5) Certify that the aggregate reduction in work hours under the shared work plan is in lieu of temporary or permanent layoffs, or both, and provide a good faith estimate of the number of employees who would be laid off in the absence of the proposed shared work plan;

“(6) Agree to:

“(A) Furnish reports to the Director relating to the proper conduct of the shared work plan;

“(B) Allow the Director or the Director’s authorized representatives access to all records necessary to approve or disapprove the application for a shared work plan;

“(C) Allow the Director to monitor and evaluate the shared work plan; and

“(D) Follow any other directives the Director deems necessary for the agency to implement the shared work plan consistent with the requirements for shared work plan applications;

“(7) Certify that participation in the shared work unemployment compensation program and implementation of the shared work plan will be consistent with the employer’s obligations under applicable federal and state laws;

“(8) State the duration of the proposed shared work plan, which shall not exceed 365 days from the effective date established pursuant to section 6;

310 “(9) Provide any additional information or certifications that the Director
311 determines to be appropriate for purposes of the shared work unemployment compensation
312 program, consistent with requirements issued by the United States Secretary of Labor.

313 “(10) Provide written approval of the proposed shared work plan by the collective
314 bargaining representative for any employees, covered by a collective bargaining agreement, who
315 will participate in the plan.”.

316 (c) Section 5 (D.C. Official Code § 51-174) is amended to read as follows:

317 “Sec. 5. Approval and disapproval of a shared work plan.

318 “(a)(1) The Director shall approve or disapprove an application for a shared work plan in
319 writing within 15 calendar days of its receipt and promptly issue a notice of approval or
320 disapproval to the employer.

321 “(2) A decision disapproving the shared work plan shall clearly identify the
322 reasons for the disapproval.

323 “(3) A decision to disapprove a shared work plan shall be final, but the employer
324 may submit another application for a shared work plan not earlier than 10 calendar days from the
325 date of the disapproval.

326 “(b) Except as provided in subsections (c) and (d) of this section, the Director shall
327 approve a shared work plan if the employer:

328 “(1) Complies with the requirements of section 4; and

329 “(2) Has filed all reports required to be filed under the employment security law
330 for all past and current periods and:

331 “(A) Has paid all contributions and benefit cost payments; or

332 “(B) If the employer is a reimbursing employer, has made all payments in
333 lieu of contributions due for all past and current periods.

334 “(c) Except as provided in subsection (d) of this section, the Director may not approve a
335 shared work plan:

336 “(1) To provide payments to an employee if the employee is employed by the
337 participating employer on a seasonal, temporary, or intermittent basis;

338 “(2) If the employer's unemployment insurance account has a negative
339 unemployment experience rating;

340 “(3) If the employer's unemployment insurance account is taxed at the maximum
341 tax rate in effect for the calendar year;

342 “(4) For employers who have not qualified to have a tax rate assigned based on
343 actual experience; or

344 “(5) For employees who are receiving or who will receive supplemental
345 unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue
346 Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during
347 any period a shared work plan is in effect.

348 “(d) During the effective period of a shared work plan entered into during a public health
349 emergency, subsection (c) of this section shall not apply. During a public health emergency, the
350 Director may not approve a shared work plan:

351 “(1) To provide payments to an employee if the employee is employed by the
352 participating employer on a seasonal, temporary, or intermittent basis;

353 “(2) For employees who are receiving or who will receive supplemental
354 unemployment benefits, as that term is defined in section 501(c)(17)(D) of the Internal Revenue
355 Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(17)(D)), during
356 any period a shared work plan is in effect; or

357 “(3) For employers that have reported quarterly earnings to the Director for fewer
358 than 3 quarters at the time of the application for the shared work unemployment compensation
359 program.”.

360 “(e) For the purposes of this section, “public health emergency” means the public health
361 emergency declared in the Mayor’s order dated March 11, 2020, and any extensions thereof.”.

362 (d) Section 6 (D.C. Official Code § 51-175) is amended to read as follows:

363 “Sec. 6. Effective date and expiration, termination or revocation of a shared work plan.

364 “(a) A shared work plan shall be effective on the date that is mutually agreed upon by the
365 employer and the Director, which shall be specified in the notice of approval to the employer.

366 “(b) The duration of the plan shall be 365 days from the effective date, unless a shorter
367 duration is requested by employer or the plan is terminated or revoked in accordance with this
368 section.

369 “(c) An employer may terminate a shared work plan at any time upon written notice to
370 the Director, participating employees, and a collective bargaining representative for the
371 participating employees. After receipt of such notice from the employer, the Director shall issue,
372 to the employer, the appropriate collective bargaining representative, and participating
373 employees, an Acknowledgment of Voluntary Termination, which shall state the date the shared
374 work plan terminated.

375 “(d) The Director may revoke a shared work plan at any time for good cause, including:

376 “(1) Failure to comply with the certifications and terms of the shared work plan;

377 “(2) Failure to comply with federal or state law;

378 “(3) Failure to report or request proposed modifications to the shared work plan in
379 accordance with section 7;

380 “(4) Unreasonable revision of productivity standards for the affected unit;

381 “(5) Conduct or occurrences tending to defeat the purpose and effective operation
382 of the shared work plan;

383 “(6) Change in conditions on which approval of the plan was based;

384 “(7) Violation of any criteria on which approval of the plan was based; or

385 “(8) Upon the request of an employee in the affected unit.

386 “(e) Upon a decision to revoke a shared work plan, the Director shall issue a written
387 revocation order to the employer that specifies the reasons for the revocation and the date the
388 revocation is effective. The Director shall provide a copy of the revocation order to all
389 participating employees and their collective bargaining representative.

390 “(f) The Director may periodically review the operation of an employer’s shared work
391 plan to ensure compliance with its terms and applicable federal and state laws.

392 “(g) An employer may submit a new application for a shared work plan at any time after
393 the expiration or termination of a shared work plan.”.

394 (e) Section 7 (D.C. Official Code § 51-176) is amended to read as follows:

395 “Sec. 7. Modification of a shared work plan.

396 “(a) An employer may not implement a substantial modification to a shared work plan
397 without first obtaining the written approval of the Director.

398 “(b)(1) An employer must report, in writing, every proposed modification of the shared
399 work plan to the Director a least 5 calendar days before implementing the proposed modification.
400 The Director shall review the proposed modification to determine if the modification is
401 substantial. If the Director determines that the proposed modification is substantial, the Director
402 shall notify the employer of the need to request a substantial modification.

403 “(2) An employer may request a substantial modification to a shared work plan by
404 filing a written request with the Director. The request shall identify the specific provisions of the
405 shared work plan to be modified and provide an explanation of why the proposed modification is

consistent with and supports the purposes of the shared work plan. A modification may not extend the expiration date of the shared work plan.

“(c)(1) At the Director’s discretion, an employer’s request for a substantial modification of a shared work plan may be approved if:

“(A) Conditions have changed since the plan was approved; and

“(B) The Director determines that the proposed modification is consistent with and supports the purposes of the approved plan.

“(2) The Director shall approve or disapprove a request for substantial modification, in writing, within 15 calendar days of receiving the request and promptly communicate the decision to the employer. If the request is approved, the notice of approval shall contain the effective date of the modification.”.

(f) Section 8 (D.C. Official Code § 51-177) is amended to read as follows:

“Sec. 8. Employee eligibility for shared work benefits.

“(a) A participating employee is eligible to receive shared work benefits with respect to any week only if the individual is monetarily eligible for unemployment compensation, not otherwise disqualified for unemployment compensation, and:

“(1) With respect to the week for which shared work benefits are claimed, the participating employee was covered by a shared work plan that was approved prior to that week;

“(2) Notwithstanding any other provisions of the employment security law relating to availability for work and actively seeking work, the participating employee was

available for the individual's usual hours of work with the shared-work employer, which may include availability to participate in training to enhance job skills approved by the Director, such as employer-sponsored training or training funded under the Workforce Innovation and Opportunities Act (Workforce Innovation and Opportunity Act (29 U.S.C. 3101 *et seq.*); and

“(3) Notwithstanding any other provision of law, a participating employee is deemed unemployed for the purposes of determining eligibility to receive unemployment compensation benefits in any week during the duration of such plan if the individual's remuneration as an employee in an affected unit is reduced under the terms of the plan.

“(b) A participating employee may be eligible for shared work benefits or unemployment compensation, as appropriate, except that no participating employee may be eligible for combined benefits in any benefit year in an amount more than the maximum entitlement established for regular unemployment compensation, nor shall a participating employee be paid shared work benefits for more than 52 weeks under a shared work plan or in an amount more than the equivalent of the maximum of 26 weeks of regular unemployment compensation.

“(c) The shared work benefit paid to a participating employee shall be deducted from the maximum entitlement amount of regular unemployment compensation established for that individual's benefit year.

“(d) Provisions applicable to unemployment compensation claimants under the employment security law shall apply to participating employees to the extent that they are not inconsistent with this act. A participating employee who files an initial claim for shared work

benefits shall receive a monetary determination whether the individual is eligible to receive benefits.

“(e) A participating employee who has received all of the shared work benefits or combined unemployment compensation and shared work benefits available in a benefit year shall be considered an exhaustee for purposes of extended benefits pursuant to section § 51–107(g)(1)(H), and if otherwise eligible under those provisions, shall be eligible to receive extended benefits.

“(f) Shared work benefits shall be charged to employers' experience rating accounts in the same manner as unemployment compensation is charged under the employment security law, unless waived by federal or District law. Employers liable for payments in lieu of contributions shall have shared work benefits attributed to service in their employ in the same manner as unemployment compensation is attributed, unless waived by federal or District law.”.

(g) Section 9 (D.C. Official Code § 51-178) is amended as follows:

(1) Subsection (a) is amended to read as follows:

“(a)(1) Except as provided in paragraph (2) of this subsection, the weekly benefit for a participating employee shall be the product of the regular weekly unemployment compensation amount for a week of total unemployment multiplied by the percentage of reduction in the participating employee’s usual weekly hours of work.

“(2) The shared work benefit for a participating employee who performs work for another employer during weeks covered by a shared work plan shall be calculated as follows:

466 “(A) If the combined hours of work in a week for both employers results
467 in a reduction of less than 10% of the usual weekly hours of work the participating employee
468 works for the shared-work employer, the participating employee is not eligible for shared work
469 benefits;

470 “(B) If the combined hours of work for both employers results in a
471 reduction equal to or greater than 10% of the usual weekly hours worked for the shared-work
472 employer, the shared work benefit payable to the participating employee is determined by
473 multiplying the weekly unemployment benefit amount for a week of total unemployment by the
474 percentage by which the combined hours of work have been reduced. A week for which benefits
475 are paid under this subparagraph shall be reported as a week of shared work benefits.”.

476 “(C) If an individual worked the reduced percentage of the usual weekly hours of work
477 for the shared-work employer and is available for all the participating employee’s usual hours of
478 work with the shared-work employer, and the participating employee did not work any hours for
479 the other employer, either because of the lack of work with that employer or because the
480 participating employee is excused from work with the other employer, the participating
481 employee shall be eligible for the full value of the shared work benefit for that week.”.

482 (2) New subsections (c) and (d) are added to read as follows:

483 “(c) A participating employee who is not provided any work during a week by the
484 shared-work employer or any other employer, and who is otherwise eligible for unemployment

compensation shall be eligible for the amount of regular unemployment compensation to which the individual would otherwise be eligible.

“(d) A participating employee who is not provided any work by the shared-work employer during a week, but who works for another employer and is otherwise eligible for unemployment compensation may be paid unemployment compensation for that week subject to the disqualifying income provision and other provisions applicable to claims for regular unemployment compensation.”.

Sec. 104. Family and medical leave.

The District of Columbia Family and Medical Leave Act of 1990, effective October 3, 1990 (D.C. Law 8-181; D.C. Official Code § 32-501 *et seq.*), is amended as follows:

(a) Section 2(1) (D.C. Official Code § 32-501(1)) is amended to read as follows:

“(1) “Employee” means:

“(A) For leave provided under sections 3 or 4, any individual who has been employed by the same employer for one year without a break in service except for regular holiday, sick, or personal leave granted by the employer and has worked at least 1000 hours during the 12-month period immediately preceding the request for family or medical leave; or

“(B) For leave provided under section 3a, an individual employed by an employer for at least 30 days prior to the request for leave.”.

(b) A new section 3a (to be codified at D.C. Official Code § 32-502.01) is added to read as follows:

“Sec. 3a. COVID-19 leave.

“(a) During the COVID-19 public health emergency, an employee shall be entitled to family and medical leave if the employee is unable to work due to:

“(1) A recommendation from a health care provider that the employee isolate or quarantine, including because the employee or an individual with whom the employee shares a household is at high risk for serious illness from COVID-19;

“(2) A need to care for a family member or an individual with whom the employee shares a household who is under a government or health care provider’s order to quarantine or isolate; or

“(3) A need to care for a child whose school or place of care is closed or whose childcare provider is unavailable to the employee.

“(b)(1) An employee may use no more than 16 weeks of family and medical leave pursuant to this section during the COVID-19 public health emergency.

(2) The right to leave pursuant to this section expires on the date the COVID-19 public health emergency expires”.

“(c) An employer may require reasonable certification of the need for COVID-19 family and medical leave as follows:

“(1) If the leave is necessitated by the recommendation of a health care provider to the employee, a written, dated statement from a health care provider stating that the employee has such need and the probable duration of the need for leave;

525 “(2) If the leave is necessitated by the recommendation of a health care provider
526 to an employee’s family member or individual with whom the employee shares a household, a
527 written, dated statement from a health care provider stating that the individual has such need and
528 the probable duration of the condition.

529 “(3) If the leave is needed because a school, place of care, or childcare provider is
530 unavailable, a statement by the head of the agency, company, or childcare provider stating such
531 closure or unavailability, which may include a printed statement obtained from the institution’s
532 website.

533 “(d) Notwithstanding section 17, this section shall apply to any employer regardless of
534 the number of persons in the District that the employer employs.

535 “(e)(1) Except as provided in paragraphs (2) and (3) of this subsection, family and
536 medical leave under this section may consist of unpaid leave.

537 “(2) Any paid leave provided by an employer that the employee elects to use for
538 family and medical leave under this section shall count against the 16 workweeks of allowable
539 leave provided in this section.

540 “(3) If an employer has a program that allows an employee to use the paid leave
541 of another employee under certain conditions, and the conditions have been met, the employee
542 may use the paid leave as family and medical leave and the leave shall count against the 16
543 workweeks of leave provided in this section.

“(4) An employee shall not be required, but may elect, to use leave provided under this section before other leave to which the employee is entitled under federal or District law or an employer’s policies.

“(f) The provisions of section 6 shall apply to an employee who takes leave pursuant to this section.

“(g) Any employer who willfully violates subsections (a) through (e) of this section shall be assessed a civil penalty of \$1,000 for each offense.

“(h) The rights provided to an employee under this section may not be diminished by any collective bargaining agreement or any employment benefit program or plan; except, that this section shall not supersede any clause on family or medical leave in a collective bargaining agreement in force on the applicability date of this section for the time that the collective bargaining agreement is in effect.

“(i) For the purposes of this section, the term “COVID-19 public health emergency” means the emergencies declared in the Declaration of Public Emergency (Mayor’s Order 2020-045) together with the Declaration of Public Health Emergency (Mayor’s Order 2020-046), declared on March 11, 2020, including any extension of those declared emergencies.

Sec. 105. Paid public health emergency leave.

(a) The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-531.01 *et seq.*), is amended as follows:

(1) Section 3(c)(1) (D.C. Official Code § 32-531.02(c)(1)) is amended by striking the phrase “Paid leave under” and inserting the phrase “Except as provided in section 3a, paid leave under” in its place.

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

“Sec. 3a. Paid public health emergency leave requirement.

“(a)(1) Beginning April 10, 2020, and for the duration of the COVID-19 emergency, an employer with between 50 and 499 employees, that is not a health care provider, shall provide paid leave to an employee pursuant to this section for an absence from work due to covered reasons.

“(2) An employer shall provide paid leave to an employee in an amount sufficient to ensure that an employee who must be absent from work for covered reasons be able to remain away from work for 2 full weeks of work up to 80 hours, or, for a part-time employee, the usual number of hours the employee works in a 2-week period.

“(3)(A) Subject to subparagraph (B) of this paragraph, an employer shall compensate an employee for leave provided pursuant to this section at the employee’s regular rate of pay. In the case of an employee who does not have a regular rate of pay, the employee’s rate of pay shall be determined by dividing the employee’s total gross earnings, including all tips, commission, piecework, or other earnings earned on an irregular basis for the most recent 2-week period that the employee worked for the employer, by the number of hours the employee worked during that 2-week period.

583 “(B) In no case shall an employee’s rate of pay fall below the minimum
584 wage established by section 4(a) of the Minimum Wage Act Revision Act of 1992, effective
585 March 25, 1993 (D.C. Law 9-248; D.C. Code Official Code § 32-1003(a)).

586 “(4) An employer shall provide paid leave under this section to any employee
587 who commenced work for the employer at least 15 days before the request for leave.

588 “(b)(1) An employee may only use paid leave provided under this section concurrently
589 with or after exhausting any other paid leave to which the employee may be entitled for covered
590 reasons under federal or District law or an employer’s policies.

591 “(2) If an employee elects to use paid leave provided under this section
592 concurrently with other paid leave, the employer may reduce the monetary benefit of the paid
593 leave provided under this section by the amount of the monetary benefit the employee will
594 receive for paid leave taken under federal or District law or the employer’s policies.

595 “(3) If an employee elects to use paid leave provided under this section after
596 exhausting other paid leave, the employer may reduce the number of hours of paid leave an
597 employee may use under this section by the number of hours of paid leave taken under federal or
598 District law or the employer’s policies.

599 “(c) Nothing in this section shall be construed to require an employer to provide an
600 employee with paid leave pursuant to this section for more than 2 full weeks of work up to 80
601 hours. If an employee uses all of the leave available under this section and subsequently informs

the employer of the employee's continued need to be absent from work, the employer shall inform the employee of any paid or unpaid leave to which the employee may be entitled pursuant to federal or District law or the employer's policies.

“(d) Before taking any other administrative action on a complaint filed pursuant to section 13, the Mayor shall promptly provide the employer with written notice of the alleged violation, in a form or manner to be determined by the Mayor, and give the employer 5 business days to cure the alleged violation. . The time to cure the violation shall run from the date the employer receives the notice.

“(e) For the purposes of this section, the term:

“(1) “Covered reasons” means any of the reasons for which federal paid leave is available pursuant to section 5102 of the Families First Coronavirus Response Act, approved March 18, 2020 (Pub. L. No. 116-127; 134 Stat. 195).

“(2) “COVID-19 emergency” means the emergencies declared in the Declaration of Public Emergency (Mayor's Order 2020-045) together with the Declaration of Public Health Emergency (Mayor's Order 2020-046), declared on March 11, 2020, including any extension of those declared emergencies.

“(3) “Health care provider” means any doctor's office, hospital, health care center, clinic, post-secondary educational institution offering health care instruction, medical school, local health department or agency, nursing facility, retirement facility, nursing home, home health care provider, any facility that performs laboratory or medical testing, pharmacy, or

any similar institution, employer, or entity. The term “health care provider” includes any permanent or temporary institution, facility, location, or site where medical services are provided that are similar to such institutions.”.

(3) Section 4 (D.C. Official Code § 32-531.03) is amended as follows:

(1) The existing text is designated as subsection (a).

(2) A new subsection (b) is added to read as follows:

“(b) An employer may not require an employee who seeks to use paid leave pursuant to section 3a to:

“(1) For any reason, provide more than 48 hours’ notice of the need to use such leave;

“(2) In the event of an emergency, provide more than reasonable notice of the employee’s need to use such leave; and

“(3) Search for or identify another employee to perform the work hours or work of the employee using paid leave.”.

(4) Section 5 (D.C. Official Code § 32-531.04) is amended by adding a new subsection (a-1) to read as follows:

“(a-1)(1) An employer may not require an employee who uses paid leave pursuant to section 3a to provide certification of the need to use such paid leave unless the employee uses 3 or more consecutive working days of paid leave.

641 “(2) When certification is required by an employer for the use of paid leave
642 pursuant to section 3a, the employer may not require the employee to provide it until one week
643 after the employee’s return to work.

644 “(3) An employer that does not contribute payments toward a health insurance
645 plan on behalf of the employee shall not require certification from the employee who uses paid
646 leave pursuant to section 3a.”.

647 (5) Section 6(b) (D.C. Official Code § 32-531.05(b)) is amended as follows:

648 (A) Paragraph (1) is amended by striking the phrase “; and” and inserting
649 a semicolon in its place.

650 (B) Paragraph (2) is amended by striking the period and inserting the
651 phrase “; and” in its place.

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

653 “(3) Access and use paid leave as provided in section 3a.”.

654 (b) Section 1152 of the Universal Paid Leave Implementation Fund Act of 2016, effective
655 October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 32-551.01), is amended by adding a
656 new subsection (b-1) to read as follows:

657 “(b-1)(1) Notwithstanding subsections (b) and (f) of this section, during the COVID-19
658 emergency, no more than \$500,000 of the money in the Fund may be used for activities related
659 to enforcement of the paid public health emergency leave requirement contained in section 3a of
660 the Accrued Sick and Safe Leave Act of 2008, as introduced on May 19, 2020.

“(2) For the purposes of this subsection, “COVID-19 emergency” means the emergencies declared in the Declaration of Public Emergency (Mayor’s Order 2020-045) together with the Declaration of Public Health Emergency (Mayor’s Order 2020-046), declared on March 11, 2020, including any extension of those declared emergencies.”.

TITLE II. BUSINESS AND ECONOMIC DEVELOPMENT

Sec. 201. Small business microgrants.

The Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

“Sec. 2316. Public health emergency grant program.”.

(b) A new section 2316 is added to read as follows:

“Sec. 2316. Public health emergency grant program.

“(a)(1) Upon the Mayor’s declaration of a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may, notwithstanding the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code

680 § 1-328.11 *et seq.*), and in the Mayor’s sole discretion, issue a grant or loan to an eligible small
681 business; provided, that the eligible small business:

682 “(A) Submit a grant application in the form and with the information
683 required by the Mayor; and

684 “(B) Demonstrate, to the satisfaction of the Mayor, financial distress
685 caused by a reduction in business revenue due to the circumstances giving rise to or resulting
686 from the public health emergency.

687 “(2) A grant issued pursuant to this section may be expended by the eligible small
688 business for any of the following:

689 “(A)(i) Employee wages and benefits.

690 “(ii) For the purposes of this subparagraph, “benefits” means fringe
691 benefits associated with employment, including health insurance;

692 “(B) Operating costs of the eligible small business including taxes and
693 debt service;

694 “(C) Repayment of loans obtained through the United States Small
695 Business Administration; and

696 “(b) The Mayor may issue one or more grants to a third-party grant-managing entity for
697 the purpose of administering the grant program and making subgrants on behalf of the Mayor in
698 accordance with the requirements of this section.

699 “(c) The Mayor, pursuant to section 105 of the District of Columbia Administrative
700 Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505), may
701 issue emergency rules to implement the provisions of this section.

702 “(d) The Mayor, and any third-party entity chosen pursuant to subsection (b) of this
703 section, shall maintain a list of all grants awarded pursuant to this section, identifying for each
704 award the grant recipient, the date of award, intended use of the award, and the award amount.
705 The Mayor shall publish the list online no later than June 1, 2020, or 5 days following the end of
706 the COVID-19 emergency, whichever is earlier.

707 “(e) For the purposes of this section, the term:

708 “(1) “COVID-19 emergency” means the emergencies declared in the Declaration
709 of Public Emergency (Mayor’s Order 2020-045) together with the Declaration of Public Health
710 Emergency (Mayor’s Order 2020-046), declared on March 11, 2020, including any extension of
711 those declared emergencies.

712 “(2) “Eligible small business” means a business enterprise eligible for
713 certification under section 2332, a nonprofit entity, or an independent contractor or self-
714 employed individual determined ineligible for Unemployment Insurance by the Director of the
715 Department of Employment Services.

716 Sec. 202. Contractor advance payment.

717 Section 2349 of the Small and Certified Business Enterprise Development and Assistance
718 Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.49), is
719 amended as follows:

720 (1) Subsection (a)(2) is amended by striking the phrase “A policy” and inserting
721 the phrase “Except as provided in subsection (a-1) of this section, a policy” in its place.

722 (2) A new subsection (a-1) is added to read as follows:

723 “(a-1) During a period of time for which the Mayor has declared a public health
724 emergency (“PHE”) pursuant to section 5a of the District of Columbia Public Emergency Act of
725 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an agency
726 may make advance payments to a certified contractor for purchases related to the PHE when the
727 payments are necessary to achieve the purposes of this subtitle and may provide an advance of
728 more than 10% of the total value of the contract.”.

729 Sec. 203. Certified Business Enterprise assistance.

730 (a) Notwithstanding the Small and Certified Business Enterprise Development and
731 Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-
732 218.01 *et. seq.*) (“CBE Act”), or any other provision of District law or regulation, during the
733 period of the COVID-19 emergency, any contract for a government-assisted project in excess of
734 \$250,000 that is unrelated to the District’s response to the COVID-19 emergency but entered

into during the COVID-19 emergency, absent a waiver pursuant to section 2351 of the CBE Act, shall provide that:

(1) At least 50% of the dollar volume of the contract be subcontracted to small business enterprises; or

(2) If there are insufficient qualified small business enterprises to meet the requirement of paragraph (1) of this subsection, the subcontracting requirement may be satisfied by subcontracting 50% of the dollar volume ("CBE minimum expenditure") to any qualified certified business enterprises; provided, that best efforts shall be made to ensure that qualified small business enterprises are significant participants in the overall subcontracting work.

(b)(1) For every dollar expended by a beneficiary with a resident-owned business, the beneficiary shall receive a credit for \$1.10 against the CBE minimum expenditure.

(2) For every dollar expended by a beneficiary with a disadvantaged business enterprise, the beneficiary shall receive a credit for \$1.25 against the CBE minimum expenditure.

(3) For every dollar expended by a beneficiary that uses a company designated as both a disadvantaged business enterprise under section 2333 of the CBE Act and as a resident-owned business under section 2302(15) of the CBE Act, the beneficiary shall receive a credit for \$1.30 against the CBE minimum expenditure.

(c) For the purposes of this section, the term:

(1) "Beneficiary" has the same meaning as set forth in section 2302(1B) of the CBE Act (D.C. Official Code § 2-218.02(1B)).

(2) “Best efforts” means that a beneficiary is obligated to make its best attempt to accomplish the agreed-to goal, even when there is uncertainty or difficulty.

(3) “COVID-19 emergency” means the emergencies declared in the Declaration of Public Emergency (Mayor’s Order 2020-045) together with the Declaration of Public Health Emergency (Mayor’s Order 2020-046), declared on March 11, 2020, including any extension of those declared emergencies.

(4) “Disadvantaged business enterprise” has the same meaning as set forth in section 2333 of the CBE Act (D.C. Official Code § 2-218.33).

(5) “Government-assisted project” has the same meaning as set forth in section 2302(9A) of the CBE Act (D.C. Official Code § 2-218.02(9A)).

(6) “Longtime resident business” has the same meaning as set forth in section 2302(13) of the CBE Act (D.C. Official Code § 2-218.02(13)).

(7) “Resident-owned business” has the same meaning as set forth in section 2302(15) of the CBE Act (D.C. Official Code § 2-218.02(15)).

(8) “Small Business Enterprises” has the same meaning as set forth in section 2332 of the CBE Act (D.C. Official Code § 2-218.32).

(d) Contracts entered into on an emergency basis or that are made in furtherance of, or that are related to, the District’s response to the COVID-19 emergency shall not be subject to the requirements of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Code § 2-218.01 *et seq.*), or the First

Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*).

Sec. 204. Alcoholic beverage regulation.

Title 25 of the District of Columbia Official Code is amended as follows:

(a) Chapter 1 is amended as follows:

(1) Section 25-112 is amended by adding a new subsection (h) to read as follows:

“(h)(1) A retailer with commercial street frontage at the Walter E. Washington Convention Center that sells food and is approved by the Washington Convention and Sports Authority to sell alcoholic beverages for on-premises consumption (“Convention Center food and alcohol business”) that registers as a Convention Center food and alcohol business with the Board and receives written authorization from ABRA may sell beer, wine, or spirits in closed containers to individuals for carry out to their home, or deliver beer, wine, or spirits in closed containers to the homes of District residents, pursuant to § 25-113(a)(3)(C); provided, that such carry-out or delivery orders are accompanied by one or more prepared food items.

“(2) Board approval shall not be required for a registration under this subsection.”.

(2) Section 25-113(a)(3) is amended by adding new subparagraphs (C) and (D) to read as follows:

“(C)(i) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that registers with

the Board may sell beer, wine, or spirits in closed containers to individuals for carry out to their home, or deliver beer, wine, or spirits in closed containers to the homes of District residents; provided, that each such carry out or delivery order is accompanied by one or more prepared food items.

“(ii) Board approval shall not be required for a registration under this subparagraph; except, that the licensee shall receive written authorization from ABRA prior to beginning carry out or delivery of beer, wine, or spirits pursuant to this subparagraph.

“(D)(i) An on-premises retailer’s licensee, class C/R, D/R, C/T, D/T, C/H, D/H, C/N, D/N, C/X, or D/X, including a multipurpose facility or private club, that is registered with the Board under subparagraph (C) of this paragraph may register with the Board to sell beer, wine, or spirits in closed containers accompanied by one or more prepared food items for off-premises consumption from one additional location other than the licensed premises. Board approval shall not be required for the additional registration under this subsection; provided, that:

“(I) The licensee separately registers with the Board and receives written authorization from ABRA prior to offering alcoholic beverages for carryout or delivery at the additional location;

“(II) The licensee, the additional location’s owner, or a prior tenant at the additional location possesses a valid certificate of occupancy for the building used as the additional location, unless the additional location is located on outdoor private space;

814 “(III) The licensee has been legally authorized by the
815 owner of the building or the property utilized as the additional location to utilize the space for
816 carryout and delivery;

817 “(IV) The licensee agrees to follow all applicable
818 Department of Consumer and Regulatory Affairs and Department of Health laws and
819 regulations; and

820 “(V) The additional location from which the licensee
821 intends to offer alcoholic beverages for carryout or delivery is located in a commercial or mixed-
822 use zone as defined in the zoning regulations for the District.

823 “(ii) The on-premises retailer’s licensee shall not offer beer, wine,
824 or spirits for carryout and delivery on public space; except, that an additional location under this
825 subparagraph may include a sidewalk café that has been issued a public-space permit by the
826 District Department of Transportation.

827 “(iii) The on-premises retailer’s licensee who has been registered
828 to offer beer, wine, or spirits for carryout or delivery in accordance with this subparagraph shall
829 do so only at the additional location.

830 “(iv) An on-premises retailer’s licensee who has been registered to
831 offer beer, wine, or spirits for carryout or delivery in accordance with this subparagraph may do
832 so for no longer than 30 calendar days. The Board may approve a written request from an on-
833 premises licensee to extend carryout or delivery alcohol sales from an additional location

pursuant to this subparagraph for one additional 30 calendar-day period. A licensee shall not offer beer, wine, or spirits for carryout or delivery for off-premises consumption from the additional location for more than 60 calendar days unless a completed application to do so has been filed with the Board with notice provided to the public in accordance with § 25-421.

“(v) The on-premises retailer’s licensee may sell and deliver alcoholic beverages for carryout and delivery from an additional location in accordance with this subparagraph only between the hours of 7:00 a.m. and midnight, 7 days a week.

“(vi) The Board may fine an on-premises retailer’s licensee, or suspend, cancel, or revoke an on-premises retailer’s license, and shall revoke an on-premises retailer’s licensee’s registration to offer beer, wine, or spirits for carryout or delivery at the additional location if the licensee fails to comply with sub-subparagraphs (i)-(v) of this subparagraph.”.

(b) Chapter 4 is amended as follows:

(1) Section 25-401(c) is amended by striking the phrase “shall sign a notarized statement certifying” and inserting the phrase “shall sign a statement with an original signature, which may be a signature by wet ink, an electronic signature, or a signed copy thereof, certifying” in its place.

(2) Section 25-403(a) is amended by striking the phrase “verify, by affidavit,” and inserting the word “self-certify” in its place.

(3) Section 25-421(e) is amended by striking the phrase “by first-class mail, postmarked not more than 7 days after the date of submission” and inserting the phrase “by electronic mail on or before the first day of the 66-day public comment period” in its place.

(4) Section 25-423 is amended as follows:

(A) Subsection (e) is amended as follows:

(i) Strike the phrase “45-day protest period” and insert the phrase “66-day protest period” in its place.

(ii) Strike the phrase “45 days” and insert the phrase “66 days” in its place.

(B) Subsection (h) is amended by striking the phrase “45-day public comment period” and inserting the phrase “66-day public comment period” in its place.

(5) Section 25-431 is amended as follows:

(A) Subsection (f) is amended by striking the phrase “45-day protest period” and inserting the phrase “66-day protest period” in its place.

(B) Subsection (g) is amended by striking the phrase “45 days” and inserting the phrase “66 days” in its place.

(c) Section 25-791(a)(1) is amended by striking the phrase “21 or more calendar days,” and inserting the phrase “21 or more calendar days, excluding each day during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the

District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

Sec. 205. Third-party food delivery commissions.

(a) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), (“public health emergency”) a person, corporation, partnership, or association operating a third-party food platform within the District shall register with the Department of Consumer and Regulatory Affairs.

(b) Notwithstanding any provision of District law, during a public health emergency, it shall be unlawful for a person to cause a third-party food delivery platform to charge a restaurant a commission fee for the use of the platform’s services for delivery or pick-up that totals more than 15% of the purchase price per online order.

(c) It shall be unlawful for a person to cause a third-party food delivery platform to reduce the compensation rate paid to a delivery service driver or garnish gratuities in order to comply with subsection (b) of this section.

(d) During a public health emergency, at the time a final price is disclosed to a customer for the intended purchase and delivery of food from a restaurant through a third-party food delivery platform and before that transaction is completed by the customer, the third-party food delivery platform shall disclose to the customer, in plain language and in a conspicuous manner,

any commission, fee, or any other monetary payment charged to the customer by the third-party food delivery platform as a term of a contract or agreement between the platform and the restaurant in connection with the restaurant's use of the platform.

(e)(1) A person who violates this section shall be subject to a fine of not less than \$250 and not more than \$1,000 for each such violation.

(2) A violation of this section shall be a civil infraction for purposes of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

(f) For purposes of this section:

(1) "Online order" means an order placed by a customer through a platform provided by the third-party food delivery service for delivery or pickup within the District.

(2) "Purchase price" means the menu price of an online order, excluding taxes, gratuities, or any other fees that may make up the total cost to the customer of an online order.

(3) "Restaurant" shall have the same meaning as provided in D.C. Official Code § 25-101(43).

(4) "Third-party food delivery platform" means any website, mobile application, or other internet service that offers or arranges for the sale of food and beverages prepared by, and the same-day delivery or same-day pickup of food and beverages from, restaurants.

(g) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this section.

(h) Nothing in this act limits or otherwise impacts the requirement of a third-party food delivery platform to collect and remit sales tax imposed under Title 47, Chapter 20.

Sec. 206. Corporate filing extension.

Section 29-102.12 of the District of Columbia Official Code is amended by adding a new subsection (e) to read as follows:

“(e) There shall be no late fee for delivering the biennial report for 2020 required by Section 29-102.11(c); provided, that the biennial report for 2020 be delivered to the Mayor for filing by June 1, 2020.”.

Sec. 207. Taxes and trade name renewals.

Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-811(b) is amended by striking the phrase “tax year beginning July 1, 1989, and ending June 30, 1990, the amount of the first and second installments shall reflect and be consistent with the tax rates applicable to that tax year, as provided in § 47-812(b) and (c)” and inserting the phrase “tax year 2020 first installment owing for a real property that is commercially improved and occupied and is a hotel or motel; provided, that the Chief Financial Officer, through the Office of Tax and Revenue, shall issue administrative guidance on the

definition of a hotel or motel, the Chief Financial Officer may waive any penalties and abate interest if the owner pays such installment by June 30, 2020” in its place.

(b) Section 47-1803.02(a)(2) is amended by adding new subparagraphs (GG), (HH), and (II) to read as follows:

“(GG) Small business loans awarded and subsequently forgiven under section 1106 of the Coronavirus Aid, Relief, and Economic Security Act, approved March 27, 2020 (Pub. L. No. 116-136; 134 Stat. 281).”.

“(HH) Public health emergency small business grants awarded pursuant to section of the Coronavirus Support Emergency Amendment Act of 2020, as introduced on May XX, 2020 (Bill 23-XXX).”.

“(II) Public health emergency grants authorized pursuant to section 16(m)(1) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.01 *et seq.*)”

(c) (b) Section 47-1803.03(a)(14) is amended by adding a new subparagraph (H) to read as follows:

“(H) For tax years beginning after December 31, 2017, corporations, unincorporated businesses, or financial institutions, shall be allowed an eighty (80) percent deduction for apportioned District of Columbia net operating loss carryover to be deducted from the net income after apportionment.”

(d) Section 47-2855.04 is amended by adding a new subsection (c) to read as follows:

950 “(c) There shall be no late fee for trade name renewal applications required by rules
951 promulgated under subsection (a) of this section to be filed by April 1, 2020; provided, that the
952 trade name renewal application be filed by June 1, 2020.”.

953 (e) Section 47-4221 is amended by adding a new subsection (d) to read as follows:

954 “(d)(1) Except as provided in paragraph (2) and notwithstanding any other provision of
955 this title, the Chief Financial Officer may waive any penalty and abate interest that may be
956 imposed for failure to timely pay any taxes due pursuant to Chapters 20 and 22 of this title for
957 periods ending on February 29, 2020, or March 31, 2020; provided, that all taxes for such
958 periods are paid in full on or before July 20, 2020.

959 “(2) This subsection shall not apply to hotels or motels permitted to defer real
960 property tax under § 47-811(b).”.

961 Sec. 208. 8th and O disposition extension.

962 Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia
963 no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official
964 Code § 10-801), is amended as follows:

965 (a) Subsection (b-3) is amended by adding a new paragraph (8) to read as follows:

966 “(8) Notwithstanding paragraph (2) of this subsection, for the disposition of the
967 District-owned real property located at 1336 8th Street, N.W., 50% of the affordable units shall
968 be for housing for which a low-income household will pay no more than 30% of its income
969 toward housing costs, and 50% of the units shall be housing for which a moderate-income

household will pay no more than 30% of its income toward housing costs, whether or not the units to be constructed are rental units or ownership units. The Land Disposition and Development Agreement in the form approved by Council pursuant to the 8th & O Streets, N.W., Disposition Approval Resolution of 2016, effective February 2, 2016 (Res. 21-374; 63 DCR 1498), remains in full force and effect, including, without limitation, the Affordable Housing Covenant attached as an exhibit thereto, which shall be recorded against the property at closing.

(b) Subsection (d-7) is amended by striking the date “February 2, 2020” and inserting the date “September 15, 2020” in its place.

TITLE III. CONSUMER PROTECTION AND REGULATION

Sec. 301. Opportunity accounts expanded use.

The Opportunity Accounts Act of 2000, effective April 3, 2001 (D.C. Law 13-266; D.C. Official Code § 1-307.61 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 1-307.61) is amended by adding a new paragraph (2A) to read as follows:

“(2A) “Commissioner” means the Commissioner of the Department of Insurance, Securities, and Banking.”.

(b) Section 8 (D.C. Official Code § 1-307.67) is amended as follows:

(1) Subsection (a) is amended by striking the figure “\$2” and inserting the figure “\$1” in its place.

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

(A) The lead-in language is amended by striking the figure “\$2” and inserting the figure “\$3” in its place.

(B) Paragraph (1) is amended as follows:

(i) Strike the phrase “in at least the same amount” and insert the phrase “consistent with subsection (a) of this section” in its place.

(ii) Strike the phrase “; and” and insert a semicolon in its place.

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

(i) Strike the phrase “than \$3,000” and insert the phrase “than \$6,000” in its place;

(ii) Strike the period and insert the phrase “; and” in its place.

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

“(3) The Commissioner may waive the requirement of subsection (a) of this section and provide to an administering organization matching funds of up to \$4 for every dollar the account holder deposits into the opportunity account when adequate federal or private matching funds are not available.”.

(c) Section 9(a) (D.C. Official Code § 1-307.68(a)) is amended as follows:

(1) Paragraph (6) is repealed.

(2) Paragraph (8) is amended by striking the period at the end and inserting the phrase “; and” in its place.

1010 (3) A new paragraph (9) is added to read as follows:

1011 “(9) To pay for any cost, expense, or item authorized by the Commissioner by
1012 rule issued pursuant to section 14, or by order during a declared public health emergency.”.

1013 (d) Section 10 (D.C. Official Code § 1-307.69) is amended as follows:

1014 (1) Subsection (b) is amended as follows:

1015 (A) Paragraph (2) is amended by striking the phrase “; or” and inserting a
1016 semicolon in its place.

1017 (B) Paragraph (3) is amended by striking the period at the end and
1018 inserting the phrase “; and” in its place.

1019 (C) A new paragraph (4) is added to read as follows:

1020 “(4) Making payments necessary to enable the account holder to meet necessary
1021 living expenses in the event of a sudden, unexpected loss of income.”.

1022 (2) Subsection (c) is amended by striking the phrase “An account holder” and
1023 inserting the phrase “Except during a period of time for which the Mayor has declared a public
1024 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
1025 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an
1026 account holder” in its place.

1027 (3) New subsections (c-1), (c-2), and (c-3) are added to read as follows:

1028 “(c-1) If an account holder makes an emergency withdrawal for the purposes set forth at
1029 subsection (b)(2) or (3) of this section, the account holder shall withdraw only funds deposited
1030 by the account holder and shall not withdraw matching funds.

1031 “(c-2) If an account holder makes an emergency withdrawal for the purposes set forth at
1032 subsection (b)(1) of this section, the account holder shall withdraw only funds deposited by the
1033 account holder and shall not withdraw matching funds, unless the withdrawal is for a medical
1034 emergency.

1035 “(c-3) If an account holder makes an emergency withdrawal for the purposes set forth at
1036 subsection (b)(4) of this section, the account holder may withdraw funds deposited by the
1037 account holder and matching funds.”.

1038 (4) The lead-in language of subsection (e) is amended to read as follows:

1039 “An account holder shall not be required to repay funds withdrawn from the opportunity
1040 account for an emergency withdrawal but shall be required to resume making deposits into the
1041 opportunity account no later than 90 days after the emergency withdrawal. If the account holder
1042 fails to make a deposit no later than 90 days after the emergency withdrawal:”.

1043 Sec. 302. Funeral services consumer protection.

1044 (a) The District of Columbia Funeral Services Regulatory Act of 1984, effective May 22,
1045 1984 (D.C. Law 5-84; D.C. Official Code § 3-401 *et seq.*), is amended by adding a new section
1046 4a to read as follows:

“Sec. 4a. For a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), there shall be established a Funeral Bill of Rights designed to inform consumers of required pricing disclosures and other available consumer rights. The Department of Consumer and Regulatory Affairs, in consultation with the Board of Funeral Directors and the Attorney General for the District of Columbia (“Attorney General”), shall write the Funeral Bill of Rights, which shall be published in the District of Columbia Register no later than May 8, 2020. If the foregoing does not occur on or before May 1, 2020, the Attorney General may write the Funeral Bill of Rights and shall have it published in the District of Columbia Register no later than May 15, 2020.”.

(b) Section 28-3904 of the District of Columbia Official Code is amended as follows:

(1) Subsection (jj) is amended by striking the phrase “; or” and inserting a semicolon in its place.

(2) Subsection (kk) is amended by striking the period at the end and inserting the phrase “; or” in its place.

(3) New subsections (ll) and (mm) are added to read as follows:

“(ll) violate any provision of 17 DCMR § 3013; or”

“(mm) violate any provision of 17 DCMR § 3117.”.

(c) Title 17 of the District of Columbia Municipal Regulations (17 DCMR § 100 *et seq.*) is amended as follows:

1067 (1) Section 3013.2(l) (17 DCMR § 3013.2(l)) is amended as follows:

1068 (A) The lead-in language of subparagraph (8) is amended by striking the
1069 phrase “customer, or failing to passing” and inserting the phrase “customer, failing to provide to
1070 the customer any receipts for amounts advanced, paid, or owed to third parties on behalf of the
1071 customer, or failing to pass” in its place.

1072 (B) Subparagraph (24) is amended by striking the phrase “; or” and
1073 inserting a semicolon in its place.

1074 (C) Subparagraph (25) is amended by striking the period at the end and
1075 inserting a semicolon in its place.

1076 (D) New subparagraphs (26), (27), (28), and (29) are added to read as
1077 follows:

1078 “(26) Failing to clearly and conspicuously post a General Price List, Casket Price
1079 List, or an Outer Burial Container Price List that meets the requirements of the Funeral Industry
1080 Practices Rules of the Federal Trade Commission (16 C.F.R. § 453 *et seq.*) on any website
1081 maintained by the applicant or licensee;

1082 “(27) Failing to provide to any customer a General Price List, Casket Price List,
1083 or an Outer Burial Container Price List that meets the requirements of the Funeral Industry
1084 Practices Rules of the Federal Trade Commission (16 C.F.R. § 453 *et seq.*);

1085 “(28) Failing to clearly and conspicuously post the Funeral Bill of Rights, as
1086 specified in section 4a of the District of Columbia Funeral Services Regulatory Act of 1984, as

1087 introduced on May XX, 2020 (Bill 23-XXX), on any website maintained by the applicant or
1088 licensee; or

1089 “(29) Failing to provide to any customer the Funeral Bill of Rights, as specified in
1090 section 4a of the District of Columbia Funeral Services Regulatory Act of 1984, as introduced on
1091 May XX, 2020 (Bill 23-XXX), during an initial meeting to discuss or make arrangements for the
1092 purchase of funeral goods or services.”.

1093 (2) Section 3110 (17 DCMR § 3110) is amended by adding a new subsection
1094 3110.9 to read as follows:

1095 “3110.9 A funeral services establishment shall keep and retain records documenting any
1096 required disclosures to consumers, including disclosure of its General Price List, Casket Price
1097 List, an Outer Burial Container Price List, and the Funeral Bill of Rights signed by the consumer,
1098 as specified in section 4a of the District of Columbia Funeral Services Regulatory Act of 1984,
1099 as introduced on May XX, 2020 (Bill 23-XXX), after the completion or termination of a funeral
1100 contract.”.

1101 Sec. 303. Debt collection.

1102 Section 28-3814 of the D.C. Official Code is amended as follows:

1103 (a) Subsection (b) is amended as follows:

1104 (1) New paragraphs (1A) and (1B) are added to read as follows:

1105 “(1A) “collection lawsuit” means any legal proceeding, including

1106 civil actions, statements of small claims, and supplementary process actions, commenced in any
1107 court for the purpose of collecting any debt or other past due balance owed or alleged to be
1108 owed.

1109 “(1B) “debt” means money or its equivalent which is, or is alleged to be, more
1110 than 30 days past due and owing, unless a different period is agreed to by the debtor, under a
1111 single account as a result of a purchase, lease, or loan of goods, services, or real or personal
1112 property for personal, family, or household purposes or as a result of a loan of money that was
1113 obtained for personal, family, or household purposes whether or not the obligation has been
1114 reduced to judgment.”.

1115 (2) A new paragraph (4) is added to read as follows:

1116 “(4) public health emergency” means a period of time for which the Mayor has
1117 declared a public health emergency pursuant to § 7-2304.01, or a state of emergency pursuant to
1118 § 28-4102.”.

1119 (b) New subsections (l), (m), and (n) are added to read as follows:

1120 “(l)(1) Notwithstanding subsection (a) of this section, subsections (l) and (m) of this
1121 section shall apply to any debt, including loans directly secured on motor vehicles or direct
1122 motor vehicle installment loans covered by Chapter 36 of Title 28.

1123 “(2) During a public health emergency and for 60 days after its conclusion, no
1124 creditor or debt collector shall, with respect to any debt:

1125 “(A) Initiate, file, or threaten to file any new collection lawsuit;

1126 “(B) Initiate, threaten to initiate, or act upon any statutory remedy for the
1127 garnishment, seizure, attachment, or withholding of wages, earnings, property, or funds for the
1128 payment of a debt to a creditor;

1129 “(C) Initiate, threaten to initiate, or act upon any statutory remedy for the
1130 repossession of any vehicle; except, that creditors or debt collectors may accept collateral that is
1131 voluntarily surrendered;

1132 “(D) Visit or threaten to visit the household of a debtor at any time for the
1133 purpose of collecting a debt;

1134 “(E) Visit or threaten to visit the place of employment of a debtor at any
1135 time; or

1136 “(F) Confront or communicate in person with a debtor regarding the
1137 collection of a debt in any public place at any time, unless initiated by the debtor.

1138 “(3) This subsection shall not apply to collecting or attempting to collect a debt
1139 that is, or is alleged to be, owed on a loan secured by a mortgage on real property or owed for
1140 common expenses pursuant to § 42-1903.12.

1141 “(4) Any statutes of limitations on any collection lawsuit are tolled during the
1142 duration of the public health emergency and for 60 days thereafter.

1143 “(m)(1) During a public health emergency and for 60 days after its conclusion, no debt
1144 collector shall initiate any communication with a debtor via any written or electronic
1145 communication, including email, text message, or telephone. A debt collector shall not be

1146 deemed to have initiated a communication with a debtor if the communication by the debt
1147 collector is in response to a request made by the debtor for the communication or is the mailing
1148 of monthly statements related to an existing payment plan or payment receipts related to an
1149 existing payment plan.

1150 “(2) This subsection shall not apply to:

1151 “(A) Communications initiated solely for the purpose of informing a
1152 debtor of a rescheduled court appearance date or discussing a mutually convenient date for a
1153 rescheduled court appearance;

1154 “(B) Original creditors collecting or attempting to collect their own debt;

1155 “(C) Collecting or attempting to collect a debt which is, or is alleged to be,
1156 owed on a loan secured by a mortgage on real property or owed for common expenses pursuant
1157 to § 42-1903.12; or

1158 “(D) Receiving and depositing payments the debtor chooses to make
1159 during a public health emergency.

1160 “(n) Subsections (l) and (m) of this section shall not be construed to:

1161 “(1) Exempt any person from complying with existing laws or rules of
1162 professional conduct with respect to debt collection practices;

1163 “(2) Supersede or in any way limit the rights and protections available to
1164 consumers under applicable local, state, or federal foreclosure laws; or

1165 “(3) Supersede any obligation under the District of Columbia Rules of
1166 Professional Conduct, to the extent of any inconsistency.”.
1167 Sec. 304. Emergency credit alerts.
1168 Title 28 of the District of Columbia Official Code is amended as follows:
1169 (a) The table of contents for Chapter 38 is amended by adding a new subchapter
1170 designation to read as follows:
1171 “Subchapter IV. COVID-19 Emergency Credit Alert.
1172 “§ 28-3871. COVID-19 Emergency credit alert.
1173 (b) A new section 28-3871 is added to read as follows:
1174 “§ 28-3871. COVID-19 Emergency credit alert.
1175 “(a) If a consumer reports in good faith that he or she has experienced financial hardship
1176 resulting directly or indirectly from the public health emergency declared pursuant to § 7-
1177 2304.01, a credit reporting agency maintaining a file on the consumer shall accept and include in
1178 that file a personal statement, if furnished by the consumer, indicating that the consumer has
1179 been financially impacted by the COVID-19 emergency and shall provide that personal
1180 statement along with or accompanying any credit report provided by the agency, beginning on
1181 the date of such request, unless the consumer requests that the personal statement be removed.
1182 “(b) This section shall not apply to a federal credit union, as defined 12 U.S.C. § 1752(1)
1183 a national bank, as defined by 12 U.S.C. § 25b(a)(1), or a federal savings association, as defined

1184 by 12 U.S.C. § 1462(3); except, that an exception granted by this subsection shall not apply to
1185 any entity to which the savings clause at 12 U.S.C. § 25b(b)(2), applies.

1186 “(c) When a District resident requests a copy of a credit report pursuant to 15 U.S.C. §
1187 1681j, the entity providing the credit report must notify the resident of his or her right to request
1188 a personal statement to accompany the credit report.

1189 “(d) If a credit reporting agency violates this section, the affected consumer may bring a
1190 civil action consistent with 15 U.S.C. § 1681n.

1191 “(e)(1) The Attorney General may petition the Superior Court of the District of Columbia
1192 for temporary or permanent injunctive relief for, and for an award of damages for property loss
1193 or harm suffered by a consumer as a consequence of, a violation of this section, or fraudulent or
1194 deceptive conduct in violation of this section that harms a District resident.

1195 “(2) In an action under this section, the Attorney General may recover:

1196 “(A) A civil penalty not to exceed \$1,000 for each violation; and

1197 “(B) Reasonable attorney’s fees and costs of the action.

1198 “(f) The following terms shall have the same meaning as defined in § 28-3861:

1199 “(1) “Consumer;”

1200 “(2) “Credit report;” and

1201 “(3) “Credit reporting agency.

1202 “(g) This section shall not be construed in a manner inconsistent with the Fair Credit
1203 Reporting Act, (15 U.S.C. § 1681 *et seq.*), or any other federal law or regulation.”.

1204 Sec. 305. Enhanced penalties for unlawful trade practices.

1205 Section 28-3903(a)(17) of the District of Columbia Official Code is amended by striking
1206 the phrase “by the Department.” and inserting the phrase “by the Department; except, that
1207 notwithstanding any other provision of District law or regulation, during a period of time for
1208 which the Mayor has declared a public health emergency pursuant to § 7-2304.01, a violation of
1209 this chapter or of any rule issued under the authority of this chapter shall be a Class 1 infraction
1210 within the meaning of 16 DCMR § 3200.1(a).”.

1211 Sec. 306. Price gouging and stockpiling.

1212 Title 28 of the District of Columbia Official Code is amended as follows:

1213 (a) The table of contents is amended by adding a new section designation to read as
1214 follows:

1215 “28-4102.01. Stockpiling.”.

1216 (b) Section 28-4102(a)) is amended to read as follows:

1217 “(a) It shall be unlawful for any person to charge more than the normal average retail
1218 price for any merchandise or service sold during a public health emergency declared pursuant to
1219 D.C. Official Code § 7-2304.01, or during an emergency resulting from a natural disaster
1220 declared pursuant to subsection (b) of this section.”.

1221 (c) A new section 28-4102.01 is added to read as follows:

1222 “§ 28-4102.01. Stockpiling.

1223 “It shall be unlawful for any person to purchase, in quantities greater than those specified
1224 by the Mayor, the Department of Health (“DOH”), the Homeland Security and Emergency
1225 Management Agency (“HSEMA”), or the federal government goods that the Mayor, DOH,
1226 HSEMA, or the federal government have declared:

1227 “(1) Necessary for first responders or others following a natural disaster or a
1228 declaration of a public health emergency pursuant to § 7-2304.01 (“public health emergency”);

1229 “(2) Necessary to maintain supply chains of commerce during a natural disaster or
1230 a public health emergency; or

1231 “(3) Subject to rationing.”.

1232 (d) Section 28-4103 is amended as follows:

1233 (1) Strike the phrase “§ 28-4102(a)” wherever it appears and insert the phrase “§
1234 28-4102(a) or § 28-4102.01” in its place.

1235 (2) A new subsection (c) is added to read as follows:

1236 “(c) When the Office of the Attorney General brings a civil action for any violation of §
1237 28-4102(a) or § 28-4102.01 under the authority granted in § 28-3909, the maximum penalty
1238 authorized by § 28-3909 shall be assessed for each such violation.”.

1239 Sec. 307. Utility shutoff.

1240 (a) Section 113a(c) of the District Department of the Environment Establishment Act of
1241 2005, effective September 11, 2019 (D.C. Law 23-16, D.C. Official Code § 8-151.13a(c)), is
1242 amended as follows:

(1) The existing text is designated paragraph (1).

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

“(2) Notwithstanding paragraph (1) of this subsection, during a period of time for which the Mayor has declared a public health emergency (“PHE”) pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 105 calendar days thereafter, money in the Fund may be used to assist low-income residential customers located in the District of Columbia with the payment of an outstanding water bill balance; except, that not less than \$1.26 million of funding allocated in the fiscal year in which the PHE occurs shall be reserved to assist nonprofit organizations located in the District with the payment of impervious area charges, pursuant to section 216b(a) of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective October 30, 2018 (D.C. Law 22-168; D.C. Official Code § 34-2202.16b(a)), and not less than \$360,000 of funding allocated in the fiscal year in which the PHE occurs shall be reserved to assist residential customers with the payment of impervious area charges, pursuant to section 216b(b).”.

(b)(1) A cable operator, as that term is defined by section 103(6) of the Cable Television Communications Act of 1981, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1251.03(6)), shall not disconnect, suspend, or degrade basic cable service or other basic cable operator services for non-payment of a bill, any fees for service or equipment, or any other charges, or for noncompliance with a deferred payment agreement during a period of time for

which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), or for 15 calendar days thereafter.

“(2) For purposes of this subsection, the term “other basic cable operator services” includes only basic broadband internet service and VOIP service.”.

(c) The Retail Electric Competition and Consumer Protection Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501 *et seq.*), is amended by adding a new section 106b to read as follows:

“Sec. 106b. Disconnection of service during a public health emergency prohibited.

“(a) For the purposes of this section, the term “public health emergency” means a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).

“(b) An electric company shall not disconnect electric service for non-payment of a bill or fees during a public health emergency or for 15 calendar days thereafter.”.

(d) The Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004, effective March 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.01 *et seq.*), is amended by adding a new section 7b to read as follows:

“Sec. 7b. Disconnection of service during a public health emergency prohibited.

1282 “(a) For the purposes of this section, the term “public health emergency” means a period
1283 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1284 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1285 194; D.C. Official Code § 7-2304.01).

1286 “(b) A gas company shall not disconnect gas service for non-payment of a bill or fees
1287 during a public health emergency or for 15 calendar days thereafter.”.

1288 (e) Section 103 of the District of Columbia Public Works Act of 1954, approved May 18,
1289 1954 (68 Stat. 102; D.C. Code § 34-2407.01), is amended by adding a new subsection (c) to read
1290 as follows:

1291 “(c)(1) For the purposes of this subsection, the term “public health emergency” means a
1292 period of time for which the Mayor has declared a public health emergency pursuant to section
1293 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1294 Law 14-194; D.C. Official Code § 7-2304.01).

1295 “(2) During a public health emergency, or for 15 calendar days thereafter,
1296 notwithstanding any other provision of this act, the water supply to any property shall not be shut
1297 off for non-payment of a bill or fees.”.

1298 (f) The Telecommunications Competition Act of 1996, effective September 9, 1996 (D.C.
1299 Law 11-154; D.C. Official Code § 34-2002.01 *et. seq.*), is amended by adding a new section 3a
1300 to read as follows:

1301 “Section 3a. Disconnection of telecommunications service during a public health
1302 emergency prohibited.

1303 “(a) For the purposes of this section, the term “public health emergency” means a period
1304 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1305 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1306 194; D.C. Official Code § 7-2304.01).

1307 “(b) A telecommunications service provider shall not disconnect, suspend, or degrade
1308 basic telecommunications service for non-payment of a bill, any fees for service or equipment,
1309 and other charges, or noncompliance with a deferred payment agreement during a public health
1310 emergency or for 15 calendar days thereafter.”.

1311 (g) Notwithstanding any District law, the Attorney General for the District of Columbia
1312 may use the enforcement authority set forth at D.C. Official Code § 28-3909 against any
1313 merchant, including a utility provider, that violates any provision of this act.

1314 Sec. 308. Utility payment plans.

1315 (a) During a program period, a utility provider shall offer a utility-payment-plan program
1316 (“program”) for eligible customers. Under its program, a utility provider shall:

1317 (1) Make a payment plan (“payment plan”) available to an eligible customer for
1318 the payment of amounts that come due during the program period , with a minimum term length
1319 of one year, unless a shorter time period is requested by the eligible customer.

1320 (2) Waive any fee, interest or penalty that arises out of the eligible customer
1321 entering into a payment plan;

1322 (3) Not report to a credit reporting agency as delinquent the amounts subject to
1323 the payment plan; and

1324 (4) Notify all customers of the availability, terms, and application process for its
1325 utility payment program.

1326 (b)(1) Customers entering into a payment plan shall be required to make payments in
1327 equal monthly installments for the duration of the payment plan unless a shorter payment
1328 schedule is requested by the customer.

1329 (2) A utility provider shall permit a customer that has entered into a payment plan
1330 to pay an amount greater than the monthly amount provided for in the payment plan.

1331 (3) A utility provider shall not require or request a customer provide a lump-sum
1332 payment under a payment plan.

1333 (4) A utility provider shall provide confirmation in writing to the customer of the
1334 payment plan entered into, including the terms of a payment plan.

1335 (c) A utility provider shall utilize existing procedures or, if necessary, establish new
1336 procedures to provide a process by which a customer may apply for a payment plan, which may
1337 include requiring the customer to submit supporting documentation. A utility provider shall
1338 permit application for a payment plan to occur online and by telephone.

1339 (d)(1)A utility provider shall approve each application for a payment plan submitted
1340 during the covered time period made by an eligible customer.

1341 (2) If the customer is not eligible and the customer's application for a payment
1342 plan is denied, the utility provider shall inform the customer, in writing, of the denial and of the
1343 option to file a written complaint pursuant to subsection (g) of this section.

1344 (e)(1) A utility provider shall not disconnect service for non-payment of a bill or fees
1345 where a customer has entered into a payment plan under this section and has made payments in
1346 accordance with the terms of the payment plan;

1347 (2) When a customer fails to pay in full the amounts due under a payment plan
1348 and the customer, and utility provider have not mutually agreed to a modification of the terms of
1349 the payment plan, nothing under this section shall prevent a utility provider from either offering
1350 the customer a new payment plan or disconnecting service.

1351 (3) Notwithstanding any provision in this section, a utility provider is not required
1352 to offer a customer a new payment plan when a customer has defaulted on a previous payment
1353 plan offered pursuant to this section.

1354 (f)(1) A utility provider that receives an application for a payment plan pursuant to this
1355 section shall retain the application, whether approved or denied, for at least 3 years.

1356 (2) Upon request by the customer, a utility provider shall make an application for
1357 a payment plan available to:

1358 (A) For utility providers regulated by the Public Service Commission and
1359 DC Water, the Office of the People's Counsel;

1360 (B) For a cable operator, the Office of Cable Television, Film, Music and
1361 Entertainment; and

1362 (C) For all other utility providers, the Department of Consumer and
1363 Regulatory Affairs and the Office of the Attorney General.

1364 (g) A customer whose application for a payment plan is denied may file a written
1365 complaint with:

1366 (1) For utility providers regulated by the Public Service Commission, the Public
1367 Service Commission and the Office of the People's Counsel;

1368 (2) For a cable operator, the Office of Cable Television, Film, Music and
1369 Entertainment; and

1370 (3) For all other utility providers, the Department of Consumer and Regulatory
1371 Affairs.

1372 (h) During a period of time for which the Mayor has declared a public health emergency,
1373 a utility provider regulated by the Public Service Commission shall reconnect service to
1374 occupied residential property upon eligible customer request and not charge a fee for this
1375 reconnection.

1376 (i) For the purposes of this section, the term:

1377 (1) “Cable operator” shall have the same meaning as provided in section 103(6) of
1378 the Cable Television Communications Act of 1981, effective October 9, 2002 (D.C. Law 14-193;
1379 D.C. Official Code § 34-1251.03(6)).

1380 (2) “DC Water” means the District of Columbia Water and Sewer Authority
1381 established pursuant to Section 202(a) of the Water and Sewer Authority Establishment and
1382 Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law
1383 11-111; D.C. Official Code § 34-2202.02(a)).

1384 (3) “Electric company” shall have the same meaning as provided in section 8 of
1385 An Act Making appropriations to provide for the expenses of the government of the District of
1386 Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other
1387 purposes, approved March 4, 1913 (37 Stat. 974; D.C. Official Code § 34-207).

1388 (4) “Eligible Customer” means a customer that:

1389 (A) Has notified the utility provider of an inability to pay all or a portion
1390 of the amount due as a result, directly or indirectly, of the public health emergency;

1391 (B) Agrees in writing to make payments in accordance with the payment
1392 plan.

1393 (5) “Gas company” shall have the same meaning as provided in section 3(7) of the
1394 Retail Natural Gas Supplier Licensing and Consumer Protection Act of 2004, effective March
1395 16, 2005 (D.C. Law 15-227; D.C. Official Code § 34-1671.02(b)).

1396 (6) “Program period” means a period of time for which the Mayor has declared a
1397 public health emergency pursuant to section 5a of the District of Columbia Public Emergency
1398 Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)
1399 and:

1400 (A) For a cable operator, or a telecommunications provider not regulated
1401 by the Public Service Commission, 60 days thereafter; or

1402 (B) For any other utility provider, six months thereafter.

1403 (7) “Telecommunications provider” means an entity that provides
1404 telecommunications services, whether through a telecommunications system or universal service,
1405 as those terms are defined, respectively, section 2(21) and (22) of the Telecommunications
1406 Competition Act of 1996, effective September 9, 1996 (D.C. Law 11-154; D.C. Official Code §
1407 34-2001(4), or other telecommunication service, whether such service is regulated by the Public
1408 Service Commission of the District of Columbia or the Federal Communications Commission, or
1409 is currently not regulated by either local or federal law.

1410 (8) “Utility provider” means a cable operator, DC Water, an electric company, a
1411 gas company, or a telecommunications provider.

1412 Sec. 309. Composting virtual training.

1413 Section 112a(f) of the Sustainable Solid Waste Management Amendment Act of 2014, effective
1414 February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.12a(f)), is amended by
1415 adding a new paragraph (1A) to read as follows:

1416 “(1A) Notwithstanding paragraph (1) of this subsection, during a period of time
1417 for which the Mayor has declared a public health emergency pursuant to section 5a of the
1418 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1419 194; D.C. Official Code § 7-2304.01), the Mayor, or a contractor selected by the Mayor, may
1420 provide the training required by paragraph (1) of this subsection remotely through
1421 videoconference.”.

1422 Sec. 310. Emergency Department of Insurance, Securities, and Banking authority.

1423 The Department of Insurance and Securities Regulation Establishment Act of 1996,
1424 effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-101 *et seq.*), is amended by
1425 adding a new section 5a to read as follows:

1426 “Sec. 5a. Emergency authority of the Commissioner during a declared public health
1427 emergency.

1428 “(a) For the duration of a public health emergency declared by the Mayor pursuant to
1429 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
1430 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and to address the circumstances giving rise
1431 to that emergency, the Commissioner may issue emergency rulemaking, orders, or bulletins that:

1432 “(1) Apply to any person or entity regulated by the Commissioner; and

1433 “(2) Address:

1434 “(A) Submission of claims or proof of loss;

1435 “(B) Grace periods for payment of premiums and performance of other
1436 duties by insureds;
1437 “(C) Temporary postponement of:
1438 “(i) Cancellations;
1439 “(ii) Nonrenewals; or
1440 “(iii) Premium increases;
1441 “(D) Modifications to insurance policies;
1442 “(E) Insurer operations;
1443 “(F) Filing requirements;
1444 “(G) Procedures for obtaining nonelective health care services;
1445 “(H) Time restrictions for filling or refilling prescription drugs;
1446 “(I) Time frames applicable to an action by the Commissioner under this
1447 section;
1448 “(J) Temporarily waiving application of laws, rulemaking, or requirements
1449 to ensure that depository services, non-depository services, and securities transactions can
1450 continue to be provided, including allowing for the opening of a temporary service location,
1451 which may be a mobile branch, temporary office space, or other facility; and
1452 “(K) Any other activity related to insurance, securities, and banking and
1453 under the purview of the Commissioner reasonably calculated to protect the health, safety, and
1454 welfare of District residents during the public health emergency.

1455 “(b) The Commissioner may require licensees to answer questions related to, and submit
1456 documentation of, the licensee’s continuity of operations plan.

1457 “(c) Emergency rulemaking, orders, and bulletins.

1458 “(1)(A) To accomplish the purposes of this section, the Commissioner may issue
1459 an emergency rulemaking, order, or bulletin pursuant to this section specifying:

1460 “(i) That the rulemaking, order, or bulletin is effective
1461 immediately;

1462 “(ii) The line or lines of business, or the class or classes of
1463 licenses, to which the regulation, order, or bulletin applies;

1464 “(iii) The geographic areas to which the regulation, order, or
1465 bulletin applies; and

1466 “(iv) The period of time for which the regulation, order, or bulletin
1467 applies.

1468 “(B) A regulation issued under paragraph (1)(A) of this section may not
1469 apply for longer than the duration of the effects of a declared public health emergency.”.

1470 Sec. 311. Vacant property designations.

1471 Section 6(b) of An Act To provide for the abatement of nuisances in the District of
1472 Columbia by the Commissioners of said District, and for other purposes, effective April 27, 2001
1473 (D.C. Law 13-281; D.C. Official Code § 42-3131.06(b)), is amended as follows:

1474 (a) Paragraph (8) is amended by striking the phrase “; or” and inserting a semicolon in its
1475 place.

1476 (b) Paragraph (9) is amended by striking the period and inserting the phrase “; or” in its
1477 place.

1478 (c) A new paragraph (10) is added to read as follows:

1479 “(10) A commercial property that houses a business that has closed during a
1480 period of time for which the Mayor has declared a public health emergency pursuant to section
1481 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
1482 Law 14-194; D.C. Official Code § 7-2304.01), as a result of the circumstances giving rise to or
1483 resulting from the public health emergency, and for 60 days thereafter.”.

1484 Sec. 312. Extension of licenses and registrations; waiver of deadlines.

1485 Notwithstanding any provision of law during, or within 45 days after the end of, a period
1486 time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1487 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1488 194; D.C. Official Code § 7-2304.01), the Mayor, may:

1489 (1) Prospectively or retroactively extend the validity of a license, registration,
1490 permit, or authorization, including driver licenses, vehicle registrations, professional licenses,
1491 registrations, and certifications;

(2) Waive the deadlines for filings, and waive fees, fines, and penalties associated with the failure to timely renew a license, registration, permit, or other authorization or to timely submit a filing; or

(3) Extend or waive the deadline by which action is required to be taken by the executive branch of the District government or by which an approval or disapproval is deemed to have occurred based on inaction by the executive branch of the District government.

TITLE IV. HOUSING AND TENANT PROTECTIONS

Sec. 401. Mortgage relief.

(a) In accordance with section 5(b)(15) of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2301(b)(15)), and notwithstanding any provision of the Mortgage Lender and Broker Act of 1996, effective September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1101 *et seq.*), or any other provision of District law, during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14- 194; D.C. Official Code § 7-2304.01), and for 60 days thereafter, a mortgage lender that makes or holds a residential mortgage loan or commercial mortgage loan in the District shall develop a deferment program for borrowers that, at a minimum:

(1) Grants at least a 90-day deferment of the monthly payment of principal and interest on a mortgage for borrowers;

1512 (2) Waives any late fee, processing fee, or any other fee accrued during the period
1513 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1514 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1515 194; D.C. Official Code § 7-2304.01); and

1516 (3) Does not report to a credit reporting agency as delinquent the amounts subject
1517 to the deferral.

1518 (b) The mortgage lender shall establish application criteria and procedures for borrowers
1519 to apply for the deferment program. An application or summary of procedures shall be made
1520 available online or by telephone.

1521 (c) The mortgage lender shall approve each application in which a borrower:

1522 (1) Demonstrates to the mortgage lender evidence of a financial hardship resulting
1523 directly or indirectly from the public health emergency, including an existing delinquency or
1524 future inability to make payments; and

1525 (2) Agrees in writing to pay the deferred payments within:

1526 (A) A reasonable time agreed to in writing by the applicant and the
1527 mortgage lender; or

1528 (B) If no reasonable time can be agreed to pursuant to subparagraph (A) of
1529 this paragraph, 3 years from the end of the deferment period, or the end of the original term of
1530 the mortgage loan, whichever is earlier.

(d)(1) A mortgage lender who receives an application for deferment pursuant to this section shall retain the application, whether approved or denied, for at least 3 years after final payment is made on the mortgage or the mortgage is sold, whichever occurs first.

(2) Upon request, a mortgage lender shall make an application for deferment available to the Commissioner.

(3)(A)(i) A mortgage lender who approves an application for deferment pursuant to this section shall, on or before June 4, 2020, provide to the Commissioner notice of all approved applications on a form prescribed by the Commissioner ~~and such notice shall include the percentage of mortgage deferment approved for and accepted by each borrower.~~

(ii) After the initial submission prescribed in this paragraph, a mortgage lender who approves an application for deferment pursuant to this section shall provide the Commissioner with a list of all new approvals in 15-day intervals for the duration of the public health emergency and for 60 days thereafter.

(iii) The Commissioner may request information on the number and nature of approvals between 15-day intervals.

(B) The Commissioner shall maintain a publicly available list of approved commercial loan deferral applications. The requirement of this subparagraph may be satisfied by posting to the Department of Insurance, Securities, and Banking website.

1549 (e) A mortgage lender shall be prohibited from requesting or requiring a lump sum
1550 payment from any borrower making payments under a deferred payment program pursuant to
1551 this section, subject to investor guidelines.

1552 (f) A person or business whose application for deferment is denied may file a written
1553 complaint with the Commissioner. The Commissioner is authorized to investigate the complaint
1554 in accordance with section 13 of the Mortgage Lender and Broker Act of 1996, effective
1555 September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1112).

1556 ~~(g) A borrower receiving a mortgage deferral pursuant to this section on a property that~~
1557 ~~has a tenant shall, within 5 days of the approval, provide notice to all tenants of the availability~~
1558 ~~of a rent payment program pursuant to Section 402 of this act.~~

1559 (g) The provisions of this section shall apply to any lender who makes or holds a
1560 commercial mortgage loan in the District, with the exception of national banks and federally-
1561 chartered credit unions.

1562 (h) To the extent necessary to conform with the provisions of this section, the provisions
1563 in section 313(c)(1) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89;
1564 D.C. Official Code § 42-1903.13(c)(1)), are waived for the duration of the public health
1565 emergency.

1566 (i) This section shall not apply to a property for which, as of March 11, 2020, a mortgage
1567 lender initiated a foreclosure action or exercised its right to accelerate the balance and maturity
1568 date of the loan, on or before March 11, 2020.

1569 (j) This section shall not apply to a mortgage loan that is a “Federally backed mortgage
1570 loan”, as that term is defined in section 4022 of the CARES Act, codified at 15 U.S.C.
1571 90g6(a)(2), or a “Federally backed multifamily mortgage loan” under section 4023 of the
1572 CARES Act, codified at 15 U.S.C. 9057(f)(2).

1573 (k) A mortgage lender that violates the provisions of this section shall be subject to the
1574 penalties prescribed in section 19 of the Mortgage Lender and Broker Act of 1996, effective
1575 September 9, 1996 (D.C. Law 11-155; D.C. Official Code § 26-1118).

1576 (l) For the purposes of this section, the term:

1577 (1) “Commercial mortgage loan” means a loan for the acquisition, construction,
1578 or development of real property, or a loan secured by collateral in such real property, that is
1579 owned or used by a person, business, or entity for the purpose of generating profit, and includes
1580 real property used for single-family housing, multifamily housing, retail, office space, and
1581 commercial space that is made, owned, or serviced by a mortgage lender.

1582 (2) “Commissioner” means the Commissioner of the Department of Insurance,
1583 Securities, and Banking.

1584 (3) “Mortgage lender” means any person that makes a mortgage loan to any
1585 person or that engages in the business of servicing mortgage loans for others or collecting or
1586 otherwise receiving mortgage loan payments directly from borrowers for distribution to any
1587 other person. The term “mortgage lender” does not include the Federal Home Loan Mortgage

1588 Corporation, the Federal National Mortgage Association, or the Government National Mortgage
1589 Association.

1590 Sec. 402. Tenant payment plans.

1591 (a) During a period of time for which the Mayor has declared a public health emergency
1592 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1593 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for one year
1594 thereafter (“program period”), a provider shall offer a rent-payment-plan program (“program”) for eligible tenants. Under its program, a provider shall:

1596 (1) Make a payment plan available to an eligible tenant for the payment of gross
1597 rent that comes due during the program period and prior to the cessation of tenancy (“covered
1598 time period”), with a minimum term length of one year unless a shorter payment plan term
1599 length is requested by the eligible tenant.

1600 (2) Waive any fee, interest, or penalty that arises out of an eligible tenant entering
1601 into a payment plan;

1602 (3) Not report to a credit reporting agency as delinquent the rent subject to the
1603 payment plan;

1604 (4) Provide that an eligible tenant does not lose any rights under the lease due to a
1605 default on the monetary amounts due during the lease period, provided that the tenant does not
1606 default on the terms of the payment plan; and

1607 (5) Notify all tenants of the availability, terms, and application process for its
1608 program.

1609 (b)(1) Tenants entering into a payment plan shall be required to make payments in equal
1610 monthly installments for the duration of the payment plan, unless a different payment schedule is
1611 requested by the tenant.

1612 (2) A provider shall permit a tenant that has entered into a payment plan to pay an
1613 amount greater than the monthly amount provided for in the payment plan.

1614 (3) A provider shall not require or request a tenant to provide a lump-sum
1615 payment under a payment plan.

1616 (4) A provider shall agree in writing to the terms of a payment plan.

1617 (c) A provider shall utilize existing procedures or, if necessary, establish new procedures
1618 to provide a process by which an eligible tenant may apply for a payment plan, which may
1619 include requiring the tenant to submit supporting documentation. A provider shall permit
1620 application for a payment plan to occur online and by telephone.

1621 (d) A provider shall approve each application for a payment plan submitted during a
1622 covered time period in which an eligible tenant:

1623 (1) Demonstrates to the provider evidence of a financial hardship resulting
1624 directly or indirectly from the public health emergency:

1625 (A) That is in addition to any delinquency or future inability to make rental
1626 payments in existence prior to the start of the public health emergency; and

1627 (B) That would cause the tenant to be unable to qualify to rent the unit or
1628 space based on utilization of the same qualification criteria that were applied to the tenant at the
1629 time he or she was approved to rent the unit or space; and

1630 (2) Agrees in writing to make payments in accordance with the payment plan.

1631 (e)(1) A provider who receives an application for a payment plan shall retain the
1632 application, whether approved or denied, for at least 3 years.

1633 (2) Upon request of the tenant, a provider shall make an application for a payment
1634 plan available to:

1635 (A) For residential tenants, the Rent Administrator, Office of the Tenant
1636 Advocate; and

1637 (B) For commercial tenants, the Department of Consumer and Regulatory
1638 Affairs.

1639 (f)(1) A residential tenant whose application for a payment plan is denied may file a
1640 written complaint with the Rent Administrator. The Rent Administrator shall forward the
1641 complaint to the Office of Administrative Hearings for adjudication.

1642 (2) A commercial tenant whose application for a payment plan is denied may file
1643 a written complaint with the Department of Consumer and Regulatory Affairs.

1644 (g) During the program period, unless the provider has offered a rent payment plan
1645 pursuant to this section, and approved a rent payment plan pursuant to subsection 9d), that

provider shall be prohibited from filing any collection lawsuit or eviction for non-payment of rent, provided that the tenant does not default on the terms of the payment plan.

(h) For the purposes of this section, the term:

(1) “Eligible tenant” means a tenant of a residential or commercial retail property rented from a provider that:

(A) Has notified a provider of an inability to pay all or a portion of the rent due as a result of the public health emergency; and

(B) Is not a franchisee unless the franchise is owned by a District resident.

(2) “Housing provider” means a person or entity who is:

(A) A residential landlord, residential owner, residential lessor, residential sublessor, residential assignee, or the agent of any of the foregoing or any other person receiving or entitled to receive the rents or benefits for the use or occupancy of any residential rental unit within a housing accommodation within the District; and

~~(B) Has 5 or more residential units currently rented or available for rent.~~

(3) “Non-housing provider” means a person or entity who is a non-residential landlord, non-residential owner, non-residential lessor, non-residential sublessor, non-residential assignee, a non-residential agent of a landlord, owner, lessor, sublessor, or assignee, or any other person receiving or entitled to receive rents or benefits for the use or occupancy of a commercial unit.

(4) “Provider” means a housing provider or a non-housing provider.

(i) Notwithstanding section 1202 of this act, this section shall apply as of May 19, 2020.

Sec. 403. Residential cleaning.

(a) During a period of time for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the owner or representative of the owner of a housing accommodation shall clean common areas of the housing accommodation on a regular basis, including surfaces that are regularly touched, such as doors, railings, seating, and the exterior of mailboxes.

(b) For the purposes of this section “housing accommodation” means any structure or building in the District containing one or more residential units that are not occupied by the owner of the housing accommodation, including any apartment, efficiency apartment, room, accessory dwelling unit, cooperative, homeowner association, condominium, multifamily apartment building, nursing home, assisted living facility, or group home.

(c) The Mayor may, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), promulgate rules to implement this section.

Sec. 404. Eviction prohibition.

(a) Title 16 of the District of Columbia Official Code is amended as follows:

(1) Section 1501 is amended as follows:

(A) The existing text is designated as subsection (a).

1686 (B) A new subsection (b) is added to read as follows:

1687 “(b) During a period of time for which the Mayor has declared a public health emergency
1688 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1689 October 17, 2002 (D.C. Law 14-194; D.C. Official Code 7-2304.01), and for 60 days thereafter,
1690 the person aggrieved shall not file a complaint seeking relief pursuant to this section.”.

1691 (2) Section 1502 is amended by striking the phrase “exclusive of Sundays and
1692 legal holidays” and inserting the phrase “exclusive of Sundays, legal holidays, and a period of
1693 time for which the Mayor has declared a public health emergency pursuant to section 5a of the
1694 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1695 194; D.C. Official Code § 7-2304.01)” in its place.

1696 (b) Section 501(k) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law
1697 6-10; D.C. Official Code § 42-3505.01(k)), is amended as follows:

1698 (1) Paragraph (1) is amended by striking the phrase “; or” and inserting a
1699 semicolon in its place.

1700 (2) Paragraph (2) is amended by striking the period and inserting the phrase “; or”
1701 in its place.

1702 (3) A new paragraph (3) is added to read as follows:

1703 “(3) During a period of time for which the Mayor has declared a public health
1704 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1705 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

1706 Sec. 405. Residential tenant protections.

1707 (a) The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980
1708 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq.*), is amended by adding a new section
1709 510b to read as follows:

1710 “Sec. 510b. Tolling of tenant deadlines during a public health emergency.

1711 “The running of all time periods for tenants and tenant organizations to exercise rights
1712 under this act shall be tolled from the beginning of the period of a public health emergency
1713 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1714 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), until the end of
1715 the public health emergency, and for 30 days thereafter.”.

1716 (b) The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C.
1717 Official Code § 42-3501.01 *et seq.*), is amended as follows:

1718 (1) Section 202(b)(2) (D.C. Official Code § 42-3502.02(b)(2)) is amended to read
1719 as follows:

1720 “(2)(A) A majority of the Rental Housing Commissioners shall constitute a
1721 quorum to do business, and a single vacancy shall not impair the right of the remaining Rental
1722 Housing Commissioners to exercise all powers of the Rental Housing Commission.

1723 “(B) In the event that a majority of the Rental Housing Commissioners (or
1724 any one Commissioner if there is a vacancy) will be unable to perform their official duties for an
1725 extended period of time due to circumstances related to a declared state of emergency in the

1726 District of Columbia, including quarantine or movement restrictions, illness, or the care of a
1727 close family member, one Commissioner shall constitute a quorum to do business.

1728 “(i) If the Chairperson will be unable to perform his or her duties,
1729 he or she shall designate an acting Chairperson or, if only one Commissioner is available, that
1730 Commissioner shall be automatically designated as acting Chairperson.

1731 “(ii) The Chairperson of the Rental Housing Commission shall
1732 notify the Mayor and the Chairperson of the Council in writing of any temporary vacancy and
1733 whether the Commission is operating under a quorum of one.

1734 “(iii) For such time as the Rental Housing Commission is operating
1735 as a quorum of one, the Commission shall only issue, amend, or rescind rules on an emergency
1736 basis in accordance with section 105(c) of the District of Columbia Administrative Procedure
1737 Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c)).

1738 “(iv) The authority to operate with a quorum of one shall terminate
1739 when at least one Rental Housing Commissioner notifies the Chairperson in writing that he or
1740 she is able to resume his or her duties. The authority may extend beyond the termination of the
1741 original declared state of emergency if Commissioners are personally affected by continuing
1742 circumstances.

1743 (2) Section 208(a)(1) (D.C. Official Code § 42-3502.08(a)(1)) is amended as
1744 follows:

1745 (A) Subparagraph (F) is amended by striking the phrase “; and” and
1746 inserting a semicolon in its place.

1747 (B) Subparagraph (G) is amended by striking the period at the end and
1748 inserting the phrase “; and” in its place.

1749 (C) A new subparagraph (H) is added to read as follows:

1750 “(H) None of the circumstances set forth in section 904(c) applies.”.

1751 (3) Section 211 (D.C. Official Code § 42-3502.11), is amended as follows:

1752 (A) The existing text is designated as subsection (a).

1753 (B) A new subsection (b) is added to read as follows:

1754 “(b) If, during a public health emergency that has been declared pursuant to section 5a of
1755 the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law
1756 14-194; D.C. Official Code § 7-2304.01), and consistent with applicable law or an order issued
1757 by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1758 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), a housing
1759 provider temporarily stops providing:

1760 “(1) An amenity that a tenant pays for in addition to the rent charged, then the
1761 housing provider shall refund to the tenant pro rata any fee charged to the tenant for the amenity
1762 during the public health emergency; or

1763 “(2) A service or facility that is lawfully included in the rent charged, then the
1764 housing provider shall not be required to reduce the rent charged pursuant to subsection (a) of
1765 this section.”.

1766 (4) Section 531(c) (D.C. Official Code § 42-3505.31(c)), is amended as follows:

1767 (A) Paragraph (4) is amended by striking the phrase “late fee;” and
1768 inserting the phrase “late fee; or” in its place.

1769 (B) Paragraph (5) is amended by striking the period and inserting the
1770 phrase “; or” in its place.

1771 (C) A new paragraph (6) is added to read as follows:

1772 “(6) Impose a late fee on a tenant during any month for which a public health
1773 emergency has been declared pursuant to section 5a of the District of Columbia Public
1774 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1775 2304.01).”.

1776 (5) Section 553 (D.C. Official Code § 42-3505.53) is amended as follows:

1777 (A) The existing language is designated subsection (a).

1778 (B) A new subsection (b) is added to read as follows:

1779 “(b) Any notice of intent to vacate that a tenant provided prior to the period for which a
1780 public health emergency has been declared pursuant to section 5a of the District of Columbia
1781 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
1782 Code § 7-2304.01), shall be tolled at the election of the tenant for the period of any such public

1783 health emergency such that the tenant shall have the same number of days to vacate remaining at
1784 the end of the public health emergency as the tenant had remaining upon the effective date of the
1785 public health emergency.”.

1786 (6) Section 554 (D.C. Official Code § 42-3505.54) is amended by adding a new
1787 subsection (c) to read as follows:

1788 “(c) Any notice of intent to vacate that a tenant provided prior to the period for which a
1789 public health emergency has been declared pursuant to section 5a of the District of Columbia
1790 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
1791 Code §7-2304.01), shall be tolled at the election of the tenant for the period of any such public
1792 health emergency such that the tenant shall have the same number of days to vacate remaining at
1793 the end of the public health emergency as the tenant had remaining upon the effective date of the
1794 public health emergency.”.

1795 (7) Section 904 D.C. Official Code § 42-3509.04) is amended by adding a new
1796 subsection (c) and (d) to read as follows:

1797 “(c) No housing provider may issue a rent increase notice to any residential tenant during
1798 a period for which a public health emergency has been declared pursuant to section 5a of the
1799 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1800 194; D.C. Official Code § 7-2304.01).”.

1801 “(d)(1) Any rent increase, whether under this act, the Rental Accommodations Act of
1802 1975, the Rental Housing Act of 1977, the Rental Housing Act of 1980, or any administrative

1803 decisions issued under these acts, shall be null and void, and shall be issued anew in accordance
1804 with subsection (b) of this section if:

1805 “(A) The effective date of the rent increase as stated on the notice of rent
1806 increase occurs during a period for which a public health emergency has been declared pursuant
1807 to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17,
1808 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 30 days thereafter;

1809 “(B) The notice of rent increase was provided to the tenant during a period
1810 for which a public health emergency has been declared; or

1811 “(C) The notice was provided to the tenant prior to, but the rent increase
1812 takes effect following, a public health emergency.

1813 “(2) The Rent Administrator shall review all notices to a tenant of an adjustment
1814 in the rent charged filed by a housing provider with the Rental Accommodations Division of the
1815 Department of Housing and Community Development for consistency with this subsection and
1816 shall inform the housing provider that:

1817 “(A) A rent increase is prohibited during the public health emergency plus
1818 30 days pursuant to this section;

1819 “(B) The housing provider shall withdraw the rent increase notice;

1820 “(C) The housing provider shall inform tenants in writing that any rent
1821 increase notice is null and void pursuant to the emergency COVID-19 legislation;

1822 “(D) The housing provider shall within 7 calendar days, file a certification
1823 with RAD that the notice letter required by subparagraph (C) was sent to tenants, along with a
1824 sample copy of the notice and a list of each tenant name and corresponding unit numbers; and

1825 “(E) If it is determined that the housing provider knowingly demanded or
1826 received any rent increase prohibited by this act or substantially reduced or eliminated related
1827 services previously provided for a rental unit, the housing provider may be subject to treble
1828 damages and for a rollback of the rent, pursuant to 901(a) of this act.”.

1829 (8) A new section 910 is added to read as follows:

1830 “Sec. 910. Tolling of tenant deadlines during a public health emergency.

1831 “The running of all time periods for tenants and tenant organizations to exercise rights
1832 under this act or under chapters 38 through 43 of Title 14 of the District of Columbia Municipal
1833 Regulations (14 DCMR §§ 3800 through 4399) shall be tolled during a period for which a public
1834 health emergency has been declared pursuant to section 5a of the District of Columbia Public
1835 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1836 2304.01), and for 30 days thereafter.”.

1837 Sec. 406. Rent increase prohibition.

1838 (a) Notwithstanding any other provision of law, a rent increase for a residential property
1839 not prohibited by the provisions of section 904(c) of the Rental Housing Act of 1985, effective
1840 July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3509.04(c)), shall be prohibited during a
1841 period for which a public health emergency has been declared pursuant to section 5a of the

1842 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
1843 194; D.C. Official Code § 7-2304.01), and for 30 days thereafter.

1844 (b) Notwithstanding any other provision of law, a rent increase for a ~~commercial property~~
1845 a commercial retail property or a commercial property that is less than 6,500 square feet in size
1846 shall be prohibited during a period for which a public health emergency has been declared
1847 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1848 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 30 days
1849 thereafter.

1850 Sec. 407. Cooperative association remote meetings.

1851 Title 29 of the District of Columbia Official Code is amended as follows:

1852 (a) Section 405.01(e) is amended by striking the phrase “The articles of incorporation or
1853 bylaws may provide that an annual” and inserting the phrase “Notwithstanding the articles of
1854 incorporation or bylaws, during a period for which a public health emergency has been declared
1855 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1856 October 17, 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), an annual” in its place.

1857 (b) Section 910 is amended by striking the phrase “If authorized by the articles or
1858 bylaws” and inserting the phrase “During a period for which a public health emergency has been
1859 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1860 effective October 17, 2002 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), regardless of

1861 whether remote regular and special meetings of members are authorized by the articles or
1862 bylaws” in its place.

1863 Sec. 408. Foreclosure moratorium.

1864 (a)(1) Notwithstanding any provision of District law, during a period of time for which
1865 the Mayor has declared a public health emergency pursuant to section 5a of the District of
1866 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
1867 Official Code § 7-2304.01), and for 60 days thereafter, no residential foreclosure:

1868 (A) May be initiated or conducted under Section 539 of An Act To establish
1869 a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1274; D.C. Official
1870 Code § 42-815);

1871 (B) May be initiated or conducted under Section 95 of An Act To establish a
1872 code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1204; D.C. Official
1873 Code § 42-816); or

1874 (C) Sale may be conducted under Section 313(c) of the Condominium Act of
1875 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. Official Code § 42-1903.13(c)).

1876 (2) This subsection shall not apply to a residential property at which neither a
1877 record owner nor a person with an interest in the property as heir or beneficiary of a record
1878 owner, if deceased, has resided for at least 275 total days during the previous 12 months, as of
1879 the first day of the public health emergency.

1880 (b) Section 313(e) of the Condominium Act of 1976, effective March 29, 1977 (D.C. Law
1881 1-89; D.C. Official Code § 42-1903.13(e)), is amended by striking the phrase “3 years” and
1882 inserting the phrase “3 years, not including any period of time for which the Mayor has declared
1883 a public health emergency pursuant to section 5a of the District of Columbia Public Emergency
1884 Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01) and
1885 for 60 days thereafter,” in its place.

1886 **TITLE V. HEALTH AND HUMAN SERVICES**

1887 Sec. 501. Prescription drugs.

1888 Section 208 of the District of Columbia Health Occupations Revision Act of 1985,
1889 effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.08), is amended by
1890 adding a new subsection (g-2) to read as follows:

1891 “(g-2) An individual licensed to practice pharmacy pursuant to this act may authorize and
1892 dispense a refill of patient prescription medications prior to the expiration of the waiting period
1893 between refills to allow District residents to maintain an adequate supply of necessary
1894 medication during a period of time for which the Mayor has declared a public health emergency
1895 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1896 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01). This subsection shall not
1897 apply to any patient prescription for which a refill otherwise would be prohibited under District
1898 law.”.

1899 Sec. 502. Homeless services.

1900 The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-
1901 35; D.C. Official Code § 4-751.01 *et seq.*), is amended as follows:

1902 (a) Section 8(c-1) (D.C. Official Code § 4-753.02(c-1)) is amended as follows:

1903 (1) Paragraph (1) is amended by striking the phrase “not to exceed 3 days” and
1904 inserting the phrase “not to exceed 3 days; except, that during a public health emergency
1905 declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1906 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor may
1907 place the family in an interim eligibility placement for a period not to exceed 60 days” in its
1908 place.

1909 (2) Paragraph (2) is amended by striking the phrase “and section 9(a)(20)” and
1910 inserting the phrase “and section 9(a)(20); except, that the Mayor may extend an interim
1911 eligibility placement to coincide with the period of a public health emergency declared pursuant
1912 to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17,
1913 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

1914 (3) Paragraph (3) is amended by striking the phrase “within 12 days of the start of
1915 the interim eligibility placement” and inserting the phrase “within 12 days of the start of the
1916 interim eligibility placement; except, that during a public health emergency declared pursuant to
1917 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
1918 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Mayor shall have 10 business days

1919 following the end of the public health emergency to issue the eligibility determination required
1920 by this paragraph,” in its place.

1921 (4) Paragraph (4) is amended by striking the phrase “start of an interim eligibility
1922 placement,” and inserting the phrase “start of an interim eligibility placement, or as otherwise
1923 required by paragraph (3) of this subsection” in its place.

1924 (b) Section 9(a)(14) (D.C. Official Code § 4-754.11(a)(14)) is amended by striking the
1925 phrase “and other professionals” and inserting the phrase “and other professionals; except, that
1926 the Mayor may waive the requirements of this provision for in-person meetings and
1927 communications during a public health emergency declared pursuant to section 5a of the District
1928 of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
1929 Official Code § 7-2304.01)” in its place.

1930 (c) Section 10(1) (D.C. Official Code § 4-754.12(1)) is amended by striking the phrase
1931 “established pursuant to section 18” and inserting the phrase “established pursuant to section 18;
1932 except, that the Mayor may waive this provision during a public health emergency declared
1933 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1934 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01)” in its place.

1935 (d) Section 19(c-2) (D.C. Official Code § 4-754.33(c-2)) is amended by striking the
1936 phrase “served on the client.” and inserting the phrase “served on the client; except, that during a
1937 public health emergency declared pursuant to section 5a of the District of Columbia Public

1938 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
1939 2304.01), the Mayor may serve written notice via electronic transmission.” in its place.

1940 (e) Section 24(f) (D.C. Official Code § 4-754.38(f)) is amended as follows:

1941 (1) Paragraph (1) is amended as follows:

1942 (A) Subparagraph (A) is amended by striking the phrase “to the unit; or”
1943 and inserting the phrase “to the unit;” in its place.

1944 (B) Subparagraph (B) is amended by striking the phrase “at the location”
1945 and inserting the phrase “at the location; or” in its place.

1946 (C) A new subparagraph (C) is added to read as follows:

1947 “(C) During a period of time for which a public health emergency has
1948 been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
1949 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), to prevent or
1950 mitigate the spread of contagious disease, as determined by the Department or provider.” in its
1951 place.

1952 (2) Paragraph (2) is amended by striking the phrase “to paragraph (1)(B)” and
1953 inserting the phrase “to paragraph (1)(B) or (C)” in its place.

1954 Sec. 503. Extension of care and custody for aged-out youth.

1955 (a) Section 303(a-1) of the Prevention of Child Abuse and Neglect Act of 1977, effective
1956 September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1303.03(a-1)), is amended as
1957 follows:

1958 (1) Paragraph (12) is amended by striking the phrase “; and” and inserting a
1959 semicolon in its place.

1960 (2) Paragraph (13) is amended by striking the period and inserting the phrase “;
1961 and” in its place.

1962 (3) A new paragraph (14) is added to read as follows:

1963 “(14) To retain custody of a youth committed to the Agency who becomes 21
1964 years of age during a period of time for which the Mayor has declared a public health emergency
1965 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
1966 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), for a period not
1967 exceeding 90 days after the end of the public health emergency; provided, that the youth
1968 consents to the Agency’s continued custody .”.

1969 (b) Chapter 23 of Title 16 of the District of Columbia Official Code is amended as
1970 follows:

1971 (1) Section 16-2303 is amended as follows:

1972 (A) The existing text is designated as subsection (a).

1973 (B) A new subsection (b) is added to read as follows:

1974 “(b) The Division shall retain jurisdiction of a minor in the legal custody of a public
1975 agency pursuant to § 16-2320(a)(1)(3)(A) who becomes 21 years of age during a period of time
1976 for which the Mayor has declared a public health emergency pursuant to § 7-2304.01, for a

1977 period not exceeding 90 days after the end of the public health emergency; provided, that the
1978 minor consents to the Division's retention of jurisdiction."

1979 (2) Section 16-2322(f)(1) is amended by striking the phrase "twenty-one years of
1980 age" and inserting the phrase "21 years of age, not including orders extended pursuant to § 16-
1981 2303(b)" in its place.

1982 Sec. 504. Standby guardianship.

1983 Section 16-4802 of the District of Columbia Official Code is amended as follows:

1984 (a) Paragraph (6) is amended to read as follows:

1985 "(6) "Debilitation" means those periods when a person cannot care for that
1986 person's minor child as a result of:

1987 "(A) A chronic condition caused by physical illness, disease, or injury
1988 from which, to a reasonable degree of probability, the designator may not recover; or

1989 "(B) A serious medical condition caused by COVID-19."

1990 (b) Paragraph (10) is amended to read as follows:

1991 "(10) "Incapacity" means:

1992 "(A) A chronic and substantial inability, as a result of a mental or organic
1993 impairment, to understand the nature and consequences of decisions concerning the care of a
1994 minor child, and a consequent inability to care for the minor child; or

1995 “(B) A substantial inability, as a result of COVID-19, to understand the
1996 nature and consequences of decisions concerning the care of a minor child, and a consequent
1997 inability to care for the minor child.”.

1998 (c) Paragraph (13) is amended to read as follows:

1999 “(13) “Triggering event” means any of the following events:

2000 “(A) The designator is subject to an adverse immigration action;

2001 “(B) The designator has been diagnosed, in writing, by a licensed clinician
2002 to suffer from a chronic condition caused by injury, disease, or illness from which, to a
2003 reasonable degree of probability, the designator may not recover and the designator:

2004 “(i) Becomes debilitated, with the designator’s written
2005 acknowledgement of debilitation and consent to commencement of the standby guardianship;

2006 “(ii) Becomes incapacitated as determined by an attending
2007 clinician; or

2008 “(iii) Dies; or

2009 “(C) The designator has been diagnosed, in writing, by a licensed clinician
2010 to suffer from COVID-19 and the designator:

2011 “(i) Becomes debilitated, with the designator’s written
2012 acknowledgement of debilitation and consent to commencement of the standby guardianship;

2013 “(ii) Becomes incapacitated as determined by an attending
2014 clinician; or

2015 “(iii) Dies.”.

2016 Sec. 505. Health status and residence of wards.

2017 Chapter 20 of title 21 of the District of Columbia Official Code is amended as follows:

2018 (a) The table of contents is amended by adding a new section designation to read as
2019 follows:

2020 “Section 2047.03. Duty of guardian to inform certain relatives about the health status and
2021 residence of a ward.”

2022 (b) A new section 2047.03 is added to read as follows:

2023 Section 2047.03. Duty of guardian to inform certain relatives about the health status and
2024 residence of a ward.

2025 “(a) During a period for which a public health emergency has been declared pursuant to
2026 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
2027 (D.C. Law 14-194, D.C. Official Code § 7-2304.01), the guardian of a ward shall inform at least
2028 one relative of the ward, if one exists pursuant to subsection (d) of this section, as soon as
2029 practicable, but no later than within 48 hours of the following events:

2030 “(1) The ward dies;

2031 “(2) The ward is admitted to a medical facility;

2032 “(3) The ward is transferred to acute care;

2033 “(4) The ward is placed on a ventilator;

2034 “(5) The residence of the ward or the location where the ward lives has changed;
2035 and

2036 “(6) The ward is staying at a location other than the residence of the ward for a
2037 period that exceeds 7 consecutive days;

2038 “(b) In the case of the death of the ward, the guardian shall inform at least one relative of
2039 the ward, if one exists pursuant to subsection (d) of this section, of any funeral arrangements and
2040 the location of the final resting place of the ward at least 72 hours before the funeral;

2041 “(c) Nothing in this section shall be construed to exempt a guardian from complying with
2042 federal or District privacy laws to which they are otherwise subject.

2043 “(d) This section shall only apply to the relative of a ward:

2044 “(1) Against whom a protective order is not in effect to protect the ward;

2045 “(2) Who has not been found by a court or other state agency to have abused,
2046 neglected, or exploited the ward; and

2047 “(3) Who has elected in writing to receive a notice about the ward.

2048 “(e) For the purposes of this section the term:

2049 “(1) “Relative” shall mean either a spouse, parent, sibling, child, or domestic
2050 partner of the ward.

2051 “(2) “Domestic partner” shall have the same meaning as in section 2(3) of the
2052 Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C.
2053 Official Code § 32-701(3)).”.

Sec. 506. Contact tracing hiring requirements.

An Act to authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases, approved August 11, 1939 (53 Stat. 1408; D.C. Official Code § 7-131 *et seq.*), is amended by adding a new section 9a to read as follows:

“Sec.9a. Contact tracing hiring requirements.

“Of the number of persons hired by the Department of Health for positions, whether they be temporary or permanent, under the Contact Trace Force initiative to contain the spread of the 2019 coronavirus (SARS-CoV-2) in the District, the Director of the Department of Health shall establish a goal and make the best effort to hire at least 50% District residents, and for the position of investigator, whether it be a temporary or permanent position, also establish a goal and make the best effort to hire at least 25% graduates from a workforce development or adult education program funded or administered by the District of Columbia.”.

Sec. 507. Public health emergency authority.

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

(a) Section 5(b) (D.C. Official Code § 7-2304(b)) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase “District of Columbia government;” and inserting the phrase “District of Columbia government; provided further, that a summary of each emergency procurement entered into during a period for which a public

2074 health emergency is declared shall be provided to the Council no later than 7 days after the
2075 contract is awarded. The summary shall include:

2076 (A) A description of the goods or services procured;

2077 (B) The source selection method;

2078 (C) The award amount; and

2079 (D) The name of the awardee.”.

2080 (2) Paragraph (13) is amended by striking the phrase “; or” and inserting a
2081 semicolon in its place.

2082 (3) Paragraph (14) is amended by striking the period at the end and inserting a
2083 semicolon in its place.

2084 (4) New paragraphs (15) and (16) are added to read as follows:

2085 “(15) Waive application of any law administered by the Department of Insurance,
2086 Securities, and Banking if doing so is reasonably calculated to protect the health, safety, or
2087 welfare of District residents; and

2088 “(16) Notwithstanding any provision of the District of Columbia Government
2089 Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et*
2090 *seq.*) (“CMPA”), or the rules issued pursuant to the CMPA, the Jobs for D.C. Residents
2091 Amendment Act of 2007, effective February 6, 2008 (D.C. Law 17-108; D.C. Official Code § 1-
2092 515.01 *et seq.*), or any other personnel law or rules, the Mayor may take the following personnel

2093 actions regarding executive branch subordinate agencies that the Mayor determines necessary
2094 and appropriate to address the emergency:

2095 “(A) Redeploying employees within or between agencies;

2096 “(B) Modifying employees’ tours of duty;

2097 “(C) Modifying employees’ places of duty;

2098 “(D) Mandating telework;

2099 “(E) Extending shifts and assigning additional shifts;

2100 “(F) Providing appropriate meals to employees required to work overtime
2101 or work without meal breaks;

2102 “(G) Assigning additional duties to employees;

2103 “(H) Extending existing terms of employees;

2104 “(I) Hiring new employees into the Career, Education, and Management
2105 Supervisory Services without competition;

2106 “(J) Eliminating any annuity offsets established by any law; or

2107 “(K) Denying leave or rescinding approval of previously approved leave.”.

2108 (b) Section 5a(d) (D.C. Official Code § 7-2304.01(d)) is amended as follows:

2109 (1) Paragraph (3) is amended by striking the phrase “solely for the duration of the
2110 public health emergency; and” and inserting the phrase “solely for actions taken during the
2111 public health emergency;” in its place.

2112 (2) Paragraph (4) is amended by striking the period at the end and inserting a
2113 semicolon in its place.

2114 (3) New paragraphs (5), (6), and (7) are added to read as follows:

2115 “(5) Waive application in the District of any law administered by the Department
2116 of Insurance, Securities, and Banking if doing so is reasonably calculated to protect the health,
2117 safety, and welfare of District residents;

2118 “(6) Authorize the use of crisis standards of care or modified means of delivery of
2119 health care services in scarce-resource situations; and

2120 “(7) Authorize the Department of Health to coordinate health-care delivery for
2121 first aid within the limits of individual licensure in shelters or facilities as provided in plans and
2122 protocols published by the Department of Health.”.

2123 (c) Section 7 (D.C. Official Code § 7-2306) is amended by adding a new subsection (c-1)
2124 to read as follows:

2125 “(c-1) Notwithstanding subsections (b) and (c) of this section, the Council
2126 authorizes the Mayor to extend the 15-day March 11, 2020, emergency executive order and
2127 public health emergency executive order (“emergency orders”) issued in response to the
2128 coronavirus (SARS CoV-2) for an additional 135-day period. After the additional 135-day
2129 extension authorized by this subsection, the Mayor may extend the emergency orders for
2130 additional 15-day periods pursuant to subsection (b) or (c) of this section.”.

2131 (d) Section 8 (D.C. Official Code § 7-2307) is amended as follows:

2132 (1) The existing text is designated as paragraph (1).

2133 (2) New paragraphs (2) and (3) are added to read as follows:

2134 “(2) The Mayor may revoke, suspend, or limit the license, permit, or certificate of
2135 occupancy of a person or entity that violates an emergency executive order.

2136 “(3) For the purposes of this section a violation of a rule, order, or other issuance
2137 issued under the authority of an emergency executive order shall constitute a violation of the
2138 emergency executive order.”.

2139 Sec. 508. Public benefits clarification and continued access.

2140 (a) The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C.
2141 Law 4-101; D.C. Official Code § 4-201.01 et seq.), is amended as follows:

2142 (1) Section 101 (D.C. Official Code § 4-201.01) is amended by adding a new
2143 paragraph (2A-i) to read as follows:

2144 “(2A-i) “COVID-19 relief” means any benefit in cash or in kind, including but not
2145 limited to pandemic Supplemental Nutrition Assistance Program benefits, Emergency
2146 Supplemental Nutrition Assistance Program benefits, and advance refund of tax credits, that are
2147 of a gain or benefit to a household and were received pursuant to federal or District relief
2148 provided in response to the COVID-19 Public Health Emergency of 2020. This term does not
2149 include COVID-19 related unemployment insurance benefits.”.

2150 (2) Section 505(4) (D.C. Official Code § 4-205.05(4)) is amended by striking the
2151 phrase “medical assistance” and inserting the phrase “medical assistance; COVID-19 relief;” in
2152 its place.

2153 (3) Section 533(b) (D.C. Official Code § 4-205.33(b)) is amended by adding a
2154 new paragraph (4) to read as follows:

2155 “(4) COVID-19 relief shall not be considered in determining eligibility for TANF
2156 and shall not be treated as a lump-sum payment or settlement under this act.”.

2157 (b) Notwithstanding any provision of District law, the Mayor may extend the eligibility
2158 period for individuals receiving benefits, extend the timeframe for determinations for new
2159 applicants, and take such other actions as the Mayor determines appropriate to support continuity
2160 of, and access to, any public benefit program, including the DC Healthcare Alliance and
2161 Immigrant Children’s program, Temporary Assistance for Needy Families, and Supplemental
2162 Nutritional Assistance Program, until 60 days after the end of a public health emergency
2163 declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act
2164 of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), as
2165 allowable under federal law.

2166 Sec. 509. Notice of modified staffing levels.

2167 Section 504(h-1)(1)(B) of the Health-Care and Community Residence Facility Hospice
2168 and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C.
2169 Official Code § 44-504(h-1)(1)(B)), is amended as follows:

2170 (a) Sub-subparagraph (i) is amended by striking the phrase “; and” and inserting a
2171 semicolon in its place.

2172 (b) Sub-subparagraph (ii) is amended by striking the semicolon and inserting the phrase
2173 “; and” in its place.

2174 (c) A new sub-subparagraph (iii) is added to read as follows:

2175 “(iii) Provide a written report of the staffing level to the Department of Health for
2176 each day that the facility is below the prescribed staffing level as a result of circumstances giving
2177 rise to a public health emergency during a period of time for which the Mayor has declared a
2178 public health emergency pursuant to section 5a of the District of Columbia Public Emergency
2179 Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

2180 Sec. 510. Not-for-Profit Hospital Corporation.

2181 Section 5115(l) of the Not-For-Profit Hospital Corporation Establishment Amendment
2182 Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 44-951.04(l)),
2183 is amended as follows:

2184 (a) Paragraph (1) is amended by striking the phrase “Subsections (a), (b),” and inserting
2185 the phrase “Except as provided in paragraph (1A), subsections (a), (b),” in its place.

2186 (b) A new paragraph (1A) is added to read as follows:

2187 “(1A) During the period of time for which the Mayor has declared a public health
2188 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,

2189 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), subsections (a),
2190 (b), (c), (d), (e), and (f) of this section shall expire if:

2191 “(A) By September 15, 2019, the Board does not adopt a revised budget
2192 for Fiscal Year 2020 that has been certified by the Chief Financial Officer of the District of
2193 Columbia as being balanced with a District operating subsidy of \$22.14 million or less; or

2194 “(B) At any time after September 30, 2020, a District operating subsidy of
2195 more than \$15 million per year is required.”.

2196 Sec. 511. Discharge of Long-Term Care residents

2197 Section 301 of the Nursing Home and Community Residence Facilities Protection Act of
2198 1985, effective April 18, 1986 (D.C. Law 6-108; D.C. Official Code § 44-1003.01), is amended
2199 by adding a new subsection (c) to read as follows:

2200 “(c) During a period of time for which the Mayor has declared a public health emergency
2201 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2202 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), plus an additional 45
2203 days following the end of that period, a facility providing long-term care shall not involuntarily
2204 discharge a resident except because the discharge:

2205 “(1) Results from the completion of the resident’s skilled nursing or medical care;
2206 or

2207 “(2) Is essential to safeguard that resident or one or more other residents from
2208 physical injury.”.

2209 Sec. 512. Long-Term Care Facility reporting of positive cases.

2210 Each long-term care facility located in the District shall report daily to the Department of
2211 Health both the number of novel 2019 coronavirus (SARS-CoV-2) positive cases and the number
2212 of novel 2019 coronavirus (SARS-CoV-2)-related deaths for both employees and residents of the
2213 long-term care facility during the period of time for which the Mayor has declared a public
2214 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of
2215 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and for 60
2216 days thereafter.

2217 Sec. 513. Food access study.

2218 The Food Policy Council and Director Establishment Act of 2014, effective March 10,
2219 2015 (D.C. Law 20-191; D.C. Official Code § 48-311 *et seq.*), is amended by adding a new
2220 section 5a to read as follows:

2221 “Sec. 5a. Food access study.

2222 “By July 15, 2020, the Food Policy Director, in consultation with the Department of
2223 Employment Services, the Department of Human Services, the Homeland Security and
2224 Emergency Management Agency, and other District agencies, as needed, shall make publicly
2225 available a study that evaluates and makes recommendations regarding food access needs during
2226 and following the COVID-19 public health emergency, including:

2227 “(1) An analysis of current and projected food insecurity rates, based on data
2228 compiled across District agencies; and

2229 “(2) A plan for how to address food needs during and following the public health
2230 emergency.”.

2231 Sec. 514. Hospital support funding.

2232 (a) The Mayor may, notwithstanding the Grant Administration Act of 2013, effective
2233 December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), and in the Mayor’s
2234 sole discretion, issue a grant to an eligible hospital; provided, that the eligible hospital submits a
2235 grant application in the form and with the information required by the Mayor.

2236 (b) The amount of a grant issued to a hospital shall be based on:

2237 (1) An allocation formula based on the number of beds at the hospital; or

2238 (2) Such other method or formula, as established by the Mayor, that addresses the
2239 impacts of COVID-19 on hospitals.

2240 (c) A grant issued pursuant to this section may be expended by the hospital for:

2241 (1) Supplies and equipment related to the COVID-19 emergency, including
2242 personal protective equipment, sanitization and cleaning products, medical supplies and
2243 equipment, and testing supplies and equipment;

2244 (2) Personnel costs incurred to respond to the COVID-19 emergency, including
2245 the costs of contract staff; and

2246 (3) Costs of constructing and operating temporary structures to test individuals for
2247 COVID-19 or to treat patients with COVID-19.

2248 (d) The Mayor may issue one or more grants to a third-party grant-managing entity for
2249 the purpose of administering the grant program authorized by this section and making subgrants
2250 on behalf of the Mayor in accordance with the requirements of this section.

2251 (e) The Mayor shall maintain a list of all grants awarded pursuant to this section,
2252 identifying for each award the grant recipient, the date of award, intended use of the award, and
2253 the award amount. The Mayor shall publish the list online no later than July 1, 2020, or 30 days
2254 after the end of the COVID-19 emergency, whichever is earlier.

2255 (f) The Mayor, pursuant to section 105 of the District of Columbia Administrative
2256 Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505), may
2257 issue rules to implement the provisions of this section.

2258 (g) For the purposes of this section, the term:

2259 (1) "COVID-19" means the disease caused by the novel coronavirus SARS-CoV-
2260 2.

2261 (2) "COVID-19 emergency" means the emergencies declared in the Declaration
2262 of Public Emergency (Mayor's Order 2020-045) and the Declaration of Public Health
2263 Emergency (Mayor's Order 2020-046), declared on March 11, 2020, including any extension of
2264 those emergencies.

2265 (3) "Eligible hospital" means a non-profit or for-profit hospital located in the
2266 District.

2267 Sec. 515. Contractor reporting of positive cases.

2268 (a) A District government contractor or subcontractor shall immediately provide written
2269 notice to the District if it or its subcontractor learns, or has reason to believe, that a covered
2270 employee has come into contact with, had a high likelihood of coming into contact with, or has
2271 worked in close physical proximity to a covered individual.

2272 (b) Notices under subsection (a) shall be made to the District government's contracting
2273 officer and contract administrator, or, if a covered individual is in care or custody of the District,
2274 to the District agency authorized to receive personally identifiable information. The notices shall
2275 contain the following information:

2276 (1) The name, job title, and contact information of the covered employee;

2277 (2) The date on, and location at, which the covered employee was exposed, or
2278 suspected to have been exposed, to novel 2019 coronavirus (SARS-CoV-2), if known;

2279 (3) All of the covered employee's tour-of-duty locations or jobsite addresses and
2280 the employee's dates at such locations and addresses;

2281 (4) The names of all covered individuals with whom the covered employee is
2282 known to have come into contact, or had a high likelihood of coming in contact with, or was in
2283 close physical proximity to, while the covered employee performed any duty under the contract
2284 with the District; and

2285 (5) Any other information related to the covered employee that will enable the
2286 District to protect the health or safety of District residents, employees, or the general public.

2287 (c) A District government contractor or subcontractor shall immediately cease the on-site
2288 performance of a covered employee until such time as the covered employee no longer poses a
2289 health risk as determined in writing by a licensed health care provider. The District government
2290 contractor shall provide a written copy of the determination to the contract administrator and the
2291 contracting officer before the covered employee returns to his or her tour-of-duty location or
2292 jobsite address.

2293 (d) The District shall privately and securely maintain all personally identifiable
2294 information of covered employees and covered individuals and shall not disclose such
2295 information to a third party except as authorized or required by law. District contractors and
2296 subcontractors may submit notices pursuant to subsection (a) of this section and otherwise
2297 transmit personally-identifiable information electronically, provided that all personally-
2298 identifiable information be transmitted via a secure or otherwise encrypted data method.

2299 (e) For purposes of this section, the term:

2300 (1) "Covered employee" means an employee, volunteer, subcontractor, agent of a
2301 District government contractor or subcontractor that has provided any service under a District
2302 contract or subcontract and has

2303 (A) Tested positive for the novel coronavirus (SARS-CoV-2);

2304 (B) Is in quarantine or isolation due to exposure or suspected exposure to the
2305 novel coronavirus (SARS-CoV-2); or

2306 (C) Is exhibiting symptoms of COVID-19.

2307 (2) “Covered individual” means:

2308 (A) A District government employee, volunteer, or agent;

2309 (B) An individual in the care of the District, the contractor, or the

2310 subcontractor; and

2311 (C) A member of the public who interacted with, or was in close proximity

2312 to, a covered employee while the covered employee carried out performance under a District

2313 government contract or subcontract while the covered employee was at a District government

2314 facility or a facility maintained or served by the contractor or subcontractor under a District

2315 government contract or subcontract.

2316 (3) “COVID-19” means the disease caused by the novel 2019 coronavirus

2317 (SARS-CoV-2).

2318 (4) “District government facility” means a building or any part of a building that

2319 is owned, leased, or otherwise controlled by the District government.

2320 (5) “SARS-CoV-2” means the novel 2019 coronavirus.

2321 (f) This section shall apply to all District government contracts and subcontracts that

2322 were in effect on, or awarded after March 11, 2020, and shall remain in effect during the period

2323 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the

2324 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-

2325 194; D.C. Official Code § 7- 2304.01), and for 30 days thereafter.

2326

2327 **TITLE VI. EDUCATION**

2328 Sec. 601. Graduation requirements.

2329 Chapter 22 of Title 5-A of the District of Columbia Municipal Regulations (5-A DCMR §
2330 2201 *et seq.*) is amended as follows:

2331 (a) Section 2203.3(f) (5-A DCMR § 2203.3(f)) is amended by striking the phrase “shall
2332 be satisfactorily completed” and inserting the phrase “shall be satisfactorily completed; except,
2333 that this requirement shall be waived for a senior who otherwise would be eligible to graduate
2334 from high school in the District of Columbia in the 2019-20 school year” in its place.

2335 (b) Section 2299.1 (5-A DCMR § 2299.1) is amended by striking the phrase “one
2336 hundred and twenty (120) hours of classroom instruction over the course of an academic year”
2337 and inserting the phrase “one hundred and twenty (120) hours of classroom instruction over the
2338 course of an academic year; except, that following the Superintendent’s approval to grant an
2339 exception to the one hundred eighty (180) day instructional day requirement pursuant to 5A
2340 DCMR § 2100.3 for school year 2019-20, a Carnegie Unit may consist of fewer than one
2341 hundred and twenty (120) hours of classroom instruction over the course of the 2019-2020
2342 academic year for any course in which a student in grades 9-12 is enrolled” in its place.

2343 Sec. 602. Out of school time report waiver.

2344 Section 8 of the Office of Out of School Time Grants and Youth Outcomes Establishment
2345 Act of 2016, effective April 7, 2017 (D.C. Law 21-261; D.C. Official Code § 2-1555.07), is
2346 amended by adding a new subsection (c) to read as follows:

2347 “(c) During a period of time for which the Mayor has declared a public health emergency
2348 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2349 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), the Office of Out of
2350 School Time Grants and Youth Outcomes may waive the requirement to conduct an annual,
2351 community-wide needs assessment pursuant to subsection (a)(1) of this section.”.

2352 Sec. 603. Summer school attendance.

2353 Section 206 of the Student Promotion Act of 2013, effective February 22, 2014 (D.C.
2354 Law 20-84; D.C. Official Code § 38-781.05), is amended by adding a new subsection (c) to read
2355 as follows:

2356 “(c) The Chancellor shall have the authority to waive the requirements of subsection (a)
2357 of this section for any student who fails to meet the promotion criteria specified in the DCMR
2358 during a school year that includes a period of time for which the Mayor declared a public health
2359 emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
2360 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01).”.

2361 Sec. 604. Education research practice partnership review panel.

2362 Section 104(d)(2) of the District of Columbia Education Research Practice Partnership
2363 Establishment and Audit Act of 2018, effective March 28, 2019 (D.C. Law 22-268; D.C. Official
2364 Code § 38-785.03(d)(2)), is amended by striking the phrase “timely manner” and inserting the
2365 phrase “timely manner; except, that upon the declaration of a public health emergency pursuant
2366 to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17,

2367 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the meeting of the review panel shall
2368 be postponed until 7 business days following the end of the period of time for which the public
2369 health emergency was declared” in its place.

2370 Sec. 605. UDC Board of Trustees terms.

2371 Section 201 of the District of Columbia Public Postsecondary Education Reorganization
2372 Act, approved October 26, 1974 (88 Stat. 1424; D.C. Official Code § 38-1202.01), is amended as
2373 follows:

2374 (a) Subsections (d), (e), and (f) are amended to read as follows:

2375 “(d) All terms on the Board of Trustees shall begin on May 15 and shall end one or 5
2376 years thereafter on May 14. The student member elected pursuant to subsection (c)(2) of this
2377 section shall serve for a term of one year. All other members shall serve for a term of 5 years.
2378 Depending on the date of the individual’s election or appointment, a member of the Board of
2379 Trustees may not actually serve a full term.

2380 “(e) A member of the Board of Trustees who is elected as graduate member degree
2381 holder pursuant to subsection (c)(3) of this section may be re-elected to serve one additional
2382 term, after which he or she may not again be elected pursuant to subsection (c)(3) of this section
2383 until at least 5 years have passed following his or her last day of service on the Board.”.

2384 “(f) A member of the Board of Trustees who is appointed pursuant to subsection (c)(1) of
2385 this section may serve 3 full or partial terms consecutively. No member shall serve for more

than 15 consecutive years regardless of whether elected or appointed, and shall not serve thereafter until 5 years have passed following his or her last day of service on the Board.”.

Sec. 606. UDC fundraising match.

Section 4082(a) of the University of the District of Columbia Fundraising Match Act of 2019, effective September 11, 2019 (D.C. Law 23-16; 66 DCR 8621), is amended by striking the phrase “for every \$2 that UDC raises from private donations by April 1” and inserting the phrase “to match dollar-for-dollar the amount UDC raises from private donations by May 1” in its place.

TITLE VII. PUBLIC SAFETY AND JUSTICE

Sec. 701. Jail reporting.

Section 3022(c) of the Office of the Deputy Mayor for Public Safety and Justice Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 1-301.191(c)), is amended as follows:

(a) Paragraph (5)(B) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) Paragraph (6)(G)(viii) is amended by striking the period and inserting the phrase “; and” in its place.

(c) A new paragraph (7) is added to read as follows:

“(7) During a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,

2406 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), provide to the
2407 Council Committee with jurisdiction over the Office a weekly written update containing the
2408 following information:

2409 “(A) Unless otherwise distributed to the Chairperson of the Council
2410 Committee with jurisdiction over the Office by the Criminal Justice Coordinating Council, a
2411 daily census for that week of individuals detained in the Central Detention Facility and
2412 Correctional Treatment Facility, categorized by legal status;

2413 “(B) Any District of Columbia Government response to either the United
2414 States District Court for the District of Columbia or the Court-appointed inspectors regarding the
2415 implementation of the Court’s orders and resolution of the inspectors’ findings in the matter of
2416 Banks v. Booth (Civil Action No. 20-849), redacted for personally identifiable information; and

2417 “(C) A description of:

2418 “(i) All actions taken by the District Government to improve
2419 conditions of confinement in the Central Detention Facility and Correctional Treatment Facility,
2420 including by the Director of the Department of Youth and Rehabilitation Services, or Director’s
2421 designee; and

2422 “(ii) Without reference to personally identifiable information,
2423 COVID-19 testing of individuals detained in the Central Detention Facility and Correctional
2424 Treatment Facility, including whether and under what conditions the District is testing
2425 asymptomatic individuals.”.

2426 Sec. 702. Civil rights enforcement.

2427 The Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C.

2428 Official Code § 2-1401.01 *et seq.*), is amended by adding a new section 316a to read as follows:

2429 “Sec. 316a. Civil actions by the Attorney General.

2430 “During a period of time for which the Mayor has declared a public health emergency

2431 (“PHE”) pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,

2432 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), in a civil action

2433 initiated by the Attorney General for the District of Columbia (“Attorney General”) for

2434 violations of this act, or a civil action arising in connection with the PHE, other than an action

2435 brought pursuant to section 307:

2436 “(1) The Attorney General may obtain:

2437 “(A) Injunctive relief, as described in section 307;

2438 “(B) Civil penalties, up to the amounts described in section 313(a)(1)(E-

2439 1), for each action or practice in violation of this act, and, in the context of a discriminatory

2440 advertisement, for each day the advertisement was posted; and

2441 “(C) Any other form of relief described in section 313(a)(1); and

2442 “(2) The Attorney General may seek subpoenas for the production of documents

2443 and materials or for the attendance and testimony of witnesses under oath, or both, which shall

2444 contain the information described in section 110a(b) of the Attorney General for the District of

2445 Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015

2446 (D.C. Law 21-36; D.C. Official Code § 1-301.88d(b)) (“Act”), and shall follow the procedures
2447 described in section 110a(c), (d), and (e) of the Act (D.C. Official Code § 1-301.88d(c), (d), and
2448 (e)); provided, that the subpoenas are not directed to a District government official or entity.”.

2449 Sec. 703. FEMS reassignments.

2450 Section 212 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law
2451 2-38; D.C. Official Code § 2-1402.12), is amended by adding a new subsection (c) to read as
2452 follows:

2453 “(c) It shall not be an unlawful discriminatory practice for the Mayor to reassign
2454 personnel of the Fire and Emergency Medical Services Department from firefighting and
2455 emergency medical services operations during a period of time for which a public health
2456 emergency has been declared pursuant to section 5a of the District of Columbia Public
2457 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2458 2304.01), based upon the inability of the personnel to wear personal protective equipment in a
2459 manner consistent with medical and health guidelines.”.

2460 Sec. 704. Police Complaints Board investigation extension.

2461 Section 5(d-3) of the Office of Citizen Complaint Review Establishment Act of 1998,
2462 effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104(d-3)), is amended
2463 as follows:

2464 (a) Paragraph (1) is amended by striking the phrase “January 1, 2017, through December
2465 31, 2019” and inserting the phrase “August 1, 2019, through January 31, 2020” in its place.

(b) Paragraph (2) is amended by striking the date “April 30, 2021” and inserting the date “September 30, 2021” in its place.

Sec. 705. Extension of time for non-custodial arrestees to report.

Section 23-501(4) of the District of Columbia Official Code is amended by striking the period and inserting the phrase “, or within 90 days, if the non-custodial arrest was conducted during a period of time for which the Mayor has declared a public health emergency pursuant to § 7-2304.01.” in its place.

Sec. 706. Good time credits and compassionate release.

(a) Section 3c(c) of the District of Columbia Good Time Credits Act of 1986, effective May 17, 2011 (D.C. Law 18-732; D.C. Official Code § 24-221.01c(c)), is amended by striking the phrase “this section combined” and inserting the phrase “this section combined; except, that during a period for which a public health emergency has been declared pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the Department of Corrections shall have discretion to award additional credits beyond the limits described in this subsection to effectuate the immediate release of persons sentenced for misdemeanors, including pursuant to section 3 and this section, consistent with public safety.”.

(b) An Act To establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes, approved July 15, 1932 (47 Stat. 696; D.C. Official Code § 24-403 *et seq.*), is amended as follows:

2486 (1) A new section 3a-i is added to read as follows:

2487 “Sec. 3a-i. Good time credit for felony offenses committed before August 5, 2000.

2488 “(a)(1) Notwithstanding any other provision of law, a defendant who is serving a term of
2489 imprisonment for an offense committed between June 22, 1994, and August 4, 2000, shall be
2490 retroactively awarded good time credit toward the service of the defendant’s sentence of up to 54
2491 days for each year of the defendant’s sentence imposed by the court, subject to determination by
2492 the Bureau of Prisons that during those years the defendant has met the conditions provided in 18
2493 U.S.C. § 3624(b).

2494 “(2) An award of good time credit pursuant to paragraph (1) of this subsection
2495 shall apply to the minimum and maximum term of incarceration, including the mandatory
2496 minimum; provided, that in the event of a maximum term of life, only the minimum term shall
2497 receive good time.

2498 “(b)(1) Notwithstanding any other provision of law, a defendant who is serving a term of
2499 imprisonment for an offense committed before June 22, 1994, shall be retroactively awarded
2500 good time credit toward the service of the defendant’s sentence of up to 54 days for each year of
2501 the defendant’s sentence imposed by the court, subject to determination by the Bureau of Prisons
2502 that during those years the defendant has met the conditions provided in 18 U.S.C. § 3624(b).

2503 “(2) An award of good time credit pursuant to paragraph (1) of this subsection:

2504 “(A) Shall apply to any mandatory minimum term of incarceration; and

2505 “(B) Is not intended to modify how the defendant is awarded good time
2506 credit toward any portion of the sentence other than the mandatory minimum.”.

2507 (2) A new section 3d is added to read as follows:

2508 “Sec. 3d. Motions for compassionate release for individuals convicted of felony offenses.

2509 “(a) Notwithstanding any other provision of law, the court may modify a term of
2510 imprisonment imposed upon a defendant if it determines the defendant is not a danger to the
2511 safety of any other person or the community, pursuant to the factors to be considered in 18
2512 U.S.C. §§ 3142(g) and 3553(a) and evidence of the defendant's rehabilitation while incarcerated,
2513 and:

2514 “(1) The defendant has a terminal illness, which means a disease or condition with
2515 an end-of-life trajectory;

2516 “(2) The defendant is 60 years of age or older and has served at least 25 years in
2517 prison; or

2518 “(3) Other extraordinary and compelling reasons warrant such a modification,
2519 including:

2520 “(A) A debilitating medical condition involving an incurable, progressive
2521 illness, or a debilitating injury from which the defendant will not recover;

2522 “(B) Elderly age, defined as a defendant who is:

2523 “(i) 60 years of age or older;

2524 “(ii) Has served at least 20 years in prison or has served the greater
2525 of 10 years or 75% of their sentence; and

2526 “(iii) Suffers from a chronic or serious medical condition related to
2527 the aging process or that causes an acute vulnerability to severe medical complications or death
2528 as a result of COVID-19;

2529 “(C) Death or incapacitation of the family member caregiver of the
2530 defendant’s children; or

2531 “(D) Incapacitation of a spouse or a domestic partner when the defendant
2532 would be the only available caregiver for the spouse or domestic partner.

2533 “(b) Motions brought pursuant to this section may be brought by the United States
2534 Attorney’s Office for the District of Columbia, the Bureau of Prisons, the United States Parole
2535 Commission, or the defendant.

2536 “(c) Although a hearing is not required, to provide for timely review of a motion made
2537 pursuant to this section and at the request of counsel for the defendant, the court may waive the
2538 appearance of a defendant currently held in the custody of the Bureau of Prisons.”.

2539 Sec. 707. Healthcare provider liability.

2540 (a) Notwithstanding any provision of District law:

2541 (1) A healthcare provider, first responder, or volunteer who renders care or
2542 treatment to a potential, suspected, or diagnosed individual with COVID-19 shall be exempt

from liability in a civil action for damages resulting from such care or treatment of COVID-19,
or from any act or failure to act in providing or arranging medical treatment for COVID-19;

(2) A donor of time, professional services, equipment, or supplies for the benefit
of persons or entities providing care or treatment for COVID-19 to a suspected or diagnosed
individual with COVID-19, or care for the family members of such individuals for damages
resulting from such donation shall be exempt from liability in a civil action; and

(3) A contractor or subcontractor on a District government contract that has been
contracted to provide either health care services or human care services (consistent with section
104(37) to the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
371; D.C. Official Code § 2-351.04(37)) related to to the District government's COVID-19
response shall be exempt from liability in a civil action.

(b) The limitations on liability provided for by subsection (a) of this section apply to any
healthcare provider, first responder, volunteer, donor, or District government contractor or
subcontractor of a District government contractor ("provider"), including a party involved in the
healthcare process at the request of a health-care facility or the District government, and acting
within the scope of the provider's employment or organization's purpose, contractual or
voluntary service, or donation, even if outside the provider's professional scope of practice, state
of licensure, or with an expired license, who:

(1) Prescribes or dispenses medicines for off-label use to attempt to combat the
COVID-19 virus, in accordance with the Trickett Wendler, Frank Mongiello, Jordan McLinn,

2563 and Matthew Bellina Right to Try Act of 2017, approved May 30, 2018 (Pub. L. No. 115-176;
2564 132 Stat. 1372).

2565 (2) Provides direct or ancillary health-care services or health care products,
2566 including direct patient care, testing, equipment or supplies, consultations, triage services,
2567 resource teams, nutrition services, or physical, mental, and behavioral therapies; or

2568 (3) Utilizes equipment or supplies outside of the product's normal use for medical
2569 practice and the provision of health-care services to combat the COVID-19 virus;

2570 (c) The limitations on civil liability provided for by subsection (a) of this section shall not
2571 extend to:

2572 (1) Acts or omissions that constitute actual fraud, actual malice, recklessness,
2573 breach of contract, gross negligence, or willful misconduct; or

2574 (2) Acts or omissions unrelated to direct patient care; provided, that a contractor
2575 or subcontractor shall not be liable for damages for any act or omission alleged to have caused an
2576 individual to contract COVID-19.

2577 (d) The limitations on liability provided for by subsection (a) of this section extend to
2578 acts, omissions, and donations performed or made during a period of time for which the Mayor
2579 has declared a public health emergency pursuant to section 5a of the District of Columbia Public
2580 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
2581 2304.01), and to damages that ensue at any time from acts, omissions, and donations made
2582 during the emergency.

(e) A healthcare provider, first responder, or volunteer who renders care or treatment to a potential, suspected, or diagnosed individual with COVID-19 shall be exempt from criminal prosecution for any act or failure to act in providing or arranging medical treatment for COVID-19 during a public health emergency, if such action is made in good faith.

(f) The limitations on liability provided for by this section do not limit the applicability of other limitations on liability, including qualified and absolute immunity, that may otherwise apply to a person covered by this section.”.

TITLE VIII. GOVERNMENT OPERATIONS

Sec. 801. Board of Elections stipends.

Section 1108(c-1)(10) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.08(c-1)(10)), is amended by striking the phrase “Chairperson per year” and inserting the phrase “Chairperson per year; except, that for the remainder of 2020 following April 10, 2020, District of Columbia Board of Elections members shall be entitled to compensation at the hourly rate of \$40 while actually in the service of the board, not to exceed \$25,000 for each member per year and \$53,000 for the Chairperson per year” in its place.

2600 Sec. 802. Retirement Board Financial disclosure extension of time.

2601 (a) Section 161(a)(1) of the District of Columbia Retirement Reform Act, approved
2602 November 17, 1979 (93 Stat. 884; D.C. Official Code § 1-731(a)(1)), is amended by striking the
2603 phrase “April 30th” and inserting the phrase “July 30th” in its place.

2604 Sec. 803. Ethics and campaign finance.

2605 (a) The Government Ethics Act of 2011, effective April 27, 2012 (D.C. Law 19-124;
2606 D.C. Official Code § 1-1162.01 *et seq.*), is amended as follows:

2607 (1) Section 224 (D.C. Official Code § 1-1162.24) is amended by adding a new
2608 subsection (c-2) to read as follows:

2609 “(c-2) Notwithstanding any other provision of this section, in calendar year 2020, the
2610 Board may change the dates by which:

2611 “(1) Reports required by this section are to be filed; and

2612 “(2) The names of public officials are to be published pursuant to subsection (c-1)
2613 of this section.”.

2614 (2) Section 225 (D.C. Official Code § 1-1162.25) is amended by adding a new
2615 subsection (b-1) to read as follows:

2616 “(b-1) Notwithstanding any other provision of this section, in calendar year 2020, the
2617 Board may change the dates by which:

2618 “(1) Reports required by subsection (a) of this section are to be filed; and

2619 “(2) Reports filed pursuant to subsection (a) of this section shall be reviewed
2620 pursuant to subsection (b) of this section.”.

2621 (3) Section 230 (D.C. Official Code § 1-1162.30) is amended by adding a new
2622 subsection (a-1) to read as follows:

2623 “(a-1) Notwithstanding any other provision of this section, in calendar year 2020, the
2624 Board may change the dates by which reports required by subsection (a) of this section shall be
2625 filed.”.

2626 (b) The Campaign Finance Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C.
2627 Official Code § 1-1163.01 *et seq.*), is amended as follows:

2628 (1) Section 304(7A)(A) (D.C. Official Code § 1-1163.04(7A)(A)) is amended by
2629 striking the phrase “in person, although online materials may be used to supplement the training”
2630 and inserting the phrase “in person or online” in its place.

2631 (2) Section 332d (D.C. Official Code § 1-1163.32d) is amended by striking the
2632 phrase “5 days after” wherever it appears and inserting the phrase “5 business days after” in its
2633 place.

2634 (3) Section 332e(e) (D.C. Official Code § 1-1163.32e(e)) is amended by striking
2635 the phrase “Within 5 days after” and inserting the phrase “Within 5 business days after” in its
2636 place.

2637 Sec. 804. Election preparations.

2638 The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat.
2639 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

2640 (a) Section 2 (D.C. Official Code § 1-1001.02) is amended by adding a new paragraph
2641 (31) to read as follows:

2642 “(31) For the June 2, 2020, Primary Election and the June 16, 2020, Ward 2
2643 Special Election, the term “polling place” shall include Vote Centers operated by the Board
2644 throughout the District.”.

2645 (b) Section 5(a) (D.C. Official Code § 1-1001.05(a)) is amended as follows:

2646 (1) A new paragraph (9A) is added to read as follows:

2647 “(9A) For the June 2, 2020, Primary Election, mail every registered qualified
2648 elector an absentee ballot application and a postage-paid return envelope;”.

2649 (2) Paragraph (10A) is amended by striking the phrase “7th day after the election”
2650 and inserting the phrase “7th day after the election; provided, that for elections held in calendar
2651 year 2020, the Board shall accept absentee ballots postmarked or otherwise proven to have been
2652 sent on or before the day of the election, and received by the Board no later than the 10th day
2653 after the election” in its place.

2654 (c) Section 7 (D.C. Official Code § 1-1001.07) is amended as follows:

2655 (1) Subsection (d)(2) is amended as follows:

2656 (A) Subparagraph (C) is amended by striking the phrase “; and” and
2657 inserting a semicolon in its place.

2658 (B) Subparagraph (D) is amended by striking the period and inserting the
2659 phrase “; and” in its place.

2660 (C) A new subparagraph (E) is added to read as follows:

2661 “(E) For the June 2, 2020, Primary Election and the June 16, 2020, Ward 2
2662 Special Election, regularly promote the Board’s revised plans for those elections on the voter
2663 registration agencies’ social media platforms, including by providing information about how to
2664 register to vote and vote by mail.”.

2665 (2) Subsection (h) is amended by adding a new paragraph (4) to read as follows:

2666 “(4) The provisions of this subsection shall not apply to the June 2, 2020, Primary
2667 Election and the June 16, 2020, Ward 2 Special Election.”.

2668 (d) Section 8 (D.C. Official Code § 1-1001.08) is amended as follows:

2669 (1) Subsection (b) is amended by adding a new paragraph (3A) to read as follows:

2670 “(3A) For the November 3, 2020, general election:

2671 “(A) Petition sheets circulated in support of a candidate for elected office
2672 pursuant to this act may be electronically:

2673 “(i) Made available by the candidate to qualified petition
2674 circulators; and

2675 “(ii) Returned by qualified petition circulators to the candidate; and

2676 “(B) Signatures on such petition sheets shall not be invalidated because
2677 the signer was also the circulator of the same petition sheet on which the signature appears.”.

2678 (2) Subsection (j) is amended as follows:

2679 (A) Paragraph (1) is amended by striking the phrase “A duly” and
2680 inserting the phrase “Except as provided in paragraph (4) of this subsection, a duly” in its place.

2681 (B) A new paragraph (4) is added to read as follows:

2682 “(4) A duly qualified candidate for the following offices for the November 3,
2683 2020, general election may be nominated directly for election to such office by a petition that is
2684 filed with the Board not fewer than 90 days before the date of such General Election and signed
2685 by the number of voters duly registered under section 7 as follows:

2686 “(A) For Delegate or at-large member of the Council, 250 voters; and

2687 “(B) For member of the Council elected by ward, 150 voters who are
2688 registered in the ward from which the candidate seeks election.”.

2689 (3) Subsection (n) is amended as follows:

2690 (A) The existing text is designated as paragraph (1).

2691 (B) The newly designated paragraph (1) is amended by striking the phrase
2692 “Each candidate” and inserting the phrase “Except as provided in paragraph (2) of this
2693 subsection, each candidate” in its place.

2694 (C) A new paragraph (2) is added to read as follows:

2695 “(2) A duly qualified candidate for the following offices for the November 3,
2696 2020, general election may be nominated directly for election to such office by a petition that is
2697 filed with the Board not fewer than 90 days before the date of such General Election and signed
2698 by the number of voters duly registered under section 7 as follows:

2699 “(A) For member of the State Board of Education elected at-large, 150
2700 voters; and

2701 “(B) For member of the State Board of Education elected by ward, 50
2702 voters who are registered in the ward from which the candidate seeks election.”.

2703 (e) Section 16 (D.C. Official Code § 1-1001.16) is amended as follows:

2704 (1) Subsection (g) is amended by striking the phrase “white paper of good writing
2705 quality of the same size as the original or shall utilize the mobile application made available
2706 under section 5(a)(19). Each initiative or referendum petition sheet shall consist of one double-
2707 sided sheet providing numbered lines for 20 printed” and inserting the phrase “paper of good
2708 writing quality or shall utilize the mobile application made available under section 5(a)(19).
2709 Each initiative or referendum petition sheet shall consist of one sheet providing numbered lines
2710 for printed” in its place.

2711 (2) A new subsection (g-1) is added to read as follows:

2712 “(g-1) In calendar year 2020:

2713 “(1) Petition sheets of proposers may be electronically:

2714 “(A) Made available by the proposers to qualified petition circulators; and

2715 “(B) Returned by qualified petition circulators to the proposers; and

2716 “(2) Signatures on petition sheets of proposers shall not be invalidated because the
2717 signer was also the circulator of the same petition sheet on which the signature appears.”.

2718 Sec. 805. Absentee ballot request signature waiver.

2719 Section 720.7(h) of Title 3 of the District of Columbia Municipal Regulations (3 DCMR

2720 § 720.7(h)) is amended by striking the phrase “Voter’s signature” and inserting the phrase

2721 “Except for a request for an absentee ballot for the June 2, 2020, Primary Election or the June 16,

2722 2020, Ward 2 Special Election, voter’s signature” in its place.

2723 Sec. 806. Overseas ballot extension.

2724 Section 110 of the Uniform Military and Overseas Voters Act of 2012, effective June 5,

2725 2012 (D.C. Law 19-137; D.C. Official Code § 1-1061.10), is amended by striking the phrase

2726 “after the election;” and inserting the phrase “after the election; provided, that for elections held

2727 in calendar year 2020, the Board shall accept a military-overseas ballot postmarked or otherwise

2728 proven to have been sent on or before the day of the election, and received by the Board no later

2729 than the 10th day after the election;” in its place.

2730 Sec. 807. Remote notarizations.

2731 The Revised Uniform Law on Notarial Acts Act of 2018, effective December 4, 2018

2732 (D.C. Law 22-189; D.C. Official Code § 1-1231.01 et seq.), is amended as follows:

2733 (a) Section 2 (D.C. Official Code § 1-1231.01) is amended by adding a new paragraph

2734 (1A) to read as follows:

2735 “(1A) “Audio-video communication” means an electronic device or process that:

2736 “(A) Enables a notary public to view, in real time, an individual and to
2737 compare for consistency the information and photos on that individual’s government-issued
2738 identification; and

2739 “(B) Is specifically designed to facilitate remote notarizations.”.

2740 (b) Section 6 (D.C. Official Code § 1-1231.05) is amended to read as follows:

2741 (1) The existing text is designated as subsection (a).

2742 (2) A new subsection (b) is added to read as follows:

2743 “(b) Notwithstanding any provision of District law, during a period of time for which the
2744 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia
2745 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
2746 Code § 7-2304.01), the Mayor may authorize, without the personal appearance of the individual
2747 making the statement or executing the signature, notarial acts required or permitted under
2748 District law if:

2749 “(1) The notary public and the individual communicate with each other
2750 simultaneously by sight and sound using audio-video communication; and

2751 “(2) The notary public:

2752 “(A) Has notified the Mayor of the intention to perform notarial acts using
2753 audio-video communication and the identity of the audio-video communication the notary public
2754 intends to use;

2755 “(B) Has satisfactory evidence of the identity of the individual by means of:

2756 “(i) Personal knowledge or by the individual’s presentation of a

2757 current government-issued identification that contains the signature or photograph of the

2758 individual to the notary public during the video conference; or

2759 “(ii) A verification on oath or affirmation of a credible witness

2760 personally appearing before the officer and known to the officer or whom the officer can identify

2761 based on a current passport, driver's license, or government-issued nondriver identification card;

2762 “(C) Confirms that the individual made a statement or executed a signature

2763 on a document;

2764 “(D) Receives by electronic means a legible copy of the signed document

2765 directly from the individual immediately after it was signed;

2766 “(E) Upon receiving the signed document, immediately completes the

2767 notarization;

2768 “(F) Upon completing the notarization, immediately transmits by electronic

2769 means the notarized document to the individual;

2770 “(G) Creates, or directs another person to create, and retains an audio-visual

2771 recording of the performance of the notarial act; and

2772 “(H) Indicates on a certificate of the notarial act and in a journal that the

2773 individual was not in the physical presence of the notary public and that the notarial act was

2774 performed using audio-visual communication.”.

2775 (c) Section 10 (D.C. Official Code § 1-1231.09) is amended by adding a new subsection
2776 (d) to read as follows:

2777 “(d) Notwithstanding any provision of District law, during a period of time for which the
2778 Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia
2779 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
2780 Code § 7-2304.01), a notarial act shall be deemed to be performed in the District.”.

2781 Sec. 808. Freedom of Information Act.

2782 The Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96;
2783 D.C. Official Code § 2-531 *et seq.*), is amended as follows:

2784 (a) Section 202 (D.C. Official Code § 2-532) is amended as follows:

2785 (1) Subsection (c) is amended as follows:

2786 (A) Paragraph (1) is amended by striking the phrase “Sundays, and” and
2787 inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

2788 (B) Paragraph (2)(A) is amended by striking the phrase “Sundays, and”
2789 and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

2790 (2) Subsection (d)(1) is amended by striking the phrase “Sundays, and” both times
2791 it appears and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its place.

2792 (b) Section 207(a) (D.C. Official Code § 2-537(a)) is amended by striking the phrase
2793 “Sundays, and” and inserting the phrase “Sundays, days of a COVID-19 closure, and” in its
2794 place.

2795 (c) Section 209 (D.C. Official Code § 2-539) is amended by adding a new subsection (c)
2796 to read as follows:

2797 “(c) “COVID-19 closure” means:

2798 “(1) A period of time for which the Mayor has declared a public health emergency
2799 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2800 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01); or

2801 “(2) A period of time during which a public body is closed due to the COVID-19
2802 coronavirus disease, as determined by the personnel authority of the public body.”.

2803 Sec. 809. Open meetings.

2804 The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code
2805 § 2-571 *et seq.*), is amended as follows:

2806 (a) Section 405(a) (D.C. Official Code § 2-575(a)) is amended as follows:

2807 (1) Paragraph (2) is amended by striking the phrase “; or” and inserting a
2808 semicolon in its place.

2809 (2) Paragraph (3) is amended by striking the period and inserting the phrase “; or”
2810 in its place.

2811 (3) A new paragraph (4) is added to read as follows:

2812 “(4) During a period for which a public health emergency has been declared
2813 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
2814 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), the public body takes

2815 steps reasonably calculated to allow the public to view or hear the meeting while the meeting is
2816 taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably
2817 practicable.”.

2818 (b) Section 406 (D.C. Official Code § 2-576) is amended by adding a new paragraph (6)
2819 to read as follows:

2820 “(6) The public posting requirements of paragraph (2)(A) of this section shall not
2821 apply during a period for which a public health emergency has been declared pursuant to section
2822 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
2823 Law 14-194; D.C. Official Code § 7-2304.01).”.

2824 (c) Section 407(a)(1) (D.C. Official Code § 2-577(a)(1)) is amended by striking the
2825 phrase “attend the meeting;” and inserting the phrase “attend the meeting, or in the case of a
2826 meeting held during a period for which a public health emergency has been declared pursuant to
2827 section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002
2828 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), steps are taken that are reasonably
2829 calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if
2830 doing so is not technologically feasible, as soon thereafter as reasonably practicable.”.

2831 (d) Section 408(b) (D.C. Official Code § 2-578(b)) is amended by adding a new
2832 paragraph (3) to read as follows:

2833 “(3) The schedule provided in paragraphs (1) and (2) of this subsection shall be
2834 tolled during a period for which a public health emergency has been declared pursuant to section

2835 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
2836 Law 14-194; D.C. Official Code § 7-2304.01).”.

2837 Sec. 810. Electronic witnessing.

2838 (a) Title 16 of the District of Columbia Code is amended as follows:

2839 (1) Section 16-4802 is amended as follows:

2840 (A) New paragraphs (9A) and (9B) are added to read as follows:

2841 “(9A) “Electronic” means relating to technology having electrical, digital,
2842 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2843 “(9B) “Electronic presence” means when one or more witnesses are in a different
2844 physical location than the designator but can observe and communicate with the designator and
2845 one another to the same extent as if the witnesses and designator were physically present with
2846 one another.”.

2847 (B) New paragraphs (11A) and (11B) are added to read as follows:

2848 “(11A) “Record” means information that is inscribed on a tangible medium or that
2849 is stored in an electronic medium and is retrievable in perceivable form.

2850 “(11B) “Sign” means with present intent to authenticate or adopt a record to:

2851 “(A) Execute or adopt a tangible symbol; or

2852 “(B) Affix to or associate with the record an electronic signature.”.

2853 (2) Section 16-4803 is amended as follows:

2854 (A) Subsection (c) is amended by striking the phrase “the adult signs the
2855 designation in the presence of the designator” and inserting the phrase “the adult signs the
2856 designation in the presence or, during a period of time for which the Mayor has declared a public
2857 health emergency pursuant to § 7-2304.01, the electronic presence of the designator” in its place.

2858 (B) Subsection (d) is amended by striking the phrase “in the presence of 2
2859 witnesses” and inserting the phrase “in the presence or, during a period of time for which the
2860 Mayor has declared a public health emergency pursuant to § 7-2304.01, the electronic presence
2861 of 2 witnesses” in its place.

2862 (b) Title 21 of the District of Columbia Code is amended as follows:

2863 (1) Section 21-2011 is amended as follows:

2864 (A) New paragraphs (5B-i), (5B-ii) are added to read as follows:

2865 “(5B-i) “Electronic” means relating to technology having electrical, digital,
2866 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2867 “(5B-ii) “Electronic presence” means when one or more witnesses are in a
2868 different physical location than the signatory but can observe and communicate with the
2869 signatory and one another to the same extent as if the witnesses and signatory were physically
2870 present with one another.”.

2871 (B) New paragraphs (23A) and (23B) are added to read as follows:

2872 “(23A) “Record” means information that is inscribed on a tangible medium or that
2873 is stored in an electronic medium and is retrievable in perceivable form.

2874 “(23B) “Sign” means with present intent to authenticate or adopt a record to:

2875 “(A) Execute or adopt a tangible symbol; or

2876 “(B) Affix to or associate with the record an electronic signature.”.

2877 (2) Section 21-2043 is amended by adding a new subsection (c-1) to read as
2878 follows:

2879 “(c-1) With respect to witnesses referred to in subsection (c) of this section, witnesses
2880 must be in the presence or, during a period of time for which the Mayor has declared a public
2881 health emergency pursuant to § 7-2304.01, the electronic presence of the signatory.”.

2882 (3) Section 21-2202 is amended as follows:

2883 (A) New paragraphs (3A) and (3B) are added to read as follows:

2884 “(3A) “Electronic” means relating to technology having electrical, digital,
2885 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2886 “(3B) “Electronic presence” means when one or more witnesses are in a
2887 different physical location than the principal but can observe and communicate with the principal
2888 and one another to the same extent as if the witnesses and principal were physically present with
2889 one another.”.

2890 (B) A new paragraph (6B) is added to read as follows:

2891 “(6B) “Record” means information that is inscribed on a tangible medium or that
2892 is stored in an electronic medium and is retrievable in perceivable form.”.

2893 (C) A new paragraph (8) is added to read as follows:

2894 “(8) “Sign” means with present intent to authenticate or adopt a record to:

2895 “(A) Execute or adopt a tangible symbol; or

2896 “(B) Affix to or associate with the record an electronic signature.”.

2897 (4) Section 21-2205(c) is amended by striking the phrase “2 adult witnesses who
2898 affirm that the principal was of sound mind” and inserting the phrase “2 adult witnesses who, in
2899 the presence or, during a period of time for which the Mayor has declared a public health
2900 emergency pursuant to § 7-2304.01, the electronic presence of the principal, affirm that the
2901 principal was of sound mind” in its place.

2902 (5) Section 21-2210(c)) is amended is amended by striking the phrase “There
2903 shall be at least 1 witness present” and inserting the phrase “There shall be at least one witness
2904 present or, during a period of time for which the Mayor has declared a public health emergency
2905 pursuant to § 7-2304.01, electronically present” in its place.

2906 (c) Title III of the Disability Services Reform Amendment Act of 2018, effective May 5,
2907 2018 (D.C. Law 22-93; D.C. Official Code § 7-2131 et seq.), is amended as follows:

2908 (1) Section 301 (D.C. Official Code § 7-2131) is amended as follows:

2909 (A) New paragraphs (6A) and (6B) are added to read as follows:

2910 “(6A) “Electronic” means relating to technology having electrical, digital,
2911 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2912 “(6B) “Electronic presence” means when one or more witnesses are in a different
2913 physical location than the signatory but can observe and communicate with the signatory and one

2914 another to the same extent as if the witnesses and signatory were physically present with one
2915 another.”.

2916 (B) New paragraph (9A) and (9B) are added to read as follows:

2917 “(9A) “Record” means information that is inscribed on a tangible medium or that
2918 is stored in an electronic medium and is retrievable in perceivable form.

2919 “(9B) “Sign” means with present intent to authenticate or adopt a record to:

2920 “(A) Execute or adopt a tangible symbol; or

2921 “(B) Affix to or associate with the record an electronic signature.”.

2922 (2) Section 302 (D.C. Official Code § 7-2132) is amended by adding a
2923 new subsection (c-1) to read as follows:

2924 “(c-1) With respect to witnesses referred to in subsection (c) of this
2925 section, witnesses must be in the presence or, during a period of time for which the Mayor has
2926 declared a public health emergency pursuant to § 7-2304.01, the electronic presence of the
2927 signatory.”.

2928 Sec. 811. Electronic wills.

2929 Chapter 1 of Title 18 of the District of Columbia Official Code is amended as follows:

2930 (a) The table of contents is amended by adding a new section designation to read as
2931 follows:

2932 “18-813. Electronic wills.”.

2933 (b) Section 18-103(2) is amended by striking the phrase “in the presence of the testator”
2934 and inserting the phrase “in the presence or, during a period of time for which the Mayor has
2935 declared a public health emergency pursuant to § 7-2304.01, the electronic presence, as defined
2936 in § 18-813(a)(2), of the testator” in its place.

2937 (c) A new section 18-813 is added to read as follows:

2938 “§ 18-813. Electronic wills.

2939 “(a) Definitions.

2940 “For the purposes of this section, the term:

2941 “(1) “Electronic” means relating to technology having electrical, digital,
2942 magnetic, wireless, optical, electromagnetic, or similar capabilities.

2943 “(2) “Electronic presence” means when one or more witnesses are in a different
2944 physical location than the testator but can observe and communicate with the testator and one
2945 another to the same extent as if the witnesses and testator were physically present with one
2946 another.

2947 “(3) “Electronic will” means a will or codicil executed by electronic means.

2948 “(4) “Record” means information that is inscribed on a tangible medium or that is
2949 stored in an electronic medium and is retrievable in perceivable form.

2950 “(5) “Sign” means, with present intent to authenticate or adopt a record, to:

2951 “(A) Execute or adopt a tangible symbol; or

2952 “(B) Affix to or associate with the record an electronic signature.

2953 “(b)(1) A validly executed electronic will shall be a record that is:

2954 “(A) Readable as text at the time of signing pursuant to subparagraph (B)
2955 of this paragraph; and

2956 “(B) Signed:

2957 “(i) By the testator, or by another person in the testator’s physical
2958 presence and by the testator’s express direction; and

2959 “(ii) In the physical or electronic presence of the testator by at least
2960 2 credible witnesses, each of whom is physically located in the United States at the time of
2961 signing.

2962 “(2) In order for the electronic will to be admitted to the Probate Court, the
2963 testator, a witness to the will, or an attorney admitted to practice in the District of Columbia who
2964 supervised the execution of the electronic will shall certify a paper copy of the electronic will by
2965 affirming under penalty of perjury that:

2966 “(A) The paper copy of the electronic will is a complete, true, and accurate
2967 copy of the electronic will; and

2968 “(B) The conditions in paragraph (1) of this subsection were satisfied at
2969 the time the electronic will was signed.

2970 “(3) Except as provided in subsection (c) of this section, a certified paper copy of
2971 an electronic will shall be deemed to be the electronic will of the testator for all purposes under
2972 this title.

2973 “(c)(1) An electronic will may revoke all or part of a previous will or electronic will.

2974 “(2) An electronic will, or a part thereof, is revoked by:

2975 “(A) A subsequent will or electronic will that revokes the electronic will,
2976 or a part thereof, expressly or by inconsistency; or

2977 “(B) A direct physical act cancelling the electronic will, or a part thereof,
2978 with the intention of revoking it, by the testator or a person in the testator’s physical presence
2979 and by the testator’s express direction and consent.

2980 “(3) After it is revoked, an electronic will, or a part thereof, may not be revived
2981 other than by its re-execution, or by a codicil executed as provided in the case of wills or
2982 electronic wills, and then only to the extent to which an intention to revive is shown in the
2983 codicil.

2984 “(d) An electronic will not in compliance with subsection (b)(1) of this section is valid if
2985 executed in compliance with the law of the jurisdiction where the testator is:

2986 “(1) Physically located when the electronic will is signed; or

2987 “(2) Domiciled or resides when the electronic will is signed or when the testator
2988 dies.

2989 “(e) Except as otherwise provided in this section:

2990 “(1) An electronic will is a will for all purposes under the laws of the District of
2991 Columbia; and

2992 “(2) The laws of the District of Columbia applicable to wills and principles of
2993 equity apply to an electronic will.

2994 “(f) This section shall apply to electronic wills made during a period of
2995 time for which the Mayor has declared a public health emergency pursuant to § 7-2304.01.”.

2996 Sec. 812. Administrative hearings deadlines.

2997 Notwithstanding any provision of District law, but subject to applicable federal laws and
2998 regulations, during a period time for which the Mayor has declared a public health emergency
2999 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3000 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7- 2304.01), the 90-day time period to
3001 request a hearing shall be tolled:

3002 (1) To review an adverse action by the Mayor concerning any new application for
3003 public assistance or any application or request for a change in the amount, kind or conditions of
3004 public assistance, or a decision by the Mayor to terminate, reduce, or change the amount, kind, or
3005 conditions of public assistance benefits or to take other action adverse to the recipient pursuant to
3006 section 1009 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982
3007 (D.C. Law 4-101; D.C. Official Code § 4–210.09); or

3008 (2) To appeal an adverse decision listed in section 26(b) of the Homeless Services
3009 Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4–
3010 754.41(b)).

Sec. 813. Other boards and commissions.

Notwithstanding any provision of law, during a period time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01):

(1) Any requirement for a board, commission, or other public body to meet is waived, unless the Mayor determines that it is necessary or appropriate for the board, commission, or other public body to meet during the period of the public health emergency, in which case the Mayor may order the board, commission, or other public body to meet;

(2) Any vacancy that occurs on a board or commission shall not be considered a vacancy for the purposes of nominating a replacement; and

(3) The review period for nominations transmitted to the Council for approval or disapproval in accordance with section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(a)), shall be tolled.

TITLE IX. LEGISLATIVE BRANCH

Sec. 901. Council Rules.

The Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 23, Resolution of 2019, effective January 2, 2019 (Res. 23-1; 66 DCR 272), is amended as follows:

(a) Section 101(31) is amended by striking the phrase “in 2020.” and inserting the phrase “in 2020. For 2020, the summer recess shall be August 1st through September 7th.” in its place

(b) Section 367 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 23, Resolution of 2019, effective January 2, 2019 (Res. 23-1; 66 DCR 272), is amended by striking the phrase “remote voting or proxy shall” and inserting the phrase “proxy shall” in its place.

(c) Rule VI(c) of the Council of the District of Columbia, Code of Official Conduct, Council Period 23 is amended by adding a new paragraph (5) to read as follows:

“(5) Notwithstanding any other rule, during a period of time for which the Mayor has declared a public health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), a Councilmember may disseminate information about, and connect constituents with, services and offers, including from for-profit entities, that the Councilmember determines is in the public interest in light of the public health emergency.”.

(d) Rule X(f)(1)(C) of the Council of the District of Columbia, Code of Official Conduct, Council Period 23 is amended by striking the phrase “The proposed” and inserting the phrase “Unless the electronic newsletter exclusively contains information relating to a declared public health emergency, the proposed” in its place.

(e) The amendment, by act, of the Council’s

3049 Sec. 902. Grant budget modifications.

3050 (a) The Council approves the acceptance, obligation, and expenditure by the Mayor of the
3051 federal, private, and other grants related to the Declaration of Public Emergency (Mayor's Order
3052 2020-045) and the Declaration of Public Health Emergency (Mayor's Order 2020-046), both
3053 declared on March 11, 2020, submitted to the Council for approval and accompanied by a report
3054 by the Office of the Chief Financial Officer on or before March 17, 2020 pursuant to section
3055 446B(b)(1) of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat.
3056 2040; D.C. Official Code § 1-204.46b(b)(1)).

3057 (b) For purposes of section 446B(b)(1)(B) of the District of Columbia Home Rule Act,
3058 approved October 16, 2006 (120 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(B)), the
3059 Council shall be deemed to have reviewed and approved the acceptance, obligation, and
3060 expenditure of a grant related to the Declaration of Public Emergency (Mayor's Order 2020-045)
3061 and the Declaration of Public Health Emergency (Mayor's Order 2020-046), both declared on
3062 March 11, 2020, all or a portion of which is accepted, obligated, and expended for the purpose of
3063 addressing a public emergency, if:

3064 (1) No written notice of disapproval is filed with the Secretary to the Council
3065 within 2 business days of the receipt of the report from the Chief Financial Officer under section
3066 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120
3067 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)); or

3068 (2) Such a notice of disapproval is filed within such deadline, the Council does
3069 not by resolution disapprove the acceptance, obligation, or expenditure of the grant within 5
3070 calendar days of the initial receipt of the report from the Chief Financial Officer under section
3071 446B(b)(1)(A) of the District of Columbia Home Rule Act, approved October 16, 2006 (120
3072 Stat. 2040; D.C. Official Code § 1-204.46b(b)(1)(A)).

3073 Sec. 903. Budget submission requirements.

3074 The Fiscal Year 2021 Budget Submission Requirements Resolution of 2019, effective
3075 November 22, 2019 (Res. 23-268; 66 DCR 15372), is amended as follows:

3076 (a) Section 2 is amended by striking the phrase “not later than March 19, 2020,” and
3077 inserting the phrase “not later than May 18, 2020, unless another date is set by subsequent
3078 resolution of the Council” in its place.

3079 (b) Section 3(2) is amended as follows:

3080 (1) Subparagraph (A) is amended by striking the phrase “the proposed Fiscal Year
3081 2021 Local Budget Act of 2020,” and inserting the phrase “the proposed Fiscal Year 2021 Local
3082 Budget Act of 2020, the proposed Fiscal Year 2021 Local Budget Emergency Act of 2020, the
3083 proposed Fiscal Year 2021 Local Budget Temporary Act of 2020,” in its place.

3084 (2) Subparagraph (C) is amended by striking the phrase “produced from
3085 PeopleSoft on March 19, 2020” and inserting the phrase “produced from PeopleSoft on May 18,
3086 2020” in its place.

3087 Sec. 904. Tolling of matters transmitted to the Council.

3088 (a) Section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142;
3089 D.C. Official Code § 1-523.01), is amended as follows:

3090 (1) Subsection (c) is amended by striking the phrase “180 days,” and inserting the
3091 phrase “180 days, excluding days occurring during a period of time for which the Mayor has
3092 declared a public health emergency pursuant to section 5a of the District of Columbia Public
3093 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3094 2304.01),” in its place

3095 (2) Subsection (e) is amended by striking the phrase “excluding days of Council
3096 recess” and inserting the phrase “excluding days of Council recess and days occurring during a
3097 period of time for which the Mayor has declared a public health emergency pursuant to section
3098 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3099 Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3100 (3) Subsection (f) is amended by striking the phrase “Council shall have an
3101 additional 45 days, excluding days of Council recess,” and inserting the phrase “Council shall
3102 have an additional 45 days, excluding days of Council recess and days occurring during a period
3103 of time for which the Mayor has declared a public health emergency pursuant to section 5a of the
3104 District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-
3105 194; D.C. Official Code § 7-2304.01),” in its place.

3106 (b) Notwithstanding any provision of law, during a period time for which the Mayor has
3107 declared a public health emergency pursuant to section 5a of the District of Columbia Public
3108 Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-
3109 2304.01), the review period for any matter transmitted to the Council for approval or
3110 disapproval, other than nominations transmitted in accordance with section 2 of the Confirmation
3111 Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), contract
3112 approvals, or reprogrammings transmitted in accordance with section 4 of the Reprogramming
3113 Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Official Code § 47-
3114 363), shall be tolled if not inconsistent with the District of Columbia Home Rule Act, approved
3115 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3116 Sec. 905. Advisory Neighborhood Commissions.

3117 The Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C.
3118 Law 1-58; D.C. Official Code § 1-309.01 *et seq.*), is amended as follows:

3119 (a) Section 6(b) (D.C. Official Code § 1-309.05(b)) is amended as follows:

3120 (1) Paragraph (1) is amended by striking the phrase “Candidates for” and inserting
3121 the phrase “Except as provided in paragraph (3) of this subsection, candidates for” in its place.

3122 (2) A new paragraph (3) is added to read as follows:

3123 “(3) For the November 3, 2020, general election:

3124 “(A) Candidates for member of an Advisory Neighborhood Commission
3125 shall be nominated by a petition signed by not fewer than 10 registered qualified electors who are
3126 residents of the single-member district from which the candidate seeks election;

3127 “(B) The petitions of a candidate in subparagraph (A) of this paragraph
3128 may be electronically:

3129 “(i) Made available by the candidate to a qualified petition
3130 circulator; and

3131 “(ii) Returned by a qualified petition circulator to the candidate;
3132 and

3133 “(C) Signatures on a candidate’s petitions shall not be invalidated
3134 because the signer was also the circulator of the same petition on which the signature appears.”.

3135 (b) Section 8(d) (D.C. Official Code § 1-309.06(d)) is amended as follows:

3136 (1) Paragraph (1) is amended by striking the phrase “prior to a general election”
3137 both times it appears and inserting the phrase “prior to a general election or during a period of
3138 time for which a public health emergency has been declared by the Mayor pursuant to section 5a
3139 of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3140 Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3141 (2) Paragraph (6) is amended as follows:

3142 (A) Subparagraph (A) is amended by striking the phrase “and legal
3143 holidays” and inserting the phrase “legal holidays, and days during a period of time for which a

3144 public health emergency has been declared by the Mayor pursuant to section 5a of the District of
3145 Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C.
3146 Official Code § 7-2304.01)” in its place.

3147 (B) Subparagraph (C) is amended by striking the phrase “petitions
3148 available,” and inserting the phrase “petitions available, not including days during a period of
3149 time for which a public health emergency has been declared by the Mayor pursuant to section 5a
3150 of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C.
3151 Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3152 (C) Subparagraph (E) is amended by striking the phrase “or special
3153 meeting” and inserting the phrase “or special meeting, not to include a remote meeting held
3154 during a period of time for which a public health emergency has been declared by the Mayor
3155 pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective
3156 October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01),” in its place.

3157 (c) Section 13 (D.C. Official Code § 1-309.10) is amended by adding a new subsection
3158 (q) to read as follows:

3159 “(q) During a period of time for which a public health emergency has been declared by
3160 the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
3161 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01):

3162 “(1) The 30-day written notice requirement set forth in subsection (b) of this
3163 section shall be a 51-day written notice requirement; and

“(2) The 45-calendar-day notice requirement set forth in subsection (c)(2)(A) of this section shall be a 66-calendar-day notice requirement.”

(d) Section 14(b) (D.C. Official Code § 1-309.11(b)), is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “by the Commission.” and inserting the phrase “by the Commission; provided, that no meetings shall be required to be held during a period for which a public health emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), and the number of meetings required to be held in a given year shall be reduced by one for every 30 days that a public health emergency is in effect during the year.”.

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

“(1B) Notwithstanding any other provision of law, during a period for which a public health emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), an Advisory Neighborhood Commissioner may call a meeting and remotely participate in that meeting and vote on matters before the Commission without being physically present through a teleconference or through digital means identified by the Commission for this purpose. Members physically or remotely present shall be counted for determination of a quorum.”.

(e) Section 16 (D.C. Official Code § 1-309.13) is amended as follows:

3184 (1) Subsection (j)(3) is amended by adding a new subparagraph (C) to read as
3185 follows:

3186 “(C) Sub-subparagraph (i) of subparagraph (A) of this paragraph shall not
3187 apply to the failure to file quarterly reports due during a period of time for which a public health
3188 emergency has been declared by the Mayor pursuant to section 5a of the District of Columbia
3189 Public Emergency Act of 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official
3190 Code § 7-2304.01).”.

3191 (2) Subsection (m)(1) is amended by striking the phrase “District government”
3192 and inserting the phrase “District government; except, that notwithstanding any provision of
3193 District law, during a period for which a public health emergency has been declared by the
3194 Mayor pursuant to section 5a of the District of Columbia Public Emergency Act of 1980,
3195 effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), a Commission
3196 may approve grants to organizations for the purpose of providing humanitarian relief, including
3197 food or supplies, during the public health emergency, or otherwise assisting in the response to
3198 the public health emergency anywhere in the District, even if those services are duplicative of
3199 services also performed by the District government” in its place.

3200

3201 **TITLE X. BORROWING AUTHORITY**

SUBTITLE A. GENERAL OBLIGATION NOTES

Sec. 1001. Short title.

This subtitle may be cited as the “Fiscal Year 2020 General Obligation Notes Temporary Act of 2020”.

Sec. 1002. Definitions.

For the purposes of this subtitle, the term:

(1) “Additional Notes” means District general obligation notes described in section 609 that may be issued pursuant to section 471 of the Home Rule Act (D.C. Official Code § 1-204.71), and that will mature on or before September 30, 2021, on a parity with the notes.

(2) “Authorized delegate” means the City Administrator, the Chief Financial Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor’s functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

(3) “Available funds” means District funds required to be deposited with the Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

(4) “Bond Counsel” means a firm or firms of attorneys designated as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

(5) “Chief Financial Officer” means the Chief Financial Officer established pursuant to section 424(a)(1) of the Home Rule Act (D.C. Official Code § 1-204.24a(a)).

3221 (6) "City Administrator" means the City Administrator established pursuant to
3222 section 422(7) of the Home Rule Act (D.C. Official Code § 1-204.22(7)).

3223 (7) "Council" means the Council of the District of Columbia.

3224 (8) "District" means the District of Columbia.

3225 (9) "Escrow Agent" means any bank, trust company, or national banking
3226 association with requisite trust powers designated to serve in this capacity by the Chief Financial
3227 Officer.

3228 (10) "Escrow Agreement" means the escrow agreement between the District and
3229 the Escrow Agent authorized in section 607.

3230 (11) "Home Rule Act" means the District of Columbia Home Rule Act, approved
3231 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3232 (12) "Mayor" means the Mayor of the District of Columbia.

3233 (13) "Notes" means one or more series of District general obligation notes
3234 authorized to be issued pursuant to this subtitle.

3235 (14) "Receipts" means all funds received by the District from any source,
3236 including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys
3237 advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds
3238 that are pledged to debt or other obligations according to section 609 or that are restricted by law
3239 to uses other than payment of principal of, and interest on, the notes.

3240 (15) "Secretary" means the Secretary of the District of Columbia.

3241 (16) "Treasurer" means the District of Columbia Treasurer established pursuant to
3242 section 424(a)(3)(E) of the Home Rule Act (D.C. Official Code § 1-204.24a(c)(5)).

3243 Sec. 1003. Findings.

3244 The Council finds that:

3245 (1) Under section 471 of the Home Rule Act (D.C. Official Code § 1-204.71),
3246 the Council may authorize, by act, the issuance of general obligation notes for a fiscal year to
3247 meet appropriations for that fiscal year.

3248 (2) Under section 482 of the Home Rule Act (D.C. Official Code § 1-204.82),
3249 the full faith and credit of the District is pledged for the payment of the principal of, and interest
3250 on, any general obligation note.

3251 (3) Under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83),
3252 the Council is required to provide in the annual budget sufficient funds to pay the principal of,
3253 and interest on, all general obligation notes becoming due and payable during that fiscal year,
3254 and the Mayor is required to ensure that the principal of, and interest on, all general obligation
3255 notes is paid when due, including by paying the principal and interest from funds not otherwise
3256 legally committed.

3257 (4) The issuance of general obligation notes in a sum not to exceed
3258 \$300,000,000 is in the public interest.

3259 Sec. 1004. Note authorization.

3260 (a) The District is authorized to incur indebtedness, for operating or capital expenses, by
3261 issuing the notes pursuant to sections 471 and 482 of the Home Rule Act (D.C. Official Code §§
3262 1-204.71 and 1-204.82), in one or more series, in a sum not to exceed \$300,000,000, to meet
3263 appropriations for the fiscal year ending September 30, 2020.

3264 (b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the
3265 costs and expenses of issuing and delivering the notes, including, but not limited to,
3266 underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement,
3267 marketing and selling the notes, interest or credit fees, and printing costs and expenses.

3268 Sec. 1005. Note details.

3269 (a) The notes shall be known as “District of Columbia Fiscal Year 2020 General
3270 Obligation Notes” and shall be due and payable, as to both principal and interest, on or before
3271 September 30, 2021.

3272 (b) The Chief Financial Officer is authorized to take any action necessary or appropriate
3273 in accordance with this subtitle in connection with the preparation, execution, issuance, sale,
3274 delivery, security for, and payment of the notes, including, but not limited to, determinations of:

3275 (1) The final form, content, designation, and terms of the notes, including
3276 any redemptions applicable thereto and a determination that the notes may be issued in book-
3277 entry form;

3278 (2) Provisions for the transfer and exchange of the notes;

- 3279 (3) The principal amount of the notes to be issued;
- 3280 (4) The rate or rates of interest or the method of determining the rate or rates of
- 3281 interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall
- 3282 not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days
- 3283 elapsed); provided, further, that if the notes are not paid at maturity, the notes may provide for an
- 3284 interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the
- 3285 basis of a 365-day year (actual days elapsed);
- 3286 (5) The date or dates of issuance, sale, and delivery of the notes;
- 3287 (6) The place or places of payment of principal of, and interest on, the notes;
- 3288 (7) The designation of a registrar, if appropriate, for any series of the notes, and
- 3289 the execution and delivery of any necessary agreements relating to the designation;
- 3290 (8) The designation of paying agent(s) or escrow agent(s) for any series of the
- 3291 notes, and the execution and delivery of any necessary agreements relating to such designations;
- 3292 and
- 3293 (9) Provisions concerning the replacement of mutilated, lost, stolen, or destroyed
- 3294 notes.
- 3295 (c) The notes shall be executed in the name of the District and on its behalf by the
- 3296 signature, manual or facsimile, of the Mayor or an authorized delegate. The official seal of the
- 3297 District or a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a
- 3298 registrar is designated, the registrar shall authenticate each note by manual signature and

3299 maintain the books of registration for the payment of the principal of and interest on the notes
3300 and perform other ministerial responsibilities as specifically provided in its designation as
3301 registrar.

3302 (d) The notes may be issued at any time or from time to time in one or more
3303 issues and in one or more series.

3304 Sec. 1006. Sale of the notes.

3305 (a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract
3306 or at competitive sale pursuant to a bid form. The purchase contract or bid form shall contain the
3307 terms that the Chief Financial Officer considers necessary or appropriate to carry out the
3308 purposes of this subtitle. The Chief Financial Officer's execution and delivery of the purchase
3309 contract or bid form shall constitute conclusive evidence of the Chief Financial Officer's
3310 approval, on behalf of the District, of the final form and content of the notes. The Chief
3311 Financial Officer shall deliver the notes, on behalf of the District, to the purchasers upon
3312 receiving the purchase price provided in the purchase contract or bid form.

3313 (b) The Chief Financial Officer may execute, in connection with each sale of the notes,
3314 an offering document on behalf of the District, and may authorize the document's distribution in
3315 relation to the notes being sold.

3316 (c) The Chief Financial Officer shall take actions and execute and deliver agreements,
3317 documents, and instruments (including any amendment of or supplement to any such agreement,
3318 document, or instrument) in connection with any series of notes as required by or incidental to:

3319 (1) The issuance of the notes;

3320 (2) The establishment or preservation of the exclusion from gross income for

3321 federal income tax purposes of interest on the notes, if issued tax-exempt, and the exemption

3322 from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

3323 (3) The performance of any covenant contained in this subtitle, in any

3324 purchase contract for the notes, or in any escrow or other agreement for the security thereof;

3325 (4) The provision for securing the repayment of the notes by a letter or line of

3326 credit or other form of credit enhancement, and the repayment of advances under any such credit

3327 enhancement, including the evidencing of such a repayment obligation with a negotiable

3328 instrument with such terms as the Chief Financial Officer shall determine; or

3329 (5) The execution, delivery, and performance of the Escrow Agreement, a

3330 purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement

3331 relating to credit enhancement, if any, including any amendments of any of these agreements,

3332 documents, or instruments.

3333 (d) The notes shall not be issued until the Chief Financial Officer receives an approving

3334 opinion of Bond Counsel as to the validity of the notes and the exemption from the District

3335 income taxation of the interest on the notes (except estate, inheritance and gift taxes) and, if

3336 issued tax-exempt, the establishment or preservation of the exclusion from gross income for

3337 federal income tax purposes of the interest on the notes. .

3338 (e) The Chief Financial Officer shall execute a note issuance certificate evidencing the
3339 determinations and other actions taken by the Chief Financial Officer for each issue or series of
3340 the notes issued and shall designate in the note issuance certificate the date of the notes, the
3341 series designation, the aggregate principal amount to be issued, the authorized denominations of
3342 the notes, the sale price, and the interest rate or rates on the notes. The certificate shall be
3343 delivered at the time of delivery of the notes and shall be conclusive evidence of the actions
3344 taken as stated in the certificate. A copy of the certificates shall be filed with the Secretary to the
3345 Council not more than 3 days after the delivery of the notes covered by the certificate.

3346 Sec. 1007. Payment and security.

3347 (a) The full faith and credit of the District is pledged for the payment of the principal of,
3348 and interest on, the notes as they become due and payable through required sinking fund
3349 payments, redemptions, or otherwise.

3350 (b) The Council shall, in the full exercise of the authority granted in section 483 of the
3351 Home Rule Act (D.C. Official Code § 1-204.83) and under any other law, provide in each annual
3352 budget for a fiscal year of the District sufficient funds to pay the principal of, and interest on, the
3353 notes becoming due and payable for any reason during that fiscal year.

3354 (c) The Mayor shall, in the full exercise of the authority granted to the Mayor under the
3355 Home Rule Act and under any other law, take such actions as may be necessary or appropriate to
3356 ensure that the principal of, and interest on, the notes are paid when due for any reason, including

3357 the payment of principal and interest from any funds or accounts of the District not otherwise
3358 legally committed.

3359 (d) The notes shall evidence continuing obligations of the District until paid in
3360 accordance with their terms.

3361 (e) The funds for the payment of the notes as described in this subtitle shall be
3362 irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds
3363 shall be used for the payment of the principal of, and interest on, the notes when due, and shall
3364 not be used for other purposes so long as the notes are outstanding and unpaid.

3365 (f) The Chief Financial Officer may, without regard to any act or resolution of the
3366 Council now existing or adopted after the effective date of this subtitle, designate an Escrow
3367 Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the
3368 Escrow Agreement, on behalf of the District and in the Chief Financial Officer's official
3369 capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate
3370 to carry out the purposes of this subtitle. A special account entitled "Special Escrow for
3371 Payment of District of Columbia Fiscal Year 2020 General Obligation Notes" is created and
3372 shall be maintained by the Escrow Agent for the benefit of the owners of the notes as stated in
3373 the Escrow Agreement. Funds on deposit, including investment income, under the Escrow
3374 Agreement shall not be used for any purposes except for payment of the notes or, to the extent
3375 permitted by the Home Rule Act, to service any contract or other arrangement permitted under

3376 subsections (k) or (l) of this section, and may be invested only as provided in the Escrow
3377 Agreement.

3378 (g) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with
3379 the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued
3380 interest and premium, if any, received upon the sale of the notes.

3381 (h) The Chief Financial Officer shall set aside and deposit with the Escrow Agent funds
3382 in accordance with the Escrow Agreement at the time and in the amount as provided in the
3383 Escrow Agreement.

3384 (i) There are provided and approved for expenditure sums as may be necessary
3385 for making payments of the principal of, and interest on, the notes, and the provisions of the
3386 Fiscal Year 2020 Local Budget Act and Fiscal Year 2021 Local Budget Act, if enacted prior to
3387 the effective date of this subtitle, relating to borrowings are amended and supplemented
3388 accordingly by this section, as contemplated in section 483 of the Home Rule Act (D.C. Official
3389 Code § 1-204.83).

3390 (j) The notes shall be payable, as to both principal and interest, in lawful money of the
3391 United States of America in immediately available or same day funds at a bank or trust company
3392 acting as paying agent, and at not more than 2 co-paying agents that may be located outside the
3393 District. All of the paying agents shall be qualified to act as paying agents under the laws of the
3394 United States of America, of the District, or of the state in which they are located, and shall be

3395 designated by the Chief Financial Officer without regard to any other act or resolution of the
3396 Council now existing or adopted after the effective date of this subtitle.

3397 (k) In addition to the security available for the holders of the notes, the Chief Financial
3398 Officer is hereby authorized to enter into agreements, including any agreement calling for
3399 payments in excess of \$1,000,000 during Fiscal Year 2020, with a bank or other financial
3400 institution to provide a letter of credit, line of credit, or other form of credit enhancement to
3401 secure repayment of the notes when due. The obligation of the District to reimburse the bank or
3402 financial institution for any advances made under any such credit enhancement shall be a general
3403 obligation of the District until repaid and shall accrue interest at the rate of interest established by
3404 the Chief Financial Officer not in excess of 20% per year until paid.

3405 (l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
3406 371; D.C. Official Code § 2-351.01 *et seq.*), and subchapter III-A of Chapter 3 of Title 47 of the
3407 D.C. Official Code, shall not apply to any contract that the Chief Financial Officer may from
3408 time to time determine to be necessary or appropriate to place, in whole or in part, including:

- 3409 (1) An investment or obligation of the District as represented by the notes;
3410 (2) An investment or obligation or program of investment; or
3411 (3) A contract or contracts based on the interest rate, currency, cash flow, or other
3412 basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap
3413 agreements; currency swap agreements; insurance agreements; forward payment conversion
3414 agreements; futures; contracts providing for payments based on levels of, or changes in, interest

3415 rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a
3416 series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure,
3417 including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts
3418 or other arrangements also may be entered into by the District in connection with, or incidental
3419 to, entering into or maintaining any agreement that secures the notes. The contracts or other
3420 arrangements shall contain whatever payment, security, terms, and conditions as the Chief
3421 Financial Officer may consider appropriate and shall be entered into with whatever party or
3422 parties the Chief Financial Officer may select, after giving due consideration, where applicable,
3423 to the creditworthiness of the counterparty or counterparties including any rating by a nationally
3424 recognized rating agency or any other criteria as may be appropriate. In connection with, or
3425 incidental to, the issuance or holding of the notes, or entering into any contract or other
3426 arrangement referred to in this section, the District may enter into credit enhancement or
3427 liquidity agreements, with payment, interest rate, termination date, currency, security, default,
3428 remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds
3429 of the notes and any money set aside for payment of the notes or of any contract or other
3430 arrangement entered into pursuant to this section may be used to service any contract or other
3431 arrangement entered into pursuant to this section.

3432 Sec. 1008. Defeasance.

3433 (a) The notes shall no longer be considered outstanding and unpaid for the purpose of this
3434 subtitle and the Escrow Agreement, and the requirements of this subtitle and the Escrow
3435 Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

3436 (1) Deposits with an Escrow Agent, herein referred to as the “defeasance escrow
3437 agent,” in a separate defeasance escrow account, established and maintained by the Escrow
3438 Agent solely at the expense of the District and held in trust for the note owners, sufficient
3439 moneys or direct obligations of the United States, the principal of and interest on which, when
3440 due and payable, will provide sufficient moneys to pay when due the principal of, and interest
3441 payable at maturity on, all the notes; and

3442 (2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to
3443 apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

3444 (b) The defeasance escrow agent shall not invest the defeasance escrow account in any
3445 investment callable at the option of its issuer if the call could result in less-than-sufficient
3446 moneys being available for the purposes required by this section.

3447 (c) The moneys and direct obligations referred to in subsection (a)(1) of this section may
3448 include moneys or direct obligations of the United States of America held under the Escrow
3449 Agreement and transferred, at the written direction of the Chief Financial Officer, to the
3450 defeasance escrow account.

3451 (d) The defeasance escrow account specified in subsection (a) of this section may be
3452 established and maintained without regard to any limitations placed on these accounts by any act
3453 or resolution of the Council now existing or adopted after this subtitle becomes effective, except
3454 for this subtitle.

3455 Sec. 1009. Additional debt and other obligations.

3456 (a) The District reserves the right at any time to: borrow money or enter into
3457 other obligations to the full extent permitted by law; secure the borrowings or obligations by the
3458 pledge of its full faith and credit; secure the borrowings or obligations by any other security and
3459 pledges of funds as may be authorized by law; and issue bonds, notes, including Additional
3460 Notes, or other instruments to evidence the borrowings or obligations.

3461 (b)(1) The District may issue Additional Notes pursuant to section 471 of the Home Rule
3462 Act (D.C. Official Code § 1-204.71) that shall mature on or before September 30, 2021, and the
3463 District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other
3464 available funds for payment of the principal of, and the interest on, the Additional Notes issued
3465 pursuant to section 471 of the Home Rule Act (D.C. Official Code § 1-204.71) on a parity basis
3466 with the notes.

3467 (2) The receipts and available funds referred to in subsection (a) of this section
3468 shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home
3469 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
3470 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

3471 (3) Any covenants relating to any Additional Notes shall have equal standing and
3472 be on a parity with the covenants made for payment of the principal of, and the interest on, the
3473 notes.

3474 (4) If Additional Notes are issued pursuant to section 471 of the Home Rule Act
3475 (D.C. Official Code § 1-204.71), the provisions of section 607 shall apply to both the notes and
3476 the Additional Notes and increase the amounts required to be set aside and deposited with the
3477 Escrow Agent.

3478 (5) As a condition precedent to the issuance of any Additional Notes, the Chief
3479 Financial Officer shall deliver a signed certificate certifying that the District is in full compliance
3480 with all covenants and obligations under this subtitle and the Escrow Agreement.

3481 Sec. 1010. Tax matters.

3482 At the full discretion of the Chief Financial Officer, the notes authorized by this subtitle
3483 may be issued as federally taxable or tax-exempt. If issued as tax-exempt, the Chief Financial
3484 Officer shall take all actions necessary to be taken so that the interest on the notes will not be
3485 includable in gross income for federal income tax purposes.

3486 Sec. 1011. Contract.

3487 This subtitle shall constitute a contract between the District and the owners of the notes
3488 authorized by this subtitle. To the extent that any acts or resolutions of the Council may be in
3489 conflict with this subtitle, this subtitle shall be controlling.

3490 Sec. 1012. District officials.

3491 (a) The elected or appointed officials, officers, employees, or agents of the District shall
3492 not be liable personally for the payment of the notes or be subject to any personal liability by
3493 reason of the issuance of the notes.

3494 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
3495 any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding
3496 the fact that the official ceases to be that official before delivery of the notes.

3497 Sec. 1013. Authorized delegation of authority.

3498 To the extent permitted by the District and federal laws, the Mayor may delegate to the
3499 City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act
3500 authorized to be performed by the Mayor under this subtitle.

3501 Sec. 1014. Maintenance of documents.

3502 Copies of the notes and related documents shall be filed in the Office of the Secretary.

3503

3504 **SUBTITLE B. TRANS NOTES**

3505 Sec. 1021. Short title.

3506 This subtitle may be cited as the “Fiscal Year 2020 Tax Revenue Anticipation Notes
3507 Temporary Act of 2020”.

3508 Sec. 1022. Definitions.

3509 For the purposes of this subtitle, the term:

3510 (1) “Additional Notes” means District general obligation revenue anticipation
3511 notes described in section 629 that may be issued pursuant to section 472 of the Home Rule Act
3512 (D.C. Official Code § 1-204.72) and that will mature on or before September 30, 2020, on a
3513 parity with the notes.

3514 (2) “Authorized delegate” means the City Administrator, the Chief Financial
3515 Officer, or the Treasurer to whom the Mayor has delegated any of the Mayor’s functions under
3516 this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

3517 (3) “Available funds” means District funds required to be deposited with the
3518 Escrow Agent, receipts, and other District funds that are not otherwise legally committed.

3519 (4) “Bond Counsel” means a firm or firms of attorneys designated
3520 as bond counsel or co-bond counsel from time to time by the Chief Financial Officer.

3521 (5) “Chief Financial Officer” means the Chief Financial Officer established
3522 pursuant to section 424(a)(1) of the Home Rule Act (D.C. Official Code § 1-204.24a(a)).

3523 (6) “City Administrator” means the City Administrator established pursuant to
3524 section 422(7) of the Home Rule Act (D.C. Official Code § 1-204.22(7)).

3525 (7) “Council” means the Council of the District of Columbia.

3526 (8) “District” means the District of Columbia.

3527 (9) “Escrow Agent” means any bank, trust company, or national banking
3528 association with requisite trust powers designated to serve in this capacity by the Chief Financial
3529 Officer.

3530 (10) "Escrow Agreement" means the escrow agreement between the District and
3531 the Escrow Agent authorized in section 627.

3532 (11) "Home Rule Act" means the District of Columbia Home Rule Act, approved
3533 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*)

3534 (12) "Mayor" means the Mayor of the District of Columbia.

3535 (13) "Notes" means one or more series of District general obligation
3536 revenue anticipation notes authorized to be issued pursuant to this subtitle.

3537 (14) "Receipts" means all funds received by the District from any source,
3538 including, but not limited to, taxes, fees, charges, miscellaneous receipts, and any moneys
3539 advanced, loaned, or otherwise provided to the District by the United States Treasury, less funds
3540 that are pledged to debt or other obligations according to section 629 or that are restricted by law
3541 to uses other than payment of principal of, and interest on, the notes.

3542 (15) "Secretary" means the Secretary of the District of Columbia.

3543 (16) "Treasurer" means the District of Columbia Treasurer established pursuant to
3544 section 424(a)(3)(E) of the Home Rule Act (D.C. Official Code § 1-204.24a(c)(5)).

3545 Sec. 1023. Findings.

3546 The Council finds that:

3547 (1) Under section 472 of the Home Rule Act (D.C. Official Code § 1-204.72), the
3548 Council may authorize, by act, the issuance of general obligation revenue anticipation notes for a
3549 fiscal year in anticipation of the collection or receipt of revenues for that fiscal year. Section 472

3550 of the Home Rule Act (D.C. Official Code § 1-204.72) provides further that the total amount of
3551 general obligation revenue anticipation notes issued and outstanding at any time during a fiscal
3552 year shall not exceed 20% of the total anticipated revenue of the District for that fiscal year, as
3553 certified by the Mayor pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-
3554 204.72), as of a date not more than 15 days before each original issuance of the notes.

3555 (2) Under section 482 of the Home Rule Act (D.C. Official Code § 1-204.82), the
3556 full faith and credit of the District is pledged for the payment of the principal of, and interest on,
3557 any general obligation revenue anticipation note.

3558 (3) Under section 483 of the Home Rule Act (D.C. Official Code § 1-204.83), the
3559 Council is required to provide in the annual budget sufficient funds to pay the principal of, and
3560 interest on, all general obligation revenue anticipation notes becoming due and payable during
3561 that fiscal year, and the Mayor is required to ensure that the principal of, and
3562 interest on, all general obligation revenue anticipation notes is paid when due, including by
3563 paying the principal and interest from funds not otherwise legally committed.

3564 (4) The Chief Financial Officer has advised the Council that, based upon the
3565 Chief Financial Officer's projections of anticipated receipts and disbursements during the fiscal
3566 year ending September 30, 2020, it may be necessary for the District to borrow to a sum not to
3567 exceed \$200,000,000, an amount that does not exceed 20% of the total anticipated revenue of the
3568 District for such fiscal year, and to accomplish the borrowing by issuing general obligation
3569 revenue anticipation notes in one or more series.

(5) The issuance of general obligation revenue anticipation notes in a sum not to exceed \$200,000,000 is in the public interest.

Sec. 1024. Note authorization.

(a) The District is authorized to incur indebtedness by issuing the notes pursuant to sections 472 and 482 of the Home Rule Act (D.C. Official Code §§ 1-204.72 and 1-204.82), in one or more series, in a sum not to exceed \$200,000,000, to finance its general governmental expenses, including operating or capital expenses, in anticipation of the collection or receipt of revenues for the fiscal year ending September 30, 2020.

(b) The Chief Financial Officer is authorized to pay from the proceeds of the notes the costs and expenses of issuing and delivering the notes, including, but not limited to, underwriting, legal, accounting, financial advisory, note insurance or other credit enhancement, marketing and selling the notes, interest or credit fees, and printing costs and expenses.

Sec. 1025. Note details.

(a) The notes shall be known as “District of Columbia Fiscal Year 2020 General Obligation Tax Revenue Anticipation Notes” and shall be due and payable, as to both principal and interest, on or before September 30, 2020.

(b) The Chief Financial Officer is authorized to take any action necessary or appropriate in accordance with this subtitle in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the notes, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the notes, including

3590 any redemptions applicable thereto and a determination that the notes may be issued in book-
3591 entry form;

3592 (2) Provisions for the transfer and exchange of the notes;

3593 (3) The principal amount of the notes to be issued;

3594 (4) The rate or rates of interest or the method of determining the rate or rates of
3595 interest on the notes; provided, that the interest rate or rates borne by the notes of any series shall
3596 not exceed in the aggregate 10% per year calculated on the basis of a 365-day year (actual days
3597 elapsed); provided further, that if the notes are not paid at maturity, the notes may provide for an
3598 interest rate or rates after maturity not to exceed in the aggregate 15% per year calculated on the
3599 basis of a 365-day year (actual days elapsed);

3600 (5) The date or dates of issuance, sale, and delivery of the notes;

3601 (6) The place or places of payment of principal of, and interest on, the notes;

3602 (7) The designation of a registrar, if appropriate, for any series of the notes, and
3603 the execution and delivery of any necessary agreements relating to the designation;

3604 (8) The designation of paying agent(s) or escrow agent(s) for any series of the
3605 notes, and the execution and delivery of any necessary agreements relating to such designations;
3606 and

3607 (9) Provisions concerning the replacement of mutilated, lost, stolen, or destroyed
3608 notes.

3609 (c) The notes shall be executed in the name of the District and on its behalf by the manual
3610 or facsimile signature of the Mayor or an authorized delegate. The official seal of the District or
3611 a facsimile of it shall be impressed, printed, or otherwise reproduced on the notes. If a registrar
3612 is designated, the registrar shall authenticate each note by manual signature and maintain the
3613 books of registration for the payment of the principal of and interest on the notes and perform
3614 other ministerial responsibilities as specifically provided in its designation as registrar.

3615 (d) The notes may be issued at any time or from time to time in one or more
3616 issues and in one or more series.

3617 Sec. 1026. Sale of the notes.

3618 (a) The notes of any series shall be sold at negotiated sale pursuant to a purchase contract
3619 or at competitive sale pursuant to a bid form. The notes shall be sold at a price not less than par
3620 plus accrued interest from the date of the notes to the date of delivery thereof. The purchase
3621 contract or bid form shall contain the terms that the Chief Financial Officer considers necessary
3622 or appropriate to carry out the purposes of this subtitle. The Chief Financial Officer's execution
3623 and delivery of the purchase contract or bid form shall constitute conclusive evidence of the
3624 Chief Financial Officer's approval, on behalf of the District, of the final form and content of the
3625 notes. The Chief Financial Officer shall deliver the notes, on behalf of the District, to the
3626 purchasers upon receiving the purchase price provided in the purchase contract or bid form.

(b) The Chief Financial Officer may execute, in connection with each sale of the notes, an offering document on behalf of the District, and may authorize the document's distribution in relation to the notes being sold.

(c) The Chief Financial Officer shall take actions and execute and deliver agreements, documents, and instruments (including any amendment of or supplement to any such agreement, document, or instrument) in connection with any series of notes as required by or incidental to:

(1) The issuance of the notes;

(2) The establishment or preservation of the exclusion from gross income for federal income tax purposes of interest on the notes, if issued tax-exempt, and the exemption from District income taxation of interest on the notes (except estate, inheritance, and gift taxes);

(3) The performance of any covenant contained in this subtitle, in any purchase contract for the notes, or in any escrow or other agreement for the security thereof;

(4) The provision for securing the repayment of the notes by a letter or line of credit or other form of credit enhancement, and the repayment of advances under any such credit enhancement, including the evidencing of such a repayment obligation with a negotiable instrument with such terms as the Chief Financial Officer shall determine; or

(5) The execution, delivery, and performance of the Escrow Agreement, a purchase contract, or a bid form for the notes, a paying agent agreement, or an agreement relating to credit enhancement, if any, including any amendments of any of these agreements, documents, or instruments.

3647 (d) The notes shall not be issued until the Chief Financial Officer receives an approving
3648 opinion of Bond Counsel as to the validity of the notes and the exemption from the District
3649 income taxation of the interest on the notes (except estate, inheritance and gift taxes) and, if
3650 issued tax-exempt, the establishment or preservation of the exclusion from gross income for
3651 federal income tax purposes of the interest on the notes.

3652 (e) The Chief Financial Officer shall execute a note issuance certificate evidencing the
3653 determinations and other actions taken by the Chief Financial Officer for each issue or series of
3654 the notes issued and shall designate in the note issuance certificate the date of the notes, the
3655 series designation, the aggregate principal amount to be issued, the authorized denominations of
3656 the notes, the sale price, and the interest rate or rates on the notes. The Mayor shall certify in a
3657 separate certificate, not more than 15 days before each original issuance of a series, the total
3658 anticipated revenue of the District for the fiscal year ending September 30, 2020, and that the
3659 total amount of all general obligation revenue anticipation notes issued and outstanding at any
3660 time during the fiscal year will not exceed 20% of the total anticipated revenue of the District for
3661 the fiscal year. These certificates shall be delivered at the time of delivery of the notes and shall
3662 be conclusive evidence of the actions taken as stated in the certificates. A copy of each of the
3663 certificates shall be filed with the Secretary to the Council not more than 3 days after the delivery
3664 of the notes covered by the certificates.

3665 Sec. 1027. Payment and security.

3666 (a) The full faith and credit of the District is pledged for the payment of the principal of,
3667 and interest on, the notes when due.

3668 (b) The funds for the payment of the notes as described in this subtitle shall be
3669 irrevocably deposited with the Escrow Agent pursuant to the Escrow Agreement. The funds
3670 shall be used for the payment of the principal of, and interest on, the notes when due, and shall
3671 not be used for other purposes so long as the notes are outstanding and unpaid.

3672 (c) The notes shall be payable from available funds of the District, including, but not
3673 limited to, any moneys advanced, loaned, or otherwise provided to the District by the United
3674 States Treasury, and shall evidence continuing obligations of the District until paid in accordance
3675 with their terms.

3676 (d) The Chief Financial Officer may, without regard to any act or resolution of the
3677 Council now existing or adopted after the effective date of this subtitle, designate an Escrow
3678 Agent under the Escrow Agreement. The Chief Financial Officer may execute and deliver the
3679 Escrow Agreement, on behalf of the District and in the Chief Financial Officer's official
3680 capacity, containing the terms that the Chief Financial Officer considers necessary or appropriate
3681 to carry out the purposes of this subtitle. A special account entitled "Special Escrow for
3682 Payment of District of Columbia Fiscal Year 2020 General Obligation Tax Revenue Anticipation
3683 Notes" is created and shall be maintained by the Escrow Agent for the benefit of the owners of
3684 the notes as stated in the Escrow Agreement. Funds on deposit, including investment income,

3685 under the Escrow Agreement shall not be used for any purposes except for payment of the notes
3686 or, to the extent permitted by the Home Rule Act, to service any contract or other arrangement
3687 permitted under subsections (k) or (l) of this section, and may be invested only as provided in the
3688 Escrow Agreement.

3689 (e) Upon the sale and delivery of the notes, the Chief Financial Officer shall deposit with
3690 the Escrow Agent to be held and maintained as provided in the Escrow Agreement all accrued
3691 interest and premium, if any, received upon the sale of the notes.

3692 (f)(1) The Chief Financial Officer shall set aside and deposit with the Escrow Agent
3693 funds in accordance with the Escrow Agreement at the time and in the amount as provided in the
3694 Escrow Agreement.

3695 (2) If Additional Notes are issued pursuant to section 629(b), and if on the date set
3696 forth in the Escrow Agreement, the aggregate amount of principal and interest payable at
3697 maturity on the outstanding notes, including any Additional Notes, less all amounts on deposit,
3698 including investment income, under the Escrow Agreement exceeds 90% of the actual receipts of
3699 District taxes (other than special taxes or charges levied pursuant to section 481(a) of the Home
3700 Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes
3701 pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90)), for the period
3702 August 15, 2020, until September 30, 2020, beginning on the date set forth in the Escrow
3703 Agreement, the Chief Financial Officer shall promptly, upon receipt by the District, set aside and
3704 deposit with the Escrow Agent the receipts received by the District after the date set forth in the

3705 Escrow Agreement, until the aggregate amount of principal and interest payable at maturity on
3706 the outstanding notes, including any Additional Notes as described above, is less than 90% of
3707 actual receipts of District taxes (other than special taxes or charges levied pursuant to section
3708 481(a) of the Home Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to
3709 particular purposes pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-
3710 204.90)).

3711 (3) The District covenants that it shall levy, maintain, or enact taxes due and
3712 payable during August 1, 2020, through September 30, 2020, to provide for payment in full of
3713 the principal of, and interest on, the notes when due. The taxes referred to in this paragraph shall
3714 be separate from special taxes or charges levied pursuant to section 481(a) of the Home Rule Act
3715 (D.C. Official Code § 1-204.81(a)), or taxes, if any, dedicated to particular purposes pursuant to
3716 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

3717 (g) Before the 16th day of each month, beginning in August 2020, the Chief Financial
3718 Officer shall review the current monthly cash flow projections of the District, and if the Chief
3719 Financial Officer determines that the aggregate amount of principal and interest payable at
3720 maturity on the notes then outstanding, less any amounts and investment income on deposit
3721 under the Escrow Agreement, equals or exceeds 85% of the receipts estimated by the Chief
3722 Financial Officer to be received after such date by the District but before the maturity of the
3723 notes, then the Chief Financial Officer shall promptly, upon receipt by the District, set aside and
3724 deposit with the Escrow Agent the receipts received by the District on and after that date until

3725 the aggregate amount, including investment income, on deposit with the Escrow Agent equals or
3726 exceeds 100% of the aggregate amount of principal of and interest on the notes payable at their
3727 maturity.

3728 (h) The Chief Financial Officer shall, in the full exercise of the authority granted the
3729 Chief Financial Officer under the Home Rule Act and under any other law, take actions as may
3730 be necessary or appropriate to ensure that the principal of and interest on the notes are paid when
3731 due, including, but not limited to, seeking an advance or loan of moneys from the United States
3732 Treasury if available under then current law. This action shall include, without limitation, the
3733 deposit of available funds with the Escrow Agent as may be required under section 483 of the
3734 Home Rule Act (D.C. Official Code § 1-204.83), this subtitle, and the Escrow Agreement.
3735 Without limiting any obligations under this subtitle or the Escrow Agreement, the Chief
3736 Financial Officer reserves the right to deposit available funds with the Escrow Agent at his or her
3737 discretion.

3738 (i) There are provided and approved for expenditure sums as may be necessary
3739 for making payments of the principal of, and interest on, the notes, and the provisions of the
3740 Fiscal Year 2020 Local Budget Act relating to borrowings are amended and supplemented
3741 accordingly by this section, as contemplated in section 483 of the Home Rule Act (D.C. Official
3742 Code § 1-204.83)).

3743 (j) The notes shall be payable, as to both principal and interest, in lawful money of the
3744 United States of America in immediately available or same day funds at a bank or trust company

3745 acting as paying agent, and at not more than 2 co-paying agents that may be located outside the
3746 District. All of the paying agents shall be qualified to act as paying agents under the laws of the
3747 United States of America, of the District, or of the state in which they are located, and shall be
3748 designated by the Chief Financial Officer without regard to any other act or resolution of the
3749 Council now existing or adopted after the effective date of this subtitle.

3750 (k) In addition to the security available for the holders of the notes, the Chief Financial
3751 Officer is hereby authorized to enter into agreements, including any agreement calling for
3752 payments in excess of \$1,000,000 during Fiscal Year 2020, with a bank or other financial
3753 institution to provide a letter of credit, line of credit, or other form of credit enhancement to
3754 secure repayment of the notes when due. The obligation of the District to reimburse the bank or
3755 financial institution for any advances made under any such credit enhancement shall be a general
3756 obligation of the District until repaid and shall accrue interest at the rate of interest established by
3757 the Chief Financial Officer not in excess of 15% per year until paid.

3758 (l) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-
3759 371; D.C. Official Code § 2-351.01 *et seq.*), and subchapter III-A of Chapter 3 of Title 47 of the
3760 D.C. Official Code, shall not apply to any contract that the Chief Financial Officer may from
3761 time to time determine to be necessary or appropriate to place, in whole or in part, including:

3762 (1) An investment or obligation of the District as represented by the notes;

3763 (2) An investment or obligation or program of investment; or

3764 (3) A contract or contracts based on the interest rate, currency, cash flow, or other
3765 basis as the Chief Financial Officer may desire, including, without limitation, interest rate swap
3766 agreements; currency swap agreements; insurance agreements; forward payment conversion
3767 agreements; futures; contracts providing for payments based on levels of, or changes in, interest
3768 rates, currency exchange rates, or stock or other indices; contracts to exchange cash flows or a
3769 series of payments; and contracts to hedge payment, currency, rate, spread, or similar exposure,
3770 including, without limitation, interest rate floors, or caps, options, puts, and calls. The contracts
3771 or other arrangements also may be entered into by the District in connection with, or incidental
3772 to, entering into or maintaining any agreement that secures the notes. The contracts or other
3773 arrangements shall contain whatever payment, security, terms, and conditions as the Chief
3774 Financial Officer may consider appropriate and shall be entered into with whatever party or
3775 parties the Chief Financial Officer may select, after giving due consideration, where applicable,
3776 to the creditworthiness of the counterparty or counterparties including any rating by a nationally
3777 recognized rating agency or any other criteria as may be appropriate. In connection with, or
3778 incidental to, the issuance or holding of the notes, or entering into any contract or other
3779 arrangement referred to in this section, the District may enter into credit enhancement or
3780 liquidity agreements, with payment, interest rate, termination date, currency, security, default,
3781 remedy, and any other terms and conditions as the Chief Financial Officer determines. Proceeds
3782 of the notes and any money set aside for payment of the notes or of any contract or other

3783 arrangement entered into pursuant to this section may be used to service any contract or other
3784 arrangement entered into pursuant to this section.

3785 Sec. 1028. Defeasance.

3786 (a) The notes shall no longer be considered outstanding and unpaid for the purpose of this
3787 subtitle and the Escrow Agreement, and the requirements of this subtitle and the Escrow
3788 Agreement shall be deemed discharged with respect to the notes, if the Chief Financial Officer:

3789 (1) Deposits with an Escrow Agent, herein referred to as the “defeasance escrow
3790 agent,” in a separate defeasance escrow account, established and maintained by the Escrow
3791 Agent solely at the expense of the District and held in trust for the note owners, sufficient
3792 moneys or direct obligations of the United States, the principal of and interest on which, when
3793 due and payable, will provide sufficient moneys to pay when due the principal of, and interest
3794 payable at maturity on, all the notes; and

3795 (2) Delivers to the defeasance escrow agent an irrevocable letter of instruction to
3796 apply the moneys or proceeds of the investments to the payment of the notes at their maturity.

3797 (b) The defeasance escrow agent shall not invest the defeasance escrow account in any
3798 investment callable at the option of its issuer if the call could result in less than sufficient moneys
3799 being available for the purposes required by this section.

3800 (c) The moneys and direct obligations referred to in subsection (a)(1) of this section may
3801 include moneys or direct obligations of the United States of America held under the Escrow

3802 Agreement and transferred, at the written direction of the Chief Financial Officer, to the
3803 defeasance escrow account.

3804 (d) The defeasance escrow account specified in subsection (a) of this section may be
3805 established and maintained without regard to any limitations placed on these accounts by any act
3806 or resolution of the Council now existing or adopted after this subtitle becomes effective, except
3807 for this subtitle.

3808 Sec. 1029. Additional debt and other obligations.

3809 (a) The District reserves the right at any time to: borrow money or enter into
3810 other obligations to the full extent permitted by law; secure the borrowings or obligations by the
3811 pledge of its full faith and credit; secure the borrowings or obligations by any other security and
3812 pledges of funds as may be authorized by law; and issue bonds, notes, including Additional
3813 Notes, or other instruments to evidence the borrowings or obligations.

3814 (b)(1) The District may issue Additional Notes pursuant to section 472 of the Home Rule
3815 Act (D.C. Official Code § 1-204.72) that shall mature on or before September 30, 2020, and the
3816 District shall covenant to set aside and deposit under the Escrow Agreement, receipts and other
3817 available funds for payment of the principal of, and the interest on, the Additional Notes issued
3818 pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-204.72) on a parity basis
3819 with the notes.

3820 (2) The receipts and available funds referred to in subsection (a) of this section
3821 shall be separate from the special taxes or charges levied pursuant to section 481(a) of the Home

Rule Act (D.C. Official Code § 1-204.81(a)), and taxes, if any, dedicated to particular purposes pursuant to section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

(3) Any covenants relating to any Additional Notes shall have equal standing and be on a parity with the covenants made for payment of the principal of, and the interest on, the notes.

(4) If Additional Notes are issued pursuant to section 472 of the Home Rule Act (D.C. Official Code § 1-204.72), the provisions of section 627 shall apply to both the notes and the Additional Notes and increase the amounts required to be set aside and deposited with the Escrow Agent.

(5) As a condition precedent to the issuance of any Additional Notes, the Chief Financial Officer shall deliver a signed certificate certifying that the District is in full compliance with all covenants and obligations under this subtitle and the Escrow Agreement, that no set-aside and deposit of receipts pursuant to section 627(g) applied as of the date of issuance is required, and that no set-aside and deposit will be required under section 627(g) applied immediately after the issuance.

Sec. 1030. Tax matters.

At the full discretion of the Chief Financial Officer, the notes authorized by this subtitle may be issued as federally taxable or tax-exempt. If issued as tax-exempt, the Chief Financial Officer shall take all actions necessary to be taken so that the interest on the notes will not be includable in gross income for federal income tax purposes.

3842 Sec. 1031. Contract.

3843 This subtitle shall constitute a contract between the District and the owners of the notes
3844 authorized by this subtitle. To the extent that any acts or resolutions of the Council may be in
3845 conflict with this subtitle, this subtitle shall be controlling.

3846 Sec. 1032. District officials.

3847 (a) The elected or appointed officials, officers, employees, or agents of the District shall
3848 not be liable personally for the payment of the notes or be subject to any personal liability by
3849 reason of the issuance of the notes.

3850 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
3851 any official appearing on the notes shall be valid and sufficient for all purposes, notwithstanding
3852 the fact that the official ceases to be that official before delivery of the notes.

3853 Sec. 1033. Authorized delegation of authority.

3854 To the extent permitted by the District and federal laws, the Mayor may delegate to the
3855 City Administrator, the Chief Financial Officer, or the Treasurer the performance of any act
3856 authorized to be performed by the Mayor under this subtitle.

3857 Sec. 1034. Maintenance of documents.

3858 Copies of the notes and related documents shall be filed in the Office of the Secretary.

3859

3860 **TITLE XI. REVENUE BONDS**

SUBTITLE A. STUDIO THEATER, INC.

Sec. 1101. Short title.

This subtitle may be cited as the “The Studio Theatre, Inc. Revenue Bonds Temporary Act of 2020”.

Sec. 1102. Definitions.

For the purposes of this subtitle the term:

(1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor’s functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 422(6)).

(2) “Bond Counsel” means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) “Bonds” means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this subtitle.

(4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be The Studio Theatre, Inc., a non-profit corporation organized under the laws of the District of Columbia, which is exempt from federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A

3881 Stat. 163; 26 U.S.C. § 501(a)), as an organization described in section 501(c)(3) of the Internal
3882 Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)), and
3883 which is liable for the repayment of the Bonds.

3884 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

3885 (6) “Closing Documents” means all documents and agreements, other than
3886 Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the
3887 Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms,
3888 receipts, and other similar instruments.

3889 (7) “District” means the District of Columbia.

3890 (8) “Financing Documents” means the documents, other than Closing Documents,
3891 that relate to the financing, refinancing or reimbursement of transactions to be effected through
3892 the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering
3893 document, and any required supplements to any such documents.

3894 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
3895 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

3896 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
3897 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
3898 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
3899 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
3900 with the development and implementation of the Financing Documents, the Closing Documents,

3901 and those other documents necessary or appropriate in connection with the authorization,
3902 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
3903 Loan, together with financing fees, costs, and expenses, including program fees and
3904 administrative fees charged by the District, fees paid to financial institutions and insurance
3905 companies, initial letter of credit fees (if any), and compensation to financial advisors and other
3906 persons (other than full-time employees of the District) and entities performing services on
3907 behalf of or as agents for the District.

3908 (11) "Loan" means the District's lending of proceeds from the sale, in one or
3909 more series, of the Bonds to the Borrower.

3910 (12) "Project" means the financing, refinancing, or reimbursing of all or a portion
3911 of the Borrower's costs of:

3912 (A) Renovating and expanding by approximately 2,780 gross square feet
3913 the Borrower's mixed-use theater complex located at 1501 14th Street, N.W., in Washington,
3914 D.C. (Square 241, Lot 0128), currently comprising approximately 53,532 gross square feet of
3915 above grade improvements ("Theater Facility");

3916 (B) Renovating certain residential facilities in Washington, D.C., owned
3917 by the Borrower and used as artist housing, located at 1630 Corcoran Street, N.W. (Square 0179,
3918 Lot 0094), 1736 Corcoran Street, N.W. (Square 0155, Lot 0208), 1437 Clifton Street, N.W.
3919 (Square 2664, Lot 0058); and Condominium Units 317, 409, 419 and 820 at 1718 P Street, N.W.

3920 (Square 0157, Lots 2061, 2073, 2083 and 2164) (collectively, “Ancillary Facilities” and together
3921 with the Theater Facility, “Facilities”);

3922 (C) Purchasing certain equipment and furnishings, together with other
3923 property, real and personal, functionally related and subordinate to the Facilities;

3924 (D) Funding certain expenditures associated with the financing of the
3925 Facilities, to the extent permissible, including, credit enhancement costs, liquidity costs, debt
3926 service reserve fund or working capital; and

3927 (E) Paying costs of issuance and other related costs, to the extent
3928 permissible.

3929 Sec. 1103. Findings.

3930 The Council finds that:

3931 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
3932 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
3933 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
3934 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the
3935 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
3936 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
3937 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
3938 the purchase, lease, or sale of any property.

3939 (2) The Borrower has requested the District to issue, sell, and deliver revenue
3940 bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not
3941 to exceed \$12,500,000, and to make the Loan for the purpose of financing, refinancing, or
3942 reimbursing costs of the Project.

3943 (3) The Facilities are located in the District and will contribute to the health,
3944 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
3945 District, or to economic development of the District.

3946 (4) The Project is an undertaking in the area of capital projects in the form of
3947 facilities used for the Borrower's operations and, in part, as a venue to produce contemporary
3948 theater and serve the community through artistic innovation, engagement, education and
3949 professional development (and property used in connection with or supplementing the
3950 foregoing), within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-
3951 204.90).

3952 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
3953 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
3954 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.
3955 Sec. 1104. Bond authorization.

3956 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
3957 financing, refinancing, or reimbursing the costs of the Project by:

3958 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
3959 aggregate principal amount not to exceed \$12,500,000; and

3960 (2) The making of the Loan.

3961 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
3962 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
3963 respect to the Bonds as required by the Financing Documents.

3964 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
3965 an amount sufficient to cover costs and expenses incurred by the District in connection with the
3966 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
3967 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
3968 with the District, and maintaining official records of each bond transaction, and assisting in the
3969 redemption, repurchase, and remarketing of the Bonds.

3970 Sec. 1105. Bond details.

3971 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
3972 necessary or appropriate in accordance with this subtitle in connection with the preparation,
3973 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
3974 including, but not limited to, determinations of:

3975 (1) The final form, content, designation, and terms of the Bonds, including a
3976 determination that the Bonds may be issued in certificated or book-entry form;

3977 (2) The principal amount of the Bonds to be issued and denominations of the
3978 Bonds;

3979 (3) The rate or rates of interest or the method for determining the rate or rates of
3980 interest on the Bonds;

3981 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
3982 on, the Bonds, and the maturity date or dates of the Bonds;

3983 (5) The terms under which the Bonds may be paid, optionally or mandatorily
3984 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
3985 their respective stated maturities;

3986 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
3987 replacement of mutilated, lost, stolen, or destroyed Bonds;

3988 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
3989 the Bonds;

3990 (8) The time and place of payment of the Bonds;

3991 (9) Procedures for monitoring the use of the proceeds received from the sale of
3992 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
3993 the purposes of the Home Rule Act and this subtitle;

3994 (10) Actions necessary to qualify the Bonds under blue sky laws of any
3995 jurisdiction where the Bonds are marketed; and

3996 (11) The terms and types of credit enhancement under which the Bonds may be
3997 secured.

3998 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
3999 obligations of the District, are without recourse to the District, are not a pledge of, and do not
4000 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
4001 District, and do not constitute lending of the public credit for private undertakings as prohibited
4002 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4003 (c) The Bonds shall be executed in the name of the District and on its behalf by the
4004 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
4005 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
4006 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
4007 approval, on behalf of the District, of the final form and content of the Bonds.

4008 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
4009 otherwise reproduced on the Bonds.

4010 (e) The Bonds of any series may be issued in accordance with the terms of a trust
4011 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
4012 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
4013 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
4014 204.90(a)(4)).

4015 (f) The Bonds may be issued at any time or from time to time in one or more issues and
4016 in one or more series.

4017 Sec. 1106. Sale of the Bonds.

4018 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
4019 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
4020 the best interest of the District.

4021 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
4022 the Bonds, offering documents on behalf of the District, may deem final any such offering
4023 document on behalf of the District for purposes of compliance with federal laws and regulations
4024 governing such matters and may authorize the distribution of the documents in connection with
4025 the sale of the Bonds.

4026 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
4027 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
4028 the original purchasers of the Bonds upon payment of the purchase price.

4029 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
4030 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
4031 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
4032 for purposes of federal income taxation.

4033 Sec. 1107. Payment and security.

4034 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4035 from proceeds received from the sale of the Bonds, income realized from the temporary
4036 investment of those proceeds, receipts and revenues realized by the District from the Loan,
4037 income realized from the temporary investment of those receipts and revenues prior to payment
4038 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
4039 available to the District for the payment of the Bonds, and other sources of payment (other than
4040 from the District), all as provided for in the Financing Documents.

4041 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
4042 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
4043 the Financing Documents and Closing Documents, including a security interest in certain
4044 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

4045 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
4046 the sale of the Bonds pursuant to the Financing Documents.

4047 Sec. 1108. Financing and Closing Documents.

4048 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4049 Documents and all Closing Documents to which the District is a party that may be necessary or
4050 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
4051 the Financing Documents and each of the Closing Documents to which the District is not a party
4052 shall be approved, as to form and content, by the Mayor.

4053 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4054 Financing Documents and any Closing Documents to which the District is a party by the
4055 Mayor's manual or facsimile signature.

4056 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4057 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4058 which the District is a party.

4059 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4060 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
4061 approval, on behalf of the District, of the final form and content of the executed Financing
4062 Documents and the executed Closing Documents.

4063 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4064 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4065 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4066 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4067 Sec. 1109. Authorized delegation of authority.

4068 To the extent permitted by District and federal laws, the Mayor may delegate to any
4069 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4070 under this subtitle.

4071 Sec. 1110. Limited liability.

4072 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
4073 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
4074 pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a
4075 debt of the District, and shall not constitute lending of the public credit for private undertakings
4076 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4077 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
4078 shall have no obligation with respect to the purchase of the Bonds.

4079 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
4080 Documents shall create an obligation on the part of the District to make payments with respect to
4081 the Bonds from sources other than those listed for that purpose in section 707.

4082 (d) The District shall have no liability for the payment of any Issuance Costs or for any
4083 transaction or event to be effected by the Financing Documents.

4084 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
4085 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
4086 Documents to which the District is a party, shall be considered to be the covenants, obligations,
4087 and agreements of the District to the fullest extent authorized by law, and each of those
4088 covenants, obligations, and agreements shall be binding upon the District, subject to the
4089 limitations set forth in this subtitle.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees or agents to either perform any covenant, undertaking, or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 1111. District officials.

(a) Except as otherwise provided in section 710(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

4110 Sec. 1112. Maintenance of documents.

4111 Copies of the specimen Bonds and of the final Financing Documents and Closing
4112 Documents shall be filed in the Office of the Secretary of the District of Columbia.

4113 Sec. 1113. Information reporting.

4114 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
4115 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
4116 Council.

4117 Sec. 1114. Disclaimer.

4118 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
4119 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
4120 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
4121 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
4122 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
4123 against the District, its elected or appointed officials, officers, employees, or agents as a
4124 consequence of any failure to issue any Bonds for the benefit of the Borrower.

4125 (b) The District reserves the right to issue the Bonds in the order or priority it determines
4126 in its sole and absolute discretion. The District gives no assurance and makes no representations
4127 that any portion of any limited amount of bonds or other obligations, the interest on which is
4128 excludable from gross income for federal income tax purposes, will be reserved or will be
4129 available at the time of the proposed issuance of the Bonds.

4130 (c) The District, by enacting this subtitle or by taking any other action in connection with
4131 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
4132 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
4133 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
4134 Bonds, nor any other person shall rely upon the District with respect to these matters.

4135 Sec. 1115. Expiration.

4136 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
4137 the effective date of this act, the authorization provided in this subtitle with respect to the
4138 issuance, sale, and delivery of the Bonds shall expire.

4139 Sec. 1116. Severability.

4140 If any particular provision of this subtitle or the application thereof to any person or
4141 circumstance is held invalid, the remainder of this subtitle and the application of such provision
4142 to other persons or circumstances shall not be affected thereby. If any action or inaction
4143 contemplated under this subtitle is determined to be contrary to the requirements of applicable
4144 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
4145 the validity of the Bonds shall not be adversely affected.

4146 **SUBTITLE B. DC SCHOLARS PUBLIC CHARTER SCHOOL, INC.**

4147 Sec. 1121. Short title.

4148 This subtitle may be cited as the “DC Scholars Public Charter School, Inc. Revenue
4149 Bonds Temporary Act of 2020”.

4150 Sec. 1122. Definitions.

4151 For the purpose of this subtitle, the term:

4152 (1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning
4153 and Economic Development, or any officer or employee of the Executive Office of the Mayor to
4154 whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of
4155 the Mayor’s functions under this subtitle pursuant to section 422(6) of the Home Rule Act (D.C.
4156 Official Code § 1-204.22(6)).

4157 (2) “Bond Counsel” means a firm or firms of attorneys designated as bond
4158 counsel from time to time by the Mayor.

4159 (3) “Bonds” means the District of Columbia revenue bonds, notes, or other
4160 obligations (including refunding bonds, notes, and other obligations), in one or more series,
4161 authorized to be issued pursuant to this subtitle.

4162 (4) “Borrower” means the owner, operator, manager and user of the assets
4163 financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be DC Scholars
4164 Public Charter School, Inc., a corporation organized under the laws of the District of Columbia,
4165 and exempt from federal income taxes under section 501(a) of the Internal Revenue Code of
4166 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C § 501(a)), as an organization
4167 described in section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954
4168 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).

4169 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

4170 (6) "Closing Documents" means all documents and agreements other than
4171 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
4172 and to make the Loan contemplated thereby, and includes agreements, certificates, letters,
4173 opinions, forms, receipts, and other similar instruments.

4174 (7) "District" means the District of Columbia.

4175 (8) "Financing Documents" means the documents other than Closing Documents
4176 that relate to the financing or refinancing of transactions to be effected through the issuance, sale,
4177 and delivery of the Bonds and the making of the Loan, including any offering document, and any
4178 required supplements to any such documents.

4179 (9) "Home Rule Act" means the District of Columbia Home Rule Act, approved
4180 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

4181 (10) "Issuance Costs" means all fees, costs, charges, and expenses paid or
4182 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
4183 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
4184 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
4185 with the development and implementation of the Financing Documents, the Closing Documents,
4186 and those other documents necessary or appropriate in connection with the authorization,
4187 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
4188 Loan contemplated thereby, together with financing fees, costs, and expenses, including program
4189 fees and administrative fees charged by the District, fees paid to financial institutions and

4190 insurance companies, initial letter of credit fees (if any), compensation to financial advisors and
4191 other persons (other than full-time employees of the District) and entities performing services on
4192 behalf of or as agents for the District.

4193 (11) "Loan" means the District's lending of proceeds from the sale, in one or
4194 more series, of the Bonds to the Borrower.

4195 (12) "Project" means the financing, refinancing, or reimbursing of all or a portion
4196 of the Borrower's costs of:

4197 (A) Financing the acquisition of a leasehold interest in an existing
4198 school facility located at 5601 East Capitol Street, S.E., Washington, D.C. 20019 (the
4199 "Facility"), which Facility will be operated by the Borrower;

4200 (B) Refinancing the outstanding amount of existing taxable loans
4201 and related expenses, the proceeds of which were used to finance improvements to the Facility;

4202 (C) Funding a debt service reserve fund with respect to the Bonds,
4203 if deemed necessary in connection with the sale of the Bonds;

4204 (D) Paying capitalized interest with respect to the Bonds, if
4205 deemed necessary in connection with the sale of the Bonds; and

4206 (E) Paying allowable Issuance Costs.

4207 Sec. 1123. Findings.

4208 The Council finds that:

4209 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
4210 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
4211 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
4212 refinance, or reimburse, and to assist in the financing, refinancing, or reimbursing of
4213 undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90), and may
4214 effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any
4215 individual or legal entity, by the purchase of any mortgage, note, or other security, or by the
4216 purchase, lease, or sale of any property.

4217 (2) The Borrower has requested the District to issue, sell, and deliver revenue
4218 bonds, in one or more series, in the aggregate principal amount not to exceed \$16,000,000, and
4219 to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

4220 (3) The Project is located in the District and will contribute to the health,
4221 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
4222 District, or to economic development of the District.

4223 (4) The Project is an undertaking in the area of elementary, secondary, and
4224 college and university facilities within the meaning of section 490 of the Home Rule Act (D.C.
4225 Official Code § 1-204.90).

4226 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
4227 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
4228 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

4229 Sec. 1124. Bond authorization.

4230 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
4231 financing, refinancing, or reimbursing the costs of the Project by:

4232 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in the
4233 aggregate principal amount not to exceed \$16,000,000; and

4234 (2) The making of the Loan.

4235 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
4236 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
4237 respect to the Bonds as required by the Financing Documents.

4238 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
4239 an amount sufficient to cover costs and expenses incurred by the District in connection with the
4240 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
4241 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements
4242 with the District, and maintaining official records of each bond transaction and assisting in the
4243 redemption, repurchase, and remarketing of the Bonds.

4244 Sec. 1125. Bond details.

4245 (a) The Mayor is authorized to take any action reasonably necessary or appropriate in
4246 accordance with this subtitle in connection with the preparation, execution, issuance, sale,

4247 delivery, security for, and payment of the Bonds of each series, including, but not limited to,
4248 determinations of:

4249 (1) The final form, content, designation, and terms of the Bonds, including a
4250 determination that the Bonds may be issued in certificated or book-entry form;

4251 (2) The principal amount of the Bonds to be issued and denominations of the
4252 Bonds;

4253 (3) The rate or rates of interest or the method for determining the rate or rates of
4254 interest on the Bonds;

4255 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
4256 on the Bonds, and the maturity date or dates of the Bonds;

4257 (5) The terms under which the Bonds may be paid, optionally or mandatorily
4258 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
4259 their respective stated maturities;

4260 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
4261 replacement of mutilated, lost, stolen, or destroyed Bonds;

4262 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
4263 the Bonds;

4264 (8) The time and place of payment of the Bonds;

4265 (9) Procedures for monitoring the use of the proceeds received from the sale of
4266 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
4267 the purposes of the Home Rule Act and this subtitle;

4268 (10) Actions necessary to qualify the Bonds under blue sky laws of any
4269 jurisdiction where the Bonds are marketed; and

4270 (11) The terms and types of credit enhancement under which the Bonds may be
4271 secured.

4272 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
4273 obligations of the District, are without recourse to the District, are not a pledge of, and do not
4274 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
4275 District, and do not constitute lending of the public credit for private undertakings as prohibited
4276 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4277 (c) The Bonds shall be executed in the name of the District and on its behalf by the
4278 manual or facsimile signature of the Mayor and attested by the Secretary of the District of
4279 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
4280 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
4281 approval, on behalf of the District, of the final form and content of the Bonds.

4282 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
4283 otherwise reproduced on the Bonds.

4284 (e) The Bonds of any series may be issued in accordance with the terms of a trust
4285 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
4286 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
4287 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
4288 204.90(a)(4)).

4289 (f) The Bonds may be issued at any time or from time to time in one or more issues and
4290 in one or more series.

4291 Sec. 1126. Sale of the Bonds.

4292 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
4293 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
4294 the best interest of the District.

4295 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
4296 the Bonds, offering documents on behalf of the District, may deem final any such offering
4297 document on behalf of the District for purposes of compliance with federal laws and regulations
4298 governing such matters, and may authorize the distribution of the documents in connection with
4299 the sale of the Bonds.

4300 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
4301 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
4302 the original purchasers of the Bonds upon payment of the purchase price.

4303 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
4304 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
4305 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
4306 for purposes of federal income taxation.

4307 Sec. 1127. Payment and security.

4308 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4309 from proceeds received from the sale of the Bonds, income realized from the temporary
4310 investment of those proceeds, receipts and revenues realized by the District from the Loan,
4311 income realized from the temporary investment of those receipts and revenues prior to payment
4312 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
4313 available to the District for the payment of the Bonds, and other sources of payment (other than
4314 from the District), all as provided for in the Financing Documents.

4315 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
4316 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
4317 the Financing Documents and Closing Documents, including a security interest in certain
4318 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

4319 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
4320 the sale of the Bonds pursuant to the Financing Documents.

4321 Sec. 1128. Financing and Closing Documents.

4322 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4323 Documents and all Closing Documents that may be necessary or appropriate to issue, sell, and
4324 deliver the Bonds and to make the Loan to the Borrower.

4325 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4326 Financing Documents and any Closing Documents to which the District is a party by the
4327 Mayor's manual or facsimile signature.

4328 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4329 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4330 which the District is a party.

4331 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4332 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
4333 approval, on behalf of the District, of the final form and content of the executed Financing
4334 Documents and the executed Closing Documents.

4335 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4336 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4337 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4338 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4339 Sec. 1129. Authorized delegation of authority.

4340 To the extent permitted by District and federal laws, the Mayor may delegate to any
4341 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4342 under this subtitle.

4343 Sec. 1130. Limited liability.

4344 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
4345 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
4346 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
4347 debt of the District, and shall not constitute lending of the public credit for private undertakings
4348 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4349 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
4350 shall have no obligation with respect to the purchase of the Bonds.

4351 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
4352 Documents shall create an obligation on the part of the District to make payments with respect to
4353 the Bonds from sources other than those listed for that purpose in section 727.

4354 (d) The District shall have no liability for the payment of any Issuance Costs or for any
4355 transaction or event to be effected by the Financing Documents.

4356 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
4357 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
4358 Documents to which the District is a party, shall be considered to be the covenants, obligations,

4359 and agreements of the District to the fullest extent authorized by law, and each of those
4360 covenants, obligations, and agreements shall be binding upon the District, subject to the
4361 limitations set forth in this subtitle.

4362 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
4363 any claims against the District or any of its elected or appointed officials, officers, employees, or
4364 agents for monetary damages suffered as a result of the failure of the District or any of its elected
4365 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
4366 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,
4367 nor as a result of the incorrectness of any representation in, or omission from, the Financing
4368 Documents or the Closing Documents, unless the District or its elected or appointed officials,
4369 officers, employees, or agents have acted in a willful and fraudulent manner.

4370 Sec. 1131. District officials.

4371 (a) Except as otherwise provided in section 730(f), the elected or appointed officials,
4372 officers, employees, or agents of the District shall not be liable personally for the payment of the
4373 Bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the
4374 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
4375 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
4376 Documents.

4377 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
4378 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall

4379 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
4380 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
4381 Documents.

4382 Sec. 1132. Maintenance of documents.

4383 Copies of the specimen Bonds and of the final Financing Documents and Closing
4384 Documents shall be filed in the Office of the Secretary of the District of Columbia.

4385 Sec. 1133. Information reporting.

4386 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
4387 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
4388 Council.

4389 Sec. 1134. Disclaimer.

4390 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
4391 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
4392 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in, or
4393 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
4394 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
4395 against the District, its elected or appointed officials, officers, employees, or agents as a
4396 consequence of any failure to issue any Bonds for the benefit of the Borrower.

4397 (b) The District reserves the right to issue the Bonds in the order or priority it determines
4398 in its sole and absolute discretion. The District gives no assurance and makes no representations

4399 that any portion of any limited amount of bonds or other obligations, the interest on which is
4400 excludable from gross income for federal income tax purposes, will be reserved or will be
4401 available at the time of the proposed issuance of the Bonds.

4402 (c) The District, by enacting this subtitle or by taking any other action in connection with
4403 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
4404 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
4405 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
4406 Bonds, nor any other person shall rely upon the District with respect to these matters.

4407 Sec. 1135. Expiration.

4408 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
4409 the effective date of this act, the authorization provided in this subtitle with respect to the
4410 issuance, sale, and delivery of the Bonds shall expire.

4411 Sec. 1136. Severability.

4412 If any particular provision of this subtitle, or the application thereof to any person or
4413 circumstance is held invalid, the remainder of this subtitle and the application of such provision
4414 to other persons or circumstances shall not be affected thereby. If any action or inaction
4415 contemplated under this subtitle is determined to be contrary to the requirements of applicable
4416 law, such action or inaction shall not be necessary for the purpose of issuing the Bonds, and the
4417 validity of the Bonds shall not be adversely affected.

4418

SUBTITLE C. WASHINGTON HOUSING CONSERVANCY.

Sec. 1141. Short title.

This subtitle may be cited as the “Washington Housing Conservancy/WHC Park Pleasant LLC Revenue Bonds Temporary Act of 2020”.

Sec. 1142. Definitions.

For the purposes of this subtitle, the term:

(1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

(2) “Bond Counsel” means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) “Bonds” means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) “Borrower” means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds, which shall be, individually or collectively, Washington Housing Conservancy, a non-profit corporation organized under the laws of the District of Columbia, and/or WHC Park Pleasant LLC, a District of Columbia limited liability company, the sole

4439 member of which is the Washington Housing Conservancy, both of which are exempt from
4440 federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved
4441 August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as organizations described in section
4442 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26
4443 U.S.C. § 501(c)(3)), and which are, individually or collectively, as the case may be, liable for the
4444 repayment of the Bonds.

4445 (5) “Chairman” means the Chairman of the Council of the District of Columbia.

4446 (6) “Closing Documents” means all documents and agreements, other than
4447 Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the
4448 Bonds and to make the Loan, and includes agreements, certificates, letters, opinions, forms,
4449 receipts, and other similar instruments.

4450 (7) “District” means the District of Columbia.

4451 (8) “Financing Documents” means the documents, other than Closing Documents,
4452 that relate to the financing, refinancing or reimbursement of transactions to be effected through
4453 the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering
4454 document, and any required supplements to any such documents.

4455 (9) “Home Rule Act” means the District of Columbia Home Rule Act, approved
4456 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

4457 (10) “Issuance Costs” means all fees, costs, charges, and expenses paid or
4458 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery

4459 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
4460 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
4461 with the development and implementation of the Financing Documents, the Closing Documents,
4462 and those other documents necessary or appropriate in connection with the authorization,
4463 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
4464 Loan, together with financing fees, costs, and expenses, including program fees and
4465 administrative fees charged by the District, fees paid to financial institutions and insurance
4466 companies, initial letter of credit fees (if any), and compensation to financial advisors and other
4467 persons (other than full-time employees of the District) and entities performing services on
4468 behalf of or as agents for the District.

4469 (11) "Loan" means the District's lending of proceeds from the sale, in one or
4470 more series, of the Bonds to the Borrower.

4471 (12) "Project" means the financing, refinancing, or reimbursing of all or a portion
4472 of the Borrower's costs of:

4473 (A) Acquiring and renovating real property, including a parcel of land
4474 comprising approximately 2.042 acres improved with approximately 69,910 square feet of
4475 residential rental property comprising 126 rental housing units and associated parking facilities
4476 located in Washington, D.C., commonly known as Park Pleasant Apartments with street
4477 addresses at 3339 Mt. Pleasant Street, N.W., 3360 Mt. Pleasant Street, N.W., 3354 Mt. Pleasant
4478 Street, N.W., 3348 Mt. Pleasant Street, N.W., 3342 Mt. Pleasant Street, N.W., 3336 Mt. Pleasant

4479 Street, N.W., 3351 Mt. Pleasant Street, N.W., 3331 Mt. Pleasant Street, N.W., 3327 Mt. Pleasant
4480 Street, N.W., 3323 Mt. Pleasant Street, N.W., and 1712 Newton Street, N.W. (collectively,
4481 “Facility”);

4482 (B) Purchasing certain equipment and furnishings, together with other
4483 property, real and personal, functionally related and subordinate to the Facility;

4484 (C) Funding certain expenditures associated with the financing of the
4485 Facility, to the extent permissible, including, credit enhancement costs, liquidity costs, debt
4486 service reserve fund or working capital; and

4487 (D) Paying costs of issuance and other related costs, to the extent
4488 permissible.

4489 Sec. 1143. Findings.

4490 The Council finds that:

4491 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
4492 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
4493 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
4494 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of, the
4495 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
4496 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
4497 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
4498 the purchase, lease, or sale of any property.

4499 (2) The Borrower has requested the District to issue, sell, and deliver revenue
4500 bonds, in one or more series pursuant to a plan of finance, in an aggregate principal amount not
4501 to exceed \$28,000,000, and to make the Loan for the purpose of financing, refinancing, or
4502 reimbursing costs of the Project.

4503 (3) The Facility is located in the District and will contribute to the health,
4504 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
4505 District, or to economic development of the District.

4506 (4) The Project is an undertaking in the area of housing, within the meaning of
4507 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90).

4508 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
4509 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
4510 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

4511 Sec. 1144. Bond authorization.

4512 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
4513 financing, refinancing, or reimbursing the costs of the Project by:

4514 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
4515 aggregate principal amount not to exceed \$28,000,000; and

4516 (2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 1145. Bond details.

(a) The Mayor and each Authorized Delegate is authorized to take any action reasonably necessary or appropriate in accordance with this subtitle in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the Bonds to be issued and denominations of the Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;

4537 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
4538 on, the Bonds, and the maturity date or dates of the Bonds;

4539 (5) The terms under which the Bonds may be paid, optionally or mandatorily
4540 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
4541 their respective stated maturities;

4542 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
4543 replacement of mutilated, lost, stolen, or destroyed Bonds;

4544 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
4545 the Bonds;

4546 (8) The time and place of payment of the Bonds;

4547 (9) Procedures for monitoring the use of the proceeds received from the sale of
4548 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
4549 the purposes of the Home Rule Act and this subtitle;

4550 (10) Actions necessary to qualify the Bonds under blue sky laws of any
4551 jurisdiction where the Bonds are marketed; and

4552 (11) The terms and types of credit enhancement under which the Bonds may be
4553 secured.

4554 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
4555 obligations of the District, are without recourse to the District, are not a pledge of, and do not
4556 involve the faith and credit or the taxing power of the District, do not constitute a debt of the

4557 District, and do not constitute lending of the public credit for private undertakings as prohibited
4558 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4559 (c) The Bonds shall be executed in the name of the District and on its behalf by the
4560 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
4561 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
4562 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
4563 approval, on behalf of the District, of the final form and content of the Bonds.

4564 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
4565 otherwise reproduced on the Bonds.

4566 (e) The Bonds of any series may be issued in accordance with the terms of a trust
4567 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
4568 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
4569 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
4570 204.90(a)(4)).

4571 (f) The Bonds may be issued at any time or from time to time in one or more issues and
4572 in one or more series.

4573 Sec. 1146. Sale of the Bonds.

4574 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
4575 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
4576 the best interest of the District.

4577 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
4578 the Bonds, offering documents on behalf of the District, may deem final any such offering
4579 document on behalf of the District for purposes of compliance with federal laws and regulations
4580 governing such matters and may authorize the distribution of the documents in connection with
4581 the sale of the Bonds.

4582 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
4583 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
4584 the original purchasers of the Bonds upon payment of the purchase price.

4585 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
4586 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
4587 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
4588 for purposes of federal income taxation.

4589 Sec. 1147. Payment and security.

4590 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4591 from proceeds received from the sale of the Bonds, income realized from the temporary
4592 investment of those proceeds, receipts and revenues realized by the District from the Loan,
4593 income realized from the temporary investment of those receipts and revenues prior to payment
4594 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
4595 available to the District for the payment of the Bonds, and other sources of payment (other than
4596 from the District), all as provided for in the Financing Documents.

4597 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
4598 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
4599 the Financing Documents and Closing Documents, including a security interest in certain
4600 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

4601 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
4602 the sale of the Bonds pursuant to the Financing Documents.

4603 Sec. 1148. Financing and Closing Documents.

4604 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4605 Documents and all Closing Documents to which the District is a party that may be necessary or
4606 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
4607 the Financing Documents and each of the Closing Documents to which the District is not a party
4608 shall be approved, as to form and content, by the Mayor.

4609 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4610 Financing Documents and any Closing Documents to which the District is a party by the
4611 Mayor's manual or facsimile signature.

4612 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4613 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4614 which the District is a party.

4615 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4616 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's

4617 approval, on behalf of the District, of the final form and content of the executed Financing
4618 Documents and the executed Closing Documents.

4619 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4620 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4621 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4622 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4623 Sec. 1149. Authorized delegation of authority.

4624 To the extent permitted by District and federal laws, the Mayor may delegate to any
4625 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4626 under this subtitle.

4627 Sec. 1150. Limited liability.

4628 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
4629 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
4630 pledge of, or involve the faith and credit or the taxing power of, the District, shall not constitute a
4631 debt of the District, and shall not constitute lending of the public credit for private undertakings
4632 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4633 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
4634 shall have no obligation with respect to the purchase of the Bonds.

(c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the Bonds from sources other than those listed for that purpose in section 747.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this subtitle, the Bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this subtitle.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees or agents to either perform any covenant, undertaking, or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

4654 Sec. 1151. District officials.

4655 (a) Except as otherwise provided in section 750(f), the elected or appointed officials,
4656 officers, employees, or agents of the District shall not be liable personally for the payment of the
4657 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
4658 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the
4659 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
4660 Documents.

4661 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
4662 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
4663 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
4664 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
4665 Documents.

4666 Sec. 1152. Maintenance of documents.

4667 Copies of the specimen Bonds and of the final Financing Documents and Closing
4668 Documents shall be filed in the Office of the Secretary of the District of Columbia.

4669 Sec. 1153. Information reporting.

4670 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
4671 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
4672 Council.

Sec. 1154. Disclaimer.

(a) The issuance of Bonds is in the discretion of the District. Nothing contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the Project. The Borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any Bonds for the benefit of the Borrower.

(b) The District reserves the right to issue the Bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the Bonds.

(c) The District, by enacting this subtitle or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

Sec. 1155. Expiration.

If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of the effective date of this act, the authorization provided in this subtitle with respect to the issuance, sale, and delivery of the Bonds shall expire.

Sec. 1156. Severability.

If any particular provision of this subtitle or the application thereof to any person or circumstance is held invalid, the remainder of this subtitle and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this subtitle is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and the validity of the Bonds shall not be adversely affected.

SUBTITLE D. NATIONAL PUBLIC RADIO, INC.

Sec. 1161. Short title.

This subtitle may be cited as the “National Public Radio, Inc., Refunding Revenue Bonds Temporary Act of 2020”.

Sec. 1162. Definitions.

For the purpose of this subtitle, the term:

(1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of

4711 the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act
4712 (D.C. Official Code § 1-204.22(6)).

4713 (2) "Bond Counsel" means a firm or firms of attorneys designated as bond
4714 counsel from time to time by the Mayor.

4715 (3) "Bonds" means the District of Columbia revenue bonds, notes, or other
4716 obligations (including refunding bonds, notes, and other obligations), in one or more series,
4717 authorized to be issued pursuant to this resolution.

4718 (4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed
4719 with proceeds from the Bonds, which shall be National Public Radio, Inc., a non-profit
4720 corporation organized and existing under the laws of the District of Columbia, and exempt from
4721 federal income taxes under section 501(a) of the Internal Revenue Code of 1986, approved
4722 August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(a)), as an organization described in section
4723 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26
4724 U.S.C. § 501(c)(3)).

4725 (5) "Chairman" means the Chairman of the Council of the District of Columbia.

4726 (6) "Closing Documents" means all documents and agreements other than
4727 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
4728 and to make the Loan contemplated thereby, and includes agreements, certificates, letters,
4729 opinions, forms, receipts, and other similar instruments.

4730 (7) "District" means the District of Columbia.

(8) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the Bonds and the making of the Loan, including any offering document and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the Loan contemplated thereby, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, letter of credit fees (if any), compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

4751 (12) "Project" means the financing, refinancing, or reimbursing of all or a portion
4752 of the Borrower's costs (including payments of principal of, and interest on, the bonds being
4753 refunded) to:

4754 (A) Refund all or a portion of the outstanding District of Columbia
4755 Refunding Revenue Bonds (National Public Radio, Inc., Issue) Series 2013, the proceeds of
4756 which were used to advance refund a portion of the District of Columbia Revenue Bonds
4757 (National Public Radio, Inc. Issue) Series 2010 (the "Series 2010 Bonds") and to pay Issuance
4758 Costs, which Series 2010 Bonds were used to finance, refinance or reimburse all or a portion of
4759 the costs incurred by the Borrower to acquire, develop, renovate, furnish and equip a new office,
4760 production and distribution center located at 1111 North Capitol Street, N.E., Washington, D.C.
4761 20002-7502 (Square 673, Lot 36), and to pay Issuance Costs; and

4762 (B) Refund all or a portion of the outstanding District of Columbia
4763 Refunding Revenue Bonds (National Public Radio, Inc., Issue) Series 2016, the proceeds of
4764 which were also used to advance refund a portion of the Series 2010 Bonds and to pay Issuance
4765 Costs.

4766 Sec. 1163. Findings.

4767 The Council finds that:

4768 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
4769 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
4770 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,

4771 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the
4772 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
4773 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
4774 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
4775 the purchase, lease, or sale of any property.

4776 (2) The Borrower has requested the District to issue, sell, and deliver revenue
4777 bonds, in one or more series, in the aggregate principal amount not to exceed \$210,000,000 and
4778 to make the Loan for the purpose of financing, refinancing or reimbursing costs of the Project.

4779 (3) The Project is located in the District and will contribute to the health,
4780 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
4781 District, or to economic development of the District.

4782 (4) The Project is an undertaking in the area of education and contributes to the
4783 health, education, safety, or welfare of residents of the District within the meaning of section 490
4784 of the Home Rule Act (D.C. Official Code § 1-204.90).

4785 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
4786 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
4787 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.

4788 Sec. 1164. Bond authorization.

4789 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
4790 financing, refinancing, or reimbursing the costs of the Project by:

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in the aggregate principal amount not to exceed \$210,000,000; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the Borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the Bonds, the District's participation in the monitoring of the use of the Bond proceeds and compliance with any public benefit agreements with the District, and maintaining official records of each bond transaction and assisting in the redemption, repurchase, and remarketing of the Bonds.

Sec. 1165. Bond details.

(a) The Mayor and each Authorized Delegate is authorized to take any action reasonably necessary or appropriate in accordance with this subtitle in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the Bonds, including a determination that the Bonds may be issued in certificated or book-entry form;

4810 (2) The principal amount of the Bonds to be issued and denominations of the
4811 Bonds;

4812 (3) The rate or rates of interest or the method for determining the rate or rates of
4813 interest on the Bonds;

4814 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
4815 on the Bonds, and the maturity date or dates of the Bonds;

4816 (5) The terms under which the Bonds may be paid, optionally or mandatorily
4817 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
4818 their respective stated maturities;

4819 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
4820 replacement of mutilated, lost, stolen, or destroyed Bonds;

4821 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
4822 the Bonds;

4823 (8) The time and place of payment of the Bonds;

4824 (9) Procedures for monitoring the use of the proceeds received from the sale of
4825 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
4826 the purposes of the Home Rule Act and this subtitle;

4827 (10) Actions necessary to qualify the Bonds under blue sky laws of any
4828 jurisdiction where the Bonds are marketed; and

4829 (11) The terms and types of credit enhancement under which the Bonds may be
4830 secured.

4831 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
4832 obligations of the District, are without recourse to the District, are not a pledge of, and do not
4833 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
4834 District, and do not constitute lending of the public credit for private undertakings as prohibited
4835 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4836 (c) The Bonds shall be executed in the name of the District and on its behalf by the
4837 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
4838 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
4839 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
4840 approval, on behalf of the District, of the final form and content of the Bonds.

4841 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
4842 otherwise reproduced on the Bonds.

4843 (e) The Bonds of any series may be issued in accordance with the terms of a trust
4844 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
4845 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
4846 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
4847 204.90(a)(4)).

4848 (f) The Bonds may be issued at any time or from time to time in one or more issues and
4849 in one or more series.

4850 Sec. 1166. Sale of the Bonds.

4851 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
4852 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
4853 the best interest of the District.

4854 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
4855 the Bonds, offering documents on behalf of the District, may deem final any such offering
4856 document on behalf of the District for purposes of compliance with federal laws and regulations
4857 governing such matters and may authorize the distribution of the documents in connection with
4858 the sale of the Bonds.

4859 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
4860 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
4861 the original purchasers of the Bonds upon payment of the purchase price.

4862 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
4863 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
4864 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
4865 for purposes of federal income taxation.

4866 Sec. 1167. Payment and security.

4867 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
4868 from proceeds received from the sale of the Bonds, income realized from the temporary
4869 investment of those proceeds, receipts and revenues realized by the District from the Loan,
4870 income realized from the temporary investment of those receipts and revenues prior to payment
4871 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
4872 available to the District for the payment of the Bonds, and other sources of payment (other than
4873 from the District), all as provided for in the Financing Documents.

4874 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
4875 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
4876 the Financing Documents and Closing Documents, including a security interest in certain
4877 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

4878 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
4879 the sale of the Bonds pursuant to the Financing Documents.

4880 Sec. 1168. Financing and Closing Documents.

4881 (a) The Mayor is authorized to prescribe the final form and content of all Financing
4882 Documents and all Closing Documents to which the District is a party that may be necessary or
4883 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
4884 the Financing Documents and each of the Closing Documents to which the District is not a party
4885 shall be approved, as to form and content, by the Mayor.

4886 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
4887 Financing Documents and any Closing Documents to which the District is a party by the
4888 Mayor's manual or facsimile signature.

4889 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
4890 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
4891 which the District is a party.

4892 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
4893 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
4894 approval, on behalf of the District, of the final form and content of said executed Financing
4895 Documents and said executed Closing Documents.

4896 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
4897 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,
4898 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
4899 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

4900 Sec. 1169. Authorized delegation of authority.

4901 To the extent permitted by District and federal laws, the Mayor may delegate to any
4902 Authorized Delegate the performance of any function authorized to be performed by the Mayor
4903 under this subtitle.

4904 Sec. 1170. Limited liability.

4905 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
4906 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
4907 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
4908 debt of the District, and shall not constitute lending of the public credit for private undertakings
4909 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

4910 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
4911 shall have no obligation with respect to the purchase of the Bonds.

4912 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
4913 Documents shall create an obligation on the part of the District to make payments with respect to
4914 the Bonds from sources other than those listed for that purpose in section 767.

4915 (d) The District shall have no liability for the payment of any Issuance Costs or for any
4916 transaction or event to be effected by the Financing Documents.

4917 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
4918 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
4919 Documents to which the District is a party, shall be considered to be the covenants, obligations,
4920 and agreements of the District to the fullest extent authorized by law, and each of those
4921 covenants, obligations, and agreements shall be binding upon the District, subject to the
4922 limitations set forth in this subtitle.

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents, nor as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 1171. District officials.

(a) Except as otherwise provided in section 770(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this subtitle, the Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing Documents.

4943 Sec. 1172. Maintenance of documents.

4944 Copies of the specimen Bonds and of the final Financing Documents and Closing
4945 Documents shall be filed in the Office of the Secretary of the District of Columbia.

4946 Sec. 1173. Information reporting.

4947 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
4948 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
4949 Council.

4950 Sec. 1174. Disclaimer.

4951 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
4952 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
4953 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
4954 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
4955 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief
4956 against the District, its elected or appointed officials, officers, employees, or agents as a
4957 consequence of any failure to issue any Bonds for the benefit of the Borrower.

4958 (b) The District reserves the right to issue the Bonds in the order or priority it determines
4959 in its sole and absolute discretion. The District gives no assurance and makes no representations
4960 that any portion of any limited amount of bonds or other obligations, the interest on which is
4961 excludable from gross income for federal income tax purposes, will be reserved or will be
4962 available at the time of the proposed issuance of the Bonds.

4963 (c) The District, by enacting this subtitle or by taking any other action in connection with
4964 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
4965 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
4966 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
4967 Bonds, nor any other person shall rely upon the District with respect to these matters.

4968 Sec. 1175. Expiration.

4969 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
4970 the effective date of this act, the authorization provided in this subtitle with respect to the
4971 issuance, sale, and delivery of the Bonds shall expire.

4972 Sec. 1176. Severability.

4973 If any particular provision of this subtitle or the application thereof to any person or
4974 circumstance is held invalid, the remainder of this subtitle and the application of such provision
4975 to other persons or circumstances shall not be affected thereby. If any action or inaction
4976 contemplated under this subtitle is determined to be contrary to the requirements of applicable
4977 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
4978 the validity of the Bonds shall not be adversely affected.

4979

SUBTITLE E. PUBLIC WELFARE FOUNDATION, INC.

Sec. 1181. Short title.

This subtitle may be cited as the “Public Welfare Foundation, Inc., Revenue Bonds Temporary Act of 2020”.

Sec. 1182. Definitions.

For the purpose of this subtitle, the term:

(1) “Authorized Delegate” means the Mayor or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor’s functions under this resolution pursuant to section 422(6) of the Home Rule Act (D.C. Official Code § 1-204.22(6)).

(2) “Bond Counsel” means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) “Bonds” means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) “Borrower” means the owner of the assets financed or refinanced with proceeds from the Bonds, which shall be Public Welfare Foundation, Inc., a non-profit corporation organized and existing under the laws of the State of Delaware, duly authorized to transact business as a foreign corporation in the District of Columbia, and exempt from federal

5000 income taxes as an organization described in section 501(c)(3) of the Internal Revenue Code of
5001 1986, approved August 16, 1954 (68A Stat. 163; 26. U.S.C. § 501(c)(3)).

5002 (5) "Chairman" means the Chairman of the Council of the District of Columbia.

5003 (6) "Closing Documents" means all documents and agreements, other than
5004 Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds
5005 and to make the Loan, and includes agreements, certificates, letters, opinions, forms, receipts,
5006 and other similar instruments.

5007 (7) "District" means the District of Columbia.

5008 (8) "Financing Documents" means, the documents, other than Closing
5009 Documents, that relate to the financing, refinancing or reimbursement of transactions to be
5010 effected through the issuance, sale, and delivery of the Bonds and the making of the Loan,
5011 including any offering document and any required supplements to any such documents.

5012 (9) "Home Rule Act" means the District of Columbia Home Rule Act, approved
5013 December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

5014 (10) "Issuance Costs" means all fees, costs, charges, and expenses paid or
5015 incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery
5016 of the Bonds and the making of the Loan, including, but not limited to, underwriting, legal,
5017 accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection
5018 with the development and implementation of the Financing Documents, the Closing Documents,
5019 and those other documents necessary or appropriate in connection with the authorization,

5020 preparation, printing, issuance, sale, marketing, and delivery of the Bonds and the making of the
5021 Loan, together with financing fees, costs, and expenses, including program fees and
5022 administrative fees charged by the District, fees paid to financial institutions and insurance
5023 companies, initial letter of credit fees (if any), compensation to financial advisors and other
5024 persons (other than full-time employees of the District) and entities performing services on
5025 behalf of or as agents for the District.

5026 (11) "Loan" means the District's lending to the Borrower of the proceeds from the
5027 sale, in one or more series, of the Bonds.

5028 (12) "Project" means the financing, refinancing or reimbursing of the Borrower,
5029 on a tax exempt or taxable basis, for all or a portion of the Borrower's costs incurred in
5030 connection with the renovation of certain facilities of the Borrower located at 1200 U Street,
5031 N.W., Washington, D.C. (the "Building") in one or more phases and comprised of the following:

5032 (A) Replacement of nearly all exterior windows of the Building and the
5033 repair of certain sheet metal and masonry;

5034 (B) Soft costs, including architectural, engineering, and permitting fees, in
5035 connection therewith;

5036 (C) Purchase of certain equipment and furnishings, together with other
5037 property, real and personal, functionally related and subordinate thereto;

5038 (D) Refinancing, in whole or in part, of existing indebtedness; and

5039 (E) Certain expenditures associated therewith to the extent financeable,
5040 including, without limitation, Issuance Costs, credit costs, and working capital.

5041 Sec. 1183. Findings.

5042 The Council finds that:

5043 (1) Section 490 of the Home Rule Act (D.C. Official Code § 1-204.90) provides
5044 that the Council may by act authorize the issuance of District revenue bonds, notes, or other
5045 obligations (including refunding bonds, notes, or other obligations) to borrow money to finance,
5046 refinance, or reimburse costs, and to assist in the financing, refinancing, or reimbursing of the
5047 costs of undertakings in certain areas designated in section 490 (D.C. Official Code § 1-204.90)
5048 and may affect the financing, refinancing, or reimbursement by loans made directly or indirectly
5049 to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by
5050 the purchase, lease, or sale of any property.

5051 (2) The Borrower has requested the District to issue, sell, and deliver revenue and
5052 refunding bonds, in one or more series, in an aggregate principal amount not to exceed
5053 \$13,000,000 and to make the Loan for the purpose of financing, refinancing or reimbursing costs
5054 of the Project.

5055 (3) The Project is located in the District and will contribute to the health,
5056 education, safety, or welfare of, or the creation or preservation of jobs for, residents of the
5057 District, or to economic development of the District.

5058 (4) The Project is an undertaking in the area of a capital project as facilities used
5059 to house and equip operations related to the study, development, application, or production of
5060 social services within the meaning of section 490 of the Home Rule Act (D.C. Official Code § 1-
5061 204.90).

5062 (5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to
5063 the Borrower are desirable, are in the public interest, will promote the purpose and intent of
5064 section 490 of the Home Rule Act (D.C. Official Code § 1-204.90), and will assist the Project.
5065 Sec. 1184. Bond authorization.

5066 (a) The Mayor is authorized pursuant to the Home Rule Act and this subtitle to assist in
5067 financing, refinancing, or reimbursing the costs of the Project by:

5068 (1) The issuance, sale, and delivery of the Bonds, in one or more series, in an
5069 aggregate principal amount not to exceed \$13,000,000; and

5070 (2) The making of the Loan.

5071 (b) The Mayor is authorized to make the Loan to the Borrower for the purpose of
5072 financing, refinancing, or reimbursing the costs of the Project and establishing any fund with
5073 respect to the Bonds as required by the Financing Documents.

5074 (c) The Mayor may charge a program fee to the Borrower, including, but not limited to,
5075 an amount sufficient to cover costs and expenses incurred by the District in connection with the
5076 issuance, sale, and delivery of each series of the Bonds, the District's participation in the
5077 monitoring of the use of the Bond proceeds and compliance with any public benefit agreements

5078 with the District, and maintaining official records of each bond transaction and assisting in the
5079 redemption, repurchase, and remarketing of the Bonds.

5080 Sec. 1185. Bond details.

5081 (a) The Mayor and each Authorized Delegate is authorized to take any action reasonably
5082 necessary or appropriate in accordance with this subtitle in connection with the preparation,
5083 execution, issuance, sale, delivery, security for, and payment of the Bonds of each series,
5084 including, but not limited to, determinations of:

5085 (1) The final form, content, designation, and terms of the Bonds, including a
5086 determination that the Bonds may be issued in certificated or book-entry form;

5087 (2) The principal amount of the Bonds to be issued and denominations of the
5088 Bonds;

5089 (3) The rate or rates of interest or the method for determining the rate or rates of
5090 interest on the Bonds;

5091 (4) The date or dates of issuance, sale, and delivery of, and the payment of interest
5092 on the Bonds, and the maturity date or dates of the Bonds;

5093 (5) The terms under which the Bonds may be paid, optionally or mandatorily
5094 redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before
5095 their respective stated maturities;

5096 (6) Provisions for the registration, transfer, and exchange of the Bonds and the
5097 replacement of mutilated, lost, stolen, or destroyed Bonds;

5098 (7) The creation of any reserve fund, sinking fund, or other fund with respect to
5099 the Bonds;

5100 (8) The time and place of payment of the Bonds;

5101 (9) Procedures for monitoring the use of the proceeds received from the sale of
5102 the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish
5103 the purposes of the Home Rule Act and this subtitle;

5104 (10) Actions necessary to qualify the Bonds under blue sky laws of any
5105 jurisdiction where the Bonds are marketed; and

5106 (11) The terms and types of credit enhancement under which the Bonds may be
5107 secured.

5108 (b) The Bonds shall contain a legend, which shall provide that the Bonds are special
5109 obligations of the District, are without recourse to the District, are not a pledge of, and do not
5110 involve the faith and credit or the taxing power of the District, do not constitute a debt of the
5111 District, and do not constitute lending of the public credit for private undertakings as prohibited
5112 in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

5113 (c) The Bonds shall be executed in the name of the District and on its behalf by the
5114 manual or facsimile signature of the Mayor, and attested by the Secretary of the District of
5115 Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The
5116 Mayor's execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor's
5117 approval, on behalf of the District, of the final form and content of the Bonds.

5118 (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or
5119 otherwise reproduced on the Bonds.

5120 (e) The Bonds of any series may be issued in accordance with the terms of a trust
5121 instrument to be entered into by the District and a trustee to be selected by the Borrower subject
5122 to the approval of the Mayor, and may be subject to the terms of one or more agreements entered
5123 into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act (D.C. Official Code § 1-
5124 204.90(a)(4)).

5125 (f) The Bonds may be issued at any time or from time to time in one or more issues and
5126 in one or more series.

5127 Sec. 1186. Sale of the Bonds.

5128 (a) The Bonds of any series may be sold at negotiated or competitive sale at, above, or
5129 below par, to one or more persons or entities, and upon terms that the Mayor considers to be in
5130 the best interest of the District.

5131 (b) The Mayor or an Authorized Delegate may execute, in connection with each sale of
5132 the Bonds, offering documents on behalf of the District, may deem final any such offering
5133 document on behalf of the District for purposes of compliance with federal laws and regulations
5134 governing such matters and may authorize the distribution of the documents in connection with
5135 the sale of the Bonds.

5136 (c) The Mayor is authorized to deliver the executed and sealed Bonds, on behalf of the
5137 District, for authentication, and, after the Bonds have been authenticated, to deliver the Bonds to
5138 the original purchasers of the Bonds upon payment of the purchase price.

5139 (d) The Bonds shall not be issued until the Mayor receives an approving opinion from
5140 Bond Counsel as to the validity of the Bonds of such series and, if the interest on the Bonds is
5141 expected to be exempt from federal income taxation, the treatment of the interest on the Bonds
5142 for purposes of federal income taxation.

5143 Sec. 1187. Payment and security.

5144 (a) The principal of, premium, if any, and interest on, the Bonds shall be payable solely
5145 from proceeds received from the sale of the Bonds, income realized from the temporary
5146 investment of those proceeds, receipts and revenues realized by the District from the Loan,
5147 income realized from the temporary investment of those receipts and revenues prior to payment
5148 to the Bond owners, other moneys that, as provided in the Financing Documents, may be made
5149 available to the District for the payment of the Bonds, and other sources of payment (other than
5150 from the District), all as provided for in the Financing Documents.

5151 (b) Payment of the Bonds shall be secured as provided in the Financing Documents and
5152 by an assignment by the District for the benefit of the Bond owners of certain of its rights under
5153 the Financing Documents and Closing Documents, including a security interest in certain
5154 collateral, if any, to the trustee for the Bonds pursuant to the Financing Documents.

5155 (c) The trustee is authorized to deposit, invest, and disburse the proceeds received from
5156 the sale of the Bonds pursuant to the Financing Documents.

5157 Sec. 1188. Financing and Closing Documents.

5158 (a) The Mayor is authorized to prescribe the final form and content of all Financing
5159 Documents and all Closing Documents to which the District is a party that may be necessary or
5160 appropriate to issue, sell, and deliver the Bonds and to make the Loan to the Borrower. Each of
5161 the Financing Documents and each of the Closing Documents to which the District is not a party
5162 shall be approved, as to form and content, by the Mayor.

5163 (b) The Mayor is authorized to execute, in the name of the District and on its behalf, the
5164 Financing Documents and any Closing Documents to which the District is a party by the
5165 Mayor's manual or facsimile signature.

5166 (c) If required, the official seal of the District, or a facsimile of it, shall be impressed,
5167 printed, or otherwise reproduced on the Financing Documents and the Closing Documents to
5168 which the District is a party.

5169 (d) The Mayor's execution and delivery of the Financing Documents and the Closing
5170 Documents to which the District is a party shall constitute conclusive evidence of the Mayor's
5171 approval, on behalf of the District, of the final form and content of said executed Financing
5172 Documents and said executed Closing Documents.

5173 (e) The Mayor is authorized to deliver the executed and sealed Financing Documents and
5174 Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale,

5175 and delivery of the Bonds, and to ensure the due performance of the obligations of the District
5176 contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

5177 Sec. 1189. Authorized delegation of authority.

5178 To the extent permitted by District and federal laws, the Mayor may delegate to any
5179 Authorized Delegate the performance of any function authorized to be performed by the Mayor
5180 under this subtitle.

5181 Sec. 1190. Limited liability.

5182 (a) The Bonds shall be special obligations of the District. The Bonds shall be without
5183 recourse to the District. The Bonds shall not be general obligations of the District, shall not be a
5184 pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a
5185 debt of the District, and shall not constitute lending of the public credit for private undertakings
5186 as prohibited in section 602(a)(2) of the Home Rule Act (D.C. Official Code § 1-206.02(a)(2)).

5187 (b) The Bonds shall not give rise to any pecuniary liability of the District and the District
5188 shall have no obligation with respect to the purchase of the Bonds.

5189 (c) Nothing contained in the Bonds, in the Financing Documents, or in the Closing
5190 Documents shall create an obligation on the part of the District to make payments with respect to
5191 the Bonds from sources other than those listed for that purpose in section 787.

5192 (d) The District shall have no liability for the payment of any Issuance Costs or for any
5193 transaction or event to be effected by the Financing Documents.

5194 (e) All covenants, obligations, and agreements of the District contained in this subtitle,
5195 the Bonds, and the executed, sealed, and delivered Financing Documents and Closing
5196 Documents to which the District is a party, shall be considered to be the covenants, obligations,
5197 and agreements of the District to the fullest extent authorized by law, and each of those
5198 covenants, obligations, and agreements shall be binding upon the District, subject to the
5199 limitations set forth in this subtitle.

5200 (f) No person, including, but not limited to, the Borrower and any Bond owner, shall have
5201 any claims against the District or any of its elected or appointed officials, officers, employees, or
5202 agents for monetary damages suffered as a result of the failure of the District or any of its elected
5203 or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or
5204 obligation under this subtitle, the Bonds, the Financing Documents, or the Closing Documents,
5205 or as a result of the incorrectness of any representation in or omission from the Financing
5206 Documents or the Closing Documents, unless the District or its elected or appointed officials,
5207 officers, employees, or agents have acted in a willful and fraudulent manner.

5208 Sec. 1191. District officials.

5209 (a) Except as otherwise provided in section 790(f), the elected or appointed officials,
5210 officers, employees, or agents of the District shall not be liable personally for the payment of the
5211 Bonds or be subject to any personal liability by reason of the issuance, sale or delivery of the
5212 Bonds, or for any representations, warranties, covenants, obligations, or agreements of the

5213 District contained in this subtitle, the Bonds, the Financing Documents, or the Closing
5214 Documents.

5215 (b) The signature, countersignature, facsimile signature, or facsimile countersignature of
5216 any official appearing on the Bonds, the Financing Documents, or the Closing Documents shall
5217 be valid and sufficient for all purposes notwithstanding the fact that the individual signatory
5218 ceases to hold that office before delivery of the Bonds, the Financing Documents, or the Closing
5219 Documents.

5220 Sec. 1192. Maintenance of documents.

5221 Copies of the specimen Bonds and of the final Financing Documents and Closing
5222 Documents shall be filed in the Office of the Secretary of the District of Columbia.

5223 Sec. 1193. Information reporting.

5224 Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the
5225 issuance of the Bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the
5226 Council.

5227 Sec. 1194. Disclaimer.

5228 (a) The issuance of Bonds is in the discretion of the District. Nothing contained in this
5229 subtitle, the Bonds, the Financing Documents, or the Closing Documents shall be construed as
5230 obligating the District to issue any Bonds for the benefit of the Borrower or to participate in or
5231 assist the Borrower in any way with financing, refinancing, or reimbursing the costs of the
5232 Project. The Borrower shall have no claims for damages or for any other legal or equitable relief

5233 against the District, its elected or appointed officials, officers, employees, or agents as a
5234 consequence of any failure to issue any Bonds for the benefit of the Borrower.

5235 (b) The District reserves the right to issue the Bonds in the order or priority it determines
5236 in its sole and absolute discretion. The District gives no assurance and makes no representations
5237 that any portion of any limited amount of bonds or other obligations, the interest on which is
5238 excludable from gross income for federal income tax purposes, will be reserved or will be
5239 available at the time of the proposed issuance of the Bonds.

5240 (c) The District, by enacting this subtitle or by taking any other action in connection with
5241 financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that
5242 the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on
5243 the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the
5244 Bonds, nor any other person shall rely upon the District with respect to these matters.

5245 Sec. 1195. Expiration.

5246 If any Bonds are not issued, sold, and delivered to the original purchaser within 3 years of
5247 the effective date of this act, the authorization provided in this subtitle with respect to the
5248 issuance, sale, and delivery of the Bonds shall expire.

5249 Sec. 1196. Severability.

5250 If any particular provision of this subtitle or the application thereof to any person or
5251 circumstance is held invalid, the remainder of this subtitle and the application of such provision
5252 to other persons or circumstances shall not be affected thereby. If any action or inaction

5253 contemplated under this subtitle is determined to be contrary to the requirements of applicable
5254 law, such action or inaction shall not be necessary for the purpose of issuing of the Bonds, and
5255 the validity of the Bonds shall not be adversely affected.

5256 **TITLE XII. REPEALS; APPLICABILITY; FISCAL IMPACT STATEMENT;**
5257 **EFFECTIVE DATE**

5258 Sec. 1201. Repeals.

5259 (a) The COVID-19 Response Emergency Amendment Act of 2020, effective March 17,
5260 2020 (D.C. Act 23-247; 67 DCR 3093) is repealed.

5261 (b) The COVID-19 Response Supplemental Emergency Amendment Act of 2020,
5262 effective April 10, 2020 (D.C. Act 23-286; 67 DCR 4178) is repealed.

5263 (c) The COVID-19 Supplemental Corrections Emergency Amendment Act of 2020,
5264 effective May 4, 2020 (D.C. Act 23-299; 67 DCR XXXX) is repealed.

5265 (d) The Coronavirus Omnibus Emergency Amendment Act of 2020, passed on
5266 emergency basis on May 5, 2020 (D.C. Act 23- XXX, DCR XXXX) is repealed.

5267 (e) The Foreclosure Moratorium Emergency Amendment Act of 2020, passed on
5268 emergency basis on May 5, 2020 (D.C. Act 23- XXX, DCR XXXX) is repealed.

5269 (f) The COVID-19 Response Supplemental Temporary Amendment Act of 2020, enacted
5270 May X, 2020 (D.C. Act 23-XXX; 67 DCR XXXX) is repealed.

5271 Sec. 1202. Applicability.

5272 (a) Titles I through XI of this act shall apply as of March 11, 2020.

5273 Sec. 1203. Fiscal impact statement.

5274 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
5275 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
5276 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

5277 Sec. 1204. Effective date.

5278 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
5279 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
5280 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
5281 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
5282 Columbia Register.

5283 (b) This act shall expire after 225 days of its having taken effect.